

THE HOUSTON INDEPENDENT SCHOOL DISTRICT



AGENDA

**School Board
Meeting**

August 14, 2025

BOARD AUDITORIUM – OPEN SESSION

- CALL TO ORDER
- MEDITATION AND PLEDGE OF ALLEGIANCE
- RECOGNITIONS
- SPEAKERS TO AGENDA ITEMS
- HEARING OF THE COMMUNITY
- PUBLIC HEARING REGARDING THE STATE COMPENSATORY EDUCATION EVALUATION SUMMARY
- REPORTS FROM THE SUPERINTENDENT
- CONSIDERATION AND APPROVAL OF AGENDA ITEMS
- BOARD MEMBER REPORTS AND COMMENTS
- RECESS TO CLOSED SESSION UNDER SECTIONS 551.004 THROUGH 551.089 OF THE TEXAS GOVERNMENT CODE FOR THE PURPOSES LISTED IN THIS NOTICE
- RECONVENE IN OPEN SESSION
- CONSIDERATION AND POSSIBLE ACTION ON MATTERS DISCUSSED IN CLOSED SESSION

REPORTS FROM THE SUPERINTENDENT

Reports and comments by the superintendent of schools regarding meetings and conferences attended, schools visited, community and district activities, initiatives, and educational programs, on which there will be no action. Topics may include curriculum and instruction, student achievement, student attendance, discipline data, and teacher retention. The items may be discussed, but no final action will be taken on these items at this meeting.

- **2024–2025 ACCOUNTABILITY UPDATE**

DISCUSSION AND REPORT ITEMS

1. Report Of Legal Policy Changes From Texas Association Of School Boards Update 125
 - Update 125 Annotated Legal Policies
2. Acceptance Of Board Monitoring Update: Presentation Of Goal 1 Progress Measures 1.1, 1.2, and 1.3 and Goal 2 Progress Measures 2.1, 2.2, and 2.3
 - August Goal Progress Report

3. Debt Management Activity Report
 - Debt Management Activity Report
4. Annual Investment Report
 - Annual Investment Report
5. Purchasing Services Quarterly Report
 - Purchasing Quarterly Report
6. Budget To Actual Report
 - Budget To Actual Report For The Period Ending June 30, 2025

CONSENT AGENDA

7. Review And Approval Of The Board's Quarterly Self-Evaluation
 - Self-Evaluation And Time Use Trackers
8. Appointment Of A Houston Independent School District Representative To The Tax Increment Reinvestment Zone 18 Board Of Directors
9. Approval Of A Director Appointment To The Houston Independent School District Public Facility Corporation Board Of Directors
10. Approval Of A Delegate And Alternate For The 2025 Texas Association Of School Boards Delegate Assembly
11. Resolution Ordering November 4, 2025, General Election For Houston Independent School District Single-Member Districts I, V, VI, VII, and IX, And Authority To Negotiate And Execute An Agreement With Harris County To Conduct Joint Elections
 - Order For General Trustee Election
12. Approval Of A Member Appointment To The Houston Independent School District Board Audit Committee
13. Approval Of Appointment To The Council Of The Great City Schools
14. Approval Of Appointment To The School Safety And Security Committee
15. Authority To Negotiate, Execute, and Amend An Interlocal Partnership Agreement With The Harris County Department Of Education For The BridgeYear Career Test Drive Fair

16. Authority To Renew Partnerships With AVANCE-Houston, Inc.; Gulf Coast Community Services Association; Harris County Department Of Education; And BakerRipley, For Head Start Prekindergarten Collaborative Programs
17. Approval Of Revisions To And Ratification Of The 2025-2026 *Student Code Of Conduct*
 - 2025–2026 Student Code Of Conduct
 - Código de Conducta Estudiantil 2025–2026
18. Approval Of Vendor Awards For Purchases Which Cost \$1,000,000 Or More And Purchases Associated With A Board-Approved Cooperative Or Intergovernmental Interlocal Agreement
 - Purchasing Requests
19. Adoption Of Resolution Approving Prevailing Wage Update
 - Resolution
20. Delegation Of Authority To The Superintendent Of Schools To Obligate The District For Excess Revenue Contracts And Agreements
 - Resolution
21. Authority To Negotiate And Execute The Region 4 Regional Day School Program For The Deaf Shared Services Arrangement Agreement With Region 4 Education Service Center; Pasadena, Deer Park, Aldine, And Spring Independent School Districts; Bloom Academy; And Draw Academy For The 2025-2026 School Year
22. Approval Of Proposed Revisions To Board Policy CW(LOCAL), *Naming Facilities*-Second Reading
 - CW(LOCAL), Second Reading
23. Approval Of Proposed Revisions To Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*-Second Reading
 - DCD(LOCAL), Second Reading
24. Approval Of Proposed Deletion Of Board Policy EF(LOCAL), *Instructional Resources*-Second Reading
 - EF(LOCAL), Second Reading
25. Approval Of Proposed Establishment Of Board Policy EFA(LOCAL), *Instructional Resources: Instructional Materials*-Second Reading
 - EFA(LOCAL), Second Reading

26. Approval Of Proposed Establishment Of Board Policy EFB(LOCAL), *Instructional Resources: Library Materials*-Second Reading
 - EFB(LOCAL), Second Reading
27. Approval Of Proposed Revisions To Board Policy EHBB(LOCAL), *Special Programs: Gifted And Talented Students*-Second Reading
 - EHBB(LOCAL), Second Reading
28. Approval Of Proposed Revisions to Board Policy FFAC(LOCAL), *Wellness And Health Services: Medical Treatment*-Second Reading
 - FFAC(LOCAL), Second Reading
29. Approval Of Proposed Revisions To Board Policy FFAF(LOCAL), *Wellness and Health Services: Care Plans*-Second Reading
 - FFAF(LOCAL), Second Reading
30. Approval Of Proposed Revisions To Board Policy GKA(LOCAL), *Community Relations: Conduct On School Premises*-Second Reading
 - GKA(LOCAL), Second Reading
31. Approval Of Proposed Revisions To Board Policy DBAA(LOCAL), *Employment Requirements And Restrictions: Pre-Employment Reviews*-First Reading
 - DBAA(LOCAL), First Reading
32. Approval Of Proposed Revisions To Board Policy DC(LOCAL), *Employment Practices*-First Reading
 - DC(LOCAL), First Reading
33. Approval Of Proposed Revisions To Board Policy DEC(LOCAL), *Compensation And Benefits: Leaves And Absences*
 - DEC(LOCAL), First Reading
34. Approval Of Proposed Revisions To Board Policy DFD(LOCAL), *Termination Of Employment: Hearings Before Hearing Examiner*-First Reading
 - DFD(LOCAL), First Reading
35. Approval Of Proposed Revisions To Board Policy DGB(LOCAL), *Employee Rights And Privileges: Personnel-Management Relations*
 - DGB(LOCAL)

36. Approval Of Proposed Revisions To Board Policy DGBA(LOCAL), *Personnel-Management Relations: Employee Complaints/Grievances*-First Reading
 - DGBA(LOCAL), First Reading
37. Approval Of Proposed Revisions To Board Policy DH(LOCAL), *Employee Standards Of Conduct*-First Reading
 - DH(LOCAL), First Reading
38. Approval Of Proposed Revisions To Board Policy DN(LOCAL), *Performance Appraisal*-First Reading
 - DN(LOCAL), First Reading
39. Approval Of Proposed Revisions To Board Policy DNA(LOCAL), *Performance Appraisal: Evaluation Of Teachers*-First Reading
 - DNA(LOCAL), First Reading
40. Approval Of Proposed Revisions To Board Policy DNB(LOCAL), *Performance Appraisal: Evaluation Of Campus Administrators*-First Reading
 - DNB(LOCAL), First Reading
41. Approval Of Proposed Revisions To Board Policy EHB(LOCAL), *Curriculum Design: Special Programs*-First Reading
 - EHB(LOCAL), First Reading
42. Approval Of Proposed Revisions To Board Policy FD(LOCAL), *Admissions*
 - FD(LOCAL)
43. Approval Of Proposed Revisions To Board Policy FNCE(LOCAL), *Student Conduct: Personal Communication Devices/Electronic Devices*
 - FNCE(LOCAL)
44. Approval Of Proposed Revisions To Board Policy FNG(LOCAL), *Student Rights And Responsibilities: Student And Parent Complaints/Grievances*-First Reading
 - FNG(LOCAL), First Reading
45. Approval Of Proposed Revisions To Board Policy GF(LOCAL), *Public Complaints*-First Reading
 - GF(LOCAL), First Reading

46. Consideration And Approval Of Minutes From Previous Meetings

BOARD MEMBER REPORTS AND COMMENTS

Reports and comments from the board president and board members regarding meetings and conferences attended, including board committee meetings; schools visited; community and district activities; new initiatives; education programs; and continuing education. The items may be discussed, but no final action will be taken on these items at this meeting.

CLOSED SESSION

Personnel

- a) Deliberate the duties of the superintendent of schools, chief officers, deputy chief officers, executive directors, principals, employees, and board members; evaluations of the superintendent; consideration of compensation, and contractual provisions of same.
- b) Consider and approve proposed appointments, reassignments, proposed terminations, terminations/suspensions, contract lengths, proposed nonrenewals, renewals, and resignations/retirements of personnel including teachers, assistant principals, principals, including proposed termination of Keith Garcia, Pugh Elementary School Principal, chiefs, division superintendents, senior executive directors, executive directors, directors, and other administrators, and, if necessary, approve waiver and release and compromise agreements.
- c) Hear complaints against and deliberate the appointment, evaluation, and duties of public officers or employees and resolution of same.

Legal

- a) Matters on which the district's attorney's duty to the district under the Code of Professional Responsibility clearly conflicts with the Texas Open Meetings Law, including specifically any matter listed on this agenda and meeting notice.
- b) Pending or contemplated litigation matters and status report.
- c) Update on federal law enforcement activity on February 27, 2020.
- d) Update and possible action in the matter of Nathan v. Alamo Heights Independent School District, in the Western District of Texas, San Antonio Division, Civil Action No. 5:25-cv-00756.
- e) Update and possible action in the matter of Houston Federation of Teachers v. Mike Miles, in the District Court of Harris County, Texas, 164 Judicial District, Cause No. 2025-53237.
- f) Authority to negotiate, execute, and amend all documents pertaining to the conveyance of right of way to the Texas Department of Transportation and/or the City of Houston for the purpose of the infrastructure enhancements known as the Sergio I. Rodriguez Memorial Pedestrian Bridge.

District Safety, Emergency Management, And Security Audits

- a) Discussion of district safety concerns, including districtwide intruder detection audit report findings and HB3 compliance.

ADJOURN



8/14/2025

1.

Office of the School Board

Report Of Legal Policy Changes From Texas Association Of School Boards Update 125

The purpose of this agenda item is to provide an overview of changes made to the legal framework, or legal policies, in the Houston Independent School District (HISD) *Policy Online*.

The legal policies are not approved by the board; they are developed and provided by the Texas Association of School Boards (TASB) based on the United States and Texas Constitutions, federal and state statutes, case law, and attorney general opinions.

TASB updates legal policies as needed but sometimes changes in law take effect before a policy update can be completed. In such cases, current law supersedes policy.

The most recent changes from TASB are in Update 125 and involve 26 legal policies. All of these policy updates have been published in *Policy Online*.

- AIA(LEGAL), *Accountability: Accreditation and Performance Indicators*
- AIE(LEGAL), *Accountability: Investigations*
- BBD(LEGAL), *Board Members: Training and Orientation*
- BDB(LEGAL), *Board Internal Organization: Board Committees*
- BDF(LEGAL), *Board Internal Organization: Advisory Committees*
- BJB(LEGAL), *Superintendent: Recruitment and Appointment*
- CBA(LEGAL), *State and Federal Revenue Sources: State*
- CKA(LEGAL), *Safety Program/Risk Management: Safety and Security Audits and Monitoring*
- CKC(LEGAL), *Safety Program/Risk Management: Emergency Plans*
- CLA(LEGAL), *Buildings, Grounds, and Equipment Management: Security*
- CMD(LEGAL), *Equipment and Supplies Management: Instructional Materials Care and Accounting*
- CNB(LEGAL), *Transportation Management: District Vehicles*
- CNC(LEGAL), *Transportation Management: Transportation Safety*
- DEAB(LEGAL), *Compensation Plan: Wage and Hour Laws*
- DMA(LEGAL), *Professional Development: Required Staff Development*
- EHBA(LEGAL), *Special Education: Identification, Evaluation, and Eligibility*
- EHBAD(LEGAL), *Special Education: Transition Services*
- EHBAF(LEGAL), *Special Education: Video/Audio Monitoring*
- EHBE(LEGAL), *Special Programs: Bilingual Education/ESL*
- EHDE(LEGAL), *Alternative Methods for Earning Credit: Distance Learning*
- EIF(LEGAL), *Academic Achievement: Graduation*

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- FDA(LEGAL), *Admissions: Interdistrict Transfers*
 - FFAC(LEGAL), *Wellness and Health Services: Medical Treatment*
 - FFB(LEGAL), *Student Welfare: Crisis Intervention*
 - FOC(LEGAL), *Student Discipline: Placement in a Disciplinary Alternative Education Setting*
 - FOF(LEGAL), *Student Discipline: Students with Disabilities*

A PDF showing the changes to these legal policies is attached.



Annotated Legal Framework

The following documents in this annotated packet show the changes to the legal framework in Update 125. Revisions to legal framework documents are further described in the Update 125 Explanatory Notes included with the localized update materials.

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This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

Accreditation

Each district must be accredited by Texas Education Agency (TEA). A district that is not accredited may not receive funds from TEA or hold itself out as operating a public school of this state. *Education Code 11.001, 39.052(f)*

District accreditation is determined in accordance with Education Code Chapter 39, Subchapter C and rules adopted by the commissioner of education at 19 Administrative Code, Chapter 97, Subchapter EE (Accreditation Status, Standards, and Sanctions). *Education Code 39.051*

Statuses

The commissioner shall determine criteria for the following accreditation statuses:

1. Accredited. Accredited means TEA recognizes the district as a public school of this state that meets the standards determined by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1059; and is not currently assigned an accreditation status of Accredited-Warning or Accredited-Probation;
2. Accredited-Warning. Accredited-Warning means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(b), that, if not addressed, will lead to probation or revocation of its accreditation status;
3. Accredited-Probation. Accredited-Probation means the district exhibits deficiencies in performance, as specified in 19 Administrative Code 97.1055(c), that must be addressed to avoid revocation of its accreditation status; and
4. Not Accredited-Revoked. Not Accredited-Revoked means TEA does not recognize the district as a Texas public school because the district's performance has failed to meet standards adopted by the commissioner under Education Code 39.052(b) and (c), and specified in 19 Administrative Code 97.1055(d).

Education Code 39.051; 19 TAC 97.1055(a)(1)

Annual Evaluation

Each year, the commissioner shall determine the accreditation status of each district. In determining the accreditation status of a district, the commissioner:

1. Shall evaluate and consider performance:
 - a. On achievement indicators under Education Code 39.053 [see Performance Indicators, below]; and

- b. Under the financial accountability rating system developed under Education Code, Chapter 39, Subchapter D [see CFA].
- 2. May evaluate and consider:
 - a. The district's compliance with statutory requirements and requirements imposed by rule of the commissioner or State Board of Education that relate to:
 - (1) Reporting data through the Public Education Information Management System (PEIMS) or other reports required by state or federal law or court order;
 - (2) High school graduation requirements; or
 - (3) Extracurricular activities, student health and safety, purchasing, elementary class size limits, removal of a disruptive student from the classroom, at-risk programs, and prekindergarten programs;
 - b. The effectiveness of the district's programs for special populations; and
 - c. The effectiveness of the district's career and technology program.

Based on a district's performance, the commissioner shall assign each district an accreditation status or revoke the accreditation of the district and order closure of the district.

A district's accreditation status may be raised or lowered based on the district's performance or may be lowered based on the performance of one or more campuses in the district that is below a standard required by Education Code Chapter 39, Subchapter C.

Education Code 7.056(e)(3)(C)-(I), 39.052; 19 TAC 97.1055

For additional information on the commissioner process for assigning accreditation status, see 19 Administrative Code 97.1055.

Notice of Status

The commissioner shall notify a district if the district has received an accreditation status of accredited-warned or accredited-probation, or a campus's performance is below standard. *Education Code 39.052(e)*

*To Parents and
Property Owners*

A district assigned an accreditation status of accredited-warned, accredited-probation, or not accredited-revoked shall notify the parents of students enrolled in the district and property owners in the district as specified in 19 Administrative Code 97.1055. The district's notice must contain information about the accreditation sta-

tus, the implications of such status, and the steps the district is taking to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

The district's notice must:

1. Not later than 30 calendar days after the accreditation status is assigned, appear on the home page of the district's website, with a link to the required notification, and remain until the district is assigned the accredited status; and
2. Appear in a newspaper of general circulation, as defined in 19 Administrative Code 97.1051 (Definitions), in the district for three consecutive days as follows:
 - a. From Sunday through Tuesday of the second week following assignment of the status; or
 - b. If the newspaper is not published from Sunday through Tuesday, then for three consecutive issues of the newspaper beginning the second week following assignment of the status; or
3. Not later than 30 calendar days after the status is assigned, be sent by first class mail addressed individually to each parent of a student enrolled in the district and each property owner in the district; or
4. Not later than 30 calendar days after the status is assigned, be presented as a discussion item in a public meeting of the board of trustees conducted at a time and location that allows parents of students enrolled in the district and property owners in the district to attend and provide public comment.

To TEA

A district required to act under this subsection shall send the following to TEA via certified mail, return receipt requested:

1. The universal resource locator (URL) for the link to the notification required above; and
2. Copies of the notice in the newspaper showing dates of publication, or a paid invoice showing the notice content and its dates of publication; or
3. Copies of the notice sent by mail and copies of all mailing lists and postage receipts; or
4. Copies of the notice presented at a public meeting and copies of the board of trustees meeting notice and minutes for the

board meeting in which the notice was presented and publicly discussed.

19 TAC 97.1055(f)

**Performance
Indicators**

The commissioner shall adopt a set of indicators of the quality of learning and achievement, including three domains of achievement indicators. [See Achievement Indicators, below] *Education Code 39.053(a)*

The indicators must measure and evaluate districts and campuses with respect to:

1. Improving student preparedness for success in subsequent grade levels and entering the workforce, the military, or post-secondary education;
2. Reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds; and
3. Informing parents and the community regarding campus and district performance.

Education Code 39.053(a-1)

*Achievement
Indicators*

Districts and campuses must be evaluated based on indicators of achievement grouped in three domains:

1. Student achievement domain;
2. School progress domain; and
3. Closing the gaps domain.

Education Code 39.053(c)

Performance on the achievement indicators in the three domains shall be compared to state-established standards. The indicators must be based on information that is disaggregated by race, ethnicity, and socioeconomic status. *Education Code 39.053(b)*

Each school district shall submit the data required for the indicators to the commissioner. *Education Code 39.053(i)*

**A-F Performance
Ratings**

Except when the commissioner determines the assignment of an overall performance rating would be inappropriate [see Assignment of Not Rated, below], the commissioner shall adopt rules to evaluate district and campus performance and assign each district and campus an overall performance rating of A, B, C, D, or F.

In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain performance rating of A, B, C, D, or F for each domain under Education Code 39.053(c) [see Achievement Indicators, above].

An overall or domain performance rating of:

1. A reflects exemplary performance.
2. B reflects recognized performance.
3. C reflects acceptable performance.
4. D reflects performance that needs improvement.
5. F reflects unacceptable performance.

A district may not receive an overall or domain performance rating of A if the district includes any campus with a corresponding overall or domain performance rating of D or F.

For purposes of assigning districts and campuses an overall and a domain performance rating, the commissioner shall ensure that the method used to evaluate performance is implemented in a manner that provides the mathematical possibility that all districts and campuses receive an A rating.

Not later than August 15 of each year, the following information shall be made publicly available as provided by rules adopted by the commissioner:

1. The performance ratings for each district and campus; and
2. If applicable, the number of consecutive school years of unacceptable performance ratings for each district and campus.

Education Code 39.054(a), (a-3), (b)

Assignment of Not
Rated

Notwithstanding any other law, the commissioner may assign a district or campus an overall performance rating of “Not Rated” if the commissioner determines that the assignment of a performance rating of A, B, C, D, or F would be inappropriate because:

1. The district or campus is located in an area that is subject to a declaration of a state of disaster under Government Code Chapter 418 and due to the disaster, performance indicators for the district or campus are difficult to measure or evaluate and would not accurately reflect quality of learning and achievement for the district or campus;

2. The district or campus has experienced breaches or other failures in data integrity to the extent that accurate analysis of data regarding performance indicators is not possible;
3. The number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus; or
4. For other reasons outside the control of the district or campus, the performance indicators would not accurately reflect quality of learning and achievement for the district or campus.

Education Code 39.054(a-4)

Calculating
Consecutive Years

Notwithstanding any other law, an overall performance rating of “Not Rated” is not included in calculating consecutive school years of unacceptable performance ratings and is not considered a break in consecutive school years of unacceptable performance ratings for purposes of any provision of the Education Code. *Education Code 39.054(a-5)*

Acceptable
Performance

A reference in law to an acceptable performance rating or acceptable performance includes an overall or domain performance rating of A, B, or C or performance that is exemplary, recognized, or acceptable. A reference in law to an unacceptable performance rating or unacceptable performance includes an overall or domain performance rating of F. For the purposes of public reporting requirements, an overall or domain performance rating of D shall be referred to as performance that needs improvement. *Education Code 39.0543(a)*

D Rating

A reference in law to an acceptable performance rating or acceptable performance for a district or campus includes an overall performance rating of D if, since previously receiving an overall performance rating of C or higher, the district or campus has not previously received more than one overall performance rating of D or has not received an overall performance rating of F. *Education Code 39.0543(b)*

**Local Accountability
System**

The local accountability system standards established by the commissioner under Education Code 39.0544 shall be used by districts to develop a plan to locally evaluate the performance of their campuses. *19 TAC 97.1003(a)*

Local Accountability
Plan

A local accountability plan created by a district must include domain performance ratings assigned by the commissioner under Education Code 39.054, and performance ratings based on locally developed domains or sets of accountability measures. *19 TAC 97.1003(b)*

	<p>A district must create its local accountability plan based on school type. The four school types are elementary school, middle school, high school, and kindergarten-grade 12. The plan must include all campuses within a school type. The district may also request to identify an additional school group within a school type for which to customize its local accountability plan. Otherwise, all campuses within a school type must be evaluated on a common set of components determined by the district. A district may also request to identify a campus rated under alternative education accountability provisions as a unique school type. <i>19 TAC 97.1003(b)(4)</i></p>
Plan Components	<p>A locally developed domain or set of accountability measures is referred to as a plan component. Plan components must describe each item and the reason for its inclusion in the plan. A district must assign each component to one of the following five domains: academics, culture and climate, extra- and co-curricular, future-ready learning, and locally determined. The weight of all plan components must equal 100 percent. <i>19 TAC 97.1003(b)(1)</i></p> <p>A district may assign weights to each plan component, as determined by the district, provided that the plan components must in the aggregate account for no more than 50 percent of the combined overall performance rating. A local accountability plan may include no fewer than two and no more than 10 components weighted between 5 percent and 60 percent. <i>19 TAC 97.1003(c)</i></p> <p>Each plan component must contain levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels that are aligned to a letter grade of A, B, C, D, or F and meet the requirements of 19 Administrative Code 97.1003(d)(1)-(3). <i>19 TAC 97.1003(d)</i></p> <p>Each plan component measure must meet standards for reliability and validity as required by 19 Administrative Code 97.1003(e)(1)-(3). <i>19 TAC 97.1003(e)</i></p>
Campuses without STAAR or State Ratings	<p>For the purposes of assigning state accountability ratings, a campus that does not serve any grade level for which a State of Texas Assessments of Academic Readiness (STAAR) examination is administered is paired with a campus in its district that serves grade levels for which STAAR examinations are administered.</p> <p>A campus not rated under the state accountability system is not eligible to combine state and local ratings. Local accountability data for a campus without state ratings may be displayed on TEA, district, and campus websites but will not be combined with state accountability data. The state accountability manual adopted under 19 Administrative Code 97.1001 (Accountability Rating System)</p>

provides information about campus ratings and eligibility for applicable years.

19 TAC 97.1003(b)(3)

Campus
Performance
Ratings

A district authorized to assign campus performance ratings shall evaluate the performance of each campus and assign each campus a performance rating of A, B, C, D, or F for overall performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district shall:

1. Report the performance ratings to the agency; and
2. Make the performance ratings available to the public as provided by commissioner rule.

Education Code 39.0544(e)

Each campus with an approved district plan is eligible to receive a local accountability rating. A campus with an overall state accountability rating of C or higher based on ratings derived from student performance at the campus is eligible to combine an overall local accountability rating with the overall state accountability rating to determine the combined rating. *19 TAC 97.1003(b)(2); Education Code 39.054(a)*

Submission and
Audit Standards

Calculations for each plan component and overall performance ratings must be capable of being audited by a third party.

A district must use a one-to-one correspondence when converting campus grades based on plan component measures to a standard scale of 30-100 where A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59.

Categorical data, or data not on a continuous scale, must be converted to the standard scale of A=90-100, B=80-89, C=70-79, D=60-69, and F=30-59 by assigning the maximum value for each scaled score interval with the corresponding category used in the campus rating scale.

A district is required to submit a local accountability plan component, domain that includes components, domains, and overall scaled scores and ratings to TEA on a timeline determined by the first week of July of commissioner. The timeline will be published on the applicable accountability year. TEA website.

19 TAC 97.1003(f)(3)

All scaled scores and letter grades submitted by a school district are subject to audit. Any data discrepancies or any indication that

data have been compromised may result in verification and audit of district and campus data used to assign local accountability ratings. The audit process may include requests for data used for campus-level calculation of component and domain scaled scores.

On an annual basis, TEA will randomly select districts for local accountability audits, and, for each such audit, TEA will randomly select components for review. Selected districts must submit the requested data for review within the timeframe specified. A district must maintain documentation of its local accountability plan, along with all associated data used to assign campus ratings, for two years after the end of the plan implementation period.

Responsibility for the accuracy and quality of data used to determine local accountability ratings rests with each district. Superintendent certification of data accuracy during the ratings submission process shall include an assurance that calculations have been verified to ensure that all data were included as appropriate for all components.

19 TAC 97.1003(f)(1)-(6)

Scorecard and
Website

A district must produce a campus scorecard and make available on the district website an explanation of the methodology used to assign local accountability performance ratings. The campus scorecard shall include, at a minimum, the scaled score and rating for each component and domain along with the overall rating. A link to the local accountability ratings posted by the district must be provided to TEA and may be included on the agency-developed school report card. *19 TAC 97.1003(g)*

Appeal and
Revision

An appeal of a local accountability rating may be submitted by the superintendent once ratings are released. The local accountability appeals timeline follows the appeal deadline dates and processes as described in the state accountability manual adopted under 19 Administrative Code 97.1001 of this title for the applicable year. *19 TAC 97.1003(f)(7)*

Ratings may be revised as a result of investigative activities by the commissioner as authorized under Education Code 39.057(d) and (e) (redesignated to Education Code 39.003). *19 TAC 97.1003(h)*

**Distinction
Designations for
Outstanding
Performance**

The commissioner shall award distinction designations for outstanding performance. A distinction designation awarded to a district or campus shall be referenced directly in connection with the performance rating assigned to the district or campus and made publicly available together with the A-F performance ratings.

A district or campus may not be awarded a distinction designation unless the district or campus has acceptable performance under the A-F performance ratings.

Education Code 39.201

Academic
Distinction

The commissioner shall establish an academic distinction designation for districts and campuses for outstanding performance in attainment of postsecondary readiness based on the commissioner's adopted criteria. *Education Code 39.202*

Campus Distinction

The commissioner shall award a campus a distinction designation for outstanding performance in:

1. Improvement in student achievement;
2. Closing student achievement differentials; and
3. Academic achievement in English language arts, mathematics, science, or social studies.

Education Code 39.203

The commissioner may award a distinction designation for outstanding performance in advanced middle or junior high school student achievement. *Education Code 39.203(d)*

**Excellence
Exemptions**

Except as listed below, a district or campus that is rated A (exemplary) is exempt from requirements and prohibitions imposed under the Education Code, including regulations adopted under the Education Code.

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
 - a. Curriculum essential knowledge and skills or high school graduation requirements;
 - b. Public school accountability;
 - c. Extracurricular activities;
 - d. Health and safety;
 - e. Purchasing;
 - f. Elementary class size limits;

- g. Removal of a disruptive student from the classroom;
- h. At-risk programs;
- i. Prekindergarten programs;
- j. Rights and benefits of school employees;
- k. Special education programs; or
- l. Bilingual education programs.

The commissioner may exempt an exemplary campus from class size limits if the campus submits a written plan showing steps that will be taken to ensure that the exemption will not be harmful to the academic achievement of the students on the school campus. If granted, the exemption remains in effect until the commissioner determines that achievement levels of the campus have declined.

Education Code 39.232

**Special
Investigations**

The commissioner may authorize a special investigation:

1. When excessive numbers of absences of students eligible to be tested on state assessment instruments are determined;
2. When excessive numbers of allowable exemptions from the required state assessment are determined;
3. In response to complaints to the Texas Education Agency (TEA) of alleged violations of civil rights or other requirements imposed on the state by federal law or court order;
4. In response to established compliance reviews of the district's financial accounting practices and state and federal reporting requirements;
5. When extraordinary numbers of student placements in disciplinary alternative education programs, other than placements under Education Code 37.006 and 37.007, are determined;
6. In response to an allegation involving a conflict between members of the board or between the board and the district administration if it appears that the conflict involves a violation of a role or duty of the board members or the administration clearly defined by the Education Code. If TEA's findings indicate the board has observed a lawfully adopted policy, TEA may not substitute its judgment for that of the board;
7. When excessive numbers of students in special education programs are assessed through modified assessment instruments;
8. In response to an allegation regarding, or an analysis using a statistical method result indicating, a possible violation of an assessment instrument security procedure;
9. When a significant pattern of decreased academic performance has developed as a result of the promotion in the preceding two school years of students who did not perform satisfactorily on the state assessments;
10. When excessive numbers of students eligible to enroll fail to complete an Algebra II course or any other advanced course as determined by the commissioner;
11. When resource allocation practices indicate a potential for significant improvement in resource allocation;
12. When a disproportionate number of students of a particular demographic group is graduating with a particular endorsement;

13. When an excessive number of students is graduating with a particular endorsement;
14. When a school district for any reason fails to produce, at the request of TEA, evidence or an investigation report relating to an educator who is under investigation by the State Board for Educator Certification;
15. When 10 percent or more of the students graduating in a particular school year from a particular high school campus are awarded a diploma based on the determination of an individual graduation committee under Education Code 28.0258;
16. In response to a complaint with respect to alleged inaccurate data that is reported through PEIMS or through other reports required by state or federal law or rule or court order and that is used by TEA to make a determination relating to public school accountability, including accreditation, under Education Code Chapter 39;
17. In response to repeated complaints submitted to TEA concerning imposition of excessive paperwork requirements on classroom teachers; or
18. As the commissioner otherwise determines necessary.

Education Code 39.003(a), (c)

TEA shall adopt written procedures for conducting special investigations, including procedures that allow TEA to obtain information from district employees in a manner that prevents a district or campus from screening the information. *Education Code 39.004(a)*

Note: The procedures for conducting a special investigation, holding a hearing following an investigation, the process for commissioner determinations, and judicial appeal are described in Education Code 39.004-.007.

Commissioner
Action

Based on the results of a special investigation, the commissioner may:

1. Take appropriate action under Education Code Chapter 39A, [see AIC];
2. Lower the district's accreditation status or a district's or campus's performance rating; or
3. Take action under both items 1 and 2 above.

Education Code 39.003(d)

At any time before issuing a report with the TEA's final findings, the commissioner may defer taking the above action until:

1. A person who is a third party, selected by the commissioner, has reviewed programs or other subjects of a special investigation and submitted a report identifying problems and proposing solutions;
2. A district completes a corrective action plan developed by the commissioner; or
3. The completion of actions under both items 1 and 2 above.

Education Code 39.003(e)

Based on the results of an action taken above, the commissioner may decline to take the deferred action. *Education Code 39.003(f)*

Note: The procedures for an informal review or hearing following an investigation are described in 19 Administrative Code Chapter 157, Subchapter EE.

Monitoring Reviews

In accordance with Education Code 7.028(a), TEA may monitor compliance with requirements applicable to a process or program provided by a district, campus, or program, only as necessary to ensure:

1. Compliance with federal law and regulations;
2. Financial accountability, including compliance with grant requirements;
3. Data integrity for purposes of:
 - a. The Public Education Information Management System (PEIMS); and
 - b. Accountability under Education Code Chapter 39 and 39A; and
4. Qualification for funding under Education Code Chapter 48.

The board has primary responsibility for ensuring that the district complies with all applicable requirements of state educational programs.

Education Code 7.028

Compliance Monitoring Activities

Districts are subject to general supervision and monitoring activities for compliance with state law and federal regulation, implemented by TEA under 34 C.F.R. 300.600-.609 [see Supervision

Under IDEA, below], and review of program implementation and effectiveness within certain special populations of students.

Activities may include:

1. Random, targeted, or cyclical reviews authorized under Education Code 39.056 (monitoring reviews), conducted remotely or on-site to identify problems implementing state and federal requirements and to provide support for development of reasonable and appropriate strategies to address identified problems; and/or
2. Intensive or special investigative remote or on-site reviews authorized under Education Code 39.003 and 39.004.

Activities described above are applicable for compliance with requirements for reading diagnosis in Education Code 28.006 [see EKC], dyslexia and related disorders in Education Code 38.003 and 19 Administrative Code 74.28 [see EHB], and program effectiveness for emergent bilingual students in Education Code 29.062.

19 TAC 97.1071(b)-(d)

Notice	TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. <i>Education Code 39.056(d)</i>
Conducting the Review	A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. <i>Education Code 39.056(c), (g)</i>
Converting to a Special Investigation	The commissioner may at any time convert a monitoring review to a special investigation under Education Code 39.003, provided the commissioner promptly notifies the district of the conversion. <i>Education Code 39.056(h)</i>
Improvements	TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. <i>Education Code 39.056(e)-(f)</i>

Appeals	A decision by the commissioner under Education Code Chapter 39 or 39A is final and may not be appealed unless an applicable provision of Chapter 39 or 39A provides otherwise. <i>Education Code 39A.906</i> [See AIC]
Compliance Investigation	A compliance investigation is an investigation by TEA of a state education grant recipient to determine compliance with the statutory or rule requirements of a state education program. A compliance investigation is not a special investigation subject to Education Code 39.003 and 39.004 (above). <i>19 TAC 102.1401(a)(1)</i>
Supervision Under IDEA	In exercising its general supervision authority under 34 C.F.R. sections 300.149 and 300.600, TEA has established a process that provides for the investigation and issuance of findings regarding credible allegations of violations of the Individuals with Disabilities Education Act (IDEA), Part B, or a state statute or administrative rule created to implement IDEA, that arise from an area of concern. The following guidelines shall apply to this process.
Definitions	<p>“Area of concern” means that TEA has been made aware of an allegation regarding a violation of, or noncompliance with, a requirement of IDEA, Part B, or a state special education law or administrative rule.</p> <p>“Credible allegation” means that TEA has determined that an allegation arising from an area of concern is credible enough to investigate further to determine if a violation or noncompliance has occurred.</p>
Credibility Determination	<p>Information and awareness of an area of concern may arise directly from TEA or from external sources.</p> <p>TEA will engage in a process to determine if an area of concern is determined to be a credible allegation, and, if determined credible, TEA will initiate an investigation to determine if findings of noncompliance will be issued.</p> <p>TEA will generally not engage in the process described below to determine if an area of concern is a credible allegation if it is a media report, social media post, or an anonymous report, unless TEA receives corroborating information and facts that a specific violation of state or federal law or rule has occurred if the allegation were to be confirmed true.</p> <p>When an individual or organization reports a special education area of concern, TEA may direct the individual or organization to the established dispute resolution processes. Depending on the frequency or specificity of the type of allegation made, TEA may engage in a process to determine credibility of the allegation.</p>

Process

The process to determine if an area of concern is a credible allegation may include one or more of the following actions:

1. Reviewing existing citations of noncompliance or any non-compliance identified within the last two school years on the same or similar alleged violation;
2. Reviewing filed state complaints that are in process of being investigated or that have been substantiated within the last two school years on the same or similar alleged violation;
3. Reviewing due process hearing decisions issued within the last two years in which the hearing officer's final written decision contains a finding of noncompliance on the same or similar alleged violation;
4. Gathering evidence from groups that represent or advocate for families and communities served by the district;
5. Reviewing and analyzing available student- or district-level data that relate to the alleged violation;
6. Reviewing and analyzing fiscal and program information, such as grant applications, contracts, self-assessments, and other special education documents submitted to TEA by the district; and
7. Any other activity or measure used to gather evidence within TEA's general supervision and monitoring authority.

The investigation to determine if a credible allegation will result in the issuance of findings will include contacting the school district that is the subject of the allegation and requesting a response from the school district. Additional investigative actions may include one or more of the following:

1. Conducting interviews with the district, staff, parents, or students;
2. A referral for review or investigation by any other appropriate unit or division within TEA;
3. Utilizing the review and analysis of the activities conducted during the review process in this provision to determine if non-compliance is found; and
4. Any other activity or measure within TEA's general supervision and monitoring authority.

ACCOUNTABILITY
INVESTIGATIONS

AIE
(LEGAL)

Intervention and
Sanction

TEA may apply any intervention or sanction within its authority if noncompliance or a violation is substantiated, including those described in 19 Administrative Code 89.1076 [see AIC].

19 TAC ~~89~~97.1071(l)

Updated cite.

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION B: LOCAL GOVERNANCE

BA	BOARD LEGAL STATUS
BAA	Powers and Duties
BB	BOARD MEMBERS
BBA	Eligibility/Qualifications
BBB	Elections
BBBA	Conducting Elections
BBBB	Post-election Procedures
BBBC	Campaign Finance
BBBD	Campaign Ethics
BBC	Vacancies and Removal from Office
BBD	Training and Orientation
BBE	Authority
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BBFA	Conflict of Interest Disclosures
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BBI	Technology Resources and Electronic Communications
BC	BOARD MEMBERSHIPS
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BDA	Officers and Officials
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BDD	Attorney
BDE	Consultants
BDF	Citizen Advisory Committees
BE	BOARD MEETINGS
BEC	Closed Meetings
BED	Public Participation
BEE	News Coverage
BEF	Staff Participation
BF	BOARD POLICIES
BG	BOARD SELF-EVALUATION
BI	ADMINISTRATIVE GOALS AND OBJECTIVES

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SECTION B: LOCAL GOVERNANCE

BJ	SUPERINTENDENT
BJA	Qualifications and Duties
BJB	Recruitment and Appointment
BJC	Contract
BJCA	Travel
BJCB	Professional Development
BJCC	Consulting
BJCD	Evaluation
BJCE	Suspension/Termination During Contract
BJCF	Nonrenewal
BJCG	Resignation
BK	ADMINISTRATIVE ORGANIZATION
BJA	Organization Charts
BKB	Line and Staff Relations
BM	ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES
BP	ADMINISTRATIVE REGULATIONS
BQ	PLANNING AND DECISION-MAKING PROCESS
BQA	District-Level
BQB	Campus-Level
BR	REPORTS

**Open Meetings Act
Training**

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its members under Government Code Chapter 551 (Open Meetings Act).

The attorney general may provide the training and may also approve other acceptable sources of training.

The board shall maintain and make available for public inspection the record of its members' completion of the training. The failure of one or more members of the board to complete the training does not affect the validity of an action taken by the board.

Gov't Code 551.005

**Public Information
Act Training**

Not later than the 90th day after taking the oath of office, each board member shall complete training of not less than one and not more than two hours regarding the responsibilities of the board and its officers and employees under Government Code Chapter 552 (Public Information Act [PIA]). A board member may designate a public information coordinator to satisfy the training for the board member if the public information coordinator is primarily responsible for administering the responsibilities of the board member or board under the PIA. The attorney general may require a board member to complete the course of training if the attorney general determines that the district has failed to comply with a requirement of the PIA. *Gov't Code 552.012(b), (b-1), (c)* [See GBAA regarding public information coordinator training.]

**SBOE-Required
Training**

A trustee must complete any training required by the State Board of Education (SBOE). *Education Code 11.159*

The SBOE's framework for governance leadership [see BBD(EX-HIBIT)] shall be distributed annually by the board president to all current board members and the superintendent. *19 TAC 61.1(a)*

The continuing education required under Education Code 11.159 applies to each member of the board. To the extent possible, an entire board shall participate in continuing education programs together. *19 TAC 61.1(b), (i)*

No continuing education shall take place during a board meeting unless that meeting is called expressly for the delivery of board member continuing education. Continuing education may take place prior to or after a legally called board meeting in accordance with Government Code 551.001(4) (definition of "meeting"). *19 TAC 61.1(e)*

A regional education service center (ESC) board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members. *19 TAC 61.1(f)*

Annually, the SBOE shall commend those board-superintendent teams that complete at least eight hours of the continuing education specified at Team Building and Additional Continuing Education, below, as an entire board-superintendent team.

Annually, the SBOE shall commend board-superintendent teams that effectively implement the commissioner of education's trustee improvement and evaluation tool developed under Education Code 11.182 [see BG] or any other tool approved by the commissioner.

19 TAC 61.1(k), (l)

Verification

For each training described below, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number. *19 TAC 61.1(h)*

Reporting

At the last regular board meeting before an election of trustees, the board president shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any board member under SBOE rule. The minutes of the last regular board meeting held before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements. *19 TAC 61.1(j); Education Code 11.159(b)*

Local District
Orientation

Each board member shall complete a local district orientation session. The purpose of the local orientation is to familiarize new

board members with local board policies and procedures and district goals and priorities.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall:

1. Be at least three hours in length.
2. Address local district practices in the following, in addition to topics chosen by the local district:
 - a. Curriculum and instruction;
 - b. Business and finance operations;
 - c. District operations;
 - d. Superintendent evaluation; and
 - e. Board member roles and responsibilities.

Each board member should be made aware of the continuing education requirements of 19 Administrative Code 61.1 and those of the following:

1. Open meetings act in Government Code 551.005 [see Open Meetings Act Training above];
2. Public information act in Government Code 552.012 [see Public Information Act Training above]; and
3. Cybersecurity in Government Code 2054.5191 [see CQB].

The orientation shall be open to any board member who chooses to attend.

19 TAC 61.1(b)(1)

Education Code
Orientation

Each board member shall complete a basic orientation to the Education Code and relevant legal obligations. The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The orientation shall be at least three hours in length. Topics shall include, but not be limited to, Education Code Chapter 26 (Parental Rights and Responsibilities) and Education Code 28.004 (Local School Health Advisory Council and Health Education Instruction).

The orientation shall:

1. Be provided by an ESC.
2. Be open to any board member who chooses to attend.

The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(2)

Legislative Update

After each session of the Texas Legislature, including each regular session and called session related to education, each board member shall complete an update to the basic orientation to the Education Code.

The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.

The update shall be provided by an ESC or a registered provider [see Registered Provider, below].

A board member who has attended an ESC basic orientation session described at Education Code Orientation, above, that incorporated the most recent legislative changes is not required to attend an update.

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(3)

Team Building

The entire board shall participate with their superintendent in a team-building session.

The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.

The session shall be held annually and shall be at least three hours in length.

The session shall include a review of the roles, rights, and responsibilities of the board as outlined in the framework for governance leadership. [See BBD(EXHIBIT)] The assessment of needs shall be based on the framework for governance leadership and shall be used to plan continuing education activities for the year for the governance leadership team.

The team-building session shall be provided by an ESC or a registered provider [see Registered Provider and Authorized Provider, below].

19 TAC 61.1(b)(4)

Additional
Continuing
Education (Based
on Assessed
Needs)

In addition to the continuing education requirements set out above, each board member shall complete additional continuing education based on the framework for governance leadership. [See BBD(EXHIBIT)]

The purpose of continuing education is to address the continuing education needs referenced at Team Building above.

The continuing education shall be completed annually.

At least 50 percent of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's school district. No more than one hour of the required continuing education that is delivered by the district may use self-instructional materials.

The continuing education shall be provided by an ESC or a registered provider [see Registered Provider, below].

The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

First Year

In a board member's first year of service, he or she shall complete at least 10 hours of continuing education in fulfillment of assessed needs.

*Subsequent
Years*

Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.

Board President

A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.

19 TAC 61.1(b)(5)

Evaluating Student
Academic
Performance

Each board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.

The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in Education Code 11.1515. [See BAA]

The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of Education Code 11.185 and 11.186.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The continuing education shall be completed every two years and shall be at least three hours in length.

The continuing education required by this provision shall include, at a minimum:

1. Instruction in school board behaviors correlated with improved student outcomes with emphasis on:
 - a. Setting specific, quantifiable student outcome goals; and
 - b. Adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under Education Code Chapter 39;
2. Instruction in progress monitoring practices to improve student outcomes; and
3. Instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under Education Code Chapter 39, and the state accountability system established under Chapter 39.

The continuing education shall be provided by an authorized provider [see Authorized Provider, below].

If the training is attended by an entire board and its superintendent, includes a review of local school district data on student achievement, and otherwise meets the requirements described at Team Building above, the training may serve to meet a board member's obligation to complete training described at Team Building and at Evaluating Student Academic Performance, above, as long as the training complies with the Open Meetings Act.

19 TAC 61.1(b)(6)

Identifying and
Reporting Abuse

Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with Education Code 11.159(c)(2).

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

The training shall be completed every two years and shall be at least one hour in length.

The training must familiarize board members with the requirements of Education Code 38.004 and 38.0041, and 19 Administrative Code 61.1051 (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).

Note: [19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401.](#)

19 TAC 61.1051

The training required by this provision shall include, at a minimum:

1. Instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;
2. Instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and
3. Instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.

The training sessions shall be provided by a registered provider [see Registered Provider, below].

This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

19 TAC 61.1(b)(7)

School Safety

The SBOE shall require a trustee to complete training on school safety. *Education Code 11.159(b-1)*

The continuing education required under Education Code 11.159(b-1) applies to each member of an independent school district board of trustees.

Each member shall complete the training on school safety adopted by the SBOE. The training requirement shall be fulfilled by completing the online course adopted by the SBOE and made available by the commissioner of education. The training shall be completed every two years.

A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed trustee who did not complete the training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.

A district shall maintain verification of completion for each trustee.

19 TAC 61.3

Training Provider

*Registered
Provider*

For the purposes of 19 Administrative Code 61.1, a registered provider has demonstrated proficiency in the content required for a specific training. A private or professional organization, school district, government agency, college/university, or private consultant shall register with the Texas Education Agency (TEA) to provide the board member continuing education required by 19 Administrative Code 61.1(b)(3), (5), and (7) [see Legislative Update, Additional Continuing Education, and Identifying and Reporting Abuse, above].

A district that provides continuing education exclusively for its own board members is not required to register under 19 Administrative Code 61.1(c)(1)-(2).

19 TAC 61.1(c)

*Authorized
Provider*

An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required

by 19 Administrative Code 61.1(b)(4) and (6). Proficiency may be demonstrated in accordance with 19 Administrative Code 61.1(d).

A private or professional organization, school district, government agency, college/university, or private consultant may be authorized by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

An ESC shall be authorized by TEA to provide the board member training required in 19 Administrative Code 61.1(b)(4) and (6).

19 TAC 61.1(d)

[See above for 19 Administrative Code 61.1(b)(4) on Team Building and (b)(6) on Evaluating Student Academic Performance.]

Note: For cybersecurity training requirements, see CQB(LEGAL).

Subtopic name change due to adjustments to correlating local policies.

Government Code Chapter 551 (Open Meetings Act) applies to board committee meetings if:

1. At least a quorum of the board is on the committee;
2. A quorum of the board is present at the committee meeting, even though less than a quorum is actually on the committee; or
3. Less than a quorum of the board is on the committee, but the committee is authorized to make final decisions or control or supervise public business.

A committee that includes less than a quorum of board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business.

Atty. Gen. Op. Nos. GA-0957 (2012), JC-0060 (1999), JH-0994 (1977); Willmann v. City of San Antonio, 123 S.W.3d 469 (Tex. App.—San Antonio 2003, pet. denied) [See BE]

Subtopic name change due to adjustments to correlating local policies.

**School Health
Advisory Council**

The board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See EHAA regarding duties of the SHAC.]

Meetings

The SHAC shall meet at least four times each year. For each meeting the SHAC shall:

1. At least 72 hours before the meeting post notice of the date, hour, place, and subject of the meeting on a bulletin board in the central administrative office of each campus in the district; and ensure that the required notice is posted on the district's internet website, if the district has an internet website;
2. Prepare and maintain minutes of the meeting that state the subject and content of each deliberation and each vote, order, decision, or other action taken by the council during the meeting;
3. Make an audio or video recording of the meeting; and
4. Not later than the tenth day after the meeting, submit the minutes and audio or video recording of the meeting to the district.

As soon as practicable after receipt of the minutes and audio or video recording, the district shall post the minutes and audio or video recording on the district's internet website, if the district has an internet website.

Education Code 28.004(d-1), (d-2)

Composition

The board shall appoint at least five members to the SHAC. A majority of members must be persons who are parents of students enrolled in the district and who are not employed by the district. One of those members shall serve as chair or co-chair of the SHAC.

The board also may appoint one or more persons from each of the following groups or a representative from a group other than a group specified:

1. Classroom teachers employed by the district;
2. School counselors certified under Education Code Chapter 21, Subchapter B, employed by the district;
3. School administrators employed by the district;

4. District students;
5. Health-care professionals licensed or certified to practice in this state, including medical or mental health professionals;
6. The business community;
7. Law enforcement;
8. Senior citizens;
9. The clergy;
10. Nonprofit health organizations; and
11. Local domestic violence programs.

Education Code 28.004(d)

Physical Activity
and Fitness
Planning
Subcommittee

The SHAC shall establish a physical activity and fitness planning subcommittee to consider issues relating to student physical activity and fitness and make policy recommendations to increase physical activity and improve fitness among students. *Education Code 28.004(l-1)*

Annual Report

In addition to its other duties, the SHAC shall submit to the board, at least annually, a written report that includes:

1. Any SHAC recommendation concerning the district's health education curriculum and instruction or related matters that the SHAC has not previously submitted to the board;
2. Any suggested modification to a SHAC recommendation previously submitted to the board;
3. A detailed explanation of the SHAC's activities during the period between the date of the current report and the date of the last prior written report; and
4. Any recommendations made by the physical activity and fitness planning subcommittee.

Education Code 28.004(m)

Public Statement

A district shall publish in the student handbook and post on the district's internet website, if the district has an internet website, a statement of:

1. The policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Health and Safety Code Chapter 121, and the

contact information for the nearest local mental health authority;

2. The policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least the amount and level of physical activity required by Education Code 28.002(l) [see EHAB and EHAC];
3. The number of times during the preceding year the SHAC has met;
4. Whether the district has adopted and enforces policies to ensure that district campuses comply with the Texas Education Agency's vending machine and food service guidelines for restricting student access to vending machines;
5. Whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined by Education Code 38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities [see DH and GKA];
6. Notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year [see FFAA]; and
7. Whether each campus in the district has a full-time nurse or full-time school counselor.

Education Code 28.004(k)

Vacancy Posting

A district's employment policy must provide for notice to each current district employee of a vacant position for which a certificate is required. Notice must be provided not later than the 10th school day before the date on which a district fills the position. Notice shall be posted on:

1. A bulletin board at:
 - a. A place convenient to the public in the district's central administrative office, and
 - b. The central administrative office of each campus during any time the office is open; or
2. The district's internet website, if the district has a website.

A district shall provide each current district employee a reasonable opportunity to apply for the position.

Education Code 11.1513(d)

Names of Applicants

The name of an applicant for superintendent is excepted from disclosure under Chapter 552, Government Code (Public Information Act). However, a board must give public notice of the name or names of the finalists being considered for superintendent at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of the person. *Gov't Code 552.126*

Required Reporting After Superintendent Change

Subsequent to a school system superintendent change, the direct contact information of the superintendent (or person acting in that capacity) must be updated in Sentinel within three business days of a corresponding board meeting. 19 TAC 103.1213(e)(3)(F) [See CKA]

19 TAC 103.1213

Available School Fund

The available school fund is apportioned annually to Texas counties according to the scholastic population of each. *Education Code 43.001(b)*

Foundation School Program

The purposes of the Foundation School Program (FSP) set forth in Education Code Chapter 48 are to guarantee that each district in the state has:

1. Adequate resources to provide each eligible student a basic instructional program and facilities suitable to the student's educational needs; and
2. Access to a substantially equalized program of financing in excess of basic costs for certain services, as provided by that chapter.

The FSP consists of:

1. Two tiers that in combination provide for:
 - a. Sufficient financing for all school districts to provide a basic program of education that is rated acceptable or higher under Education Code 39.054 and meets other applicable legal standards; and
 - b. Substantially equal access to funds to provide an enriched program; and
2. A facilities component as provided by Education Code Chapter 46. [See CCA]

Education Code 48.002

The cost of the FSP for a district is the total sum of:

1. The sum of the tier one allotments and other funding as follows:
 - a. The basic allotment under Education Code Chapter 48, Subchapter B;
 - b. The student-based allotments under Education Code Chapter 48, Subchapter C; and
 - c. The additional funding under Education Code Chapter 48, Subchapter D (including the transportation allotment [see CNA] and the new instructional facility allotment below); and
2. The tier two allotment under Education Code Chapter 48, Subchapter E.

The sum of the FSP maintenance and operations costs for all accredited school districts in this state constitutes the total maintenance and operations cost of the FSP.

The FSP shall be financed by:

1. State available school funds distributed in accordance with the law;
2. Ad valorem tax revenue generated by local school district effort [see CCG series]; and
3. State funds appropriated for the purposes of public school education and allocated to each district in an amount sufficient to finance the cost of each district's FSP not covered by other funds specified.

Education Code 48.251

PEIMS

A district shall participate in the Public Education Information Management System (PEIMS) and shall provide through that system information required for the administration of Education Code Chapter 48 (Foundation School Program) and of other appropriate provisions of the Education Code. Data standards, established by the commissioner of education, shall be used by a district to submit required information. *Education Code 48.008; 19 TAC 61.1025(b)*

New Instructional Facility Allotment (NIFA)

A district is entitled to an additional allotment as provided by Education Code 48.152 for operational expenses associated with opening a new instructional facility. A district entitled to an allotment may use funds from the district's allotment to renovate an existing instructional facility to serve as a dedicated cybersecurity computer laboratory. *Education Code 48.152*

Definitions

"Instructional facility" ~~has~~ means real property, an improvement to real property, or a necessary fixture of an improvement to real property that is used predominantly for teaching the meaning-as-signed curriculum required by Education Code 28.002. Education Code 46.001-~~Education Code~~ 48.152(a)(1); 19 TAC 61.1034(a)(2) [See CCA for the Instructional Facilities Allotment]

"New instructional facility" is a facility that includes:

1. A newly constructed instructional facility, which is a new instructional campus built from the ground up;
2. A repurposed instructional facility, which is a facility that has been renovated to become an instructional facility for the first time for the applying school district; or

3. A leased facility operating for the first time as an instructional facility with a minimum lease term of not less than ~~ten~~ years 10 years. The lease must not be a continuation of or re-negotiation of an existing lease for an instructional facility.

Education Code 48.152(a)(2); 19 TAC 61.1034(a)(3)

Eligibility

The following eligibility criteria apply to the NIFA in accordance with Education Code 48.152.

1. The facility for which NIFA funds are requested must meet the following requirements:
 - a. The facility must qualify as an instructional campus and a new instructional facility used for teaching the curriculum required by Education Code Chapter 28.
 - b. To qualify for first-year funding, a new facility must not have been occupied in the prior school year. To qualify for follow-up funding, the facility must have been occupied for the first time in the prior school year and funded for the NIFA for that first year. If an instructional facility qualifies as a new instructional facility but did not receive the allotment in the first year of eligibility due to a failure to apply, the school district or open-enrollment charter school may still apply for and receive funding for the average daily attendance (ADA) earned only during the second year of occupation in the new instructional facility.
 - c. With the exception of a covered walkway connecting the new facility to another building, the new facility must be physically separate from other existing school structures.
 - d. Career and technical education (CTE) campuses must report each CTE campus student's ADA when the ADA for that student is reported at the student's home campus.
2. Expansion or renovation of existing instructional facilities, as well as portable and temporary structures, are not eligible for the NIFA.
3. All instructional buildings on the campus must be newly constructed as new instructional facilities, except for an existing gymnasium that remains on the campus and will be utilized on the instructional campus.

<u>Application Process</u>	<p><u>To apply for the NIFA, a district must complete the Texas Education Agency's (TEA) online application process requesting funding pursuant to the NIFA.</u></p> <p><u>The initial (first-year) application, or an application for one-year funding only, must be submitted electronically no later than July 15. The application must include the following:</u></p> <ol style="list-style-type: none"><u>1. The electronic submission of TEA's online application for initial funding; and</u><u>2. The electronic submission of the following materials:</u><ol style="list-style-type: none"><u>a. A brief description and photograph of the newly constructed, repurposed, or leased instructional facility;</u><u>b. A copy of a legal document that clearly describes the nature and dates of the new or repurposed construction or a copy of the applicable lease;</u><u>c. A site plan;</u><u>d. A floor plan; and</u><u>e. If applicable, a demolition plan.</u> <p><u>Second-year applications require only the electronic submission of TEA's online application for follow-up funding no later than July 15 of the year preceding the applicable school year.</u></p>
<u>Survey on Days of Instruction</u>	<p><u>In the fall of the school year after a school year for which an applicant received NIFA funds, the district that received the funds must complete an online survey on the number of instructional days held in the new facility and submit the completed survey electronically. TEA will use submitted survey information in determining the final (settle-up) amount earned by each eligible school district, as described by 19 Administrative Code 61.1034(e)(6).</u></p>
<u>Costs and Payments</u>	<p><u>The costs and payments for the NIFA are determined by the commissioner.</u></p> <p><u>The allotment for the NIFA is a part of the cost of the first tier of the FSP. This allotment is not counted in the calculation of weighted average daily attendance for the second tier of the FSP.</u></p> <p><u>If, for all eligible applicants combined, the total cost of the NIFA exceeds the amount appropriated, each allotment is reduced so that the total amount to be distributed equals the amount appropriated. Reductions to allotments are made by applying the same percentage adjustment to each school district.</u></p>

Allocations will be made in conjunction with allotments for the FSP in accordance with the school district's payment class. For school districts that are subject to the excess local revenue provisions under Education Code 48.257, and do not receive payments from the Foundation School Fund, NIFA distributions will be reflected as reduced recapture payments.

For school districts that are subject to the excess local revenue provisions under Education Code 48.257, NIFA distributions increase the amount of the FSP entitlement and so will automatically reduce any excess local revenue and reduce the requirement to send recapture to the state in the amount of the NIFA allocation.

For all school districts receiving the NIFA, a final (settle-up) amount earned is determined by the commissioner when information reported through the survey described above is available in the fall of the school year after the school year for which NIFA funds were received. [See Survey on Days of Instruction, above] The final amount earned is determined using the submitted survey information and final counts of ADA for the school year for which NIFA funds were received, as reported through PEIMS.

The amount of funds to be distributed for the NIFA to a school district is in addition to any other state aid entitlements.

19 TAC 61.1034(b)-(e)

19 TAC 61.1034

Changes throughout pursuant to 19 TAC 103.1213

**Safety and Security
Audit**

At least once every three years, each district shall conduct a safety and security audit of the district's facilities. A district, or a person included in the registry of persons providing school safety or security consulting services established by the Texas School Safety Center (TxSSC) who is engaged by the district to conduct a safety and security audit, shall follow safety and security audit procedures developed by the TxSSC in coordination with the commissioner of education.

A district must confirm that a person is included in the registry before the district may engage the person to provide school safety or security consulting services to the district.

In a district's safety and security audit, the district must certify that the district used the funds provided through the school safety allotment only for the purposes provided by Education Code 48.115.

A district shall report the results of the safety and security audit to the board and, in the manner required by the TxSSC, to the TxSSC. The report provided to the TxSSC must be signed by the board and the superintendent.

Education Code 37.108(b), (b-1), (c), 37.2091(b-1)

In addition to a review of a district's multihazard emergency operations plan under Education Code 37.2071 [see CKC], the TxSSC may require a district to submit its plan for immediate review if the district's audit results indicate that the district is not complying with applicable standards. *Education Code 37.207(c)*

**Failure to Report
Audit Results**

If a district fails to report the results of its audit, the TxSSC shall provide the district with written notice that the district has failed to report its audit results and must immediately report the results to the center.

If three months after the date of the initial notification the district has still not reported the results of its audit to the TxSSC, the TxSSC shall notify the Texas Education Agency (TEA) and the district of the district's requirement to conduct a public hearing under Education Code 37.1081. [See CKC]

Education Code 37.207(d)-(e)

Disclosure

Except as provided by Education Code 37.108(c-2) [see CKC], any document or information collected, developed, or produced during

	<p>a safety and security audit is not subject to disclosure under Government Code Chapter 552 (Public Information Act). <i>Education Code 37.108(c-1)</i></p>
TEA Monitoring of Safety and Security Requirements	<p>TEA shall monitor the implementation and operation of requirements related to school district safety and security, including school district multihazard emergency operations plans [see CKC] and safety and security audits [see above].</p>
Office of School Safety and Security	<p>TEA shall establish an office of school safety and security to coordinate monitoring and, in coordination with the TxSSC and relevant local law enforcement agencies, provide technical assistance to school districts to support the implementation and operation of safety and security requirements.</p>
Vulnerability Assessments	<p>As part of the technical assistance, TEA shall conduct a detailed vulnerability assessment of each school district on a random basis once every four years. Any documentation requested by TEA for a vulnerability assessment must be uploaded to Sentinel [see below at Reporting Through Sentinel].</p> <p>On completion of a vulnerability assessment TEA shall provide to the superintendent and school safety and security committee [see CK] for the applicable school district a report on the results of the assessment that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the agency.</p>
District Information and Records	<p>TEA may require a Each school district to shall submit information necessary for it requested by TEA in TEA's efforts to monitor the implementation and operation of school district safety and security requirements, including notice of an event requiring a district's emergency response including the discovery of a firearm on a campus and information regarding the district's response and use of emergency operations procedures during such an event. [see below at Reporting Through Sentinel].</p> <p>TEA may review school district records as necessary to ensure compliance with Education Code Subchapter D (Protection of Building and Grounds) and Subchapter G (Texas School Safety Center).</p> <p>Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements is confidential under Government Code 418.177 and 418.181 (Texas Disaster Act), and not subject to disclosure under Government Code Chapter 552.</p> <p><i>Education Code 37.1083; 19 TAC 103.1213(a), (e)(2)(B)</i></p>

Reporting Through Sentinel

Sentinel is TEA's formal school safety system designed to collect, process, store, and distribute school safety and security information. Sentinel serves as a repository for all safety and security-related data submitted to TEA. Each school district shall report information to TEA through Sentinel, including:

1. On or before June 30th of each year, a district shall input its upcoming school year calendar into Sentinel. Any changes to the school year calendar shall be updated in Sentinel within three business days after approval by district leadership.
2. On or before June 30th of each year, a district must verify that all district facilities listed in Sentinel reflect the correct address and campus emergency contact information.
3. If a district closes for a localized emergency, closure information must be immediately recorded in Sentinel.
4. School districts shall submit information related to events requiring an emergency response, including the discovery of a firearm on a campus [see above] in the Sentinel portal. This is inclusive of notifications regarding a bomb threat or terroristic threat [see CKC]. Submission of information in the Sentinel portal does not substitute the requirement for local law enforcement notification of certain activities [see GRAA].

[For additional requirements for reporting through Sentinel, see BJB for reporting a superintendent change, CKC for TxSSC uploading of multihazard emergency operations plans, FDA for transfer of threat assessments between districts, and FFB for application to behavioral threat assessments.]

19 TAC 103.1213(a), (b)(3), (c), (e)(3)(A)-(D)

Intruder Detection Audits

TEA's office of school safety and security shall establish a school safety review team in each region served by a regional education service center, which shall annually conduct on-site general intruder detection audits of school district campuses in the team's region.

Notice to Superintendent

In conducting an intruder detection audit, a safety review team must notify the superintendent of the district in which the campus being audited is located not later than the seventh day before the date of a scheduled audit.

Documentation

Any documentation requested by TEA for an intruder detection audit must be uploaded to Sentinel [see above at Reporting Through Sentinel].

Report

On completion of the audit, a safety review team must provide to the superintendent and school safety and security committee for the school district in which the campus is located a report on the results of the audit that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the team.

A report produced by a safety review team is confidential and not subject to disclosure under Government Code Chapter 552.

Education Code 37.1084: [19 TAC 103.1213\(e\)\(4\)\(B\)](#)

**Assignment of
Conservator for
Noncompliance**

The commissioner may assign a conservator under Education Code Chapter 39A if a school district fails to:

1. Submit to any required monitoring, assessment, or audit under Education Code 37.1083 or 37.1084 [see above];
2. Comply with applicable safety and security requirements; or
3. Address in a reasonable time period, as determined by commissioner rule, issues raised by TEA's monitoring, assessment, or audit of the district under Education Code 37.1083 or 37.1084.

A conservator may exercise the powers and duties of a conservator under Education Code 39A.003 [see AIC] only to correct a failure identified above. TEA may not assign a conservator for a district's failure to comply with Education Code 37.0814 (Armed Security Officer Required) or a good cause exception claimed under that section. [See CKE]

Education Code 37.1085

**Notice of Bomb
Threat or Terroristic
Threat**

A district that receives a bomb threat or terroristic threat relating to a campus or other district facility at which students are present shall provide notification of the threat as soon as possible to the parent or guardian of or other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable. *Education Code 37.113*

**Notice Regarding
Violent Activity**

The Texas Education Agency (TEA) shall develop model standards for providing notice regarding violent activity that has occurred or is being investigated at a district campus or other district facility or at a district-sponsored activity to parents, guardians, and other persons standing in parental relation to students who are assigned to the campus, regularly use the facility, or are attending the activity, as applicable. A district shall adopt a policy for providing this notice in a manner that meets TEA standards. *Education Code 37.1131*

**Emergency
Response Map and
Walk-Through**

A district shall provide to the Department of Public Safety (DPS) and all appropriate local law enforcement agencies and emergency first responders:

1. An accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Education Code 37.351 related to developing site and floor plans, access control, and exterior door numbering; and
2. An opportunity to conduct a walk-through of each district campus and school building using the map.

Education Code 37.117

**Emergency
Operations Plan**

Each district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must address prevention, mitigation, preparedness, response, and recovery as defined by the Texas School Safety Center (TxSSC) in conjunction with the governor's office of homeland security and the commissioner. The plan must provide for:

1. Training in responding to an emergency for district employees, including substitute teachers;
2. Measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;

3. Measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency;
4. Mandatory school drills and exercises, including drills required under Education Code 37.114 (emergency evacuations), to prepare district students and employees for responding to an emergency [see CKB];
5. Measures to ensure coordination with the Texas Department of State Health Services (TDSHS) and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency;
6. The implementation of a required safety and security audit [see CKA]; and
7. Any other requirements established by the TxSSC in consultation with TEA and relevant local law enforcement agencies.

Education Code 37.108(a)

A district shall include in its multihazard emergency operations plan:

1. A chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;
2. Provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of these provisions by TEA or TxSSC;
3. Provisions for ensuring the safety of students in portable buildings;
4. Provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;
5. Provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;
6. Provisions for supporting the psychological safety of students, district personnel, and the community during the response

and recovery phase following a disaster or emergency situation that:

- a. Are aligned with best practice-based programs and research-based practices recommended under Education Code 38.351;
 - b. Include strategies for ensuring any required professional development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;
 - c. Include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and TxSSC for:
 - (1) Members of the district's school safety and security committee [see CK];
 - (2) District school counselors and mental health professionals; and
 - (3) Educators and other district personnel as determined by the district;
 - d. Include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by item 2, above; and
 - e. Implement trauma-informed policies;
7. A policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill;
 8. The name of each individual on the district's school safety and security committee and the date of each committee meeting during the preceding year [see CK]; and
 9. Certification that the district is in compliance with Education Code 37.117 [see Emergency Response Map, above].

Education Code 37.108(f)

Guidelines for
Individuals with
Disabilities or
Impairments

TEA shall establish guidelines for the provisions in a district's multi-hazard emergency operations plan to ensure the safety of students and district personnel with disabilities or impairments during a disaster or emergency situation. A district must follow the guidelines

	established by TEA in adopting and implementing the district's multihazard emergency operations plan. <i>Education Code 37.1086</i>
Active Shooter Emergency	A district shall include in its multihazard emergency operations plan a policy for responding to an active shooter emergency. The district may use any available community resources in developing the policy. <i>Education Code 37.108(g)</i>
Train Derailment	A district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A district is only required to adopt the policy if a district facility is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. A district may use any available community resources in developing the policy. <i>Education Code 37.108(d)</i>
Polling Place Security	A district shall include in its multihazard emergency operations plan a policy for district property selected for use as a polling place under Election Code 43.031. In developing the policy, the board may consult with the local law enforcement agency with jurisdiction over the district property selected as a polling place regarding reasonable security accommodations that may be made to the property. This requirement may not be interpreted to require the board to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on district property. Failure to comply with this subsection does not affect the requirement of the board to make a school facility available for use as a polling place under Election Code 43.031. <i>Education Code 37.108(e)</i> [See GKD]
Disclosure	<p>A document relating to a district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:</p> <ol style="list-style-type: none"> 1. Verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including TDSHS, local emergency services agencies, law enforcement agencies, health departments, and fire departments; 2. Verify that the district's plan was reviewed within the last 12 months and determine the specific review dates; 3. Verify that the plan addresses the five phases of emergency management listed above at Emergency Operations Plan;

4. Verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;
5. Verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;
6. Verify that the district has established a plan for responding to a train derailment if required [see Train Derailment, above];
7. Verify that the district has completed a safety and security audit and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the board [see CKA];
8. Verify that the district has addressed any recommendations by the board for improvement of the plan and determine the district's progress within the last 12 months; and
9. Verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

Education Code 37.108(c-2)

[See GRC for emergency management training requirements and response to requests from other governmental entities for mutual aid.]

Plan Review

A district shall submit its multihazard emergency operations plan to the TxSSC not later than the 30th day after the date the TxSSC requests the submission and in accordance with the review cycle developed under Education Code 37.2071(a).

Any document or information collected, developed, or produced during the review and verification of multihazard emergency operations plans is not subject to disclosure under Government Code Chapter 552 (Public Information Act).

[Upon completed review of a district's multihazard emergency operations plan, the TxSSC may upload a copy of that plan, including all required appendices, to the Sentinel portal. \[See CKA\] 19 TAC 103.1213\(e\)\(3\)\(E\)](#)

19 TAC 103.1213

*Failure to Submit
Plan*

If a district fails to submit its multihazard emergency operations plan to the TxSSC for review following a notification by the TxSSC that the district has failed to submit the district's plan, the TxSSC

shall provide the district with written notice stating that the district must hold a public hearing as outlined at Public Hearing on Non-compliance, below. The notice must state that the commissioner is authorized to appoint a conservator under Education Code 37.1082.

*Notice of Plan
Deficiencies*

The TxSSC shall review each district's multihazard emergency operations plan and verify the plan meets the requirements or provide the district with written notice describing the plan's deficiencies, including specific recommendations to correct the deficiencies, and stating that the district must correct the deficiencies in its plan and resubmit the revised plan to the TxSSC.

The TxSSC may approve a district multihazard emergency operations plan that has deficiencies if the district submits a revised plan that the center determines will correct the deficiencies.

*Failure to Correct
Deficiencies*

If one month after the date of initial notification of a plan's deficiencies outlined above a district has not corrected the plan deficiencies, the TxSSC shall provide written notice to the district and TEA that the district has not complied with the requirements and must comply immediately.

If a district still has not corrected the plan deficiencies three months after the date of initial notification, the TxSSC shall provide written notice to the district stating that the district must hold a public hearing as outlined at Public Hearing on Noncompliance, below.

Education Code 37.2071

Public Hearing on
Noncompliance

If the board receives notice of noncompliance under Education Code 37.207(e) [see CKA], 37.2071(d) [see Failure to Submit Plan, above] or 37.2071(g) [see Failure to Correct Deficiencies, above], the board shall hold a public hearing to notify the public of:

1. The district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit to the TxSSC as required by law;
2. The dates during which the district has not been in compliance; and
3. The names of each member of the board and the superintendent serving in that capacity during the dates the district was not in compliance. The district shall provide this information in writing to each person at the hearing.

The board shall give members of the public a reasonable opportunity to appear before the board and to speak on the issue of the district's failure to submit or correct deficiencies in a multihazard

emergency operations plan or report the results of a safety and security audit during a hearing held under this provision. A district required to hold a public hearing shall provide written confirmation to the TxSSC that the district held the hearing.

Education Code 37.1081

Safe Firearm Storage

The TxSSC, in collaboration with DPS, shall provide to each district information and other resources regarding the safe storage of firearms for distribution by the district including information on the offense of making a firearm accessible to a child under Penal Code 46.13 and ways in which parents and guardians can effectively prevent children from accessing firearms.

A district shall provide the information and other resources to the parent or guardian of each student enrolled in the district or school.

Education Code 37.222

**Confidential
Information under
the Texas Disaster
Act**

Information is confidential if the information is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, responding to, or investigating an act of terrorism or related criminal activity and:

**Emergency
Response Provider
Information**

1. Relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a fire-fighting agency, or an emergency services agency;
2. Relates to a tactical plan of the provider; or
3. Consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider.

Gov't Code 418.176

**Risk or Vulnerability
Assessment**

Information is confidential if the information:

1. Is collected, assembled, or maintained by or for a district for the purpose of preventing, detecting, or investigating an act of terrorism or related criminal activity; and
2. Relates to an assessment by or for a district, or an assessment that is maintained by a district, of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity.

Gov't Code 418.177

Information, other than financial information, in the possession of a district is confidential if the information:

1. Is part of a report to an agency of the United States;
2. Relates to an act of terrorism or related criminal activity; and
3. Is specifically required to be kept confidential:
 - a. Under the Public Information Act, Government Code 552.101, because of a federal statute or regulation;
 - b. To participate in a state-federal information sharing agreement; or
 - c. To obtain federal funding.

Security Systems

Financial information in the possession of a district that relates to the expenditure of funds by a district for a security system is public information that is not excepted from required disclosure under the Public Information Act. [See GBA]

Information, including access codes and passwords, in the possession of a district that relates to the specifications, operating procedures, or location of a security system used to protect public or private property from an act of terrorism or related criminal activity is confidential.

Gov't Code 418.182

Disaster Disclosure
Exception

At any time during a state of disaster, the superintendent may voluntarily disclose or otherwise make available all or part of the information that is confidential under Government Code 418.175-.182 to another person or another entity if the superintendent believes that the other person or entity has a legitimate need for the information. The disclosure or making available of confidential information under this provision does not waive or affect the confidentiality of the information. *Gov't Code 418.183(b), (e)*

Note: For information regarding the district's ability to request identification, refuse entry, or eject persons from district property, see GKA and GKC.

Safety Rules

The board may adopt rules for the safety and welfare of students, employees, and property and other rules it considers necessary to carry out Education Code Chapter 37, Subchapter D (Protection of Buildings and Grounds) and the governance of the district, including rules providing for the operation and parking of vehicles on school property. *Education Code 37.102(a)* [See also CLC]

Human Trafficking Warning Signs

Each public primary or secondary school shall post warning signs of the increased penalties for trafficking of persons under Penal Code 20A.02(b-1)(2) in a conspicuous place reasonably likely to be viewed by all school employees and visitors.

Each warning sign must:

- ~~1. Include a description of the provisions of Penal Code 20A.02(b-1), including the penalties for violating the section;~~
1. Describe the offense of trafficking in persons as provided under Penal Code 20A.02(a). The sign must emphasize that an offense under Penal Code 20A.02, is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 25 years if it is shown on the trial of the offense that the actor committed the offense in a location that was:
 - a. On the premises of or within 1,000 feet of the premises of:
 - (1) A school;
 - (2) A juvenile detention facility;
 - (3) A post-adjudication secure correctional facility;
 - (4) A shelter or facility operating as a residential treatment center that serves runaway youth, foster children, people who are homeless, or persons subjected to human trafficking, domestic violence, or sexual assault;
 - (5) A community center offering youth services and programs;
 - (6) A child-care facility, as defined by Human Resources Code 42.002; or

(7) An institution of higher education or private or independent institution of higher education, as defined by Education Code 61.003; or

b. On premises or within 1,000 feet of premises where:

(1) An official school function was taking place; or

(2) An event sponsored or sanctioned by the University Interscholastic League was taking place;

2. Be written in English and Spanish; and

3. Be at least 8.5 by 11 inches in size.

Education Code 37.086; 19 TAC 103.1403(c)

19 TAC 103.1403

Note: For provisions regarding selection and adoption of instructional materials, see EFA.

**Instructional
Materials and
Technology**

Instructional materials selected for use in the public schools shall be furnished without cost to the students attending those schools. Except as provided by Education Code 31.104(d), a district may not charge a student for instructional material or technological equipment purchased by the district with the district's technology and instructional materials allotment. *Education Code 31.001*

Each instructional material, including electronic instructional material only to the extent of any applicable licensing agreement, purchased as provided by Education Code Chapter 31 for a district is the property of the district. *Education Code 31.102(a)-(b)*

Allotment

A district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner of education. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. The allotment shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Education Code 31.0212. *Education Code 31.0211(a)*

The commissioner shall, as early as practicable during each biennium, notify each district of the estimated amount to which the district will be entitled during the next fiscal biennium. *Education Code 31.0215(a)*

Additional State Aid
*State-Approved
Instructional
Materials*

For each student enrolled in the district, a school district is entitled to additional state aid for each school year in an amount equal to \$40, or a greater amount provided by appropriation, to procure instructional material that has been reviewed by the Texas Education Agency (TEA); placed on the State Board of Education (SBOE) list of approved instructional materials; designated by the SBOE as being included or capable of being included in an instructional materials parent portal; and acquired from a publisher, manufacturer, or other entity that has not been found to violate Education Code 31.151. *Education Code 48.307(a)*

*Open Education
Resource
Instructional
Materials*

Subject to Education Code 31.0751 (Open Education Resource [OER] transition plan), a district is entitled to additional state aid for each school year in an amount not to exceed \$20 for each student for the costs incurred or for which the district is obligated to pay during the school year in which the aid is provided for the printing

and shipping of OER instructional material made available under Education Code Chapter 31, Subchapter B-1. *Education Code 48.308(a)*

Allotment
Adjustment

*Change in
Enrollment*

Not later than May 31 of each school year, a district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination is final. *Education Code 31.0211(e)*

*High Enrollment
Growth*

Each year the commissioner shall adjust the instructional materials and technology allotment of districts experiencing high enrollment growth. *Education Code 31.0214(a)*

Permitted
Expenditures

The allotment funds may be used to purchase or pay for:

1. Instructional materials, regardless of whether the instructional materials are on the list of approved instructional materials maintained by the SBOE under Education Code 31.022;
2. Consumable instructional materials;
3. Instructional materials for use in bilingual education classes, as provided by Education Code 31.029;
4. Instructional materials for use in college preparatory courses under Education Code 28.014, as provided by Education Code 31.031;
5. Supplemental instructional materials;
6. OER instructional materials, as provided by Education Code Chapter 31, Subchapter B-1;
7. Instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
8. Technological equipment necessary to support the use of any instructional materials purchased with an allotment under this provision;
9. Inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of instructional materials;

10. Services, equipment, and technology infrastructure necessary to ensure internet connectivity and adequate bandwidth;
11. Training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;
12. Training personnel in the electronic administration of assessment instruments;
13. The salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and
14. Costs associated with distance learning, including services, equipment, and technology such as Wi-Fi, internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate internet access.

The allotment funds may not be used to purchase instructional material that contains obscene or harmful content or would otherwise cause the district to which the funds were allotted to be unable to submit the certification required under Education Code 31.1011(a)(1)(B) [see Certification of Instructional Materials, below].

Education Code 31.0211(c), (f)

*Technological
Equipment*

In purchasing technological equipment, a district shall:

1. Secure technological solutions that meet the varying and unique needs of students and teachers in the district; and
2. Consider both the long-term cost of ownership of the technological equipment and flexibility for innovation.

Education Code 31.0211(d)

**Instructional
Materials and
Technology Account**

The commissioner shall maintain an instructional materials and technology account for each district. In the first year of each biennium, the commissioner shall deposit the district's allotment in the account. The commissioner shall pay the cost of instructional materials requisitioned by a district under Education Code 31.103 using funds from the district's instructional materials and technology account.

Money deposited in a district's instructional materials and technology account during each state fiscal biennium remains in the account and available for use by the district for the entire biennium.

At the end of each biennium, a district with unused money in the district's account may carry forward any remaining balance to the next biennium.

A district shall provide to TEA the title and publication information for any instructional materials requisitioned or purchased by the district with the district's instructional materials and technology allotment.

Education Code 31.0212(a)-(d)

Purchasing Method

A district is not required to use a method provided by Education Code 44.031(a) to purchase instructional materials that have been reviewed by TEA and included on the list of approved instructional materials maintained by the SBOE. *Education Code 31.102(d)*

Requisitions, Use, and Distribution

Delegation of Authority

The board may delegate to an employee the authority to requisition, distribute, and manage the inventory of instructional materials, consistent with Education Code Chapter 31 and rules adopted under that chapter. *Education Code 31.104(a)*

Local Funds

A district may use local funds to purchase any instructional materials in addition to those selected under Education Code Chapter 31. *Education Code 31.106*

Online Requisition Program

A district shall make a requisition for instructional materials using the online requisition program maintained by the commissioner. A district may requisition instructional materials for grades above the grade level in which a student is enrolled. *Education Code 31.103(b)-(c)*

Distribution

The board shall distribute printed instructional materials to students in the manner that the board determines is most effective and economical. *Education Code 31.102(c)*

OER Instructional Materials

A district may adopt OER instructional material at any time. Except as otherwise provided by the Education Code, the commissioner may not require a district to adopt or use an OER instructional material. A district may not be charged for a cost associated with the selection of an OER instructional material, except for the cost of printing copies of the material. *Education Code 31.073(a), (c)-(d)*

OER Transition Plan

To qualify for additional state aid under Education Code 48.308, the board must adopt an OER instructional material transition plan to assist classroom teachers in the district who will be using an OER instructional material in a specific subject or grade level for which the teacher has not previously used an OER instructional material.

The plan must ensure that OER instructional materials are used in a manner that maintains the instructional flexibility of a classroom teacher to address the needs of each student.

A district that participates in the program developed and maintained by TEA under Education Code 31.0752 is not required to adopt a transition plan under this provision. [\[See OER Instructional Material Support Program, below\]](#)

Education Code 31.0751

~~TEA Assistance~~ [The OER instructional material transition plan shall be submitted in a format determined by the commissioner.](#)

[A district is required to have a locally maintained OER transition plan that complies with 19 Administrative Code 67.1315 to access funding allotted under Education Code 48.308.](#)

[A district is required to submit an OER instructional material transition plan only when:](#)

- [1. First adopting an SBOE-approved OER product for a grade level or subject/course; or](#)
- [2. Expanding implementation of an SBOE-approved OER product to additional campuses and/or grade levels.](#)

[The OER instructional material transition plan adopted by the board of trustees shall include the plan of the district to ensure the following:](#)

- [1. Clear communication and stakeholder change management plans and timelines;](#)
- [2. Timely access to print materials and related manipulatives through OER procurement and distribution;](#)
- [3. Sufficient planning and instructional time evidenced by instructional calendars and master schedules aligned to the requirements of the materials;](#)
- [4. Clear expectations for the implementation of:
 - \[a. Instructional materials;\]\(#\)
 - \[b. Internalization and student work analysis protocols; and\]\(#\)
 - \[c. Curriculum-embedded assessments;\]\(#\)](#)
- [5. Processes for stakeholder communication and public posting, as outlined in Education Code 26.006, if materials have been modified by the district;](#)

6. The maintenance of instructional flexibility through clear guidance for acceptable teacher modifications to instructional pacing, sequencing, and lesson content to address the needs of each student; and
7. Sufficient professional learning and development for school leaders, instructional coaches, and teachers, including:
 - a. Pre-service product onboarding and orientation; and
 - b. Ongoing, job-embedded, curriculum-based professional learning, including cycles of observation and feedback.

The commissioner may request and review OER instructional material transition plans before funding is released and reject a plan subsequent to review.

19 TAC 67.1315

19 TAC 67.1315

OER Instructional
Material Support
Program

TEA shall develop and maintain a program to assist school districts in adopting and using OER instructional material—including by assisting districts to:

1. Maintain the instructional flexibility of classroom teachers to address the needs of each student; and
2. Schedule instructional periods in a manner that allows classroom teachers sufficient time to effectively prepare and present instructional material within the teacher's normal work day.

Education Code 31.0752

Additional language for clarity in light of revisions to 19 TAC 67.1315

Requisition

A district that selects OER instructional material shall requisition a sufficient number of printed copies for use by students unable to access the instructional material electronically unless the district provides to each student:

1. Electronic access to the instructional material at no cost to the student; or
2. Printed copies of the portion of the instructional material that will be used in the course.

Education Code 31.103(d)

Parent Portal

An entity that hosts an instructional materials parent portal must comply with requests regarding parental access to the portal made

by a district in compliance with Education Code 31.154 or Education Code 26.006 [see EFA]. *Education Code 31.154(e)*

[For more information regarding the requirements for certain entities that supply instructional materials to host a parent portal, see Education Code 31.154.]

**Bilingual
Instructional
Materials**

A district shall purchase with its allotment or otherwise acquire instructional materials for use in bilingual education classes. *Education Code 31.029*

**Certification of
Instructional
Materials**

Prior to the beginning of each school year, a district shall submit to the SBOE and commissioner certification that the district:

1. For each subject in the required curriculum under Education Code 28.002, other than physical education, and each grade level:
 - a. Provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE for that subject and grade level; and
 - b. In the provision of instructional materials, the district protects students from obscene or harmful content as necessary for compliance with the Children's Internet Protection Act (Pub. L. No. 106-554) [see CQ], Education Code 28.0022 [see EMB], Penal Code 43.22, and any other law or regulation that protects students from obscene or harmful content [see EFA]; and
2. The district used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Education Code 31.0211.

To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills, a district may consider:

1. Instructional materials adopted by the SBOE;
2. Instructional materials developed, purchased, or otherwise acquired by the district; and
3. OER instructional materials and other electronic instructional materials included in the repository under Education Code 31.0722.

Education Code 31.1011

Annual Report

Each district shall annually report to TEA information regarding the instructional materials used by the district during the previous

school year, including the cost of each material. *Education Code 31.1012*

Ownership

Except as otherwise provided, a student must return all instructional materials to the teacher at the end of the school year or when the student withdraws from school. At the end of the school year for which OER instructional material that a district does not intend to use for another student is distributed, the printed copy of the OER instructional material becomes the property of the student to whom it is distributed.

This provision does not apply to an electronic copy of OER instructional material.

Education Code 31.104(c), (g)-(h)

Responsibility for Instructional Materials and Equipment

Each student or the student's parent or guardian is responsible for all instructional material and technological equipment not returned in an acceptable condition by the student. A student who fails to return in an acceptable condition all instructional materials and technological equipment forfeits the right to free instructional materials and technological equipment until all instructional materials and technological equipment previously issued but not returned in an acceptable condition are paid for by the student, parent, or guardian.

As provided by board policy, a district may waive or reduce the payment required if the student is from a low-income family. [See FP] The district shall allow the student to use instructional materials and technological equipment at school during each school day.

If instructional materials or technological equipment is not returned in an acceptable condition or paid for, a district may withhold the student's records. A district may not prevent the student from graduating, participating in a graduation ceremony, or receiving a diploma. [See FL and GBA regarding student and parental right to access records; and FD, FFAB, and FL regarding a district's duties to provide records to another district]

The board may not require an employee of the district who acts in good faith to pay for instructional materials or technological equipment that is stolen, misplaced, or not returned by a student. [See DG]

These provisions do not apply to an electronic copy of OER instructional material.

Education Code 31.104(d), (e), (h) [See also EFA]

Acceptable Condition	<p>Printed instructional materials are considered to be in acceptable condition if:</p> <ol style="list-style-type: none">1. The cover, binding, pages, spine, and all integral components of the instructional materials are wholly intact and the instructional materials are fully usable by students; and2. No component of the instructional materials is soiled, torn, or damaged (whether intentionally or by lack of appropriate care) to the extent that any portion of the content is too disfigured or obscured to be fully accessible to other students. <p>Electronic instructional materials are considered to be in acceptable condition if:</p> <ol style="list-style-type: none">1. All components or applications that are a part of the electronic instructional materials are returned;2. The electronic materials perform as they did when they were new;3. The electronic instructional materials do not contain computer code (e.g., bug, virus, worm, or similar malicious software) that has been designed to self-replicate, damage, change, or otherwise hinder the performance of any computer's memory, file system, or software; and4. The electronic instructional materials have not been installed with plug-ins, snap-ins, or add-ins without the prior approval of the district. <p>Technological equipment is considered to be in acceptable condition if:</p> <ol style="list-style-type: none">1. The equipment is returned with the software and hardware in their original condition unless the district authorized changes; and2. The physical condition of the equipment is fully usable as it was originally intended to be used. <p><i>19 TAC 66.1310</i></p>
Lost or Damaged Instructional Materials	<p>A district may order replacements for instructional materials that have been lost or damaged directly from the publisher of the instructional materials or any source for a printed copy of OER instructional material. <i>Education Code 31.104(b)</i></p>
Sale or Disposal	<p>The board shall determine how the district will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.</p>

Sale	The board may sell printed instructional materials on the date the instructional material is discontinued for use in the public schools by the SBOE or the commissioner. The board may also sell electronic instructional materials and technological equipment owned by the district.
<i>Use of Proceeds</i>	Any funds received by a district from a sale must be used to purchase instructional materials and technological equipment allowed under Education Code 31.0211.
Disposal	The board may dispose of printed instructional material before the date the instructional material is discontinued for use in the public schools by the SBOE if the board determines that the instructional material is not needed by the district and the board does not reasonably expect that the instructional material will be needed. A district must notify the commissioner of any instructional material the district disposes of under this provision.

Education Code 31.105

Note: For additional legal requirements applicable to purchases with federal funds, see CBB.

Authorization to Purchase or Lease Vehicles

A district may purchase school motor vehicles through the comptroller or through competitive bidding under Education Code Chapter 44, Subchapter B. *Education Code 34.001(a)* [See CH]

Each contract proposed to be made by a district for the purchase or lease of one or more school buses, including a lease with an option to purchase, must be submitted to competitive bidding when the contract is valued at \$20,000 or more. *Education Code 44.031(l)*

When a contract for the purchase of school buses is valued at \$20,000 or more, the contract must be made either through competitive bidding or by purchasing the buses through the comptroller. *Atty. Gen. Op. LO-98-063 (1998)*

Payment

A district financially unable to pay for a vehicle the district purchases may, as prescribed by Education Code 34.005, issue interest-bearing time warrants in amounts sufficient to make the purchase. *Education Code 34.005(a)*

A board may issue bonds to purchase new school buses. *Education Code 45.001(a)(1)(D)* [See CCA]

New Van Purchases or Leases

A school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multi-function school activity buses under United States Code Title 49. This provision does not apply in some limited circumstances, including the purchase or lease of a 15-passenger van under a contract executed before August 10, 2005, the date of enactment of this provision. *49 U.S.C. 30112*

Contracts for School Bus Use, Acquisition, or Lease

A board may contract with any person for use, acquisition, or lease with option to purchase a school bus if the board determines the contract to be economically advantageous to the district. Such a contract may have any lawful term of not less than two or more than 10 years. The competitive bidding requirements of Education Code Chapter 44, Subchapter B apply to a contract under this provision. A school bus that is leased or leased with an option to purchase must meet or exceed safety standards set out in Education Code 34.002. *Education Code 34.009* [See CH]

Registration	District-owned vehicles used exclusively in the service of a district are exempt from the state registration fee. The Department of Motor Vehicles (DMV) must approve an application for registration before exempt license plates are issued. <i>Transp. Code 502.451, .453</i>
Identification	The DMV may not issue exempt license plates unless the applicant for registration certifies in writing that the name of a district is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet. <i>Transp. Code 502.452(a)</i>
Maintenance	District vehicles are subject to inspection pursuant to Transportation Code Chapter 548.
School Bus Advertising	The exterior of a school bus may not bear advertising or another paid announcement directed at the public if the advertising or announcement distracts from the effectiveness of required safety-warning equipment. A school bus that violates this provision or rules adopted under this provision shall be placed out of service until it complies. <i>Transp. Code 547.701(d)</i>
Advertising Rules	A district may allow advertisements on school buses in accordance with rules. The rules adopted by the Texas Department of Public Safety (DPS) at 37 Administrative Code 14.61-14.65 apply to all school buses used to transport preprimary, primary, and secondary public school students. <i>37 TAC 14.61</i>
"Advertisement"	For purposes of this policy, "advertisement" means any communication brought to the attention of the public by paid announcement or in return for public recognition in connection with an event or offer or sale of a product or service, except for a single-line listing of a district name and/or school or manufacturer logo approved by DPS. <i>37 TAC 14.1(1)</i>
Material and Location	Advertisements must be of a material and in a location specified in the rules. <i>37 TAC 14.62-.64</i>
Annual Notice	By September 1 of each year, districts involved in an advertising program shall provide the School Bus Transportation Program at DPS written notification of the number of buses operated by or for the district that display exterior advertising or another paid announcement. <i>37 TAC 14.65(a)(1), (b)</i> [See CNC for required reporting of crashes involving buses with advertising]

Added for clarity in light of revisions to CNC

TRANSPORTATION MANAGEMENT
DISTRICT VEHICLES

CNB
(LEGAL)

Delivery of Notice Notices to DPS shall be delivered by facsimile at (512) 424-2238, electronic mail at sbt@txdps.state.tx.us, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. 37 TAC 14.65(d)

Nonschool Use A board may contract with nonschool organizations for use of school buses. The board may provide services relating to the maintenance and operation of the buses in accordance with the contract. *Education Code 34.010*

Sale of Buses At the request of a district, the comptroller shall dispose of a school bus. A district is not required to dispose of a bus through the comptroller. *Education Code 34.006*

Safety Standards

A district shall meet or exceed the safety standards for school buses established by the Department of Public Safety (DPS), with the advice of the Texas Education Agency (TEA). A district that fails or refuses to meet these safety standards for school buses is ineligible to share in the transportation allotment until the first anniversary of the date the district begins complying with the safety standards. *Education Code 34.002; Transp. Code 547.102; 37 TAC 14.51-.52*

Student Safety

Prohibitions

A district may not require or allow a child to stand on a moving bus or passenger van. *Education Code 34.004*

An operator of a school bus, while operating the bus, shall prohibit a passenger from:

1. Standing in the bus; or
2. Sitting:
 - a. On the floor of the bus, or
 - b. In any location on the bus that is not designed as a seat.

Transp. Code 545.426

Seat Belts

*Required on
Buses*

A bus, including a school bus, a school activity bus, multifunction school activity bus, or school-chartered bus, operated by or contracted for use by a district for the transportation of schoolchildren shall be equipped with a three-point seat belt for each passenger, including the operator. This requirement does not apply to:

1. A bus purchased by a school district that is a model year 2017 or earlier; or
2. A bus purchased by a school district that is a model year 2018 or later if the board:
 - a. Determines that the district's budget does not permit the district to purchase a bus that is equipped with the required seat belts; and
 - b. Votes to approve that determination in a public meeting.

Transp. Code 547.701(e)

*Student
Requirement*

A district shall require a student riding a bus operated by or contracted for operation by the district to wear a seat belt if the bus is equipped with seat belts for all passengers on the bus. A school district may implement a disciplinary policy to enforce the use of seat belts by students. *Education Code 34.013*

Donations

A board shall consider any offer made by a person to donate three-point seat belts or money for the purchase of three-point seat belts for a district's school buses. A board may accept or decline the offer after adequate consideration.

A board may acknowledge a person who donates three-point seat belts or money for the purchase of three-point seat belts for a school bus by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. The sign may not serve as an advertisement for the person who made the donation.

Education Code 34.014

Use of Warning
Signals

When a school bus is being stopped or is stopped on a highway to permit students to board or exit the bus, the operator of the bus shall activate all flashing warning signal lights and other equipment on the bus designed to warn other drivers that the bus is stopping to load or unload children.

A person may not operate a light or other equipment described above except when a school bus is being stopped or is stopped on a highway to:

1. Permit a student to board or exit the bus; or
2. Distribute to a student or the parent or guardian of a student:
 - a. Food; or
 - b. Technological equipment for use by the student for educational purposes.

Transp. Code 547.701(c), (c-1)

**Wireless
Communication
Devices**

General Rule

An operator commits an offense if the operator uses a portable wireless communication device to read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped. *Transp. Code 545.4251(b)*

School Property

An operator may not use a wireless communication device while operating a motor vehicle within a school crossing zone or on the property of a public elementary, middle, junior high, or high school served by a school crossing zone, during the time a reduced speed limit is in effect for the school crossing zone, unless:

1. The vehicle is stopped; or
2. The wireless communication device is used with a hands-free device.

Transp. Code 545.4252

An operator may not use a wireless communication device while operating a school bus or passenger bus with a minor passenger on the bus unless the bus is stopped. This provision does not apply to an operator of a school bus or passenger bus using a wireless communication device in the performance of the operator's duties as a bus driver and in a manner similar to using a two-way radio. *Transp. Code 545.425(c), (e-1)*

Definitions

"Hands-free device" means speakerphone capability, a telephone attachment, or another function or other piece of equipment, regardless of whether permanently installed in or on a wireless communication device or in a motor vehicle, that allows use of the wireless communication device without use of either of the operator's hands, except to activate or deactivate a function of the wireless communication device or hands-free device. The term includes voice-operated technology and a push-to-talk function. *Transp. Code 545.425(a)(1)*

"Electronic message" means data that is read from or entered into a wireless communication device for the purpose of communicating with another person. *Transp. Code 545.4251(a)(1)*

Disruption of Transportation

Any person other than a primary or secondary grade student who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school on a vehicle owned or operated by a district or to or from activities sponsored by a school on a vehicle owned and/or operated by a district shall be guilty of a misdemeanor. It is an exception to the application of the offense that, at the time the person engaged in the prohibited conduct, the person was younger than 12 years of age. *Education Code 37.126*

Exhibition of Firearm

For information regarding offenses pertaining to firearms on buses, see GKA(LEGAL).

Collision Reports

Notice to DPS [for Buses With Advertising](#)

A district shall provide DPS written notification of any collision directly or indirectly involving a school bus operated by or for the district that bears advertising or another paid announcement. *37 TAC 14.65(a)(2)* [\[See CNB for rules related to school bus advertising.\]](#)

Notice must be received not more than five days from the date of the collision and shall include the following:

1. The name and address of the owner of the school bus;
2. The name and driver's license number of the school bus operator;
3. The date of the collision;
4. The city or county where the collision occurred; and

5. The investigating police agency.

37 TAC 14.65(c)

Notices to DPS may be delivered by facsimile, electronic mail, or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. *37 TAC 14.65(d)*

~~Notice~~Annual
Report to TEA

A district shall report annually to TEA the number of collisions in which its buses were involved in the past year in a manner prescribed by the commissioner of education. A district shall file ~~the~~ annual ~~report~~collision reports to TEA only in the period beginning July 1 and ending July 31 and shall include the following information in the report:

1. The total number of bus collisions;
2. The date each collision occurred;
3. The type of bus, as specified in 19 Administrative Code ~~61.1028~~103.1231(a), involved in each collision;
4. Whether the bus involved in each collision was equipped with seat belts and, if so, the type of seat belts;
5. The number of students and adults involved in each collision;
6. The number and types of injuries that were sustained by the bus passengers in each collision; and
7. Whether the injured passengers in each collision were wearing seat belts at the time of the collision and, if so, the type of seat belts.

A school district shall report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus is owned, leased, contracted, or chartered by a school district and was transporting school district personnel, students, or a combination of personnel and students; or
2. The bus was driven by a school district employee or by an employee of the school district's bus contractor with no passengers on board and the collision involved a ~~collision with a~~ pedestrian.

Exceptions

A school district shall not report a bus collision involving a school bus, a multifunction school activity bus, a school activity bus, or a motor bus if:

1. The bus was driven by a school district employee or by an employee of the school district's bus contractor, the collision occurred when no passenger other than the school district's driver or bus contractor's driver was on board the bus, and the collision did not involve a ~~collision with a~~ pedestrian; or
2. The collision involved a bus chartered by a school district for a school activity trip and no school district personnel or students were on board the bus at the time of the collision.

A school district shall not report a collision that occurred in a vehicle that is owned, contracted, or chartered by a school district and is not a school bus, a multifunction school activity bus, a school activity bus, or a motor bus.

Education Code 34.015(b); 19 TAC ~~61.1028~~103.1231(b)

Repeal of 19 TAC 61.1028 and relocation to 19 TAC 103.1231

Fair Labor Standards Act	Unless an exemption applies, a district shall pay each of its employees not less than minimum wage for all hours worked. 29 <i>U.S.C. 206(a)(1)</i>
Minimum Wage and Overtime	Unless an exemption applies, a district shall pay an employee not less than one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 in any workweek. 29 <i>U.S.C. 207(a)(1)</i> ; 29 <i>C.F.R. pt. 778</i>
Breaks for Nonexempt Employees	<p>Rest periods of up to 20 minutes must be counted as hours worked. Coffee breaks or time for snacks are rest periods, not meal periods. 29 <i>C.F.R. 785.18</i></p> <p>Bona fide meal periods of 30 minutes or more are not counted as hours worked if the employee is completely relieved from duty. The employee is not relieved from duty if the employee is required to perform any duties, whether active or inactive, while eating. For example, an office employee who is required to eat at his or her desk is working while eating. It is not necessary that an employee be permitted to leave the premises if the employee is otherwise completely freed from duties during the meal period. 29 <i>C.F.R. 785.19</i></p>
Compensatory Time <i>Accrual</i>	<p>Nonexempt employees may receive, in lieu of overtime compensation, compensatory time off at a rate of not less than one and one-half hours for each hour of overtime work, pursuant to an agreement or understanding arrived at between the employer and employee before the performance of the work. Such agreement or understanding may be informal, such as when an employee works overtime knowing that the employer rewards overtime with compensatory time.</p> <p>An employee may accrue not more than 240 hours of compensatory time. If the employee's overtime work included a public safety activity, an emergency response activity, or a seasonal activity, the employee may accrue not more than 480 hours of compensatory time. After the employee has reached these limits, the employee shall be paid overtime compensation for additional overtime work.</p>
<i>Payment for Accrued Time</i>	Compensation paid to an employee for accrued compensatory time shall be paid at the regular rate earned by the employee at the time of payment. An employee who has accrued compensatory time off shall be paid for any unused compensatory time upon separation from employment at the rates set forth at 29 <i>U.S.C. 207(o)(4)</i> .
<i>Use</i>	An employee who has requested the use of compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the district.

The Fair Labor Standards Act (FLSA) does not prohibit a district from compelling the use of accrued compensatory time.

29 U.S.C. 207(o); Christensen v. Harris Cnty., 529 U.S. 576 (2000); Houston Police Officers' Union v. City of Houston, 330 F.3d 298 (5th Cir. 2003)

Exempt Employees

The minimum wage and overtime provisions do not apply to any employee employed in a bona fide executive, administrative, or professional capacity. *29 U.S.C. 213(a)(1)*

Academic
Administrators

The term “employee employed in a bona fide administrative capacity” includes an employee:

1. Compensated on a salary or fee basis at ~~a rate of not less than \$684 per week~~ the established weekly threshold, exclusive of board, lodging, or other facilities; or on a salary basis which is at least equal to the entrance salary for teachers in the district by which employed; and
2. Whose primary duty is performing administrative functions directly related to academic instruction or training in a district or department or subdivision thereof.

Removing exact dollar amount to prevent the need for continuous future updates.

“Performing administrative functions directly related to academic instruction or training” means work related to the academic operations and functions in a school rather than to administration along the lines of general business operations. Such academic administrative functions include operations directly in the field of education. Jobs relating to areas outside the educational field are not within the definition of academic administration.

Employees engaged in academic administrative functions include:

1. The superintendent or other head of an elementary or secondary school system, and any assistants, responsible for administration of such matters as curriculum, quality and methods of instructing, measuring and testing the learning potential and achievement of students, establishing and maintaining academic and grading standards, and other aspects of the teaching program;
2. The principal and any vice principals responsible for the operation of an elementary or secondary school;
3. Academic counselors who perform work such as administering school testing programs, assisting students with academic

problems and advising students concerning degree requirements; and

4. Other employees with similar responsibilities.

Jobs relating to building management and maintenance, jobs relating to the health of the students, and academic staff such as social workers, psychologists, lunchroom managers, or dietitians do not perform academic administrative functions, although such employees may qualify for another exemption.

29 C.F.R. 541.204

Salary Basis

To qualify as an exempt executive, administrative, or professional employee, the employee must be compensated on a salary basis, unless the employee is a teacher. Subject to the exceptions listed in the rule, an employee must receive the full salary for any week in which the employee performs any work, without regard to the number of days or hours worked. A district that makes improper deductions from salary shall lose the exemption if the facts demonstrate that the district did not intend to pay exempt employees on a salary basis. *29 C.F.R. 541.600, .602(a), .603*

*Partial-Day
Deductions*

A district employee who otherwise meets the salary basis requirements shall not be disqualified from exemption on the basis that the employee is paid according to a pay system established by statute, ordinance, or regulation, or by a policy or practice established pursuant to principles of public accountability, under which the employee accrues personal leave and sick leave and which requires the employee's pay to be reduced or the employee to be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one workday when accrued leave is not used by an employee because:

1. Permission for its use has not been sought or has been sought and denied;
2. Accrued leave has been exhausted; or
3. The employee chooses to use leave without pay.

Deductions from the pay of a district employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

29 C.F.R. 541.710

*Safe Harbor
Policy*

If a district has a clearly communicated policy that prohibits improper pay deductions and includes a complaint mechanism, reimburses employees for any improper deductions, and makes a good faith commitment to comply in the future, the district will not lose the exemption unless the district willfully violates the policy by continuing to make improper deductions after receiving employee complaints.

The best evidence of a clearly communicated policy is a written policy that was distributed to employees before the improper pay deductions by, for example, providing a copy of the policy to employees upon hire, publishing the policy in an employee handbook, or publishing the policy on a district's intranet.

29 C.F.R. 541.603(d)

Teachers

The term "employee employed in a bona fide professional capacity" includes any employee with a primary duty of teaching, tutoring, instructing, or lecturing in the activity of imparting knowledge and who is employed and engaged in this activity as a teacher in an elementary or secondary school system by which the employee is employed. The salary basis requirements do not apply to teaching professionals.

Exempt teachers include:

1. Regular academic teachers;
2. Teachers of kindergarten or nursery school pupils;
3. Teachers of gifted or disabled children;
4. Teachers of skilled and semi-skilled trades and occupations;
5. Teachers engaged in automobile driving instruction;
6. Home economics teachers; and
7. Vocal or instrumental music instructors.

Those faculty members who are engaged as teachers but also spend a considerable amount of their time in extracurricular activities such as coaching athletic teams or acting as moderators or advisors in such areas as drama, speech, debate, or journalism are engaged in teaching. Such activities are a recognized part of the schools' responsibility in contributing to the educational development of the student.

The possession of an elementary or secondary teacher's certificate provides a clear means of identifying the individuals contemplated as being within the scope of the exemption for teaching professionals. Teachers who possess a teaching certificate qualify

for the exemption regardless of the terminology (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) used by the state to refer to different kinds of certificates. However, a teacher who is not certified may be considered for exemption, provided that such individual is employed as a teacher by the employing school or school system.

29 C.F.R. 541.303

Wage and Hour
Records

A district shall maintain and preserve payroll or other records for nonexempt employees containing the information required by the regulations under the FLSA. *29 C.F.R. 516.2(a)*

**Payday Law
Exemption**

The Texas Payday Law does not apply to the state or a political subdivision. *Labor Code 61.003*

Staff Development

Educator

The staff development provided by a district to an educator other than a principal must be conducted in accordance with standards developed by the district and designed to improve education in the district.

Principal

The staff development provided by a district to a principal shall be governed by Education Code 21.3541 and rules adopted under that section. [See DNB]

Education Code 21.451(a), (a-1)

Professional
Development Policy

A board shall annually review the SBEC continuing education and training clearinghouse published under Education Code 21.4514 and adopt a professional development policy that must:

1. Be guided by the recommendations for training in the clearinghouse;
2. Note any differences in the policy adopted by the district or school from the recommendations in the clearinghouse; and
3. Include a schedule of all training required for educators or other school personnel at the district or school.

To the extent of any conflict, a frequency requirement for the completion of training provided by statute prevails over a frequency requirement for that training included in the professional development policy.

Education Code 21.4515(a), (b)

**Requirements for
Training**

In designing staff development for educators other than principals, a district must use procedures that, to the greatest extent possible, ensure the training included in the staff development:

1. Incorporates proactive instructional planning techniques using a framework that:
 - a. Provides flexibility in the ways:
 - (1) Information is presented;
 - (2) Students respond or demonstrate knowledge and skills; and
 - (3) Students are engaged;
 - b. Reduces barriers in instruction;
 - c. Provides appropriate accommodations, supports, and challenges; and

- d. Maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and
2. Integrates inclusive and evidence-based instructional practices for all students, including students with disabilities.

Staff development shall be predominantly campus-based, related to achieving campus performance objectives, and developed and approved by the campus-level committee.

A district may use district-wide staff development that has been developed and approved through the district-level decision process. [See BQA and BQB, as appropriate]

Education Code 21.451(a-2), (b), (c)

Optional Training

Staff development may include training in:

1. Technology and digital learning; and
2. Positive behavior intervention and support strategies, including classroom management, district discipline policies, and the Student Code of Conduct.

Technology and digital learning training must:

1. Discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and
2. Assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

Staff development may include instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school.

Education Code 21.451(d)(1), (d-3), (g)

Required Training

Staff development must include training on:

1. Suicide prevention;
2. Strategies for establishing and maintaining positive relationships among students, including conflict resolution; and
3. Preventing, identifying, responding to, and reporting incidents of bullying.

Required training above must be provided in accordance with the board's professional development policy and use a best practice-based program recommended by the Health and Human Services

Commission under Education Code 38.351 [see FFEB]. Required training may include two or more topics listed together.

Education Code 21.451(d)(3), (d-1)

*Instruction of
Students with
Disabilities*

Definition

“Student with a disability” means a student who is:

1. Eligible to participate in a school district’s special education program under Education Code 29.003;
2. Covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or
3. Covered by the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

Education Code 21.001(3-a)

Requirements

Staff development must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 USC 7801), and that:

1. Relates to the instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions; and
2. Is designed for educators who work primarily outside the area of special education.

A district is required to provide the training to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. A district may determine the time and place at which the training is delivered.

In developing or maintaining the training, a district must consult with persons with expertise in research-based practices for students with disabilities, including colleges, universities, private and nonprofit organizations, regional education service centers, qualified district personnel, and any other persons identified as qualified by the district, regardless of whether the training is provided at the campus or district level.

Education Code 21.451(d)(2), (e)-(f)

*Suicide
Prevention*

The required suicide prevention training may be satisfied through independent review of suicide prevention training material that complies with the guidelines developed by the Texas Education Agency (TEA) and is offered online. *Education Code 21.451(d-2); 19 TAC 153.1013(d)*

Suicide prevention programs on TEA's list of recommended best practice-based programs [see FFEB] must include components that provide for training school counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students, to:

1. Recognize students at risk of attempting suicide, including students who are or may be the victims of or who engage in bullying;
2. Recognize students displaying early warning signs and a possible need for early mental health or substance abuse intervention, which warning signs may include declining academic performance, depression, anxiety, isolation, unexplained changes in sleep or eating habits, and destructive behavior toward self and others;
3. Intervene effectively with students described above by providing notice and referral to a parent or guardian so appropriate action, such as seeking mental health or substance abuse services, may be taken by a parent or guardian; and
4. Assist students in returning to school following treatment of a mental health concern or suicide attempt.

A district shall provide training described in the components above for teachers, school counselors, principals, and all other appropriate personnel. A district is required to provide the training at an elementary school campus only to the extent that sufficient funding and programs are available. A school district may implement a program on TEA's list of recommended best practice-based programs [see FFEB] to satisfy this training requirement.

If a district provides the training, a district shall require completion in accordance with the district's professional development policy and maintain records that include district employees who participated in the training.

A district may satisfy a requirement to implement a program in the area of substance abuse prevention and intervention by providing instruction related to youth substance use and abuse education under Education Code 38.040. [See EHAC]

Education Code 38.351(e), (g), (g-1), (h); 19 TAC 153.1013

Staff Development
Account

A district that receives resources from the commissioner of education's staff development account must pay to the commissioner for deposit in the account an amount equal to one-half of the cost of the resources provided to the district. *Education Code 21.453(c)*

**Child Abuse,
Trafficking, and
Maltreatment**

A district's methods for increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children [see District Improvement Plan at BQ and Sexual Abuse, Trafficking, and Maltreatment Policies and Programs at FFG] must include training concerning prevention techniques for and recognition of sexual abuse, sex trafficking, and all other maltreatment of children, including the sexual abuse, sex trafficking, and other maltreatment of children with significant cognitive disabilities.

The training must be provided in accordance with the district's professional development policy and as part of new employee orientation to all new employees.

The training must include:

1. Factors indicating a child is at risk for sexual abuse, trafficking, or other maltreatment;
2. Warning signs indicating a child may be a victim of sexual abuse, trafficking, or other maltreatment;
3. Internal procedures for seeking assistance for a child who is at risk for sexual abuse, trafficking, or other maltreatment, including referral to a school counselor, a social worker, or another mental health professional;
4. Techniques for reducing a child's risk of sexual abuse, trafficking, or other maltreatment; and
5. Information on community organizations that have relevant research-based programs and that are able to provide training or other education for district staff, students, and parents.

A district must maintain records that include staff members who participated in the training.

To the extent that resources are not yet available from TEA or the commissioner of education, districts shall implement the policies and trainings with existing or publicly available resources. The district may also work in conjunction with a community organization to provide the training at no cost to the district.

Education Code 38.0041(c)-(f); 19 TAC ~~61.1051~~ [103.1401](#)(d)

19 TAC 61.1051 has been repealed and the requirements from that provision have moved to 19 TAC 103.1401.

**Trauma-Informed
Care**

A district's efforts to increase awareness and implementation of trauma-informed care must include training to new and existing employees in accordance with the district's professional development policy. [See BQ, FFBA] *Education Code 38.036(c)*

Mental Health

A district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidence-based mental health training program designed to provide instruction to participants regarding the recognition and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety.

A district may not require a district employee who has previously completed mental health training offered by a local mental health authority under Health and Safety Code 1001.203 to complete the required training.

Education Code 22.904

To complete the required evidence-based mental health training program, personnel who regularly interact with students shall participate and complete the general training program, participate and complete the training program related to local school district practices and procedures, and submit and maintain supporting documentation of completion. 19 TAC 153.1015(b)

Records

School districts shall require each district employee to provide the certificate of completion of the general training program to the school district.

Documentation of the training program related to local school district practices and procedures may be satisfied when the employee submits to the district an acknowledgement form signed by the employee who received the current training and a copy of the local procedures and practices that are published in the district handbook and/or district improvement plan.

Documentation of training for the mental health training program must be kept by the school district and made available to TEA upon request, which may include a reporting process, for the duration of the employee's employment with the district.

19 TAC 153.1015(f)(1)-(3)

19 TAC 153.1015

Student Discipline

Each principal or other appropriate administrator who oversees student discipline shall, at least once every three school years, attend professional development training regarding Education Code Chapter 37, Subchapter G. The professional development shall include training relating to the distinction between a discipline management technique used at the principal's discretion under Education Code 37.002(a) and the discretionary authority of a teacher to

remove a disruptive student under Education Code 37.002(b) [see FOA].

The professional development training may be provided in coordination with an education service center through the use of distance learning methods, such as telecommunications networks, and using available TEA resources.

Education Code 37.0181

Test Administration

The commissioner may require training for district employees involved in the administration of assessment instruments. The commissioner may only require the employee at each district campus who oversees the administration of the assessment instruments to annually receive the training. The district employee who oversees test administration on a district campus may, with discretion, require other district employees involved in the administration of assessment instruments to repeat the training. *Education Code 39.0304(a), (b-1), (b-2)*

Cybersecurity

Employees identified by the district with access to a district computer system or database and who use a computer to perform at least 25 percent of the employee's required duties must complete a cybersecurity training program selected by the board. The district, in consultation with its cybersecurity coordinator, shall determine how frequently employees must complete the training. [See CQB] *Gov't Code 2054.5191(a-1); Education Code 11.175(h-1)*

Special Programs

Teacher Literacy
Achievement
Academies
(Reading
Academies)

A district shall ensure that:

1. Not later than the 2022-23 school year, each classroom teacher in kindergarten or first, second, or third grade and each principal at a campus with kindergarten or first, second, or third grade has attended a teacher literacy achievement academy developed under Education Code 21.4552; and
2. Each classroom teacher and each principal initially employed in a grade level or at a campus described above for the 2022-23 school year or a subsequent school year has attended a teacher literacy achievement academy developed under Education Code 21.4552 by the end of the teacher's or principal's first year of placement in that grade level or campus.

Education Code 28.0062(a)(2)

[See EHAB for kindergarten-grade 3 reading standards.]

Gifted and Talented
Education

A district shall ensure that:

1. Prior to assignment in the program or within one semester of assignment, teachers who provide instruction and services

that are a part of the program for gifted/talented students [see EHBB] have a minimum of 30 hours of professional learning that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted/talented students;

2. Teachers who provide instruction and services that are a part of the program for gifted/talented students receive a minimum of six hours annually of professional learning in gifted/talented education; and
3. Administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning that includes nature and needs of gifted/talented students and program options with an update after legislative sessions.

19 TAC 89.2

Elective Bible
Course

A teacher of an elective Bible course offered under Education Code 28.011 [see EMI] must hold a certificate in language arts, social studies, or history that qualifies the teacher to teach at the grade level at which the course is offered with, where practical, a minor in religious or biblical studies. The teacher must successfully complete staff development training developed by the commissioner for elective Bible courses. An elective Bible course may be taught only by a teacher who has successfully completed the commissioner's training under Education Code 21.459. *Education Code 28.011(f)*

Texas English
Language
Proficiency
Assessment
System Training

The employee assigned to oversee the administration of the Texas English Language Proficiency Assessment System (TELPAS) at a district campus may, with discretion, require other district employees involved in administering the TELPAS to complete training or online calibration activities described by Education Code 21.4571(a). An employee may not be required to complete a training or online calibration activity in one sitting. *Education Code 21.4571(b), (c)*

**Automated External
Defibrillators**

A district shall, in accordance with its professional development policy, make available to employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator (AED).

Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other employee specified by the commissioner, and each student who serves as an athletic trainer, must:

1. Participate in the instruction; and

2. Receive and maintain certification in the use of an AED from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

Education Code 22.902

**Extracurricular
Activity Safety**

The following persons must satisfactorily complete an extracurricular activity safety training program in accordance with the district's professional development policy:

1. A coach, trainer, or sponsor for an extracurricular athletic activity; and
2. A director responsible for a school marching band.

The safety training program must include:

1. Certification of participants by the American Red Cross, the American Heart Association, or a similar organization or by the University Interscholastic League;
2. Current training in:
 - a. Emergency action planning;
 - b. Communicating effectively with 9-1-1 emergency service operators and other emergency personnel; and
 - c. Recognizing symptoms of potentially catastrophic injuries, including head and neck injuries, concussions, injuries related to second impact syndrome, asthma attacks, heatstroke, cardiac arrest, and injuries requiring use of a defibrillator; and
3. A safety drill that incorporates the training and simulates various injuries described above.

Education Code 33.202(b), (c); 19 TAC 76.1003

Records

A superintendent shall maintain complete and accurate records of the district's compliance and the district shall make available to the public proof of compliance for each person employed by or volunteering for the district who is required to receive safety training.

A campus that is determined by a superintendent to be out of compliance with the safety training requirements shall be subject to the range of penalties determined by the UIL.

Education Code 33.206; 19 TAC 76.1003(e)

Steroids

A district shall require that each employee who serves as an athletic coach at or above the seventh grade level for an extracurricular athletic activity sponsored or sanctioned by the UIL complete:

1. The educational program developed by the UIL regarding the health effects of steroids; or
2. A comparable program developed by the district or a private entity with relevant expertise.

Education Code 33.091(c-1)

Concussions

At least once every two years, the following employees shall take a training course from an authorized provider:

1. A coach of an interscholastic athletic activity shall take a course approved by the UIL that provides for not less than two hours of training in the subject matter of concussions, including evaluation, prevention, symptoms, risks, and long-term effects.
2. An athletic trainer who serves as a member of a district's concussion oversight team shall take a course concerning the subject matter of concussions that meets the requirements set by the Texas Department of Licensing and Regulation (TDLR).
3. A school nurse or licensed health-care professional, other than an athletic trainer, who serves as a member of a district's concussion oversight team shall take a course approved by the UIL for coaches or that meets the requirements set by TDLR for athletic trainers, or a course concerning the subject matter of concussions that has been approved for continuing education credit by the appropriate licensing authority for the profession.

The employee must submit proof of timely completion of an approved course to the superintendent or designee. A school nurse or licensed health-care professional who is not in compliance with these training requirements may not serve on a concussion oversight team in any capacity. [See FM]

Education Code 38.158

Seizure Recognition and Related First Aid

A school nurse employed by a district must complete a TEA-approved online course of instruction for school nurses regarding managing students with seizure disorders that includes information about seizure recognition and related first aid.

A district employee, other than a school nurse, whose duties at the school include regular contact with students must complete a TEA-

approved online course of instruction for school personnel regarding awareness of students with seizure disorders that includes information about seizure recognition and related first aid.

Education Code 38.033(a), (b)

[See FFAF for information about a seizure management and treatment plan.]

Identification

Child Find

A district shall ensure that all children residing within the district who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

20 U.S.C. 1412(a)(3)(A); 34 C.F.R. 300.111(a)(1)(i), (c)

*Private School
Students*

A district shall conduct a timely and meaningful consultation with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools in the district.

A district shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending public schools in the district.

20 U.S.C. 1412(a)(10)(A)(ii)-(iv) [See EHBAC regarding students in nondistrict placement.]

*Preschool
Students*

A district shall develop a system to notify district residents with children who are at least three and younger than six and who are eligible for enrollment in a special education program of the availability of the program. *Education Code 29.009*

**Requests and
Referrals for
Evaluation**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E)*

Multi-tiered System

Referral of students for a full individual and initial evaluation (FIIE) must be a part of the district's multi-tiered system of academic and behavioral supports. Students not making progress in the general education classroom should be considered for all interventions and support services available to all students; such as tutorial, compensatory, response to evidence-based intervention, and other academic or behavior support services.

The district cannot require a student to participate in interventions and support services for any specific length of time prior to a referral being made or an FIIE being conducted.

District Obligation to Refer	<p>If the student continues to experience difficulty in the general education classroom with the provision of interventions and support services or at any time district personnel suspect a disability and a possible need for special education and related services, district personnel must refer the student for an FIIE.</p> <p>A referral or request for an FIIE may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs.</p> <p><i>19 TAC 89.1011(a)</i></p>
Prior Written Notice <i>Parent</i>	<p>If a parent submits a written request to a district's director of special education services or to a district administrative employee, such as a campus principal, for a FIIE of a student, the district shall, not later than the 15th school day after the date the district receives the request:</p> <ol style="list-style-type: none">1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, a copy of the Overview of Special Education for Parents form created by the Texas Education Agency (TEA), and an opportunity to give written consent for the evaluation; or2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the Overview of Special Education for Parents form created by TEA, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.
<i>District</i>	<p>When a district initiates the referral for an FIIE of a student, the district must provide the parent with the information and materials described at item 1 above.</p> <p><i>19 TAC 89.1011(b)-(c); Education Code 29.004(c); 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301</i></p>
Notice of Rights	<p>A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. <i>20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)</i> [See EHBAE]</p>

Initial Evaluation Required	A district shall conduct an FIE before the initial provision of special education and related services. <i>20 U.S.C. 1414(a)(1)(A)</i>
<i>Consent for Initial Evaluation</i>	<p>Before a district conducts an initial evaluation, it shall make reasonable efforts to obtain informed parental consent.</p> <p>If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, a district may, but is not required to, pursue the initial evaluation by utilizing due process procedures [see EHBAE], except to the extent inconsistent with state law relating to such parental consent.</p> <p>Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services.</p> <p><i>20 U.S.C. 1414(a)(1)(D)(i)(I); 34 C.F.R. 300.300(b)</i></p>
Wards of the State	<p>If the child is a ward of the state and is not residing with the child's parent, a district shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:</p> <ol style="list-style-type: none"> 1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent; 2. The rights of the parent have been terminated; or 3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation. <p><i>20 U.S.C. 1414(a)(1)(D)(iii); 34 C.F.R. 300.300(a)(2)</i></p>
<i>Time Frame for Completion of Written Report</i>	<p>A district must complete the written report of a full individual and initial evaluation:</p> <ol style="list-style-type: none"> 1. Not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent. If a student has been absent from school during that period on three or more school days, the period must be extended by a number of school days equal to the number of school days during that period on which the student has been absent; or 2. For students under five years of age by September 1 of the school year and not enrolled in public school and for students enrolled in a private or homeschool setting, not later than the 45th school day following the date on which the district receives written consent for the evaluation from the student's parent.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the written report of a FIIE of a student must be provided to the student's parent not later than June 30 of that year.

If a district receives written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year but the student was absent three or more school days between the time that the school district received written consent and the last instructional day of the school year, the timeline in item 1 above applies to the date the written report of the FIIE must be completed.

If the district received the written consent for the evaluation from the student's parent less than 35 school days before the last day of the school year, the timeline in item 1, above, applies to the date the written report of the FIIE must be completed.

19 TAC 89.1011(d)-(e)

For purposes of the timelines under this provision, "school day" does not include a day that falls after the last instructional day of the spring school term and before the first instructional day of the subsequent fall school term. In the case of a school that operates under a school year calendar without spring and fall terms, a school day does not include a day that falls after the last instructional day of one school year and before the first instructional day of the subsequent school year. *19 TAC 89.1011(i)-(j)*

These time frames do not apply if the parent repeatedly fails or refuses to produce the child for the evaluation. *34 C.F.R. 300.301(d)(1)*

Transfer
Students

A district shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. *34 C.F.R. 300.304(c)(5)*

If a student was in the process of being evaluated for special education eligibility by a district and enrolls in another district before the previous district completed the FIIE, the new district must coordinate with the previous district as necessary and as expeditiously as possible to ensure a prompt completion of the evaluation in accordance with 34 C.F.R., 300.301(d)(2) and (e) and 300.304(c)(5).

The timelines above do not apply in such a situation if:

1. The new school district is making sufficient progress to ensure a prompt completion of the evaluation; and
2. The parent and the new school district agree to a specific time when the evaluation will be completed.

19 TAC 89.1011(f); Education Code 29.004; 20 U.S.C. 1414(a)(1)(C), (b)(3)(D); 34 C.F.R. 300.301(c)-(e)

*Student
Communication*

The evaluation shall be conducted using procedures that are appropriate for the student's most proficient method of communication. *Education Code 29.004(b)*

*Psychological
Examinations*

If a district determines that an additional examination or test is required for the initial and individual evaluation, the district shall provide the information required by Education Code 29.0041(a) and shall obtain additional parental consent. If a parent does not give consent within 20 calendar days after the district provided the information, the parent's consent is considered denied.

The time required for a district to provide information and seek consent may not be counted toward the time frame for completion of an evaluation. [See Time Frame for Completion of Written Report, above]

Education Code 29.0041

**Eligibility and
Reevaluations**

A student is eligible to participate in a district's special education program if:

1. The student is between the ages of 3 and 21, inclusive;
2. The student has one or more of the disabilities listed in federal regulations, state law, or both; and
3. The student's disability(ies) prevents the student from being adequately or safely educated in the public schools without the provision of special services.

20 U.S.C. 1401(3); Education Code 29.003(b); 19 TAC 89.1035

Disability Definitions

To be eligible to receive special education services, a student must be a "child with a disability," as defined in 34 C.F.R. 300.8(a), subject to the provisions of 34 C.F.R. 300.8(c), Education Code Subchapter A, and 19 Administrative Code 89.1040. The provisions in 19 Administrative Code 89.1040 specify criteria to be used in determining whether a student's condition meets one or more of the definitions in federal regulations or in state law. *19 TAC 89.1040(a)*

[For additional information on special education of students with dyslexia and related disorders, see EHB.]

Visual and Auditory Impairments	Students with visual impairments or who are deaf or hard of hearing shall be eligible to participate in a district's special education program from birth. <i>19 TAC 89.1035(b); Education Code 30.002(e), .081</i>
<i>Birth Through Age Two</i>	Children from birth through the age of two with visual impairments (VI), who are deaf or hard of hearing (DHH), or who are deaf-blind (DB) must be enrolled at the parent's request by a district when the district becomes aware of a child needing services. The appropriate instructional arrangement [see EHBA] for students from birth through the age of two with VI, DHH, or DB shall be determined in accordance with the individualized family services plan, current attendance guidelines, and the agreement memorandum between TEA and Texas Health and Human Services Commission Early Childhood Intervention (ECI) Services. <i>19 TAC 89.1005(d)</i>
Determination of Initial Eligibility	<p>Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child has a disability and of the educational needs of the child.</p> <p>A district shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.</p> <p><i>20 U.S.C. 1414(b)(4); 34 C.F.R. 300.306(a)</i></p> <p>The admission, review, and dismissal (ARD) [see EHBAB] committee must make its decisions regarding a student's initial eligibility determination and, if appropriate, individualized education program (IEP) and placement within 30 calendar days from the date of the completion of the written FIIE report. If the 30th day falls during the summer and school is not in session, the ARD committee must meet not later than the 15th school day of the following school year to finalize decisions concerning the student's initial eligibility determination, and, if appropriate, IEP and placement. If the 30th day falls during the summer and school is not in session but an FIIE report indicates that the student would need extended school year services during that summer, the ARD committee must meet as expeditiously as possible after completion of the report.</p>
<i>Parent Copy</i>	<p>A copy of the written FIIE report must be provided to the parent as soon as possible after completion of the report but no later than five school days prior to the initial ARD committee meeting, which will determine a student's initial eligibility, or not later than June 30 if the district received the written consent for the evaluation from the student's parent at least 35 but less than 45 school days before the last instructional day of the school year.</p> <p><i>19 TAC 89.1011(g)-(h); Education Code 29.004(a-1)</i></p>

[For additional information regarding the evaluation and identification process when dyslexia is a suspected disability, see EHB.]

Consent for
Services

*Initial Provision of
Services*

A district must obtain informed consent from the parent for the initial provision of special education and related services. If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of services, the district:

1. May not use the procedures in 34 C.F.R. part 300 subpart E (including the mediation and due process procedures) in order to obtain agreement or a ruling that the services may be provided to the child;
2. Will not be considered to be in violation of the requirement to make FAPE available to the child for the failure to provide the services for which the district requests consent; and
3. Is not required to convene an ARD meeting or develop an IEP for the child for the services.

*Revoking
Consent*

If, at any time after the provision of initial services, the parent of a child revokes consent in writing for the continued provision of services, the district:

1. May not continue to provide services to the child, but must provide prior written notice before ceasing services;
2. May not use the procedures in 34 C.F.R. part 300 subpart E in order to obtain agreement or a ruling that the services may be provided to the child;
3. Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further services; and
4. Is not required to convene an ARD meeting or develop an IEP for further provision of services.

34 C.F.R. 300.300(b)

Reevaluations

A district shall ensure that each child with a disability is reevaluated if the district determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and the district agree otherwise; and

2. At least once every three years, unless the parent and district agree that a reevaluation is unnecessary.

A district shall obtain informed parental consent before conducting a reevaluation, except that informed parental consent is not needed if the district can demonstrate that it has taken reasonable measures to obtain consent and the child's parent has failed to respond.

20 U.S.C. 1414(a)(2), (c)(3); 34 C.F.R. 300.303

Evaluation for
Change in Eligibility

A district must evaluate a child with a disability before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates under the aforementioned circumstances, a district must provide a summary of academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. *34 C.F.R. 300.305(e); 20 U.S.C. 1414(c)(5)*

~~All students graduating under 19 Administrative Code 89.170 [see EIF] must be provided with a summary of academic achievement and functional performance as described above. This summary must consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. An evaluation as required by 34 C.F.R. 300.305(e)(1), must be included as part of the summary for a student graduating under 19 Administrative Code 89.1070(b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C). 19 TAC 89.1070(g)~~

[\[See EIF\(LEGAL\) at Summary of Academic Achievement and Evaluation.\]](#)

19 TAC 89.1070

Independent
Evaluation

The parents have a right to obtain an independent educational evaluation of their child. If a parent requests an independent evaluation, a district shall provide the parents with information regarding where one can be obtained and the district's criteria for independent evaluations.

The results of a parent-initiated independent educational evaluation, whether at public or private expense, must be considered by the district if it meets the district's criteria, in any decision made with respect to providing FAPE to the child.

<i>At Public Expense</i>	<p>If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:</p> <ol style="list-style-type: none">1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.
<i>At Private Expense</i>	<p>If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.</p> <p><i>34 C.F.R. 300.502</i></p>
Prescription Medication	<p>An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.</p>
Observations	<p>An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.</p> <p><i>20 U.S.C. 1412(a)(25)</i></p>

**Transition Services
Defined**

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills and functional vocational evaluation.

20 U.S.C. 1401(34); 34 C.F.R. 300.43

**Individual Transition
Planning**

14 Years of Age

Not later than the first individualized education program (IEP) to be in effect when a student turns 14 years of age, the admission, review, and dismissal (ARD) committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student’s transition to life outside the public school system;
2. Appropriate involvement in the student’s transition by the student’s parents and other persons invited to participate by the student’s parents or the district in which the student is enrolled;
3. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
4. An appropriate functional vocational evaluation;
5. Appropriate circumstances for facilitating a referral of a student or the student’s parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act [42 U.S.C. 1396n(c)]; and
6. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and supports and

services to foster the student's independence and self-determination, including a supported decision-making agreement under Estates Code Chapter 1357.

Beginning not later than the first IEP to be in effect when the student turns 14 years of age, or younger if determined appropriate by the ARD committee, the IEP must include:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals .

18 Years of Age

Beginning not later than the first IEP to be in effect when the student turns 18 years of age, the ARD committee must consider and, if appropriate, address the following issues in the student's IEP:

1. Involvement in the student's transition and future by the student's parents and other persons, if the parent or other person:
 - a. Is invited to participate by the student or the district in which the student is enrolled; or
 - b. Has the student's consent to participate pursuant to a supported decision-making agreement under Estates Code Chapter 1357; and
2. The availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives.

Annual Review

A student's ARD committee shall review at least annually the issues described above and, if necessary, update the portions of the student's IEP that address those issues.

[See EHBAB regarding membership of ARD committee for transition services meetings.]

19 TAC 89.1055(k)-(o); 20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.011(a-1), .0111

Transition and Employment Designee

The transition and employment designee required of each district must complete the required training as developed by the commissioner of education and provide information about transition re-

Transition and
Employment Guide

quirements and coordination among parents, students, and appropriate state agencies to ensure that school staff can communicate and collaborate effectively. *19 TAC 89.1075(i)*

The Texas Education Agency (TEA) is required to develop a transition and employment guide for students enrolled in special education programs and their parents to provide information on statewide services and programs that assist in the transition to life outside the public school system. A school district shall:

1. Post the transition and employment guide on the district's website if the district maintains a website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
 - a. The first meeting of the student's ARD committee at which transition is discussed; and
 - b. The first committee meeting at which transition is discussed that occurs after the date on which the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

Education Code 29.0112(a), (e)

Graduation

Graduation ~~with a regular high school diploma~~ under 19 Administrative Code 89.1070(b)(1), ~~(b)(3)(D), (f)(1), (f)(2), (f)(3) or (f)(4)(D)~~ or reaching maximum age eligibility described by 19 Administrative Code 89.1035 (Age Ranges for Student Eligibility) terminates a student's eligibility for special education services. For students who graduate and receive a diploma according to 19 Administrative Code 89.1070(b)(2), or (b)(3)(A), (B), or (C) ~~or (f)(4)(A), (B), or (C)~~, the ARD committee must determine needed ~~educational~~ special education services upon the request of the student or parent to resume services, as long as the student meets the age requirements. *19 TAC 89.1070(a), (j)* [See EHBA]

19 TAC 89.1070

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

A district is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for FAPE under state law.

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

20 U.S.C. 1414(c)(5); 34 C.F.R. 300.102(a)(3), .305(e)(2)

**Driving with
Disability Program**

A district shall provide information regarding the Texas Driving with Disability Program to students who have a health condition or disability that may impede effective communication with a peace officer and who receive special education services or who are covered by Section 504 and their parents.

The information shall be provided to each student who is 16 years of age or older and annually until the earlier of the student's graduation from high school or 21st birthday.

Education Code 29.0113(a)-(b)

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**Parental Consent
Not Required**

An employee of a district is not required to obtain the consent of a child's parent before the employee may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used for a purpose related to the promotion of student safety under Education Code 29.022. *Education Code 26.009(b)*

**Video Surveillance of
Special Education
Settings**

In order to promote student safety, on receipt of an authorized written request, a district shall provide equipment, including a video camera, to the campus in the district specified in the request.

**Classroom or Other
Setting**

A campus that receives equipment shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day, provided that:

1. A campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and
2. A campus that receives equipment as a result of the request by a board of trustees, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to Education Code 29.022.

Education Code 29.022(a)

Definitions

Incident

"Incident" means an event or circumstance that:

1. Involves alleged "abuse" or "neglect," as described in Family Code 261.001, of a student by a staff member of the district or alleged "physical abuse" or "sexual abuse," as described in Family Code 261.410, of a student by another student; and
2. Allegedly occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted.

*Other Special
Education Setting*

"Other special education setting" means a classroom on a separate campus (i.e., a campus that serves only students who receive special education and related services) of a district—including a room attached to the classroom or setting used for time-out—in which a

majority of the students in regular attendance are provided special education and related services, are assigned to the setting for at least 50 percent of the instructional day, and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Residential care and treatment facility—separate campus; or
2. Off home campus—separate campus.

Parent

“Parent” means a person described in Education Code 26.002, whose child receives special education and related services in one or more self-contained classrooms or other special education settings. “Parent” also means a student who receives special education and related services in one or more self-contained classrooms or other special education settings and who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Family Code, Chapter 31, unless the student has been determined to be incompetent or the student's rights have been otherwise restricted by a court order.

School Business Day

“School business day” means a day that campus or district administrative offices are open.

Self-contained Classroom

“Self-contained classroom” means a classroom on a regular campus (i.e., a campus that serves students in general education and students in special education), including a room attached to the classroom used for time-out, but not including a classroom that is a resource room instructional arrangement under Education Code 48.102, in which a majority of the students in regular attendance are provided special education and related services for at least 50 percent of the instructional day and have one of the following instructional arrangements/settings described in the student attendance accounting handbook:

1. Self-contained (mild/moderate/severe) regular campus;
2. Full-time early childhood (preschool program for children with disabilities) special education setting;
3. Residential care and treatment facility—self-contained (mild/moderate/severe) regular campus;
4. Residential care and treatment facility—full-time early childhood special education setting;
5. Off home campus—self-contained (mild/moderate/severe) regular campus; or
6. Off home campus—full-time early childhood special education setting.

<i>Staff Member</i>	“Staff member” means a teacher, a related service provider, a paraprofessional, a counselor, or an educational aide assigned to work in the self-contained classroom or other special education setting.
<i>Time-out</i>	“Time-out” has the meaning assigned by Education Code 37.0021.
<i>Video Camera</i>	“Video camera” means a video surveillance camera with audio recording capabilities.
<i>Video Equipment</i>	<p>“Video equipment” means one or more video cameras and any technology and equipment needed to place, operate, and maintain video cameras as required by Education Code 29.022 and 19 Administrative Code 103.1301. “Video equipment” also means any technology and equipment needed to store and access video recordings as required.</p> <p><i>19 TAC 103.1301(b); Education Code 29.022</i></p>
<i>Administrative Coordinator</i>	Each district shall designate an administrator at the primary administrative office of the district with responsibility for coordinating the provision of equipment to schools and campuses. <i>Education Code 29.022(a-2)</i>
<i>Authorized Requestors</i>	<p>The following people may request in writing that equipment be provided to a campus at which one or more children receive special education services in a qualifying classroom or setting:</p> <ol style="list-style-type: none"> 1. A parent of a child who receives special education services for the campus at which the child receives those services; 2. The board of trustees for one or more specified campuses; 3. The principal or assistant principal for their campus; and 4. A staff member assigned to work with one or more children receiving special education services for the campus at which the staff member works. <p><i>Education Code 29.022(a-1)</i></p>
<i>Processing the Request</i>	<p>A written request must be submitted and acted on as follows:</p> <ol style="list-style-type: none"> 1. A parent, staff member, or assistant principal must submit a request to the principal or the principal's designee of the campus addressed in the request, and the principal or designee must provide a copy of the request to the district's designated administrator; 2. A principal must submit a request by the principal to the district's designated administrator; and

3. A board of trustees must submit a request to the district's designated administrator, and the administrator must provide a copy of the request to the principal or the principal's designee of the campus addressed in the request.

A campus shall operate and maintain the camera in the classroom or setting as long as the classroom or setting continues to satisfy these requirements, for the remainder of the school year in which the campus received the request, unless the requestor withdraws the request in writing.

Education Code 29.022(a-3)-(b)

Video Camera
Coverage

The video cameras must be capable of:

1. Covering all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out; and
2. Recording audio from all areas of the classroom or setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of the classroom or setting.

Education Code 29.022(c)-(c-1)

Written Notice

Before a campus activates a video camera in a classroom or special education setting, the campus shall provide written notice of the placement to all campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting.

If for any reason a campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request. Not later than the 10th school day before the end of each school year, the campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following

school year unless a person eligible to make a request for the next school year submits a new request.

Education Code 29.022(b), (d)

Retention Period

A district shall retain video recorded from a video camera for at least three months after the date the video was recorded.

If a person requests to view a video recording from a video camera, a district must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, the district or campus shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

Education Code 29.022(e)-(e-1)

Gifts, Grants, and Donations

A district may solicit and accept gifts, grants, and donations from any person to implement the requirements of Education Code 29.022 and 19 Administrative Code 103.1301. A district is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement these requirements. *19 TAC 103.1301(d)*

No Waiver of Immunity

The requirements described by Education Code 29.022 do not:

1. Waive any immunity from liability of a district, or of district officers or employees; or
2. Create any liability for a cause of action against a district or against district officers or employees.

No Monitoring

A district may not:

1. Allow regular or continual monitoring of video recorded under Education Code 29.022; or
2. Use video for teacher evaluation or for any other purpose other than the promotion of safety of students receiving special education services.

Education Code 29.022(g)-(h)

Confidentiality

A video recording of a student made under this provision is confidential and may not be released or viewed except as provided below.

Limited Release

A district shall release a recording for viewing by:

1. An employee who is involved in an alleged incident that is documented by the recording and has been reported to the district, on request of the employee;
2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to the district or campus, on request of the parent;
3. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged or suspected abuse or neglect of a child under Family Code 261.406;
4. A peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioners rule, or a human resources staff member designated by the board in response to a report of an alleged incident or an investigation of district personnel or a report of alleged abuse committed by a student; or
5. Appropriate agency or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording does not violate these confidentiality provisions.

Education Code 29.022(i)-(i-1); 19 TAC 103.1301(h)-(i)

Duty to Report

If a person described by item 4 or 5, above, views a video recording and has cause to believe that the recording documents possible abuse or neglect of a child under Family Code Chapter 261, the person must submit a report to the Texas Department of Family and Protective Services or other authority in accordance with the local policy adopted under 19 Administrative Code 61.1051 (Reporting Child Abuse and Neglect) and Family Code Chapter 261 ~~[see FFG]~~.

Note: [19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401. \[See FFG\]](#)

19 TAC 103.1301(j); Education Code 29.022(j)

Material from 19 TAC 61.1051 was moved to 19 TAC 103.1401

<i>Use in Disciplinary Actions Against District Personnel</i>	If a person described by items 3, 4, or 5, above, views the recording and believes that it documents a possible violation of district or campus policy, the person may allow access to the recording to appropriate legal and human resources personnel of the district to the extent not limited by the Family Educational Rights and Privacy Act (FERPA) or other law. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student may be used in a disciplinary action against district personnel and must be released in a legal proceeding at the request of a parent of the student involved in the incident documented by the recording. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student must be released for viewing by the district employee who is the subject of the disciplinary action at the request of the employee. <i>19 TAC 103.1301(k)</i>
<i>Federal Law / FERPA</i>	19 Administrative Code 103.1301(j) (child abuse reporting) and (k) (disciplinary actions against personnel) do not limit the access of a student's parent to a record regarding the student under FERPA or other law. To the extent any provisions in Education Code 29.022 and 19 Administrative Code 103.1301 conflict with FERPA or other federal law, federal law prevails. <i>19 TAC 103.1301(l)</i>
District Policy	<p>A district must adopt written policies relating to the placement, operation, and maintenance of video cameras under Education Code 29.022 and 19 Administrative Code 103.1301. At a minimum, the policies must include:</p> <ol style="list-style-type: none"> 1. A statement that video surveillance is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings; 2. Information on how a person may appeal an action by the district that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeal and expedited review processes under 19 Administrative Code 103.1303 (Commissioner's Review of Actions Concerning Video Cameras in Special Education Settings) and the appeals process under Education Code 7.057; 3. A requirement that the district provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Education Code 29.022(a-3) (at Limited Release, above) that authorizes the request or states the reason for denying the request;

4. Except as provided by item 6 of this provision, a requirement that a campus begin operation of a video camera in compliance with this provision not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the Texas Education Agency (TEA) grants an extension of time;
5. A provision permitting the parent of a student whose admission, review, and dismissal (ARD) committee has determined that the student's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:
 - a. The date on which the current school year ends; or
 - b. The 10th school business day after the date of the placement determination by the ARD committee;
6. A requirement that, if a request is made by a parent in compliance with item 5 of this provision, unless TEA grants an extension of time, a campus begins operation of a video camera in compliance with this provision not later than the later of:
 - a. The 10th school day of the fall semester; or
 - b. The 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made;
7. The procedures for requesting video surveillance and the procedures for responding to a request for video surveillance;
8. The procedures for providing advanced written notice to the campus staff and the parents of the students assigned to a self-contained classroom or other special education setting that video and audio surveillance will be conducted or cease in the classroom or setting, including procedures for notice, in compliance with Education Code 29.022(b), of the opportunity to request continued video and audio surveillance if video and audio surveillance will otherwise cease;
9. A requirement that video cameras be operated at all times during the instructional day when one or more students are present in a self-contained classroom or other special education setting in which video cameras are placed;

10. A statement regarding the personnel who will have access to video equipment or video recordings for purposes of operating and maintaining the equipment or recordings;
11. A requirement that a campus continue to operate and maintain any video camera placed in a self-contained classroom or other special education setting for as long as the classroom or setting continues to satisfy the requirements in Education Code 29.022(a), for the remainder of the school year in which the campus received the request, unless the requester withdraws the request in writing;
12. A requirement that video cameras placed in a self-contained classroom or other special education setting be capable of recording video and audio of all areas of the classroom or setting, except that no visual monitoring of bathrooms and areas in which a student's clothes are changed may occur. Incidental visual coverage of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is permitted only to the extent that such coverage is the result of the layout of the classroom or setting. Audio recording of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is required;
13. A statement that video recordings must be retained for at least three months after the date the video was recorded and that video recordings will be maintained in accordance with the requirements of Education Code 29.022(e-1), when applicable;
14. A statement that the regular or continual monitoring of video is prohibited and that video recordings must not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety;
15. At the district's discretion, a requirement that campuses post a notice at the entrance of any self-contained classroom or other special education setting in which video cameras are placed stating that video and audio surveillance are conducted in the classroom or setting;
16. The procedures for reporting an allegation to the district that an incident occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted;

17. The local grievance procedures for filing a complaint alleging violations of Education Code 29.022, and/or 19 Administrative Code 103.1301; and
18. A statement that video recordings made under Education Code 29.022 and 19 Administrative Code 103.1301 are confidential and a description of the limited circumstances under which the recordings may be viewed.

19 TAC 103.1301(g)

Governmental
Record

A video recording under this section is a governmental record only for purposes of Penal Code 37.10.

Operation of
Camera

These provisions apply to the placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.

Education Code 29.022(s)-(t)

Exclusions

A district is not required to provide video equipment to a campus of another district or charter school or to a nonpublic school. *19 TAC 103.1301(c)*

Dispute Resolution

The special education dispute resolution procedures in 34 Code of Federal Regulations 300.151-.153 and 300.504-.515 do not apply to complaints alleging that a district has failed to comply with Education Code 29.022 and 19 Administrative Code 103.1301. Complaints alleging violations of those sections must be addressed through the district's local grievance procedures or other dispute resolution channels. *19 TAC 103.1301(e)*

Denial of Request

The following standards and procedures apply to a denial of a request for placement of a video camera under Education Code 29.022(a), or to the denial of a request to release a video or to view a video made under Education Code 29.022(i) or (l)(2).

*Exhaustion of
Administrative
Remedies*

Once a request for placement of a video camera or a request to release a video is administratively denied, the requester must exhaust administrative remedies through the district's grievance process even if the requester opts for the expedited review process. However, a district, parent, staff member, or administrator may request an expedited review even before the local remedies are exhausted.

After local remedies are exhausted by filing a grievance with the board and obtaining a board determination, the requester may appeal the denial to the commissioner of education under Education Code 7.057 by filing a petition for review.

<i>Proper Request</i>	In a case where there is a denial of a request for the placement of a video camera, the commissioner will determine whether the person requesting placement is a person allowed to request placement under Education Code 29.022(a-1) (see Limited Release, above) and whether the requester made a proper request under Education Code 29.022(a-3) (see Processing the Request, above).
<i>Cost</i>	The commissioner will not consider the cost to the district of installing cameras or releasing video.
<i>Release Determination</i>	In a case where there is a denial of a request to release a video, the commissioner will determine whether the requester is a person allowed to receive a video under Education Code 29.022(i) (described at Limited Release, above).
<i>Timelines for Petition for Review</i>	<p>The following timelines are established for filing a petition for review:</p> <ol style="list-style-type: none">1. A petition for review shall be filed with the commissioner within 10 calendar days of the decision of the board denying the request being first communicated to the requester or requester's counsel, whichever occurs first. The petition for review shall be made in accordance with 19 Administrative Code 157.1073(c) (hearings brought under Education Code 7.057) and may include a request for expedited review.2. The district's answer and local record shall comply with 19 Administrative Code 157.1052(b) and (c) and 19 Administrative Code 157.1073(d) and shall be filed with the commissioner within 10 calendar days of the district receiving notification from the commissioner of the appeal.3. The procedures specified in 19 Administrative Code 157.1059; .1061; and .1073(e)-(h), (j), and (k) apply to a case brought to the commissioner under this section.
<i>Expedited Review</i>	<p>A request for expedited review is governed by the following.</p> <ol style="list-style-type: none">1. The expedited review process is designed to allow a requester to promptly receive a preliminary judgment from the commissioner as to a decision to deny a request for the installation of cameras or a decision to deny a request to release a video while at the same time respecting the school grievance process. The expedited review process does not apply to a request to only view a video. Invoking the expedited review

process results in a prompt initial determination. However, the final commissioner's determination is to be based on a substantial evidence review of the district's grievance record. This allows for a full record to be developed at the district level and does not require the requester and the district to make an evidentiary record before TEA in Austin, Texas. Because the requirements of Education Code 7.057 are met when the board's decision is heard by the commissioner, an appeal to district court is allowed under Education Code 7.057(d). Education Code 29.022 does not by itself allow an appeal to district court.

2. A district, parent, staff member, or administrator may request an expedited review. Any request for an expedited review shall include the names, telephone numbers, and addresses of all interested parties to the request. "Interested parties" are all persons who brought the grievance, all persons who have testified or provided written statements as part of the grievance process, and the district. The request for expedited review shall specify whether the district denied a request for the placement of a video camera or the district denied a request to release a video and briefly describe why that decision is either correct or incorrect.
3. A request for expedited review shall be filed with the commissioner no earlier than 14 business days after a request for placement of a video camera or a request to release a video is administratively denied under Education Code 29.022(i) or (l)(2) (see Limited Release and Process, above), and no later than the fifth business day after a board resolves a grievance as to a request for placement of a video camera or a request to release a video. A request for expedited review shall be filed with the commissioner electronically as provided on TEA's Division of Hearings and Appeals website or by U.S. Mail, facsimile, hand-delivery, or by a commercial delivery service.
4. Whenever an interested party files a document with the commissioner, with the exception of the request for expedited review, the interested party shall send the same document to all other interested parties by the same method that the document was sent to the commissioner. Hand-delivery of the document by the next day may be substituted for service by facsimile delivery.
5. If a request for expedited review is timely filed, the commissioner will establish a briefing schedule and will send to all interested parties a notice that an expedited review has been

filed, which will include relevant statutes and rules. Any interested party who knows of any additional interested parties who have not been notified will promptly inform the commissioner in writing.

6. All briefing shall clearly state the facts relied upon. Documents relevant to the issues presented may be attached to a brief. All briefing shall provide the reasons why the commissioner should or should not grant the request for expedited review. Citations to statutes, rules, commissioner decisions, and case law are important to identify the legal basis for the claims made.
7. All interested parties who are in favor of granting the request for expedited review shall file briefing at the time specified for the requester of the expedited review.
8. All interested parties who are opposed to granting the request for expedited review shall file briefing at the same time.
9. Briefing is not limited to the issues specifically raised in the pleadings in the case. However, no new arguments may be raised in the reply briefs. Reply briefs may contain new citations to the record and legal authority as to issues previously raised.
10. A preliminary judgment shall be issued based on the briefing of the interested parties. The preliminary judgment will be sent to the requestor, the district, and all interested parties. If it is determined that a district is not likely to prevail on the issue of a request for the placement of video cameras or the issue of a request to view a video under full review, the district will fully comply with Education Code 29.022.
11. After a preliminary judgment is made, a final judgment will be made in accordance with the procedures set forth in 19 Administrative Code 103.1303(b)(1)-(5) (the Denial of Request Review process).

19 TAC 103.1303(b)

Extension of Time

A request by a district for an extension of time to begin the operation of a video camera under Education Code 29.022 shall be made and decided using the following procedures.

Request

Any request by a district for an extension of time to begin the operation of a video camera shall be filed with the commissioner prior to the 45th school business day after a request to begin operating a video camera is received. However, a district should request an

extension of time as soon as it determines that an extension of time should be filed.

A request for an extension of time to begin the operation of a video camera shall specify why an extension of time should be granted. The request shall include affidavits supporting any factual claims made in the request and reference any legal authority as to why the request should be granted. The request may include a request for expedited review. The request shall name the individual who requested the installation of cameras and provide the individual's address and telephone number. Immediately following the individual's address and telephone number there shall appear in bold type: "You have been identified as the individual who requested the operation of a video camera that is the subject of this request to the commissioner of education to extend the statutory timeline. You may, but are not required to, participate in the proceedings before the commissioner concerning the school district's request for an extension of time. It is entirely up to you whether and to what extent you wish to participate in these proceedings. The procedures governing these proceedings are found at 19 Texas Administrative Code 103.1303(c) and Texas Education Code 29.022."

A request for an extension of time to begin the operation of a video camera shall list the names, telephone numbers, and addresses of all interested parties to the request. All interested parties include all parents of students in the classroom or other special education setting for which a video camera has been requested and all staff who provided services in a classroom for which a video camera has been requested.

Filing Documents

All documents in a case shall be filed with the Division of Hearings and Appeals, Texas Education Agency, 1701 N. Congress Ave., Austin, Texas 78701, facsimile number (512) 475-3662. Documents shall be filed electronically as provided on the division's website or by mail, delivery, or facsimile. All documents must be actually received by the Division of Hearings and Appeals by the date specified in this section. The mailbox rule does not apply to filings in a case filed under this subsection. Electronic filing is strongly encouraged.

All filings in a case shall be sent to the district, the individual who initially requested the installation of the cameras, and all interested parties who have filed a request to receive documents filed in the case by the same method as the request is filed with the commissioner. Due to the requirements of FERPA, the names, telephone numbers, and addresses of parents and other publicly identifiable student information may not be given to the interested parties. The

copies of the filings sent to interested parties shall be redacted to remove all personally identifiable student information.

Filing Responses Any response to a request for an extension of time to begin the operation of a video camera shall be filed with the commissioner by an interested party within 10 calendar days of the filing of the request. If no response to the request is timely filed, the commissioner shall issue a final decision within 20 calendar days of the filing of the request.

A response to a request for an extension of time to begin the operation of a video camera shall specify why an extension of time should or should not be granted. The response shall include affidavits concerning any factual claims made in the request and reference any legal authority as to why the request should or should not be granted. The response may include a request for expedited review.

Expedited Review A request for expedited review must be filed with the commissioner within 10 calendar days of the filing of the request for an extension of time to begin the operation of a video camera. If a request for expedited review is made, all interested parties shall be notified that they have been identified as interested parties in the request for an extension of time to begin the operation of a video camera. In particular, the interested parties will be informed that it is their choice whether to participate in the proceedings before the commissioner, that it is entirely up to them to determine to what extent they wish to participate in the proceedings, that the procedures governing these proceedings are found in 19 Administrative Code 103.1303 and Education Code 29.022, and that upon their written request filed with the commissioner they will be sent all filings in this case.

If a request for an expedited review is not made, the commissioner shall issue a final decision within 45 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

If a request for expedited review is made, the following procedures shall be followed:

1. Any reply by the district to any response to the request shall be filed with the commissioner within 25 calendar days of the

filing of the request for an extension of time to begin the operation of a video camera.

2. A preliminary judgment shall be made by the commissioner within 35 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
3. Any interested party or the district may file objections to the preliminary judgment within 40 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
4. Any reply to an objection to a preliminary judgment must be filed within 45 calendar days of the filing of a request for an extension of time to begin the operation of a video camera.
5. The commissioner shall issue a final decision within 55 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

*Commissioner
Consideration*

In making either a preliminary judgment or a final judgment under this subsection, the commissioner will consider whether granting the requested extension is reasonable considering all factors, including contracting statutes, architectural and structural issues, and the difference in costs to the district if a moderate extension of time is granted.

No Appeal

A commissioner's final decision under this provision is not subject to appeal.

19 TAC 103.1303(c)

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Revisions throughout due to amendments to several Texas Administrative Code rules relating to bilingual/ESL programs.

Title III Requirements

A district that receives funds under Title III of the Elementary and Secondary Education Act shall comply with the statutory requirements regarding English learners and immigrant students. *20 U.S.C. 6801-7014*

A district that receives funds under Title I or Title III to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform the parents of an English learner identified for participation in such a program of the information required by 20 U.S.C. 6312(e)(3). *20 U.S.C. 6312(e)(3)*

Definitions

~~“Alternative
language
program”~~
Methods

“Alternative methods” means a temporary instructional plan that meets the affective, linguistic, and cognitive needs of emergent bilingual ~~(EB)~~ students and equips the teacher under a bilingual ~~edu-~~
~~cation~~ exception or an English as a second language (ESL) waiver to align closely to the required bilingual or ESL program through the comprehensive professional development plan.

Certified Bilingual
Program Teacher

“Certified bilingual ~~education~~program teacher” means a teacher holding bilingual certification and appropriately certified ~~in bilingual
education as well as~~ for the grade level and content area. The term
“certified bilingual program teacher” is synonymous with the term
“professional bilingual educator” used in Education Code 29.063.

Certified English as
a Second Language
Teacher

“Certified English as a second language teacher” means a teacher appropriately certified in ESL as well as for the grade level and content area. The term “certified English as a second language teacher” is synonymous with the term “professional transitional language educator” used in Education Code 29.063.

Dual Language
Immersion Program

“Dual language immersion (DLI) program” means a state-approved bilingual program ~~model~~ in accordance with Education Code 29.066 that uses English and a partner language. The two state-
approved DLI program models are one-way DLI and two-way DLI.

Emergent Bilingual

“Emergent bilingual ~~student~~(EB)” means a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary classwork in English. “Emergent bilingual ~~student~~” also means a student identified by the ~~language proficiency assessment committee~~
Language Proficiency Assessment Committee (LPAC) who is in the process of acquiring English and has another language as the student’s ~~primary or~~ home language. This term is interchangeable with English learner as used in federal regulations and replaces the term “limited English proficient student.”

English as a
Second Language
Program

“English as a second language (ESL) program” means a special language program in accordance with Education Code, Chapter 29, Subchapter B-, to include both content-based and pull-out program models. Another related term for an ESL program is “English as an additional language program.”

English Proficient
Student

“English proficient student” means a former ~~emergent bilingual~~ EB student who has met reclassification as English proficient by the LPAC.

Exit

“Exit” refers to the point when ~~a student is no longer classified as an emergent bilingual student (i.e., the~~ EB student is reclassified) as English proficient and ~~the student~~ ends bilingual or ESL program participation with LPAC recommendation and parental approval ~~and based on the recommendation of the LPAC.~~ The term “exit” is synonymous with the description in Education Code, Chapter 29, ~~of “transferring~~ Subchapter B, of a student having been “transferred out” of bilingual or special language programming. For the purpose of meeting the goals of a DLI program, the LPAC ~~may recommend continued program participation beyond reclassification~~ recommends that the EB student is reclassified as English proficient but continues participation in the program to further develop biliteracy for the duration of the program for prekindergarten through grade 12.

~~“Language
proficiency
assessment
committee~~ Proficiency
Assessment
Committee

“Language Proficiency Assessment Committee” means a designated group of committee members as described in 19 Administrative Code 89.1220 (relating to Language Proficiency Assessment Committee) and Education Code 26.063 that ensures the appropriate identification, placement, assessment, services, reclassification, and monitoring of ~~emergent bilingual~~ EB students. The LPAC also meets in conjunction with all other committees related to programs and services for which an ~~emergent bilingual~~ EB student qualifies.

Parent

“Parent” includes the parent or legal guardian of the student in accordance with Education Code 29.052-~~(2)~~.

Reclassification

“Reclassification” means the process by which the LPAC determines that an ~~emergent bilingual~~ EB student has met the appropriate criteria to be classified as English proficient, and the student enters year 1 of monitoring as indicated in the Texas Student Data System Public Education Information Management System.

Education Code 29.052; 19 TAC 89.1203(1), (3)-(4), (6), (8)-(9), (11)-~~(12), (14), (17), (21)~~, (13), (16), (19), (22)

**District
Responsibility**

Each district shall:

1. Identify ~~emergent bilingual~~EB students based on criteria established by the state;
2. Provide bilingual education, including bilingual and ESL programs as integral parts of the general program;
3. Seek appropriately certified teaching personnel to ensure that ~~emergent bilingual~~EB students are afforded full opportunity to master the essential knowledge and skills; and
4. Assess academic achievement and linguistic progress in accordance with Education Code Chapter 29, Subchapter B, to ensure accountability for ~~emergent bilingual~~EB students and the schools that serve them.

19 TAC 89.1201(a)

**Identification of
Emergent Bilingual
Students**

Within the first four weeks of the first day of school, the LPAC shall determine and report to the board the number of ~~emergent bilingual~~EB students on each campus and shall classify each student according to the language in which the student possesses primary proficiency. A board shall report that information to the Texas Education Agency (TEA) before November 1 each year. *Education Code 29.053(b)*

Language
Proficiency
Assessment
Committees

A district shall by local board policy establish and operate one or more LPACs. The district shall have on file a policy and procedures for the selection, appointment, and orientation of members of the LPAC(s).

A district shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four calendar weeks of the enrollment of an ~~emergent bilingual~~EB student.

19 TAC 89.1220(a), (e)

*Membership of
LPAC*

The LPAC shall include:

1. An appropriately certified bilingual educator (for students served through a bilingual ~~education~~ program);
2. An appropriately certified ESL educator (for students served through an ESL program);
3. A parent of an ~~emergent bilingual~~(EB) student participating in a bilingual or ESL program; and
4. A campus administrator.

A district may add other ~~trained~~ members to the committee.

All required members of an LPAC must be present either in person or virtually to make individualized student decisions.

No parent serving on the LPAC shall be an employee of the district.

All members of the LPAC, including parents, shall be acting for the district and shall observe all laws and rules governing confidentiality of information concerning individual students. A district shall be responsible for the orientation of all members, including the parents, of the LPAC.

Meetings

The LPAC may use alternative meeting methods, such as phone or video conferencing and the use of electronic signatures that adhere to district policy.

19 TAC 89.1220(b)-(d), (f); Education Code 29.063(a)-(b);

Duties

The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 Administrative Code 89.1220(g)-(i), (k), including duties to review information, classify students, notify parents, and monitor student academic progress.

Home Language
Survey

~~A district shall administer only the TEA-developed home language survey to~~ For each new student enrolling for the first time in a Texas public school in any grade from prekindergarten through grade 12, the TEA-developed home language survey shall be administered. This home language survey will serve as the original and only home language survey throughout the student's educational experience in Texas public schools.

The district shall ~~require~~:

1. Ensure that the student's parent understands the language used in the survey and its implications;
2. Require that the survey be signed by the student's parent for each student in prekindergarten through grade 8, or by the student in grades 9 ~~through~~ 12;
3. ~~It is the district's responsibility to ensure that the student's~~ Ensure the student's parent understands is aware of the benefits of bilingual and ESL programs; and
4. Maintain the ~~language used in the survey and its implications.~~ The original copy of the survey ~~shall be kept~~ in the student's permanent record and ~~transferred~~ transfer it to any subsequent Texas public school districts in which the student enrolls.

If the response on the home language survey indicates that a language other than English is or was used for communication, the

student shall be tested in accordance with 19 Administrative Code 89.1226 (Testing and Classification of Students).

If a parent determines an error was made when completing the original home language survey, the parent may request a correction only if the student has not yet been assessed for English proficiency; and corrections are made within two calendar weeks of the student's initial enrollment date in Texas public schools.

19 TAC 89.1215(a), (c), (e)

English Language
Proficiency Testing

Within four calendar weeks of initial enrollment in a Texas public school, a student with a language other than English indicated on the home language survey shall be administered the state-approved English language proficiency test in accordance with 19 Administrative Code 89.1226(c) and shall be identified as ~~emergent bilingual~~ an EB student and recommended for placement into the required bilingual-~~education~~ or ESL program in accordance with the testing and classification requirements in 19 Administrative Code 89.1226(f). 19 TAC 89.1226(b)

Emergent Bilingual
Classification

The LPAC may classify a student as ~~emergent bilingual~~ EB if:

1. The student's ability in English is so limited or the student's disabilities are so severe that assessment procedures cannot be administered;
2. The student's score or relative degree of achievement on the TEA-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;
3. The student's primary language proficiency score as measured by a TEA-approved test is greater than the student's proficiency in English; or
4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student's primary language proficiency is greater than the student's proficiency in English or that the student is not reasonably proficient in English.

Education Code 29.056(c)

Parental Notice and
Consent

Not later than the 10th day after the date of the student's classification as an ~~emergent bilingual~~ EB student, the LPAC shall give written notice to the student's parent. *Education Code 29.056(d)*

The district shall notify the parent in English and in the parent's ~~primary~~ home language that their child has been identified as an ~~emergent bilingual~~ EB student and recommended for placement in

the required bilingual ~~education~~ or ESL program using the TEA-developed identification and placement letter.

The ~~entry or~~ parent shall be provided information describing the bilingual or ESL program recommended, its benefits and goals, and its being an integral part of the school program to ensure that the parent understands the purposes and content of the program and their parental rights.

The placement of a student in the bilingual ~~education~~ or ESL program must be approved in writing by the student's parent or through allowable alternatives described in 19 Administrative Code 89.1220, in order to have the student included in the bilingual education allotment. ~~(BEA)~~. The parent's approval shall be considered valid for the student's continued participation in the required bilingual ~~education~~ or ESL program until the student meets the reclassification criteria described in 19 Administrative Code 89.1226(i) (Testing and Classification of Students), the student graduates from high school, or a change occurs in program placement. A change between bilingual ~~education~~ and ESL program placement requires new parental approval using the TEA-developed ~~change in placement~~ continuation of language program services letter.

If a parent denies program placement at any point, the TEA-developed ~~parental denial of program services~~ letter shall be used to ensure parents are informed of the implications of program denial, including understanding that the child will continue to be identified as an ~~emergent bilingual~~ EB student and will continue to be assessed annually using the Texas English Language Proficiency Assessment System (TELPAS) until reclassification criteria have been met.

~~The district shall use the TEA-developed letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for his or her exit from the bilingual education or ESL program. Students meeting reclassification criteria who have been recommended for exit by the LPAC may only exit the bilingual education or ESL program with parental approval. Parental approval is also required for students participating in a dual language immersion program who have met reclassification criteria and for whom the LPAC has recommended continued program participation as an English proficient student.~~

~~19 TAC 89.1240(a)-(b); Education Code 29.056(a)~~

Pending completion of the identification process, receipt of LPAC documentation for transferring students, or parental approval of an identified ~~emergent bilingual~~ EB student's placement into the bilin-

gual education or ESL program recommended by the LPAC, a district shall place the student in the recommended program. Only ~~emergent bilingual~~ EB students with parental approval for program participation will be included in the bilingual education allotment.

A district may place a student in or exit a student from a program without written approval of the student's parent if:

1. The student is 18 years of age or has had the disabilities of minority removed;
2. The parent provides approval through a phone conversation or email that is documented in writing and retained; or
3. An adult who the district recognizes as standing in parental relation to the student provides written approval. This may include a foster parent or employee of a state or local governmental agency with temporary possession or control of the student.

19 TAC 89.1220(j), (m)

Reclassification
and Exit Approval

The district shall use the TEA-developed parent notification of reclassification and approval of program exit letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for their exit from the bilingual or ESL program.

The district shall use the TEA-developed parent notification of reclassification and option to continue in a dual language immersion program letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for continued program participation as an English proficient student.

Students meeting reclassification criteria who have been recommended for exit by the LPAC may only exit the bilingual or ESL program with parental approval.

19 TAC 89.1240(b); Education Code 29.056(a)

Participation of
Other Students

With the approval of a district and a student's parents, a student who is not LEP may also participate in a bilingual education program. *Education Code 29.058*

The number of participating non-~~emergent bilingual~~ EB students shall not exceed 40 percent of the number of students enrolled in ~~the~~ those bilingual ~~education~~ or ESL program models district-wide.
19 TAC 89.1233(c)

Students with
Disabilities

For students with disabilities, a district shall utilize the state's criteria for identification of ~~emergent bilingual~~ EB students as described in 19 Administrative Code 89.1226(f) (relating to Testing and Classification of Students) and shall establish placement procedures that ensure that the placement recommendation by the LPAC, in conjunction with the admission, review, and dismissal (ARD) committee, in a bilingual ~~education~~ or English as a second language program is not refused based on the student's disabling condition.

LPAC members shall meet in conjunction with ARD committee members to review progress and provide recommendations regarding the educational needs of each ~~emergent bilingual~~ EB student who also qualifies for services in the district's special education program. [See EHBAB] 19 TAC 89.1230

Bilingual and ESL
Programs

Each district that has an enrollment of 20 or more students identified as ~~emergent bilingual~~ EB students in any language classification in the same grade level district-wide shall offer a bilingual ~~education~~ program for the ~~emergent bilingual~~ EB students in prekindergarten through the elementary grades with that language classification. "Elementary grades" shall include ~~at least~~ prekindergarten through grade 5; ~~sixth~~-grade 6 shall be included when clustered with elementary grades.

A district required to provide a bilingual ~~education~~ program shall offer dual-language instruction (English and ~~primary~~ home or partner language) in prekindergarten through the elementary grades, using one of the four bilingual program models described in 19 Administrative Code 89.1210 (relating to Program Content and Design).

19 TAC 89.1205(a)-(b); Education Code 29.053(c)-(d)

A district shall provide an ESL program to all ~~emergent bilingual~~ EB students for whom a district is not required to offer a bilingual ~~education~~ program, regardless of the students' grade levels and ~~primary~~ home language, and regardless of the number of such students, except in cases where a district exercises the option to provide a bilingual education program that is not required by law [see below]. A district required to provide an ESL program shall provide an ESL program using one of the two models described in 19 Administrative Code 89.1210. 19 TAC 89.1205(c)-(d)

A district is authorized to establish a bilingual ~~education~~ program even if the district has fewer than 20 students identified as ~~emergent~~ EB bilingual students in any language classification in the same grade level district-wide and ~~is not required to do so under the law. A district is also authorized to establish bilingual education programs at~~ grade levels at in which the ~~district~~ bilingual program is

	<p>not required under the law to establish bilingual programs. <u>19 Administrative Code 89.1205(a).</u> If a district does operate such a program under this authorization, the district shall adhere to all program requirements in 19 Administrative Code 89.1210, .1227, .1228, and .1229. <i>19 TAC 89.1205(f)-(g)</i></p>
Exceptions and Waivers	<p>A district shall comply with the requirements for bilingual education exceptions and ESL waivers under 19 Administrative Code 89.1207. <i>Education Code 29.054; 19 TAC 89.1207</i></p> <p>A district that is unable to employ a sufficient number of teachers, including part-time teachers, who meet the certification requirements for the bilingual education and ESL program <u>programs</u> shall apply <u>on or before November 1</u> for an exception or to the bilingual program or a waiver to the certification requirement on or before November 1 <u>for the ESL program as provided in 19 Administrative Code 89.1207.</u> <i>19 TAC 89.1245(b)</i></p>
Program Design	<p>A district that is required to offer a bilingual education <u>through bilingual</u> or ESL program <u>models</u> shall provide each emergent bilingual EB student the opportunity to be enrolled in the required program at his or her <u>their</u> grade level.</p> <p>A district's bilingual education or <u>and</u> ESL program <u>models</u> shall comply with the program content and design requirements of 19 Administrative Code 89.1210. A district shall provide for <u>ensure</u> ongoing coordination <u>collaboration</u> between the bilingual or <u>and</u> ESL program <u>programs</u> and the general <u>education programs to provide equitable</u> educational program. <u>access for all learners.</u></p> <p><i>19 TAC 89.1210(a)-(b)</i></p> <p>Emergent bilingual EB students shall participate with their non-emergent bilingual EB peers in general education classes provided in subjects such as art, music, and physical education. A district shall provide students enrolled in the program a meaningful opportunity to participate fully with other non-emergent bilingual EB peers in all extracurricular activities. Elective courses included in the curriculum may be taught in a language other than English. <i>Education Code 29.055, .057(b); 19 TAC 89.1210(f)</i></p>
Bilingual Education Program Models	<p>The bilingual <u>Bilingual</u> education program shall be implemented through at least one of the following program models:</p> <ol style="list-style-type: none"> 1. Transitional bilingual/early exit; 2. Transitional bilingual/late exit; 3. Dual language immersion/one-way; or 4. Dual language immersion/two-way.

19 TAC 89.1210(c)

*ESL Program
Models*

The ESL program shall be implemented through one of the following program models:

1. An ESL/content-based program model is an English acquisition program that serves students identified ~~as emergent bilingual~~^{EB} students through English instruction by a teacher appropriately certified in ESL under Education Code 29.061(c), using content-based language instruction in reading and language arts, mathematics, science, and social studies. The goal of content-based ESL is for ~~emergent bilingual students~~^{program participants} to attain full proficiency in English in order to participate equitably in school.
2. An ESL/pull-out program model is an English acquisition program that serves ~~students~~ identified ~~as emergent bilingual~~^{EB} students through English instruction using content-based language instruction methods provided by an appropriately certified ESL teacher under Education Code 29.061(c), ~~through English~~ⁱⁿ reading and language arts in a pull-out or inclusionary delivery setting. The goal of ESL pull-out is for ~~emergent bilingual students~~^{program participants} to attain full proficiency in English in order to participate equitably in school.

19 TAC 89.1210(d)

*Dual Language
Immersion Program*

A district may adopt a DLI program for students enrolled in elementary school grades. *Education Code 28.005(c), .0051(c)*

Implementation

Program implementation shall:

1. Begin at prekindergarten, kindergarten, or grade 1 as applicable, according to the district's earliest grade level provided;
2. Continue without interruption incrementally through the elementary grades;
3. Consider expansion to middle school and high school whenever possible; and
4. Include participation of former ~~emergent bilingual~~^{EB} students who have reclassified as English proficient for the duration of the program.

19 TAC 89.1227(e)

Requirements

A DLI program model shall be a full-time program of academic instruction in the program's partner language and English for all program participants, emphasizing the participation of identified ~~emergent bilingual~~^{EB} students. Access to the DLI program shall not be

restricted based on race, creed, color, religious affiliation, age, or disability.

A DLI program shall meet the minimum requirements described in 19 Administrative Code 89.1227.

19 TAC 89.1227(b)

*Two-Way DLI
Program
Enrollment*

Student enrollment in a two-way DLI program model is optional for non-~~emergent bilingual~~EB students. The program shall fully disclose candidate selection criteria and ensure that access to the program is not based on race, creed, color, religious affiliation, age, or disability. Additionally, identified ~~emergent bilingual~~and ~~reclassified EB~~ students and non-~~emergent bilingual~~EB students shall not be restricted access to the two-way DLI program model based on any linguistic or academic achievement measures in the program's partner language or English.

A district implementing a two-way DLI program model shall develop a policy ~~enfor~~ enrollment and continuation for students in the program model. The policy must address:

1. Equitable access, including the program's intention to maintain a ratio of 50 percent ~~emergent bilingual~~EB students to 50 percent non-~~emergent bilingual~~EB students and have no more than two-thirds speakers of the partner language to one-third speakers of English in each classroom;

~~2. Program goals and benefits;~~

2. Support of program benefits and goals as stated in 19 Administrative Code 89.1210 (Program Content and Design);

3. The district's commitment to providing equitable access to services for ~~emergent bilingual~~EB students and to ensuring continuity of program for all program participants;

4. The program's language allocation plan for the grade levels in which the program will be implemented; and

~~5. Support of program goals as stated in 19 Administrative Code 89.1210 (Program Content and Design); and~~

~~6-5.~~ Expectations for students and parents, families, and district and campus stakeholders.

19 TAC 89.1228(a)-(c)

A district implementing a two-way DLI program model shall obtain written parental approval as follows:

1. For ~~emergent bilingual~~ EB students in accordance with 19 Administrative Code 89.1240; and
2. For non-~~emergent bilingual~~ EB students, through a district-developed process.

19 TAC 89.1228(d)

*Two-Way DLI
Program State
Assessment*

A district implementing a two-way DLI program model shall determine the appropriate assessment option for program participants as follows:

1. For ~~emergent bilingual~~ EB students, the LPAC shall convene before the administration of the state criterion-referenced test each year to determine the appropriate assessment option for each ~~emergent bilingual~~ EB student in accordance with 19 Administrative Code 89.1220(i) (Language Proficiency Assessment Committee).
2. For reclassified EB students and non-~~emergent bilingual~~ EB students, the appropriate assessment option for the administration of the state criterion-referenced test each year is determined by the LPAC or through a district-developed process.

19 TAC 89.1228(e)

*School District
Recognition*

A district may recognize one or more of its ~~schools~~ campuses that implement an exceptional DLI program if the ~~school~~ campus meets all of the following criteria. The school shall:

1. ~~The school must meet~~ Meet the minimum requirements stated in 19 Administrative Code 89.1227-;
2. ~~The school must receive~~ Receive an acceptable performance rating in the state accountability system-; and
3. ~~The school must not be~~ Not have a bilingual and/or ESL program identified ~~for in~~ any stage of intervention ~~for the district's bilingual and/or ESL program~~ under the state's accountability system.

*Student
Recognition*

~~A~~ An individual student participating in a DLI ~~program or any other state-approved bilingual or ESL program may be recognized by the program and the board by earning~~ is eligible for local school district recognitions, including a performance acknowledgement in accordance with 19 Administrative Code 74.14. [See EIF]

19 TAC 89.1229

Facilities

Bilingual~~education~~ and ESL programs shall be located in public schools of the district with equitable access to all educational resources rather than in separate facilities. A district may ~~concentrate~~cluster the programs at ~~a limited number of~~designated facilities within the district. Recent immigrant ~~emergent bilingual~~EB students shall not remain enrolled in a newcomer center for longer than two years. *Education Code 29.057; 19 TAC 89.1235*

Cooperation Among
Districts

A district may join with one or more other districts to provide the required bilingual education or special language programs. The availability of the programs shall be publicized throughout the districts involved.

A district may allow a nonresident ~~emergent bilingual~~EB student to enroll in or attend its bilingual education or special language programs if the student's district of residence does not provide an appropriate program. The tuition for the student shall be paid by the district in which the student resides.

Education Code 29.059; 19 TAC 89.1205(e)

Documentation

A student's permanent record shall contain the documentation items required by 19 Administrative Code 89.1220(I). Documentation in a student's permanent record shall be forwarded in the same manner as other student records to another school district in which the student enrolls. *19 TAC 89.1220(I)*

For students previously enrolled in a Texas public school, the receiving district shall secure the student records, including the original home language survey and LPAC documentation as described in 19 Administrative Code 89.1220(I), as applicable. All attempts to contact the sending district to request records shall be documented. Multiple attempts to obtain the student's original home language survey shall be made. *19 TAC 89.1215(d)*

Summer Program

If a district is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for ~~emergent bilingual~~EB children who will be eligible for admission to kindergarten or first grade at the beginning of the next school year.

A school that operates on a semester system shall offer the program during the period school is recessed for the summer and for one-half day for eight weeks or on a similar schedule approved by the board. A school that operates on any other system shall offer 120 hours of instruction on a schedule ~~established~~approved by the board.

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the

student/teacher ratio may not exceed 18:1. A district shall comply with the requirements of 19 Administrative Code 89.1250 in providing such a program.

Other Programs

A district may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual education or special language programs for ~~emergent bilingual~~EB students and may join with other districts in establishing such programs.

The programs required or authorized by Education Code 29.060 may not be a substitute for programs required to be provided during the regular school year.

Education Code 29.060; 19 TAC 89.1250

Personnel

Teachers assigned to a bilingual education program using one of the following program models must be appropriately certified in bilingual education:

1. Transitional bilingual/early exit program model; or
2. Transitional bilingual/late exit program model.

Education Code 29.061(b)

Teachers assigned to a bilingual education program using a dual language immersion/one-way or two-way program model must be appropriately certified for:

1. Bilingual education for the component of the program provided in a language other than English; and
2. Bilingual education or English as a second language for the component of the program provided in English.

A district that provides a bilingual education program using a dual language immersion/one-way or two-way program model may assign a teacher certified for the language other than English component of the program and a different teacher certified for the English language component.

Education Code 29.061(b-1)-(b-2)

A district shall take all reasonable affirmative steps to assign appropriately certified teachers to the required bilingual ~~education~~ and ESL programs. A district that is unable to secure a sufficient number of appropriately certified bilingual education and/or ESL teachers to provide the required programs may request activation of the appropriate permits in accordance with 19 Administrative Code Chapter 230. 19 TAC 89.1245(a); Education Code 29.061(c)

A district that is unable to provide the required bilingual ~~educa-
tion~~and/or ESL program because of an insufficient number of ap-
propriately certified teachers shall request from the commissioner
of education an exception to the bilingual ~~education program~~
and/or a waiver for the ESL program and the approval of a tempo-
rary alternative ~~language program. Emergent bilingual~~methods. EB
students with parental approval for program participation under a
bilingual ~~education~~exception or an ESL waiver will be included in
the bilingual education allotment (BEA) designated for an temporary
alternative ~~language program~~methods. The approval of ~~an bilin-
gual~~ exception ~~to the bilingual education program~~and/or an ESL
waiver application shall be valid only during the school year for
which it was granted. ~~A request for a, which includes summer
school. The~~ bilingual ~~education program~~exception ~~must~~and/or ESL
waiver application shall be submitted by November 1 and shall ad-
here to the requirements in 19 Administrative Code 89.1207. [See
Exceptions and Waivers, above] 19 TAC 89.1207(a)-(b); Educa-
tion Code 29.054

**Emergent Bilingual
Students and State
Assessments**

In kindergarten-grade 12, an ~~emergent bilingual~~EB student shall
participate in the state assessment in accordance with commis-
sioner's rules at 19 Administrative Code Chapter 101, Subchapter
AA. [See EKBA]

Program Exit

A district may transfer an ~~emergent bilingual~~EB student out of a bi-
lingual education or special language program for the first time or a
subsequent time if the student is able to participate equally in a
regular all-English instructional program as determined by:

1. TEA-approved tests administered at the end of each school
year to determine the extent to which the student has devel-
oped oral and written language proficiency and specific lan-
guage skills in English;
2. Satisfactory performance on the reading assessment instru-
ment under Education Code 39.023(a) or an English lan-
guage arts assessment instrument under Education Code
39.023(c), as applicable, with the assessment instrument ad-
ministered in English, or, if the student is enrolled in the first
or second grade, an achievement score at or above the 40th
percentile in the reading and language arts sections of an
English standardized test approved by TEA; and
3. TEA-approved criterion-referenced tests and the results of a
subjective teacher evaluation.

Education Code 29.056(g)

~~Notice to Parents~~

~~A district shall give written notification to the student's parent of a student's reclassification as English proficient and his or her exit from the bilingual or ESL program and acquire written approval. Students meeting reclassification requirements may continue in the bilingual education or ESL program with parental approval. 19 TAG 89.1240(b)~~

Post-Exit Monitoring
and Reenrollment

~~The language proficiency assessment committee~~ [The LPAC](#) may reenroll the student in the program if later evidence suggests that a student who has been transferred out of a bilingual education or special language program has inadequate English proficiency and achievement. Classification of students for reenrollment must be based on the criteria required by Education Code 29.056. *Education Code 29.056(h)*

The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

During the first two school years after a student is transferred out of a bilingual education or special language program, the LPAC shall review the student's performance and consider:

1. The total amount of time the student was enrolled in bilingual education or special language programs;
2. The student's grades each grading period in each subject in the foundation curriculum;
3. The student's performance on state assessment instruments;
4. The number of credits the student has earned toward high school graduation, if applicable; and
5. Any disciplinary actions taken against the student under Education Code Chapter 37, Subchapter A.

After the evaluation, the LPAC may require intensive instruction for the student or reenroll the student in a bilingual education or special language program.

Education Code 29.0561

Program Evaluation

A district that is required to implement a bilingual education or ESL program shall conduct an annual evaluation in accordance with 19 Administrative Code 89.1265. The annual evaluation report shall

be presented to the board before November 1 of each year. The report shall be retained at the district level and must meet the requirements of 19 Administrative Code 89.1265(b)-(c).

A district shall report to parents ~~the progress of their child in acquiring~~ child's English proficiency development as a result of participation in the program offered to ~~emergent bilingual~~ EB students.

In alignment with the district improvement plan, each school year, the principal of each campus, with assistance from the campus level committee, shall develop, review, and revise the campus improvement plan for the purposes of improving student performance for ~~emergent bilingual~~ EB students. [See BQB]

19 TAC 89.1265

Changes throughout due to revisions to Texas Administrative Code rules.

**Distance Learning
and Correspondence
Courses**

Credit toward state graduation requirements may be granted for distance learning and correspondence courses only as follows:

1. The institution offering the correspondence course is The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the commissioner of education.
2. Students may earn course credit through distance learning technologies such as satellite, internet, two-way videoconferencing, online courses, the Texas Virtual School Network (TXVSN), and instructional television.
3. The distance learning and correspondence courses must include the state-required essential knowledge and skills for such a course.

19 TAC 74.23

**Texas Virtual School
Network**

The TXVSN is a state-led initiative for online learning authorized by Education Code Chapter 30A. The TXVSN is a partnership network administered by the Texas Education Agency (TEA) in coordination with regional education service centers (ESCs), Texas public school districts and charter schools, institutions of higher education, and other eligible entities.

The TXVSN is comprised of two components—the online school (OLS) program and the statewide course catalog.

19 TAC 70.1001(4)

**Online School
(OLS) Program**

“Online School (OLS) program” is a full-time, virtual instructional program that is made available through an approved course provider and is designed to serve students in grades 3-12 who are not physically present at school. *19 TAC 70.1001(7)*

A TXVSN OLS may serve students in grades 3-12 but may not serve students in kindergarten-grade 2.

A school district that operates a TXVSN OLS that serves students in full-time virtual instruction shall, prior to the start of each academic year, notify TEA of grade levels to be served and the total number of students to be served during that academic year. A school district may not add grade levels after the start of the school year.

A TXVSN OLS or a school district wishing to add additional grade levels to its online program shall certify that the OLS has courses sufficient to comprise a full instructional program for each additional grade level to be served by the OLS prior to serving that grade level.

School districts approved to serve as TXVSN OLSs shall follow the TEA procedures related to obtaining a campus number for the virtual campus through which they serve their TXVSN OLS students.

School districts serving as TXVSN OLSs must follow all requirements in 19 Administrative Code 70.1011.

19 TAC 70.1011

Statewide Course
Catalog

“Statewide course catalog” is a supplemental online ~~high school~~ instructional program available through approved providers. *19 TAC 70.1001(10)*

Course Providers

A TXVSN course provider is an entity that provides an electronic course through the TXVSN. Course providers include TXVSN OLSs and providers in the statewide course catalog. *19 TAC 70.1001(8)*

Electronic Course

“Electronic course” means an educational course in which:

1. Instruction and content are delivered primarily over the internet;
2. A student and teacher are in different locations for a majority of the student’s instructional period;
3. Most instructional activities take place in an online environment;
4. The online instructional activities are integral to the academic program;
5. Extensive communication between a student and a teacher and among students is emphasized; and
6. A student is not required to be located on the physical premises of a school district or open-enrollment charter school.

An electronic course is the equivalent of what would typically be taught in one semester. For example: English IA is treated as a single electronic course and English IB is treated as a single electronic course.

Education Code 30A.001(4); 19 TAC 70.1001(1)

OLS Eligibility

To be eligible to serve as a TXVSN OLS, a school district shall:

1. Have a current accreditation status of Accredited under 19 Administrative Code 97.1055 (Accreditation Status);
2. Be rated acceptable under Education Code 39.054;
3. Be rated at the Standard Achievement level or higher under the state financial accountability rating system under 19 Administrative Code 109.1001 (~~Types of~~ Financial Accountability Ratings);
4. Have met statutory requirements for timely submission of annual audit and compliance reports, Public Education Information Management System (PEIMS) reports, and timely deposits with the Teacher Retirement System, with all records and reports reflecting satisfactory performance;
5. Be in good standing with other programs, grants, and projects administered through TEA; and
6. Have been approved to operate a TXVSN OLS as of January 1, 2013.

19 TAC 70.1009(a)

*Statewide Course
Catalog Provider
Eligibility*

To be eligible to serve as a course provider in the TXVSN statewide course catalog, a district must be rated acceptable under Education Code 39.054. A Texas school district may provide an electronic course through the TXVSN to a student enrolled in that district or school, a student enrolled in another school district or school in the state, or a student who resides in Texas who is enrolled in a school other than a public school district or charter school. *19 TAC 70.1007(a)*

*General
Requirements*

TXVSN course providers shall:

1. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance in the course at least once every 12 weeks;
2. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance at least once every three weeks if the student's performance in the course is consistently unsatisfactory, as determined by the TXVSN course provider;
3. Notify students in writing upon enrollment to participate in the TXVSN course with specific dates and details regarding enrollment;
4. Meet all federal and state requirements for educating students with disabilities;

5. Provide a contingency plan for the continuation of instructional services to all TXVSN students allowing them to complete their TXVSN courses in the event that the contract or agreement through which the electronic courses are provided are terminated or the TXVSN courses become unavailable to students;
6. Ensure a maximum class size limit of 40 students in a single section of a course and ensure that the class size does not exceed the maximum allowed by law, as applicable, whichever is less; and
7. Meet all reporting requirements established by TXVSN central operations, including timely submission of student performance reports, course completion results, catalog data, data required to verify instructor qualifications, and all data necessary for the TXVSN Informed Choice Report required under 19 Administrative Code 70.1031 (Informed Choice Reports).

19 TAC 70.1007(c)

*Receiver District
Requirements*

A district is eligible to serve as a receiver district in the TXVSN statewide course catalog. Each TXVSN receiver district shall:

1. Register as a receiver district with TXVSN central operations;
2. Assign a qualified staff member to serve as the TXVSN coordinator;
3. Enroll a student who resides in Texas and who is enrolled in a school other than a public school district or charter school upon request by the student and/or parent or guardian; and
4. In accordance with 19 Administrative Code 74.26 (Award of Credit), award credit to a student enrolled in the district who has successfully completed all state and local requirements and received a grade that is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for a [high school](#) course offered through the TXVSN statewide course catalog.

19 TAC 70.1008

Courses

All electronic courses to be made available through the TXVSN shall be reviewed and approved prior to being offered in accordance with the course requirements at 19 Administrative Code 70.1005. *19 TAC 70.1005(a)*

An electronic course or program that was offered or could have been offered during the 2008-09 school year under former Education Code 29.909, as that section existed on January 1, 2009, may

be offered during a subsequent school year through the TXVSN.
Education Code 30A.006

Student Eligibility
Generally

A student is eligible to enroll in a TXVSN course only if the student:

1. On September 1 of the school year is younger than 21 years of age or is younger than 26 years of age and entitled to the benefits of the Foundation School Program under Education Code 48.003;
2. Has not graduated from high school; and
3. Is otherwise eligible to enroll in a public school in this state.

A student is eligible to enroll full-time in courses provided through the TXVSN only if the student:

1. ~~The student was~~Was enrolled in a public school in this state in the preceding school year;
2. ~~The student is~~Is a dependent of a member of the United States military who has been deployed or transferred to this state and was enrolled in a publicly funded school outside of this state in the preceding school year; or
3. ~~The student has~~Has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

Exception for
Military
Dependents

A student is eligible to enroll in one or more TXVSN courses or enroll full-time in courses provided through the network if the student:

1. Is a dependent of a member of the United States military;
2. Was previously enrolled in high school in this state; and
3. No longer resides in this state as a result of a military deployment or transfer.

Provisional
Enrollment

If a student has not provided required evidence of eligibility to enroll, a TXVSN OLS may enroll a student provisionally for 10 school days and withdraw the student from the OLS if the student does not provide the required evidence of eligibility within 10 school days of the provisional enrollment.

Upon enrolling a student provisionally, the TXVSN OLS shall notify the student and the student's parents or guardians that the student will be withdrawn if documentation is not provided within the required timeframe.

Education Code 30A.002; 19 TAC 70.1013

- Enrolled Students* A student who is enrolled in the district as a full-time student may take one or more electronic courses through the TXVSN. *Education Code 30A.107(b)*
- Unenrolled Students* A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TXVSN. The student:
1. May not in any semester enroll in more than two electronic courses offered through the TXVSN;
 2. Is not considered to be a public school student;
 3. Must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;
 4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
 5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

Education Code 30A.107(c)

- Enrollment, Advancement, and Withdrawal* A student taking a course through the TXVSN statewide course catalog or a TXVSN OLS program is considered to:
1. Be enrolled in a TXVSN course when he or she begins receiving instruction and actively engages in instructional activities in a TXVSN subject area or course;
 2. Have successfully completed a course if the student demonstrates academic proficiency and [for a high school course](#), earns credit for the course, as determined by the TXVSN teacher; and
 3. Be, and must be reported as, withdrawn from the TXVSN when the student is no longer actively participating in the TXVSN course or program.

A student taking a course through the TXVSN statewide course catalog:

1. Shall enroll in each TXVSN course through the TXVSN online registration system;

2. Shall be assigned a grade by the TXVSN teacher after the drop period established by TXVSN central operations;
3. May withdraw from a course taken through the TXVSN after the instructional start date without academic or financial penalty within the drop period established by TXVSN central operations; and
4. Shall have the grade assigned by the TXVSN teacher added to the student's ~~transcript~~record by the student's home district, and for a high school course, added to the student's transcript.

A student enrolled full time in a TXVSN online program in grades 3-8 must demonstrate academic proficiency sufficient to earn promotion to the next grade, as determined by the TXVSN teacher for the educational program.

19 TAC 70.1015

*Compulsory
Attendance*

Texas public school students are not required to be in physical attendance while participating in courses through a TXVSN OLS or the TXVSN course catalog.

Based upon successful completion of a TXVSN course for students in grades 9-12 or a TXVSN OLS instructional program for students in grades 3-8, students are considered to have met attendance requirements for that course or program. A student who has successfully completed the grade level or course is eligible to receive any weighted funding for which the student is eligible.

For audit purposes, TXVSN course providers and TXVSN receiver districts shall maintain documentation to support the students' successful completion and to support verification of compulsory attendance.

"TXVSN receiver district" means a Texas public school district that has students enrolled in the school district who take one or more online courses through the TXVSN statewide course catalog.

19 TAC 70.1001(9), .1017

Local Policy

A district shall adopt a written policy that provides students enrolled in the district with the opportunity to enroll in electronic courses provided through the TXVSN statewide course catalog. The policy must be consistent with the requirements regarding notice, enrollment requests, and students with disabilities as described below.

A district shall, at least once per school year, send to a parent of each district student enrolled at the middle or high school level a

copy of the policy. A district may send the policy with any other information that the district sends to a parent.

Education Code 30A.007; 19 TAC 70.1033

Notice

At the time and in the manner that a district informs students and parents about courses that are offered in the district's traditional classroom setting, the district shall notify parents and students of the option to enroll in an electronic course offered through the TXVSN.

*Requests to
Enroll*

Except as provided below, a district may not deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TXVSN.

A district may deny a request to enroll a student in an electronic course if:

1. A student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;
2. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district providing the course; or
3. The district offers a substantially similar course.

The course provider shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

If a parent of a student requests permission to enroll the student in a TXVSN course, a district has discretion to select a course provider approved by TEA for the course in which the student will enroll based on factors including the informed choice report required by Education Code 30A.108(b).

Appeals

A parent may appeal to the commissioner a district's decision to deny a request to enroll a student in an electronic course offered through the TXVSN. The commissioner's decision under this subsection is final and may not be appealed.

Education Code 26.0031; 19 TAC 70.1008, .1035

*Students with
Disabilities*

For purposes of the policy, the determination of whether or not an electronic course will meet the needs of a student with a disability shall be made by the student's admission, review, and dismissal (ARD) committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act, 20

	U.S.C. 1400 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794. <i>Education Code 30A.007(b)</i>
Required Enrollment Prohibited	A school district or open-enrollment charter school may not require a student to enroll in an electronic course. <i>Education Code 30A.107(d)</i>
Inducements for Enrollment Prohibited	A course provider may not promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the TXVSN. The commissioner shall revoke approval of electronic courses offered by a course provider that violates this prohibition. The commissioner's action under this section is final and may not be appealed. <i>Education Code 30A.1052</i>
Course Portability	A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. <i>Education Code 30A.1051; 19 TAC 70.1015(d)</i>
Student Assessment	<p>All Texas public school students enrolled in the TXVSN are required to take the statewide assessments as required in Education Code 39.023 [see EKB]. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.</p> <p>A district shall report to the commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the TXVSN separately from the results of assessment instruments administered to other students.</p> <p>All districts participating in the TXVSN OLS program are included in the state's academic accountability system.</p> <p><i>Education Code 30A.110; 19 TAC 70.1023</i></p>
Funding	<p>A district in which a student is enrolled is entitled to funding under Education Code Chapter 48 for the student's enrollment in a TXVSN course in the same manner that the district is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course.</p> <p>Funding is limited to a student's enrollment in not more than three electronic courses during any school year, unless the student is enrolled in a full-time online program that was operating on January 1, 2013.</p> <p><i>Education Code 30A.153</i></p>

	<p>A district may decline to pay the cost for a student of more than three yearlong electronic courses, or the equivalent, during any school year unless the student is enrolled in a full-time online program that was operating on January 1, 2013. If the district declines to pay the cost, a student is able to enroll in additional electronic courses at the student's cost. <i>Education Code 26.0031(c-1)</i></p>
Course Cost	<p>A district may charge the course cost for enrollment in a TXVSN course to a student who resides in this state and:</p> <ol style="list-style-type: none">1. Is enrolled in the district as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other school districts; or2. Elects to enroll in a TXVSN course for which the district in which the student is enrolled as a full-time student declines to pay the cost as authorized by Education Code 26.0031(c-1). <p>A district may charge the course cost for enrollment in a TXVSN course during the summer.</p> <p>A district shall charge the course cost for enrollment in a TXVSN course to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student.</p> <p>A TXVSN course cost may not exceed the lesser of the cost of providing the course or \$400.</p> <p>A district may decline to pay the course costs for a student who chooses to enroll in more than three year-long electronic courses, or the equivalent, during any school year. This does not limit the ability of the student to enroll in additional electronic courses offered through the TXVSN at the student's expense.</p> <p>A district that is not the course provider may charge a student enrolled in the district a nominal fee, not to exceed \$50, if the student enrolls in a TXVSN course that exceeds the course load normally taken by students in the equivalent grade level.</p> <p>A course provider in the TXVSN statewide course catalog shall receive:</p> <ol style="list-style-type: none">1. No more than 70 percent of the catalog course cost prior to a student successfully completing the course; and2. The remaining 30 percent of the catalog course cost when the student successfully completes the course.

Education Code 30A.155(a)-(c-1); 19 TAC 70.1025

Educators of
Electronic Courses

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must be certified under Education Code Chapter 21, Subchapter B, to teach that course and grade level or meet the credentialing requirements of the institution of higher education with which they are affiliated and that is serving as a course provider.

In addition, each instructor must successfully complete one continuing professional development course specific to online learning every three years, and:

1. Successfully complete a professional development course or program approved by TXVSN central operations before teaching an electronic course offered through the TXVSN; or
2. Have a graduate degree in online or distance learning and have demonstrated mastery of the ~~International Association for K-12 Learning (iNACOL)~~ National Standards for Quality Online Teaching; or
3. Have two or more years of documented experience teaching online courses for students in grades 3-12 and have demonstrated mastery of the ~~iNACOL~~ National Standards for Quality Online Teaching.

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must meet highly qualified teacher requirements under the Elementary and Secondary Education Act, as applicable.

TXVSN course providers shall affirm the preparedness of teachers of TXVSN electronic courses to teach public school-age students in a highly interactive online classroom and shall:

1. Maintain records documenting:
 - a. Valid Texas educator certification credentials appropriate for the instructor's TXVSN assignment;
 - b. Successful initial completion of TXVSN-approved professional development, evidence of prior online teaching, or a graduate degree in online or distance learning; and
 - c. Instructors' demonstrated mastery of the ~~iNACOL~~ National Standards for Quality Online Teaching prior to teaching through the TXVSN;
2. Conduct and maintain records for background checks;
3. Maintain records of successful completion of continuing professional development;

4. Maintain records documenting successful completion of TXVSN-approved professional development before the end of the school year for any instructor who is hired after the school year has begun; and
5. Make the records specified in this subsection available to TEA and TXVSN central operations upon request.

19 TAC 70.1027

Revocation

The commissioner may revoke the right to participation in the TXVSN based on any of the following factors:

1. Noncompliance with relevant state or federal laws;
2. Noncompliance with requirements and assurances outlined in the contractual agreements with TXVSN central operations and/or these provisions and Education Code Chapter 30A; or
3. Consistently poor student performance rates as evidenced by results on statewide student assessments, student withdrawal rates, student completion rates, successful completion rates, or campus accountability ratings.

19 TAC 70.1029

Applicability

Unless a district chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of a school district or open-enrollment charter school, Chapter 30A does not affect the provision of a course to such a student.

Requirements imposed by or under Education Code Chapter 30A do not apply to a virtual course provided by a district only to district students if the course is not provided as part of the TXVSN.

Education Code 30A.004

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All revisions due to amendments to 19 TAC 89.1070.

High School Diploma

A student may graduate and receive a diploma only if the student:

1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or
2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

Education Code 28.025(c)

Note: Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021-22 school year.

FAFSA Required

Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), except as provided below.

A student is not required to comply with the above provision if:

1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;
2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or
3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the student has complied with this section and may not indicate the manner in which the student complied, except as necessary for the district to comply with the commissioner's rules.

A school counselor may not indicate that a student has not complied with this section if the district fails to provide the required form to the student or the student's parent or other person standing in parental relation to the student.

Education Code 28.0256; 19 TAC 74.11(b)

Opt-Out Form

The board shall adopt the standard opt-out form provided by the Texas Education Agency (TEA).

The opt-out form shall be available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program in the district. A district is responsible for translations not provided by TEA.

The opt-out form must include the student's signature of intent to decline to complete a financial aid application prior to the student's anticipated graduation date.

19 TAC 74.1023(c)

Notification

A district shall provide students with the notifications regarding the financial aid application requirement, in accordance with 19 Administrative Code 74.1023(d).

*Proof of
Submission*

A district shall require one of the following methods of proof that a student has completed and submitted the FAFSA or TASFA.

For completion and submission of the FAFSA:

1. ApplyTexas Counselor Suite FAFSA data;
2. Notification from the U.S. Department of Education that demonstrates a student has completed and submitted a FAFSA; or
3. A local policy developed by a district for the method by which a student must provide proof that the student has completed a FAFSA.

A district shall develop a local policy for the method by which a student must provide proof that the student has completed a TASFA.

19 TAC 74.1023(e)

*Information
Submission and
Confidentiality*

A district shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) not later than December 1 of each school year for students awarded diplomas in the previous school year the number of students who completed and submitted a financial aid application and the number of students who submitted an exception.

A district shall maintain student financial aid application information securely and ensure compliance with federal law regarding the confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information [see FL].

19 TAC 74.1023(f)-(g)

Individual
Graduation
Committee

A student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
 - a. The student's parent or person standing in parental relation to the student;
 - b. A designated advocate if the parent is unable to serve; or
 - c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

Education Code 28.0258(a)-(c), (c-2); 19 TAC 74.1025(b)

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

*Alternate
Members*

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

19 TAC 74.1025(c), (e), (g)-(i)

Notice

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

*Curriculum
Requirements*

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

<i>Additional Requirements to Graduate</i>	<p>A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:</p> <ol style="list-style-type: none">1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area. <p>A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.</p> <p><i>Education Code 28.0258(f), (g)</i></p> <p>In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. <i>Education Code 28.0258(i)</i></p>
<i>Emergent Bilingual Students</i>	<p>For provisions related to an IGC and emergent bilingual students, see EKBA.</p>
Special Education	<p>A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.</p> <p><i>19 TAC 101.3023(a)</i> [See Graduation of Students Receiving Special Education Services, below, and EKB]</p>
Posthumous Diploma	<p>Beginning with students who would have graduated at the end of the 2019-20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may not be issued before the graduation date of the class in which the student was enrolled at the time of death.</p>

<i>Exception</i>	<p>A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Penal Code Title 5 or 6 or adjudicated as having engaged in conduct constituting a felony offense under Penal Code Title 5 or 6.</p> <p><i>Education Code 28.0254</i></p>
Diplomas for Veterans	<p>Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:</p> <ol style="list-style-type: none"> 1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or 2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq. <p><i>Education Code 28.0251</i></p>
Texas First Early High School Completion Program	<p>A district shall allow a student to graduate and receive a high school diploma under the Texas First Early High School Completion Program if, using the standards established by TEA and the Texas Higher Education Coordinating Board and eligible institutions of higher education, the student demonstrates mastery of and early readiness for college in each of the subject areas described by the standards and in a language other than English, notwithstanding any other local or state requirements.</p> <p>A student who earns a high school diploma through the program is considered to have earned a distinguished level of achievement.</p>
Notice Upon Enrollment	<p>On a student's initial enrollment in high school in a grade level below grade 12 in a district, the district shall provide to the student and the student's parent or guardian information regarding the requirements to earn a high school diploma under the Texas First Early High School Completion Program and the Texas First Scholarship Program.</p> <p><i>Education Code 28.0253(e)-(g); 19 TAC 21.52(a)</i></p> <p>The notice must include information about the requirement that a student must provide an official copy of their assessment results</p>

and transcripts, as applicable, to receive credit for the assessments and credits required to receive early graduation from the program. *19 TAC 21.54*

Personal Graduation Plan

Junior High or
Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];
4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

Education Code 28.0212

*Students
Receiving
Special
Education
Services*

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The

PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

Education Code 28.02121

Early Graduation

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)* [See FMH, FNG]

**State Graduation
Requirements**

Note: For current state graduation requirements, including those for students who entered grade 9 before the 2007-08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

**Students Entering
Grade 9**

To receive a high school diploma, a student entering grade 9 in the 2014-15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, in grade 8 or higher, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

Education Code 28.025(c); 19 TAC 74.11(a), (d)

**Foundation High
School Program**

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts — 4 credits;
2. Mathematics — 3 credits;
3. Science — 3 credits;
4. Social Studies — 3 credits;
5. Languages other than English — 2 credits;
6. Physical Education — 1 credit;
7. Fine Arts — 1 credit; and
8. Elective courses — 5 credits.

19 TAC 74.12(a)-(b)

Endorsements

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and
3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110-117, 127, and 130 are followed.

19 TAC 74.13(a)-(d); Education Code 28.025

For more information on endorsements, including the requirements for specific endorsements, see 19 Administrative Code 74.13(e)-(g).

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

*19 TAC 74.11(e)****Distinguished
Level of
Achievement***

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(f)*

***Algebra II
Notification***

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

*Education Code 28.02123****Prerequisites***

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or

3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

19 TAC 74.11(j)-(k)

*Dual Credit
Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(i)*

*Core Curriculum
College Courses*

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;
2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and
3. Is entitled to receive a high school diploma.

19 TAC 74.11(o)

*Languages Other
Than English*

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other than English in accordance with 19 Administrative Code 74.12(b)(5)(F).

19 TAC 74.12(b)(5)

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

*Physical
Education*

The required credit may be selected from one full credit or a combination of two half credits from two different courses from the following courses:

1. Lifetime Fitness and Wellness Pursuits;
2. Lifetime Recreation and Outdoor Pursuits; and
3. Skill-Based Lifetime Activities.

*Other Physical
Education
Activities*

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that meets the requirement for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. Junior Reserve Officer Training Corps (JROTC); and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the required physical education courses may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Credit may not be earned more than once for the Lifetime Fitness and Wellness Pursuits course or the Skill-Based Lifetime Activities course. Credit may not be earned more than twice for the Lifetime Recreation and Outdoor Pursuits course.

**Student with
Disability or
Illness**

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies, or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

19 TAC 74.12(b)(6); Education Code 28.025(b-10)-(b-11)

*Community-
Based Fine Arts
Programs*

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code Chapter 153, Subchapter DD, if the community-based program is offered on campus.

Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030

*Performance
Acknowledgments*

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
 - a. In a dual credit course;
 - b. In bilingualism and biliteracy;
 - c. On a College Board advanced placement test or international baccalaureate examination;

- d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
 - e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

Education Code 28.025(c-5); 19 TAC 74.14

Students Who
Entered Grade 9
Before the 2014-15
School Year

*Minimum High
School Program*

All credit for graduation must be earned no later than grade 12. 19 TAC 74.61(b), .71(b)

A student entering grade 9 prior to the 2014-15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;
2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or
3. Has failed to be promoted to the 10th grade one or more times as determined by the school district.

Students with
Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009-10 school year may remain in the Minimum High School Program.

19 TAC 74.61(c), (d), .71(c), (d)

Requirements

A student must earn at least 22 credits to complete the Minimum High School Program.

A student who entered grade 9 in the 2012-13 or 2013-14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72.

A student who enters grade 9 before the 2012-13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D-F.

Education Code 28.025; 19 TAC 74.62, .72

*Recommended
High School
Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. *Education Code 28.025; 19 TAC 74.63, .73*

*Advanced /
Distinguished
Achievement
High School
Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. *Education Code 28.025; 19 TAC 74.64, .74*

Substitutions

No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. *19 TAC 74.63(d), .64(e), .73(d), .74(e)*

AP or IB Courses

College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. *19 TAC 74.61(k), .71(i)*

Reading

A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district:

1. Adopts policies to identify students in need of additional reading instruction;
2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and
3. Monitors instructional activities to ensure that student needs are addressed.

Reading credits may be selected from Reading I, II, or III.

19 TAC 74.61(h), .71(f)

College Courses A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. 19 TAC 74.61(l), .71(j)

Physical Education Substitutions In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

Other Physical Activity

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions	<p>All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.</p> <p>No more than four substitution credits may be earned through any combination of substitutions listed above.</p>
<i>Student with Disability or Illness</i>	<p>A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:</p> <ol style="list-style-type: none"> 1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A; 2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or 3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.
<i>Student with Physical Limitations</i>	<p>If a student entering grade 9 during the 2007-08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity.</p> <p><i>Education Code 28.025(b-10)-(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)</i></p>
Transfers from Out-of-State or Nonpublic Schools	<p>Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enroll-</p>

**Graduation of
Students Receiving
Special Education
Services**Modified Curriculum
and ContentEmployability and
Self-Help SkillsSummary of
Academic
Achievement and
Evaluation

ment may be satisfied through credit by examination, correspondence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. 19 TAC 74.11(g) [See EHDB, EHDC, EHDE, and EI]

Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110-117, 126-128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. 19 TAC 89.1070(k)

Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. 19 TAC 89.1070(i)

~~All students graduating must be provided with a~~ summary of academic achievement and functional performance must be provided prior to exit from public school for students who meet one of the following conditions:

1. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(1) or who has exceeded the maximum age eligibility as described in by 19 Administrative Code 89.1035; or
2. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C). A student meeting this condition is entitled to an evaluation as described by 34 C.F.R. 300.305(e)(3)-1).

The summary of performance must include recommendations on how to assist the student in meeting the student's postsecondary goals, as required by 34 C.F.R. 300.305(e)(3). This summary must also consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. ~~An evaluation as required by 34 C.F.R. 300.305(e)(1) (evaluation to determine that the child is no longer a child with a disability), must be included as part of the summary for a student graduating~~ Students who meet graduation requirements under 19 Administrative Code 89.1070(b)(2), or (b)(3)(A), (B), or (C). ~~Students who participate in graduation ceremonies but who are not graduating under subsections (b)(2), (b)(3)(A), (B), or (C) or (f)(4)(A), (B), or (C) and who will remain in~~ continue enrollment in public school to complete their receive special education do not have services aligned to their transition plan will be provided the summary of performance upon exit from the public school system. These students are entitled to be evaluated. 19 TAC 89.1070(g)-

*Students
Entering Grade 9
in or After the
2014-15 School
Year*
Graduation
Criteria

~~(h)~~ participate in commencement ceremonies and receive a certificate of attendance after completing four years of high school.

19 TAC 89.1070 (f)-(h)

A student ~~entering grade 9 in the 2014-15 school year and thereafter~~ who receives special education services may graduate and be awarded a ~~regular high school~~ diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 ~~and~~; satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education ~~as well as~~; and demonstrated satisfactory performance as established in Education Code ~~Chapter~~ Chapters 28 and 39, on the required EOC assessment instruments ~~, which could include meeting the requirements of 19 Administrative Code 89.1070(d).~~
2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 ~~and~~; the student has satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education ~~but~~; and the student's ARD committee has determined that satisfactory performance beyond what would otherwise be required in 19 Administrative Code 89.1070(b)(1) and (d), on the required EOC assessment instruments is not ~~necessary~~ required for graduation.
3. ~~The student has~~ The student has satisfactorily completed credit requirements for graduation under the foundation high school program, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education; demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 ~~and satisfactorily completed credit requirements for graduation under the foundation high school program through courses, one or more of which contain~~ in accordance with modified content and curriculum that is aligned to the standards applicable to students in general education, as well as expectations established in the student's IEP; and demonstrated satisfactory performance ~~as established in Education Code Chapter 39,~~ on the required EOC assessment instruments, unless the stu-

dent's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not ~~necessary~~required for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:

- a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district.;
- b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district.; or
- ~~c.~~ The student has access to services or other supports that are not within the legal responsibility of public education ~~or, including~~ employment or ~~educational options for which the student has been prepared by the academic program.~~
- ~~d.c.~~ The student no longer meets age eligibility requirements postsecondary education established through transition planning.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 TAC 89.1070(b), (j)

Endorsements

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:
 - a. The curriculum requirements identified by the SBOE for the foundation high school program; and
 - b. The additional endorsement curriculum requirements prescribed by the SBOE; and
2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:
 - a. Without modification of the curriculum; or

- b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

Education Code 28.025(c-7)-(c-8), 19 TAC 89.1070(c)

~~Students
Entering Grade 9
Before the 2014-
15 School Year~~

~~A student receiving special education services who entered grade 9 before the 2014-15 school year may graduate and be awarded a high school diploma under the foundation high school program in accordance with 19 Administrative Code 89.1070.~~

**Graduation of
Military Dependents**

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

Transfers During
Senior Year

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Substitute Passing
Standard

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the 10th-grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII, A, C [See FDD]

**Graduation of
Student Who Is
Homeless or in
Conservatorship of
DFPS**

If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)*

Agreement Between Districts

The boards of two or more adjoining school districts or the boards of county school trustees of two or more adjoining counties may, by agreement and in accordance with Education Code 25.032-.034, arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another. In the case of the transfer and assignment of a student under this provision, the participating governing boards shall also agree to the transfer of school funds or other payments proportionate to the transfer of attendance. *Education Code 25.035*

Initiated by Student or Parent

Any student, other than a high school graduate, who is under 21 years of age and eligible for enrollment on September 1, may transfer to another Texas district, provided that both the receiving district and the applicant's parent, guardian, or person having lawful control agree in writing to the transfer.

Discipline and Threat Assessment Records

In the case of a transfer under this provision, a child's district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Education Code 37.115 [see FFB].

Effective August 1, 2025, a district shall utilize Sentinel to securely transfer any threat assessment conducted on a student to a receiving district when a student transfers to a new district [see CKA]. All threat assessments for a student are subject to the transfer requirement. Any threat assessments conducted prior to August 1, 2025, that are associated with a student transfer shall be uploaded into Sentinel in a manner determined by the Texas Education Agency (TEA).

Education Code 25.036; 19 TAC 103.1213(e)(1)(B) [See FD for placement of transfer students.]

19 TAC 103.1213

Transfer to a District Offering In-Person Instruction

If a district provides notice to the parent or person standing in parental relation to a student enrolled in the district of the district's intent to offer only virtual instruction for more than one grading period during a school year, the student may transfer for that school year to another district that offers in-person instruction during that school year and accepts the student's transfer.

"Virtual instruction" means instructional activities delivered to students primarily over the internet.

A student who transfers to another school district under this section may not be charged tuition. The student is included in the average daily attendance of the district in which the student attends school.

Education Code 25.045

Basis for Transfer	A board or its designee must make transfer decisions on an individual basis and may not consider as a factor in arriving at any decision regarding assignments any matter relating to the national origin of the student or the student's ancestral language. <i>Education Code 25.032 [See FDAA]</i>
Transportation	A board may establish and operate an economical public school transportation system outside the district if students enrolled in the district reside outside the district and the district meets the requirements of Education Code 34.007(a)(3) [see CNA]. <i>Education Code 34.007(a)</i>
Funding for Transfers	Upon the filing and certification of any transfer, the state per capita apportionment shall transfer with the student. For purposes of computing state allotments to districts eligible under the Foundation School Program, the student's attendance prior to the date of transfer shall be counted by the sending district and the student's attendance after transfer shall be counted by the receiving district. <i>Education Code 25.037</i>
Credits and Records	Credits earned in local credit courses may be transferred at the enrolling district's discretion. Transfer students shall not be prohibited from attending school pending receipt of transcripts or academic records from the district the student previously attended. <i>19 TAC 74.26(a)(1)</i>
Nonpublic Schools	Records and transcripts of students from Texas nonpublic schools or from out of state or out of the country (including foreign exchange students) shall be evaluated, and students shall be placed promptly in appropriate classes. A district may use a wide variety of methods to verify the content of courses for which a transfer student has earned credit. <i>19 TAC 74.26(a)(2)</i>
Tuition Fee for Transfer Students	A receiving district may charge a tuition fee to the extent that the district's actual expenditure per student in average daily attendance exceeds the sum of state available school fund apportionment benefits transferred under Education Code 25.037. However, unless a tuition fee is prescribed and set out in a transfer agreement prior to its execution by the parties, no increase in tuition charge shall be made for the year of that transfer that exceeds the tuition charge, if any, of the preceding school year. <i>Education Code 25.038</i>
Transfer by Servicemember Request	On request of a servicemember who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to

another school district under an agreement under Education Code 25.035 [see Agreement Between Districts, above].

“Servicemember” means an active duty member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Texas National Guard.

A transfer under this provision must be to the campus or district, as applicable, selected by the servicemember making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

Education Code 25.0344

**Transfer by Peace
Officer Request**

On request of a peace officer who is a parent of or person standing in parental relation to a student, the board or the board’s designee shall transfer the student to another district campus or to another district under an agreement under Education Code 25.035.

“Peace officer” has the meaning assigned by Occupations Code 1701.001.

A transfer under this provision must be to the campus or school district, as applicable, selected by the peace officer making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

Education Code 25.0344

**Transfers to
Adjoining States**

Note: The following provision applies to a district located on the border of an adjoining state.

Any student who would be entitled to attend the public school of any district situated on the border of Louisiana, Arkansas, Oklahoma, or New Mexico and who may find it more convenient to attend the public school in a district in one of those contiguous states, may have the state and county per capita apportionment of the available school funds paid to the school district of the contiguous state and may have additional tuition, if necessary, paid by the district of residence on such terms as may be agreed upon by the trustees of the receiving district and the trustees of the residence district. *Education Code 25.040*

**Contracts for
Education Outside
Districts**

Note: The following section applies only to districts that do not offer all grades, kindergarten-grade 12.

	<p>A district that does not offer each grade, kindergarten-grade 12, may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those grade levels in one or more other districts. In each contract, the districts also shall agree to the transfer of school funds or other payments proportionate to the transfer of attendance.</p>
Tuition	<p>The district in which the students reside shall pay tuition to any district with which it has a contract under this section for each of its students attending school in that district at a grade level for which the district has contracted. The amount of the tuition paid may not exceed the greater of the amount provided for by Education Code 25.038 [see above], or an amount specified by commissioner rule [see below].</p> <p>A district is not required to pay tuition to any district with which it has not contracted for the attendance by any of its students at a grade level for which it has contracted under this provision with another district.</p> <p>A contract under this provision may not be for a period exceeding five years.</p> <p><i>Education Code 25.039</i></p>
Definitions	<p>“Home district” means a district of residence of a transferring student.</p> <p>“Receiving district” means a district to which a student is transferring for the purpose of obtaining an education.</p> <p>“Tuition” means an amount charged to the home district by the receiving district to educate the transfer student.</p>
Tuition Allotment of the Home District	<p>For the purposes of calculating the tuition allotment of the home district as authorized by Education Code 48.154, the amount of tuition that may be attributed to a home district for a transfer student in payment for that student’s education may not exceed an amount per enrollee calculated for each receiving district. The calculated limit applies only to tuition paid to a receiving district for the education of a student at a grade level not offered in the home district. Tuition may be set at a rate higher than the calculated limit if both districts enter a written agreement, but the calculated tuition limit will be used in the calculation of the tuition allotment for the home district. The calculation will use the most currently available data in an ongoing school year to determine the limit that applies to the subsequent school year. For purposes of this provision, the number of students enrolled in a district will be appropriately adjusted to account for students ineligible for the Foundation School Program funding and those eligible for half-day attendance.</p>

*Calculated
Tuition Limit*

The calculated tuition limit is the sum of the excess maintenance and operations (M&O) revenue per enrollee and the excess debt revenue per enrollee, as calculated in 19 Administrative Code 61.1012(b)(2)-(3).

*Notification and
Appeal Process*

In the spring of each school year, the commissioner will provide each district with its calculated tuition limit and a worksheet with a description of the derivation process. A district may appeal to the commissioner if it can provide evidence that the use of projected student counts from the LPE in making the calculation is so inaccurate as to result in an inappropriately low authorized tuition charge and undue financial hardship. A district that used significant nontax sources to make any of its debt service payments during the base year for the computation may appeal to the commissioner to use projections of its tax collections for the year for which the tuition limit will apply. The commissioner's decision regarding an appeal is final.

19 TAC 61.1012

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Revisions throughout due to Texas Administrative Code revisions and for clarity.

Consent to Medical Treatment

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

Family Code 32.001(a)(4)

Form of Consent

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

Family Code 32.002

Minor's Consent to Treatment

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported

to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or
4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)

**Telehealth in
Medicaid Covered
Services**

Telemedicine medical services and telehealth services authorized as Texas Medicaid covered services must meet the conditions specified in 1 Administrative Code 354.1432(5). *1 TAC 354.1432(5)*

**Administering
Medication**

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.
2. When administering prescription medication, the medication is administered either:
 - a. From a container that appears to be the original container and to be properly labeled; or
 - b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

**By Volunteer
Professionals**

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

**Immunity from Civil
Liability**

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

Education Code 22.052(a)-(b)

[See DG regarding protection of nurses for refusal to perform acts.]

**Self-Administration
of Asthma or
Anaphylaxis
Medicine**

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;
2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
 - a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
 - b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
 - (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
 - (2) The name and purpose of the medicine;
 - (3) The prescribed dosage for the medicine;
 - (4) The times at which or circumstances under which the medicine may be administered; and
 - (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAF for care of students with diagnosed food allergies at risk for anaphylaxis.]

**No Waiver of
Immunity**

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

Education Code 38.015

Sunscreen Products	<p>A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its employees; or create any liability for or a cause of action against a district, its board, or its employees. <i>Education Code 38.021</i></p>
Dietary Supplements	<p>A district employee commits a Class C misdemeanor offense if the employee:</p> <ol style="list-style-type: none">1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties. <p><i>Education Code 38.011(a), (c)</i></p>
Prescription Medication and Special Education Students	<p>An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.</p> <p>An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.</p> <p><i>20 U.S.C. 1412(a)(25)</i></p> <p>[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]</p>
Low-THC Cannabis	<p>A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. <i>Health and Safety Code 487.201</i></p>

**Dextromethorphan
(Certain Cold
Medication)**

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

**Maintenance and
Administration of
Opioid Antagonists**

Each district shall adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists at each campus in the district that serves students in grades 6 through 12 and may adopt and implement such a policy at each campus in the district, including campuses serving students in a grade level below grade 6.

The policy adopted must:

1. Provide that school personnel and school volunteers who are authorized and trained may administer an opioid antagonist to a person who is reasonably believed to be experiencing an opioid-related drug overdose;
2. Require that each school campus subject to a policy adopted under this provision have one or more school personnel members or school volunteers authorized and trained to administer an opioid antagonist present during regular school hours;
3. Establish the number of opioid antagonists that must be available at each campus at any given time; and
4. Require that the supply of opioid antagonists at each school campus subject to a policy adopted under this provision must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an opioid antagonist.

Education Code 38.222(a), (c); 25 TAC 40.84(b)-(c); [19 TAC 103.1103](#)

Definitions

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

“Campus” means a unit of a district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

“Opioid antagonist” as defined in Health and Safety Code 483.101, means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors.

“Opioid-related drug overdose” as defined in Health and Safety Code 483.101, means a condition, evidenced by symptoms of extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid.

25 TAC 40.82(2)-(3), (5)-(6)

Maintenance

Once a district adopts an opioid antagonist medication policy, a campus implementing an opioid policy must stock opioid antagonist medication.

Prescription

A campus must obtain a prescription from a physician or a person who has been delegated prescriptive authority to stock, possess, and maintain the established number of doses of opioid antagonists as determined by a district, on each campus as described in Education Code 38.225 (Prescription of Opioid Antagonists).

The campus must renew this prescription or obtain a new prescription annually.

The number of additional doses may be determined by an individual campus review led by a physician or a person who has been delegated prescriptive authority.

25 TAC 40.85(a)-(b)

Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe opioid antagonists in the name of a school district. *Education Code 38.225(a); 25 TAC 40.85(c)*

Storage of
Medication

The unassigned opioid antagonist medication must be stored in a secure location and be easily accessible, in accordance with the manufacturer's guidelines and local policy of the district.

Disposal

Used, unassigned opioid antagonists are considered infectious waste and must be disposed of according to the school's blood-borne pathogen control policy.

Expired, unassigned opioid antagonists must be disposed of in accordance with the Federal Drug Administration's disposal of unused medications guidelines and local policy of the district.

25 TAC 40.85(d)-(f)

Reporting
Requirement

The campus must submit the report no later than the 10th business day after the date a school personnel member or school volunteer administers an opioid antagonist in accordance with the unassigned opioid antagonist medication policy.

The report shall be submitted to the following individuals and entities:

1. The district;
2. The physician or other person who prescribed the opioid antagonist; and
3. The commissioner of DSHS.

Notifications to the commissioner of DSHS must be submitted on the designated electronic form available on DSHS School Health Program website found at dshs.texas.gov.

25 TAC 40.87(b)-(c)

The school shall report the following information:

1. The age of the person who received the administration of the opioid antagonist;
2. Whether the person who received the administration of the opioid antagonist was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the opioid antagonist was administered;
4. The number of doses of opioid antagonist administered;
5. The title of the person who administered the opioid antagonist; and
6. Any other information required by the commissioner of education.

Education Code 38.223(b)

Records Retention Records relating to implementing and administering the district unassigned opioid antagonist medication policy must be retained per the campus record retention schedule. *25 TAC 40.87(a)*

Training A district that adopts an opioid antagonist policy is responsible for training school personnel and school volunteers in the administration of an opioid antagonist. *Education Code 38.224(a)*

Training must include information on:

1. Recognizing the signs and symptoms of an opioid-related drug overdose;
2. Responding to an opioid-related drug overdose and administering an opioid antagonist;

3. Implementing emergency procedures, after administering an opioid antagonist;
4. Understanding the medical purpose and misuse of opioids; and
5. Properly disposing of used or expired opioid antagonists.

Training must:

1. Be provided annually in a formal training session or through online education, including practicing the administration of an opioid antagonist with an opioid antagonist trainer device; and
2. Be provided in accordance with the policy adopted under Education Code 21.4515.

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers who are trained and authorized to administer the unassigned opioid antagonist medication on the campus.

25 TAC 40.86(b)-(c)

Gifts, Grants, and
Donations

A district may accept gifts, grants, donations, and federal and local funds to implement these provisions. *Education Code 38.226*

Immunity

A person who in good faith takes, or fails to take, any action under Education Code Chapter 38, Subchapter E-1 is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.227. *Education Code 38.227*

**Maintenance and
Administration of
Epinephrine Auto-
Injectors**

Note: The following provisions apply only to a district that adopts an unassigned epinephrine auto-injector policy.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and
2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine

auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open. The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

Education Code 38.208

A district that chooses to adopt and implement a written unassigned epinephrine auto-injector policy under Education Code Chapter 38, Subchapter E is not required to create an additional policy for care of certain students at risk for anaphylaxis under Education Code 38.0151 [see FFAF]. 25 TAC 40.62(c)

A district may develop, as part of the policy, provisions for additional doses to be stocked and utilized at off-campus school events, or in transit to or from school events. 25 TAC 40.65(a)(2)

Definitions

*All Hours the
Campus Is Open*

“All hours the campus is open” is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.

Campus

A “campus” is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

*Unassigned
Epinephrine
Auto-Injector*

An “unassigned epinephrine auto-injector” is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157.

25 TAC 40.63(1), (4), (11)

Prompt Notification

Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual

available to notify emergency medical services, the trained individual should administer the unassigned epinephrine auto-injector before notifying emergency medical services.

The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis.

25 TAC 40.65(e)-(f)

Records

School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request.

Records relating to implementation and administration of the school's unassigned epinephrine auto-injector policy shall be retained per the record retention schedule for records of public school districts found in 13 Administrative Code 7.125 [see CPC].

25 TAC 40.65(f)-(g)

Reports

Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services.

The report must include the following information:

1. The age of the person who received the administration of the epinephrine auto-injector;
2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

Education Code 38.209

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 40.68(b)*

Assignment of
Trained Individuals

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

25 TAC 40.66(a)-(b)

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 40.66(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the administration of an unassigned epinephrine auto-injector.

Training must include information on:

1. Recognizing the signs and symptoms of anaphylaxis;
2. Administering an epinephrine auto-injector;
3. Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
4. Properly disposing of used or expired epinephrine auto-injectors.

Training must be provided in accordance with the district professional development policy [see DMA].

Education Code 38.210(a), (b)

Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training.

Training:

1. Shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention;
2. May be provided in a formal face-to-face training session or through an online education course;
3. Must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration; and
4. Must include information about promptly notifying local emergency medical services.

25 TAC 40.67(1)-(2), (5)

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

25 TAC 40.67(3)-(4), (6)

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211(a)*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

25 TAC 40.65(a)-(a)(1)

Epinephrine
Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors.

	<p>Throughout the school calendar year, the designated school personnel must coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. <i>25 TAC 40.65(b)</i></p>
Notice to Parents	<p>If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. <i>Education Code 38.212</i></p> <p>A district shall provide electronic or written notice to the parent or guardian of each student.</p> <p>If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days.</p> <p><i>25 TAC 40.69</i></p>
Storage	<p>Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). <i>25 TAC 40.65(h)</i></p>
Replacement	<p>The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. <i>25 TAC 40.65(i)</i></p>
Disposal	<p>Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy.</p> <p>Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy.</p> <p><i>25 TAC 40.65(j)-(k)</i> [See DBB]</p>
Gifts, Grants, and Donations	<p>A district may accept gifts, grants, donations, and federal and local funds to implement its policy. <i>Education Code 38.213</i></p>

**Maintenance and
Administration of
Medication for
Respiratory Distress**

Note: The following provisions apply only to a district that adopts a policy on medication for respiratory distress.

A district may adopt and implement a policy regarding the maintenance, administration, and disposal of [unassigned](#) medication for respiratory distress at each campus in the district. *Education Code 38.208(a-1); 25 TAC 40.44(a)*

If a policy is adopted, the policy must provide that school personnel and school volunteers who are authorized and trained may administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. *Education Code 38.208(b-1); 25 TAC 40.44(a)(1)(C)*

Definitions

~~“Medication for respiratory distress” means albuterol, levalbuterol, or another medication designated by the executive commissioner of the Health and Human Services Commission for treatment of respiratory distress Education Code 38.208(c).~~

In developing the policy, a district may consider performing a review to include:

1. Consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being;
2. Campus geography; and
3. Student population size.

19 TAC 40.44(b)

An adopted unassigned medication for respiratory distress policy must be publicly available. 25 TAC 40.44(d)

Definitions

“School personnel” means an employee of a district. The term includes a member of the board.

“School volunteer” means a person providing services for or on behalf of a district, on the premises of the district or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses.

“Unassigned medication for respiratory distress” means albuterol, levalbuterol, or another medication based on the best available medical evidence for the treatment of respiratory distress that is:

1. Delivered by metered-dose inhaler (MDI) with a spacer (valved holding chamber) or by a nebulizer as a rescue medication;
2. Prescribed by an authorized health-care provider in the name of the district;
3. Issued with a non-patient-specific standing delegation order for the administration of a medication for respiratory distress; and
4. Issued by an authorized health-care provider.

Education Code 38.201(3-a), (6), 22.053(b); 25 TAC 40.42(8), (10), (12)

Each Campus
During Regular
School Hours

Each district that adopts a policy must require that each campus have one or more school personnel or school volunteers authorized and trained to administer unassigned medication for respiratory distress present during regular school hours, which means at least 30 minutes before the first bell to 30 minutes after the last bell of the school day. *Education Code 38.208(d-1); 25 TAC 40.42(5), 40.44(a)(1)(C)*

A “campus” is defined as a geographic unit of a district that:

1. Has an assigned administrator;
2. Has enrolled students who are counted for average daily attendance;
3. Has assigned instructional staff;
4. Provides instructional services to students;
5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and
6. Is subject to Texas laws.

25 TAC 40.42(2)

Medication
Inventory

Subject to the availability of funding, a district that adopts a policy must allow for treatment of multiple students and secure or obtain at least:

1. One MDI with appropriate spacers (valved holding chambers) to accommodate the developmental needs of the student population; or

2. At least five vials of nebulizer solution with appropriate nebulizer-required equipment to accommodate the developmental needs of the student population.

25 TAC 40.44(a)(2)

In addition to the minimum number of doses described above, the number of additional doses may be determined by an individual campus review led by an authorized health-care provider. 25 TAC 40.45(b)(2)

Designated
Campus
Administrator

A district that adopts a policy must include in the policy the designated campus administrator to coordinate and manage policy implementation for each campus, which includes:

1. Conducting a review at the campus to determine the need for additional doses;
2. Training school personnel and school volunteers;
3. Acquiring or purchasing, maintaining, storing, and using unassigned medication for respiratory distress, subject to available campus funding; and
4. Disposing of expired unassigned medication for respiratory distress.

25 TAC 40.44(c)(1)

Notification
Procedures

Each district that adopts a policy must include in the policy the procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned medication for respiratory distress is administered. 25 TAC 40.44(c)(4)

Referral Required

If unassigned medication for respiratory distress is administered to a student whose parent or guardian has not provided notification to the school that the student has been diagnosed with asthma, the school must refer the student to the student's primary care provider on the day the medication for respiratory distress is administered and inform the student's parent or guardian regarding the referral. The referral must include:

1. The symptoms of respiratory distress observed;
2. The name and dosage of the unassigned medication for respiratory distress administered to the student; ~~and~~
3. Any patient care instructions given to the student; and
- ~~3.4.~~ Information about the purpose and use of an asthma action plan and medical authorization for schools, including a blank

[copy of the plan and authorization the provider completes and returns to the school.](#)

If a student who has received medication for respiratory distress does not have a primary care provider or the parent or guardian of the student has not engaged a primary care provider for the student, the student's parent or guardian must receive information to assist the parent or guardian in selecting a primary care provider for the student.

Education Code 38.208(b-2)-(b-3); [25 TAC 40.44\(c\)\(6\)-\(7\)](#)

Storage

The supply of medication for respiratory distress at each campus must be stored [in accordance with the manufacturer's guidelines and local policy of the district](#) in a secure location and be easily accessible to authorized school personnel and school volunteers. *Education Code 38.208(e-1); [25 TAC 40.45\(d\)](#)*

[The location of the unassigned medication for respiratory distress must be specified in the policy. \[25 TAC 40.44\\(c\\)\\(3\\)\]\(#\)](#)

[Disposal](#)

[The policy must include a plan to check inventory of unassigned medication for respiratory distress for expiration at least twice during the school year, to replace, as soon as reasonably possible, and to document the findings. \[25 TAC 40.44\\(c\\)\\(5\\)\]\(#\)](#)

[Expired unassigned medication for respiratory distress and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district. \[25 TAC 40.45\\(e\\)\]\(#\)](#)

[Records Retention](#)

[Records relating to implementing and administering the district's unassigned medication for respiratory distress policy must be retained per the campus record retention schedule. \[25 TAC 40.47\\(a\\)\]\(#\)](#)

Training

Each district that adopts a policy for the administration of medication for respiratory distress is responsible for training school personnel and school volunteers in the administration of medication for respiratory distress. ~~The training must include information on~~ [Each authorized school personnel or school volunteer must receive initial training and an annual refresher training. The training must:](#)

1. ~~Recognizing~~ [Include information on recognizing](#) the signs and symptoms of respiratory distress;
2. ~~Administering~~ [Include information on administering](#) medication for respiratory distress;

3. ~~Implementing~~Include information on implementing emergency procedures, if necessary, after administering medication for respiratory distress; ~~and~~
4. ~~Proper~~Include information on proper sanitization, reuse, and disposal of medication for respiratory distress;
5. Cover the authorized health-care provider's standing order;
6. Include processes to follow-up with the prescribing authorized health-care provider and the student's primary health-care provider;
7. Provide information on the report required after administering unassigned medication [see below];
8. Include information on the district's adopted unassigned medication for respiratory distress policy;
9. Incorporate hands-on training with unassigned medication for respiratory distress; and
10. Inform school personnel or school volunteers of the purpose and use of asthma action plans.

Education Code 38.210(a-1); 25 TAC 40.46(a)

Training must be provided in a formal training session or through online education and must be provided in accordance with the district professional development policy [see DMA]. *Education Code 38.210(b)*

The policy must include a list of trained and authorized school personnel and school volunteers available to administer unassigned medication for respiratory distress. 25 TAC 40.44(c)(2)

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers trained and authorized to administer unassigned medication for respiratory distress at the campus or at a school-sponsored event. 25 TAC 40.46(b)

Reporting
Requirement

Not later than the 10th business day after the date a school personnel member or school volunteer administers medication for respiratory distress to a person experiencing respiratory distress, the school shall report the following information to the district, the physician or other person who prescribed the medication for respiratory distress, and the commissioner of state health services:

1. The age of the person who received the administration of the medication for respiratory distress;

2. Whether the person who received the administration of the medication for respiratory distress was a student, a school personnel member or school volunteer, or a visitor;
3. The dosage of the medication for respiratory distress administered;
4. The title of the person who administered the medication for respiratory distress; and
5. Any other information required by the commissioner.

[Notifications to the commissioner of state health services must be submitted on the designated electronic form available on the DSHS School Health Program website found at \[dshs.texas.gov\]\(https://dshs.texas.gov\).](#)

Education Code 38.2091; [25 TAC 40.47](#)

No Negative Fiscal
Impact

The policy may not require a district to purchase prescription medication for respiratory distress or require any other expenditure related to the maintenance or administration of medication for respiratory distress that would result in a negative fiscal impact on the district or school. *Education Code 38.208(f)*

Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe medication for respiratory distress in the name of a school district. *Education Code 38.211(a)*

[Each district campus in a district that adopts a policy for the administration of medication for respiratory distress must obtain a prescription from an authorized health-care provider to stock, possess, and maintain unassigned medication for respiratory distress at each campus and any equipment necessary to administer the medication. The campus must renew this prescription or obtain a new prescription annually. \[25 TAC 40.45\\(b\\)\]\(#\)](#)

Notice to Parents

If a district implements a policy for the maintenance, administration, and disposal of medication for respiratory distress, the district shall provide written [or electronic](#) notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212; [25 TAC 40.48\(a\)](#)*

[If a district changes or discontinues the unassigned medication for respiratory distress policy, the campus must provide written or electronic notice detailing the change or discontinuation of the policy to a parent or guardian of each student within 15 calendar days after the change or discontinuation. \[25 TAC 40.48\\(b\\)\]\(#\)](#)

**Refusal to
Administer**

A school personnel member or school volunteer may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress, as applicable, in accordance with a policy for the maintenance and administration of epinephrine auto-injectors or a policy for medication for respiratory distress. *Education Code 38.208(d-2)*

**Immunity from
Liability**

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and medication for respiratory distress, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.215 and 25 Administrative Code 40.49. *Education Code 38.215; 25 TAC 40.71*

Threat Assessment

Definitions

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

“Team” means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

Education Code 37.115(a)

Threat Assessment and Safe and Supportive Schools Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs;
3. Require each team established under this section to report the required information regarding the team’s activities to TEA [see Reporting to TEA, below];
4. Require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

5. Provide for:
 - a. A district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure Government Code Chapter 552 (Public Information Act), except as necessary for the team, the district, or law enforcement to investigate the potential threat; and
 - b. The district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential.

Membership The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight Committee The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

- Team Duties** Each team shall:
1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:
 - a. Referring a student for mental health assessment; and
 - b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;
 2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Use of Sentinel
Assessment
Instrument, Manual,
and Field Guide

Effective August 1, 2025, when conducting a threat assessment, members of a threat assessment team shall utilize the threat assessment instrument, manual, and field guide in Sentinel [see CKA], which are consistent with the model policies published by the TxSSC. 19 TAC 103.1213(e)(1)(A)

19 TAC 103.1213

Parental
Participation

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student regarding the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to participate in the assessment, either in person or remotely, and to submit to the team information regarding the student.

After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

*Consent for
Mental Health-
Care Service*

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

Education Code 37.115(c)-(g)

Determination of
Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team

shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

Education Code 37.115(h)-(j)

Recordkeeping

Materials and information provided to or produced by a team during a threat assessment of a student under this provision must be maintained in the student's school record until the student's 24th birthday. *Education Code 37.115(j-1)*

[For information regarding the transfer of threat assessment records between school districts, see FD and FDA.]

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
 - a. Any disciplinary action taken, including a change in school placement;
 - b. Any action taken by law enforcement; or
 - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
 - a. Citations issued for Class C misdemeanor offenses;
 - b. Arrests;
 - c. Incidents of uses of restraint;
 - d. Changes in school placement, including placement in a JJAEP or DAEP;

- e. Referrals to or changes in counseling, mental health, special education, or other services;
 - f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
 - g. Unexcused absences of 15 or more days during the school year; and
 - h. Referrals to juvenile court for truancy; and
5. The number and percentage of school personnel trained in:
- a. A best-practices program or research-based practice under Education Code 38.351 [see FFEb], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;
 - b. Mental health or psychological first aid for schools;
 - c. Training relating to the safe and supportive school program; or
 - d. Any other program relating to safety identified by the commissioner.

Education Code 37.115(k)

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**Removal Under
Student Code of
Conduct**

The Student Code of Conduct must specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program (DAEP). *Education Code 37.001(a)(2)*

**Mandatory
Placement in DAEP**

A student shall be removed from class and placed in a DAEP if the student engages in conduct described in Education Code 37.006 that requires placement, subject to the requirements of Education Code 37.009(a) [see Process for Removal and Mitigating Factors, below]. *Education Code 37.006*

[For additional factors that must be considered in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), see FO and the Student Code of Conduct.]

**School-Related
Misconduct**

A student shall be removed from class and placed in a DAEP if the student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

A student shall also be removed from class and placed in a DAEP if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the elements of assault, under Penal Code 22.01(a)(1).
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
 - a. A controlled substance, as defined by the Texas Controlled Substances Act, Health and Safety Code Chapter 481, or by 21 U.S.C. 801, et seq., excluding marijuana, as defined by Health and Safety Code 481.002, or tetrahydrocannabinol, as defined by Department of Public Safety rule;
 - b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. Possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana or tetrahydrocannabinol, as defined above;

5. Possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Health and Safety Code 161.081 [see FNCD];
6. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04, or commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.
7. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031 through 485.034.
8. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.
9. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.
10. Engages in conduct that contains the elements of the offense of harassment under Penal Code 42.07(a)(1), (2), (3), or (7) against an employee of the district.

Education Code 37.006(a)

Exception

Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. *Education Code 37.006(m)*

Retaliation

Except where a student engages in retaliatory acts against a district employee for which expulsion is mandatory [see FOD], a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property containing the elements of retaliation under Penal Code 36.06, against any school employee. *Education Code 37.006(b)*

Conduct Unrelated to School

In addition to the circumstances listed above, a student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The student receives deferred prosecution under Family Code 53.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03;
2. A court or jury finds that the student has engaged in delinquent conduct under Family Code 54.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03; or

3. The superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03.

Education Code 37.006(c)

*Reasonable
Belief*

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, a superintendent or a superintendent's designee may consider all available information and must consider the information furnished under Code of Criminal Procedure Article 15.27 other than information requested under Code of Criminal Procedure Article 15.27(k-1). *Education Code 37.006(e); Code of Criminal Procedure 15.27(a)* [See GRAA]

Title 5 Felonies

The following are felony offenses listed in Penal Code, Title 5, Offenses Against the Person.

1. Murder. *Penal Code 19.02*
2. Capital Murder. *Penal Code 19.03*
3. Manslaughter. *Penal Code 19.04*
4. Criminally Negligent Homicide. *Penal Code 19.05*
5. Unlawful Restraint, if:
 - a. The person restrained was younger than 17 years of age; or
 - b. The actor recklessly exposes the victim to a substantial risk of serious bodily injury; restrains an individual the actor knows is a public servant while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty; or while in custody restrains any other person. *Penal Code 20.02*
6. Kidnapping. *Penal Code 20.03*
7. Aggravated Kidnapping. *Penal Code 20.04*
8. Smuggling of Persons. *Penal Code 20.05*
9. Continuous Smuggling of Persons. *Penal Code 20.06*
10. Trafficking of Persons. *Penal Code 20A.02*
11. Continuous Trafficking of Persons. *Penal Code 20A.03*

12. Continuous Sexual Abuse of Young Child or Disabled Individual. *Penal Code 21.02*
13. Bestiality. *Penal Code 21.09*
14. Indecency with a Child. *Penal Code 21.11*
15. Improper Relationship between Educator and Student. *Penal Code 21.12*
16. Invasive Visual Recording. *Penal Code 21.15*
17. Unlawful Disclosure or Promotion of Intimate Visual Material. *Penal Code 21.16*
18. Voyeurism, if the victim was younger than 14 years of age at the time of the offense. *Penal Code 21.17*
19. Sexual Coercion. *Penal Code 21.18*
20. Assault, if the offense is punishable as a felony. *Penal Code 22.01*
21. Sexual Assault. *Penal Code 22.011*
22. Aggravated Assault. *Penal Code 22.02*
23. Aggravated Sexual Assault. *Penal Code 22.021*
24. Injury to a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.04*
25. Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.041*
26. Deadly Conduct, if the person knowingly discharges a firearm at or in the direction of one or more individuals, or at or in the direction of a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. *Penal Code 22.05*
27. Terroristic Threat, if the actor threatens to commit any offense involving violence to any person or property with intent to:
 - a. Place any person in fear of imminent serious bodily injury if the actor knows the person is a peace officer or judge;
 - b. Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public

place if the prevention or interruption causes pecuniary loss of \$1,500 or more to the owner;

- c. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- d. Place the public or a substantial group of the public in fear of serious bodily injury; or
- e. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision. *Penal Code 22.07*

28. Aiding Suicide, if the conduct causes suicide or attempted suicide that results in serious bodily injury. *Penal Code 22.08*

29. Tampering with Consumer Product. *Penal Code 22.09*

30. Harassment by Persons in Certain Facilities or of Public Servant. *Penal Code 22.11*

**Sexual Assault of
Another Student**

A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:

- 1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student who was a young child or disabled individual while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;
- 2. The parent of the victim of the assault has requested that the student be transferred to a campus other than that to which the victim is assigned; and
- 3. There is only one campus in a district serving the grade level in which the student is enrolled.

Education Code 25.0341, 37.0051(a) [See FDE at Sexual Assault Transfer—Transfer of Assailant]

A limitation imposed by Education Code Chapter 37 on the length of placement in a DAEP or a JJAEP does not apply to a placement under this provision. *Education Code 37.0051(b)*

**Permissive Removal
Non-Title 5 Felony**

A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

- 1. The superintendent or designee has a reasonable belief [see Reasonable Belief, above] that the student has engaged in conduct defined as a felony offense other than aggravated

robbery under Penal Code 29.03, or those offenses listed in Penal Code Title 5 [see above at Title 5 Felonies]; and

2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

Education Code 37.006(d)-(e)

Bullying

A student may be removed from class and placed in a DAEP if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;
2. Incites violence against a student through group bullying; or
3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

Definitions

Bullying

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

Intimate Visual Material

"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.

Education Code 37.0052

One Year After Conduct

A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct, for which removal would otherwise be required, if the principal or other appropriate administrator did not have knowledge of the conduct before the first anniversary of the date the conduct occurred. *Education Code 37.006(n)*

Certain Organization and Gang Membership and Solicitation

A board or an educator shall recommend placing in DAEP any student who commits the misdemeanor offenses described in Education Code 37.121(a) and (c), regarding membership in or solicitation to join a public school fraternity, sorority, secret society, or gang [see FNCC]. *Education Code 37.121(b)*

Older Students

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a DAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, the district shall revoke the student's admission. *Education Code 25.001(b-1)*

STUDENT DISCIPLINE
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

FOC
(LEGAL)

Placement of Younger Students	A student who is younger than 10 shall be removed from class and placed in a DAEP if the student engages in conduct for which expulsion would be required by Section 37.007. <i>Education Code 37.006(f), .007(e)</i> [See FOD]
Students Younger Than Six	Notwithstanding any other provision of the Education Code, a student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun Free Schools Act [see FOD] shall be provided educational services in a DAEP. <i>Education Code 37.006(l), .007(e)(2)</i>
Process for Removal Conference	Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular class pending the conference.
Mitigating Factors	Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.
Order	Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.
Appeal	If district policy allows a student to appeal to the board or the board's designee a decision of the CBC or other appropriate administrator, the decision of the board or the board's designee is final and may not be appealed. <i>Education Code 37.009(a)</i> [See Student Code of Conduct]
Right to Request a Special Education Evaluation	On the placement of a student in a DAEP, the district shall provide information to the student's parent or person standing in parental

relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Education Code 29.004 [see EHBA]. *Education Code 37.006(p)*

Term of Removal

The period of the placement after removal may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees. *Education Code 37.009(a)*

A board or designee shall set a term for a student's placement in a DAEP. If the period of placement is inconsistent with the guidelines in the Student Code of Conduct, the order must give notice of the inconsistency. The period of placement in a DAEP may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees or extended placement is in the best interest of the student. *Education Code 37.009(d)*

**Beyond Grading
Period or 60 Days**

If placement in a DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, the student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before a board or designee.

No Appeal

Any decision of a board or designee concerning placement beyond 60 days or the end of the next grading period is final and cannot be appealed.

Education Code 37.009(b)

**Beyond End of
School Year**

Before a student may be placed in a DAEP for a period that extends beyond the end of the school year, a board or designee must determine that:

1. The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or another individual; or
2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

Education Code 37.009(c)

Order of Removal

A board or designee shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a DAEP. *Education Code 37.009(g)*

Not later than the second business day after the date of the removal conference, a board or designee shall deliver a copy of the order placing the student in a DAEP and any information required under Family Code 52.04 to the authorized officer of the juvenile

court in the county in which the juvenile resides. *Education Code 37.010(a)*

Activities

The terms of a placement under Education Code 37.006 must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.006(g)*

In addition to any notice required under Code of Criminal Procedure 15.27 [see GRAA], a principal or designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in conduct for which DAEP placement must or may be ordered.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

Education Code 37.006(o)

DAEP at Capacity

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.006(a)(2)(C-1) (possession or use of marijuana), (C-2) (possession, use, delivery of an e-cigarette), (D) (delivery of alcohol), or (E) (abuse of volatile chemical), the student shall be placed in in-school suspension; and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

Placement of
Student Who
Engaged in Violent
Conduct

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.007 that constitutes violent conduct, ~~as defined by commissioner rule~~, [see below at Determination of Violent Conduct], a student who has been placed in the program for conduct described under Education Code 37.006(a)(2)(C-1), (C-2), (D), or (E) (above) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct. If removed from the program and a position in the program becomes available before the expiration of the period of the placement, the student shall be returned to the program for the remainder of the period.

Revised for clarity.

Determination of
Violent Conduct

Violent conduct means an act by a student against another person that is intended to result in physical harm, bodily injury, or assault

or a threat that reasonably places the other person in fear of imminent physical harm, bodily injury, or assault. A CBC may determine whether a specific instance of conduct listed below rises to the level of violent conduct for purposes of determining placement in a DAEP.

1. The student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.
2. While on or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of assault under Penal Code 22.01(a)(1), including when committed as an act of retaliation against an employee or volunteer, as described in Education Code 37.007(d).
3. While on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of deadly conduct under Penal Code 22.05.
4. While within 300 feet of school property, or when committed as an act of retaliation against an employee or volunteer, whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:
 - a. Conduct that contains the elements of the offense of unlawful carrying of weapons under Penal Code 46.02;
 - b. An offense relating to prohibited weapons under Penal Code 46.05;
 - c. Aggravated assault under Penal Code 22.02;
 - d. Sexual assault under Penal Code 22.011;
 - e. Aggravated sexual assault under Penal Code 22.021;
 - f. Arson under Penal Code 28.02;
 - g. Murder under Penal Code 19.02;
 - h. Capital murder under Penal Code 19.03;
 - i. Criminal attempt to commit murder or capital murder under Penal Code 15.01;

- j. [Indecency with a child under Penal Code 21.11;](#)
- k. [Aggravated kidnapping under Penal Code 20.04;](#)
- l. [Aggravated robbery under Penal Code 29.03;](#)
- m. [Manslaughter under Penal Code 19.04;](#)
- n. [Criminally negligent homicide under Penal Code 19.05;](#)
- o. [Continuous sexual abuse of a young child or an individual with disabilities under Penal Code 21.02;](#)
- p. [Selling, giving, delivering to another person, possessing, using, or being under the influence of a controlled substance or dangerous drug, excluding marijuana or tetrahydrocannabinol; or](#)
- q. [Possessing a firearm, as defined by 18 U.S.C. 921.](#)
- 5. [The student engages in conduct against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, that contains the elements of:](#)
 - a. [The offense of aggravated assault under Penal Code 22.02;](#)
 - b. [Sexual assault under Penal Code 22.011;](#)
 - c. [Aggravated sexual assault under Penal Code 22.021;](#)
 - d. [Murder under Penal Code 19.02;](#)
 - e. [Capital murder under Penal Code 19.03; or](#)
 - f. [Criminal attempt to commit murder or capital murder under Penal Code 15.01.](#)
- 6. [While placed in a DAEP and on the program campus, the student engages in documented serious misbehavior despite documented behavioral interventions.](#)

Education Code 37.009(a-1)-(a-2); [19 TAC 103.1205](#)

19 TAC 103.1205

Completion of Proceedings Upon Withdrawal

If a student withdraws from a district before an order for placement in a DAEP is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student re-enrolls in the district the same or subsequent school year, the district may enforce the order at that time except for any period of the

placement that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the student enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

**Enrollment in
Another District**

If a student placed in a DAEP enrolls in another district before the expiration of the placement, a board shall provide to the district in which the student enrolls a copy of the placement order at the same time it provides other records. The district in which the student enrolls shall inform each educator who will have responsibility for, or will be under the direction and supervision of an educator who will have responsibility for, the instruction of the student of the contents of the placement order. Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law.

The district in which the student enrolls may continue the placement or allow the student to attend regular classes without completing the period of placement. [See FO] The district in which the student enrolls may take any of these actions if:

1. The student was placed in a DAEP by an open-enrollment charter school and the charter school provides the district a copy of the placement order; or
2. The student was placed in a DAEP by a district in another state and:
 - a. The out-of-state district provides a copy of the placement order; and
 - b. The grounds for placement are the same as grounds for placement in the enrolling district.

Education Code 37.008(j)

**Out-of-State
Placement**

If a student was placed in a DAEP in another state for more than one year and the enrolling district continues the placement under Education Code 37.008(j), the enrolling district shall reduce the period of placement so that the aggregate period does not exceed one year unless the enrolling district determines that:

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

Education Code 37.008(j-1)

**Court-Ordered
Placement**

Unless a board and the juvenile board for the county in which a district's central administrative office is located have entered into a memorandum of understanding concerning the juvenile probation department's role in supervising and providing other support services for students in DAEP programs:

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;
2. A court may not order a student to attend a DAEP without a district's consent, until the student has successfully completed any sentencing requirements, if the court has ordered the student to attend a DAEP as a condition of probation once during a school year and the student is referred to juvenile court again during that school year.

Education Code 37.010(c)-(d)

School Activities

Any court placement in a DAEP must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.010(e)*

**Placement After
Court Disposition**

After the student has successfully completed any court disposition requirements, including conditions of deferred prosecution or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission into the public schools. A district may place the student in the DAEP.

Notwithstanding Education Code 37.002(d) [see FOA], the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

Education Code 37.010(f)

**Not Guilty/
Insufficient
Evidence/Charges
Dropped**

The office of the prosecuting attorney or the office or official designated by the juvenile board shall, within two working days, notify the school district that removed a student to a DAEP under Education Code 37.006 if:

1. Prosecution of a student was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or
2. A court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

On receipt of the notice, the superintendent or designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The superintendent or designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or designee receives notice from the office or official designated by the court.

After reviewing the notice and receiving information from the student's parent or guardian, the superintendent or designee may continue the student's placement in the DAEP if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

Education Code 37.006(h); Code of Criminal Procedure 15.27(g)

Appeal After
Placement Upheld

The student or the student's parent or guardian may appeal a superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. A board shall, at the next scheduled meeting, review the notice provided by the office of the prosecuting attorney or the office or official designated by the juvenile board; receive information from the student, the student's parent or guardian, and the superintendent or designee; and confirm or reverse the superintendent's decision. The board shall make a record of the proceedings.

If a board confirms the decision, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner of education. The student may not be returned to the regular classroom pending the appeal to the commissioner.

Education Code 37.006(i)-(j)

120-Day Review of
Status

A student placed in a DAEP shall be provided a review of the student's status, including a review of the student's academic status, by a board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required to provide a course in the DAEP, except as required by Education Code 37.008(l). [See FOCA] At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent. *Education Code 37.009(e)*

Additional Proceedings	If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the principal or board, as appropriate, may enter an additional order. <i>Education Code 37.009(j)</i>
Reporting	A district may include the number of students removed to a DAEP in its annual performance report. <i>Education Code 39.306(e)(5)</i> [See AIB]
<hr/> Note: See FOF for provisions concerning students with disabilities. <hr/>	

**Students with
Disabilities Under
Section 504**

A district shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 C.F.R. 104.35(a)*

A district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the district would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*

Note: The provisions below apply only to students eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

**Students Receiving
Special Education
Services**

ARD Committee
Required

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations. *Education Code 37.004(a)-(b)*

The methods adopted in the Student Code of Conduct [see FO] for discipline management and for preventing and intervening in student discipline problems must provide that a student who is enrolled in the special education program may not be disciplined for bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. *Education Code 37.001(b-1)*

DAEP Placement
Not Solely for
Educational
Purposes

A student with a disability who receives special education services may not be placed in a disciplinary alternative education program (DAEP) solely for educational purposes. A teacher in a DAEP who has a special education assignment must hold an appropriate certificate or permit for that assignment. *Education Code 37.004(c)-(d)*

**Removal for 10 Days
or Less**

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*

Services During Removal	A district is required to provide services during the period of removal if the district provides services to a child without disabilities who is similarly removed. <i>34 C.F.R. 300.530(d)</i>
Subsequent Removals of 10 Days or Less	School personnel may remove the student for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see below). <i>34 C.F.R. 300.530(b)(1)</i>
Services During Removal	After a student has been removed from his or her current placement for 10 school days in the same school year, during any subsequent removal of 10 consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). <i>20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4)</i>
Notice of Procedural Safeguards	Not later than the date on which the decision to take the disciplinary action is made, a district shall notify the student's parents of the decision and of all procedural safeguards [see EHBAE]. <i>20 U.S.C. 1415(k)(1)(H)</i>
Removals That Are a Change in Placement	<p>Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review.</p> <p>Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of functional behavioral assessments; positive behavioral interventions, strategies, and supports; behavioral intervention plans; and the manifestation determination review [see Manifestation Determination, below].</p> <p><i>Education Code 37.004(b)</i></p>
Behavior Assessment and Intervention	<p>If a district takes a disciplinary action regarding a student with a disability who receives special education services that constitutes a change in placement under federal law, the district shall:</p> <ol style="list-style-type: none"> 1. Not later than the 10th school day after the change in placement: <ol style="list-style-type: none"> a. Seek consent from the student's parent or person standing in parental relation to the student to conduct a functional behavioral assessment of the student, if a functional behavioral assessment has never been conducted

- on the student or the student's most recent functional behavioral assessment is more than one year old; and
 - b. Review any previously conducted functional behavioral assessment of the student and any behavior improvement plan or behavioral intervention plan developed for the student based on that assessment; and
2. As necessary, develop a behavior improvement plan or behavioral intervention plan for the student if the student does not have a plan or, if the student has a behavior improvement plan or behavioral intervention plan, revise the student's plan.

Education Code 37.004(b-1)

Change in
Placement

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than 10 consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than 10 school days in a school year;
 - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
 - c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The district determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. The district's determination is subject to review through due process and judicial proceedings.

34 C.F.R. 300.536

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates a code of student conduct. 20 U.S.C. 1415(k)(1)(A)

Manifestation
Determination

Within 10 school days of any decision to change the placement of a student because of a violation of a code of student conduct, a district, parents, and relevant members of the ARD committee (as determined by the parent and the district) shall review all relevant information in the student's file, including the student's IEP, any

teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of the district's failure to implement the IEP.

If the district, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

If the district, the parent, and relevant members of the ARD committee determine the conduct was the direct result of the district's failure to implement the IEP, the district must take immediate steps to remedy those deficiencies.

20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e)

Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c)*

Expulsion

In a county with a juvenile justice alternative education program (JJAEP) [see FODA], a district must invite the administrator of the JJAEP or the administrator's designee to an ARD committee meeting convened to discuss the discretionary expulsion under Education Code 37.007 of a student with a disability. The district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. A copy of the student's current IEP must be provided to the JJAEP representative with the notice. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP representative may participate in the meeting to the extent that the meeting relates to the student's placement in the JJAEP and implementation of the student's current IEP in the JJAEP. *19 TAC 89.1052*

*Services During
Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.

2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

34 C.F.R. 300.530(d)(1)-(2)

For a student with a disability who was expelled under a discretionary expulsion under Education Code 37.007, an ARD committee meeting must be convened to reconsider placement of the student in the JJAEP if the JJAEP provides written notice to the district of specific concerns that the student's education or behavioral needs cannot be met in JJAEP.

The district must invite the JJAEP administrator or the administrator's designee to the meeting and must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP may participate in the meeting to the extent that the meeting relates to the student's continued placement in JJAEP.

19 TAC 89.1052

Manifestation

If the district, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA), unless the district had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan (BIP) for the student; or
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at Special Circumstances, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent and the district agree to a change in placement as part of the modification of the BIP.

20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f)

**Special
Circumstances**

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the Texas Education Agency (TEA) or a school district;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of TEA or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of TEA or the district.

20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g)

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2)*

**Services During
Removal**

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

34 C.F.R. 300.530(d)(1)

Appeals

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. A district that believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others may request a hearing. *20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151 [See EHBAE]*

**Placement During
Appeals**

When an appeal has been requested by a parent or a district, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of

the student's assignment to the alternative setting, whichever occurs first, unless the parent and district agree otherwise. *20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533*

Reporting Crimes

Federal law does not prohibit a district from reporting a crime committed by a student with a disability to appropriate authorities. If a district reports a crime, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the district reported the crime. A district may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). *20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535 [See FL]*

Students Not Yet Identified

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if a district had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a)*

District Knowledge

A district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the district, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of the district.

20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b)

Exception

A district shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c)

If a district does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d)

**Behavior
Management
Techniques**

It is the policy of the state to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities. *Education Code 37.0021(a); 19 TAC 89.1053(j)*

[For restrictions on aversive techniques, see FO.]

**Rules on Restraint
and Seclusion**

The commissioner by rule shall adopt procedures for the use of restraint and time-out by a district employee or volunteer or an independent contractor of a district in the case of a student with a disability receiving special education services. The procedures must be consistent with Education Code 37.0021(d). *Education Code 37.0021(d)*

**School Peace
Officers**

This provision and any rules or procedures adopted under this provision apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a district; or
2. Provides, as a school resource officer, a regular police presence on a district campus under a memorandum of understanding between the district and a local law enforcement agency.

Education Code 37.0021(h); 19 TAC 89.1053(~~l~~m)

Exceptions

Education Code 37.0021 (use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above [see School Peace Officers] and by

Education Code 37.0021(i) [see Restraint, Documentation, below];

2. Juvenile probation, detention, or corrections personnel; or
3. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

Law Enforcement Duties

“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

Education Code 37.0021(b)(4), (g); 19 TAC 89.1053(~~h~~, ~~m~~), (n)

Further, Education Code 37.0021 does not prevent a student’s locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, “weapon” includes any weapon described under Education Code 37.007(a)(1). [See FNCG]

Education Code 37.0021(f)

Peace Officer or Security Personnel Use of Restraint or Taser

A peace officer performing law enforcement duties or school security personnel performing security-related duties on school property or at a school-sponsored or school-related activity must not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below, unless the student poses a serious risk of harm to the student or another person [see FO defining Taser]. 19 TAC 89.1053(l)

19 TAC 89.1053

Confinement

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

“Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Education Code 37.0021(b)(2)

Restraint

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body. *19 TAC 89.1053(b)(2)*

The following provisions do not apply to the use of physical force or a mechanical device that does not significantly restrict the free movement of all or a portion of the student’s body. Restraint that involves significant restriction as referenced above does not include:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a student to promote safety (e.g., holding a student’s hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the IEP as required by 34 C.F.R. 300.324(a)(2)(i) to promote student learning and reduce and/or prevent the need for ongoing intervention; or
4. Seat belts and other safety equipment used to secure students during transportation.

19 TAC 89.1053(f)

*Limitations on
Use of Restraint*

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.

4. Restraint shall not deprive the student of basic human necessities.

19 TAC 89.1053(c)

Emergency

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

19 TAC 89.1053(b)(1)

Training

Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(d).

Documentation

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the documentation and notification requirements set forth at 19 Administrative Code 89.1053(e).

A district shall report electronically to TEA, in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities.

Education Code 37.0021(i)

Time-Out

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

19 TAC 89.1053(b)(3)

*Limitations on
Use of Time-Out*

A school employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out.

2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or behavior improvement plan or behavioral intervention plan if it is utilized on a recurrent basis to increase or decrease targeted behavior.
3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

19 TAC 89.1053(g)

Training

Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(h).

Documentation

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP and/or behavior improvement plan or behavioral intervention plan. If a student has a behavior improvement plan or behavioral intervention plan, the district must document each use of time-out prompted by a behavior of the student specified in the student's behavior improvement plan or behavioral intervention plan, including a description of the behavior that prompted the time-out. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

19 TAC 89.1053(i)



8/14/2025

2.

Office of the Superintendent of Schools

Office of Academics

Acceptance Of Board Monitoring Update: Presentation Of Goal 1 Progress Measures 1.1, 1.2, and 1.3 and Goal 2 Progress Measures 2.1, 2.2, and 2.3

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

In accordance with the Texas Education Agency (TEA) Lone Star Governance continuous improvement model and the Framework for School Board Development, the HISD School Board monitors progress towards the district's goals and compliance with certain goals and constraints.

Attached to this update is a presentation regarding goals and goal progress measures (GPMs). The following measures have new data this month:

Goal 1: The percentage of grade 3 students in HISD earning Meets Grade Level on the State of Texas Assessment of Academic Readiness (STAAR) reading test will increase from 41 percent in June 2023 to 56 percent in June 2028.

GPM 1.1: The percentage of grade 3 students projected at Meets Grade Level on NWEA Measures of Academic Progress (MAP) in reading will increase from 47 percent in May 2024 to 56 percent in May 2028.

GPM 1.2: The percentage of grade 3 students attending a New Education System (NES) campus projected at Meets Grade Level in reading on NWEA MAP will increase from 40 percent in May 2024 to 49 percent in May 2028.

GPM 1.3: The percentage of grade 2 students who grow one or more proficiency levels or maintain Meets or Masters from beginning of year (BOY) to end of year (EOY) on NWEA MAP in reading will increase from 43 percent in May 2024 to 51 percent in May 2028.

Goal 2: The percentage of grade 3 students in HISD earning Meets Grade Level on the STAAR math test will increase from 38 percent in June 2023 to 53 percent in June 2028.

GPM 2.1: The percentage of all grader 3 students projected at Meets Grade Level on NWEA MAP in math will increase from 44 percent in May 2024 to 53 percent in May 2028.

GPM 2.2: The percentage of grade 3 students attending NES campuses projected at Meets Grade

Level on NWEA MAP in math will increase from 38 percent in May 2024 to 47 percent in May 2028.

GPM 2.3: The percentage of grade 2 students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in math will increase from 38 percent in May 2024 to 46 percent in May 2028.

EOY 2025 Goal Report

GOALS 1 & 2

August 2025 Board Meeting



GOAL 1: 3rd Grade STAAR Reading

The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.

Goal 1 Overview

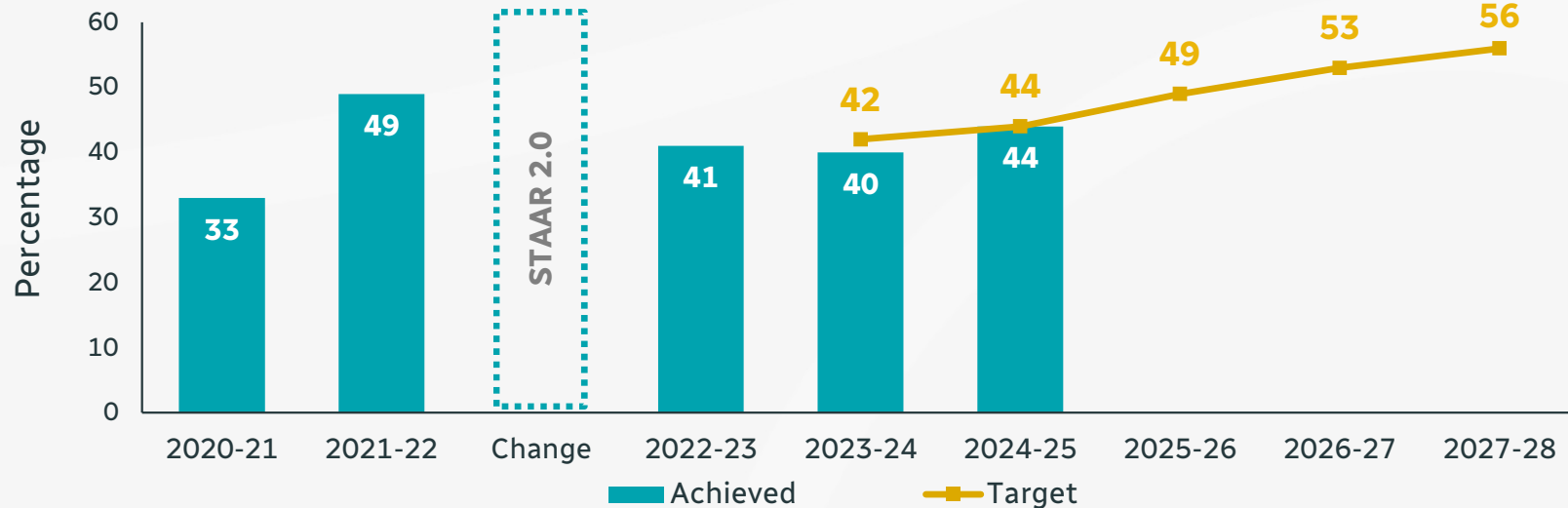
Goal #	Metric	24 -25 Annual Target Status	Reference Slide
Goal 1	The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.	Met	4
GPM 1.1	The percentage of 3rd grade students projected at Meets Grade Level on NWEA MAP in Reading will increase from 47% in May 2024 to 56% in May 2028.	Met	8
GPM 1.2	The percentage of grade 3 students attending a New Education System (NES) campus projected at Meets Grade Level in Reading on NWEA MAP will increase from 40% in May 2024 to 49% in May 2028.	Met	11
GPM 1.3	The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Reading will increase from 43% in May 2024 to 51% in May 2028.	Met	14

Goal 1: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.

**24-25
Status**

MET

Figure 1: Percentage of HISD 3rd Grade Students Met Grade Level in STAAR Reading* (Goal 1)



Key Takeaway

Houston ISD students met the 24-25 annual target, with 44% of 3rd grade students meeting grade level expectations in STAAR Reading.

*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

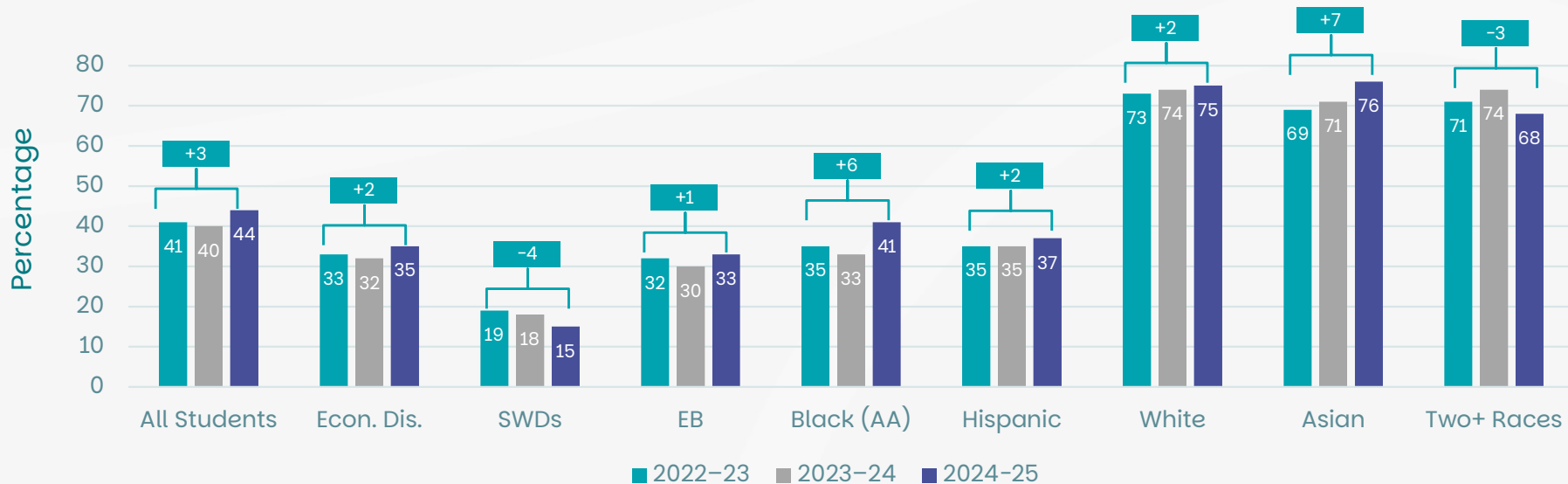
*Note: Goal 1 is reviewed annually each August and was most recently reviewed on August 15, 2024.

Goal 1: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.

**24-25
Status**

MET

Figure 2: Percentage of HISD 3rd Grade Students Meeting Grade Level in STAAR Reading By Ethnicity/Program Group



Key Takeaway

The district met the annual target for all 3rd graders. All student groups improved proficiency except SWDs and Two+ Races (14% and 2%, respectively, of the tested 3rd grade population).

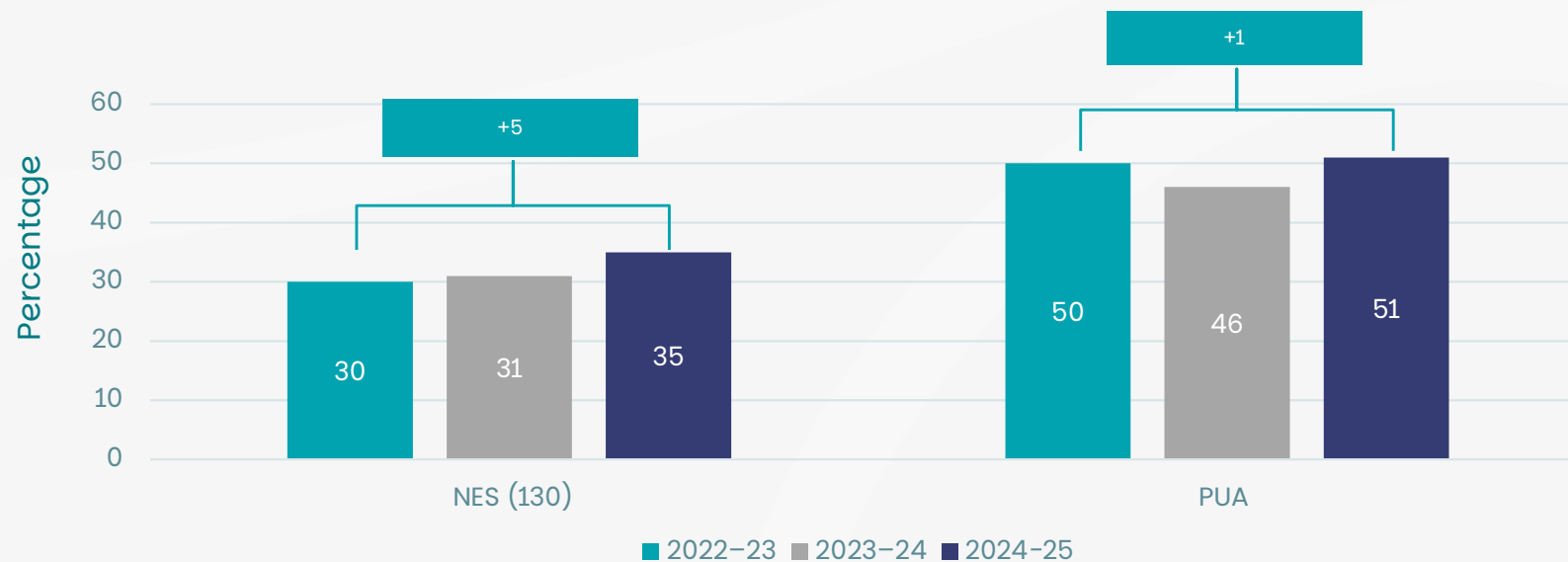
*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

Goal 1: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.

**24-25
Status**

MET

Figure 3: Percentage of HISD 3rd Grade Students Meeting Grade Level in STAAR Reading By Campus Type



Key Takeaway

The district met the annual target for all 3rd graders. NES and PUA campuses both demonstrated proficiency gains.

*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

GPM 1.1: 3rd Grade MAP Reading

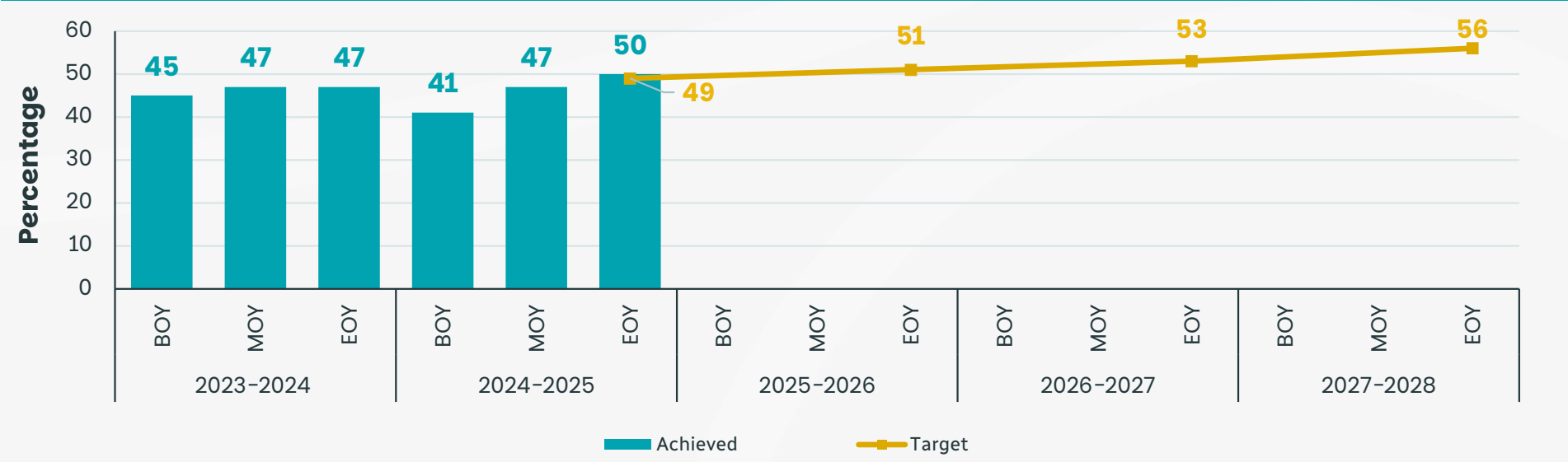
The percentage of 3rd grade students projected at Meets Grade Level on NWEA MAP in Reading will increase from 47% in May 2024 to 56% in May 2028.

GPM 1.1: The percentage of 3rd grade students projected at Meets Grade Level on NWEA MAP in Reading will increase from 47% in May 2024 to 56% in May 2028.

24-25
Status

MET

Figure 4: Percentage of 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Reading (English)



Key Takeaway

Houston ISD students met the 24-25 annual target, with 50% of 3rd grade students meeting grade level expectations in NWEA MAP Reading (English).

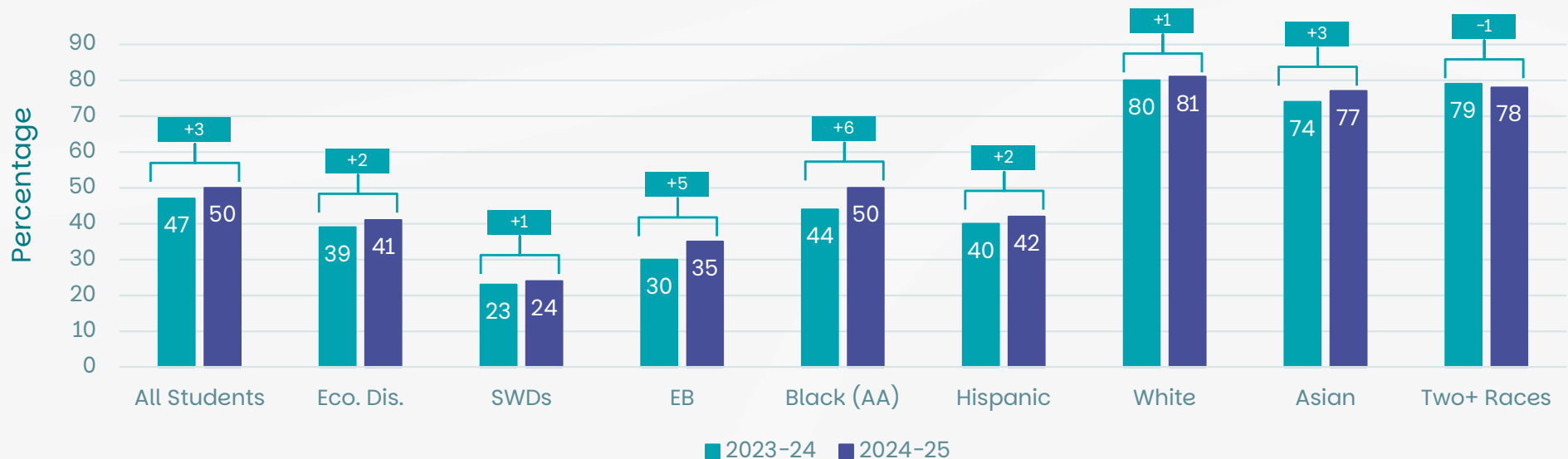
*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.
Data Source: EOY 24-25 NWEA MAP

GPM 1.1: The percentage of 3rd grade students projected at Meets Grade Level on NWEA MAP in Reading will increase from 47% in May 2024 to 56% in May 2028.

**24-25
Status**

MET

Figure 5: Percentage of HISD 3rd Grade Students Meeting Projected at Meets Grade Level on NWEA MAP in Reading By Ethnicity/Program Group



Key Takeaway

The district met the annual target for all 3rd graders. All student groups improved proficiency except Two+ Races (2% of the tested 3rd grade population).

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

Data Source: EOY 24-25 NWEA MAP

9

GPM 1.2: 3rd Grade MAP Reading

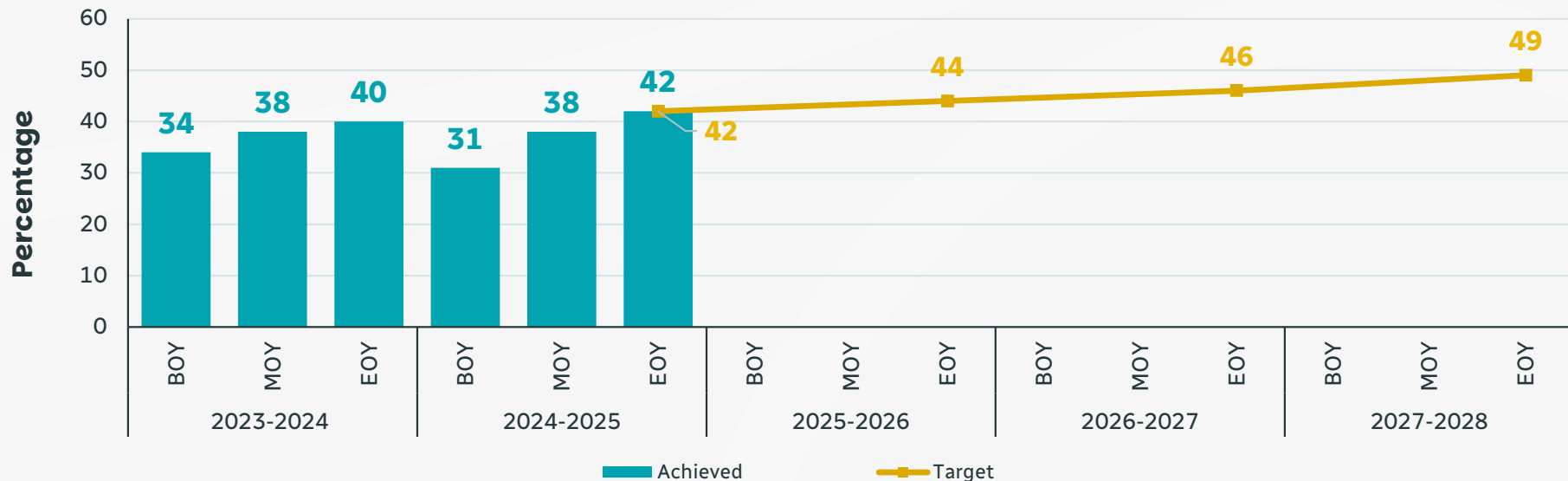
The percentage of grade 3 students attending a New Education System (NES) campus projected at Meets Grade Level in Reading on NWEA MAP will increase from 40% in May 2024 to 49% in May 2028.

GPM 1.2: The percentage of 3rd grade students attending a NES campus projected at Meets Grade Level in Reading on NWEA MAP will increase from 40% in May 2024 to 49% in May 2028.

**24-25
Status**

MET

Figure 6: Percentage of NES 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Reading (English)



Key Takeaway

Houston ISD students met the 24-25 annual target, with 42% of 3rd grade students meeting grade level expectations in NWEA MAP Reading (English).

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

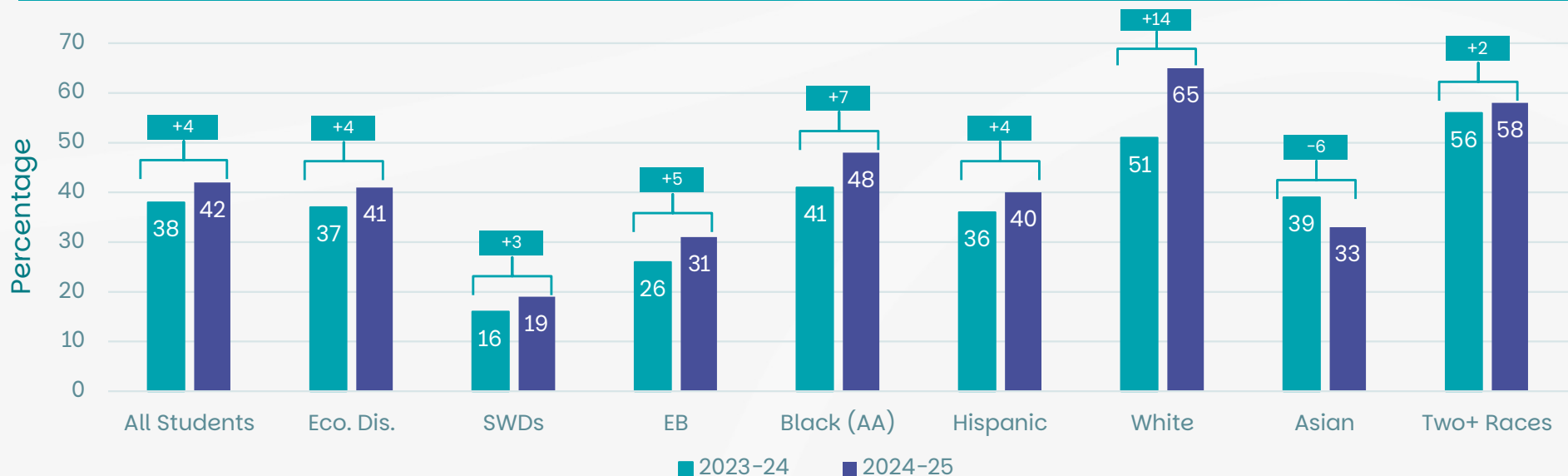
Data Source: EOY 24-25 NWEA MAP; 24-25 CIL Listings [11](#)

GPM 1.2: The percentage of 3rd grade students attending a NES campus projected at Meets Grade Level in Reading on NWEA MAP will increase from 40% in May 2024 to 49% in May 2028.

**24-25
Status**

MET

Figure 7: Percentage of HISD 3rd Grade Students Attending a NES Campus Meeting Projected at Meets Grade Level on NWEA MAP in Reading By Ethnicity/Program Group



Key Takeaway

The district met the annual target for all 3rd graders. All student groups improved proficiency except Asian (5% of the tested 3rd grade population).

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

Data Source: EOY 24-25 NWEA MAP; 24-25 CIL Listings [12](#)

GPM 1.3: 2nd Grade MAP Reading

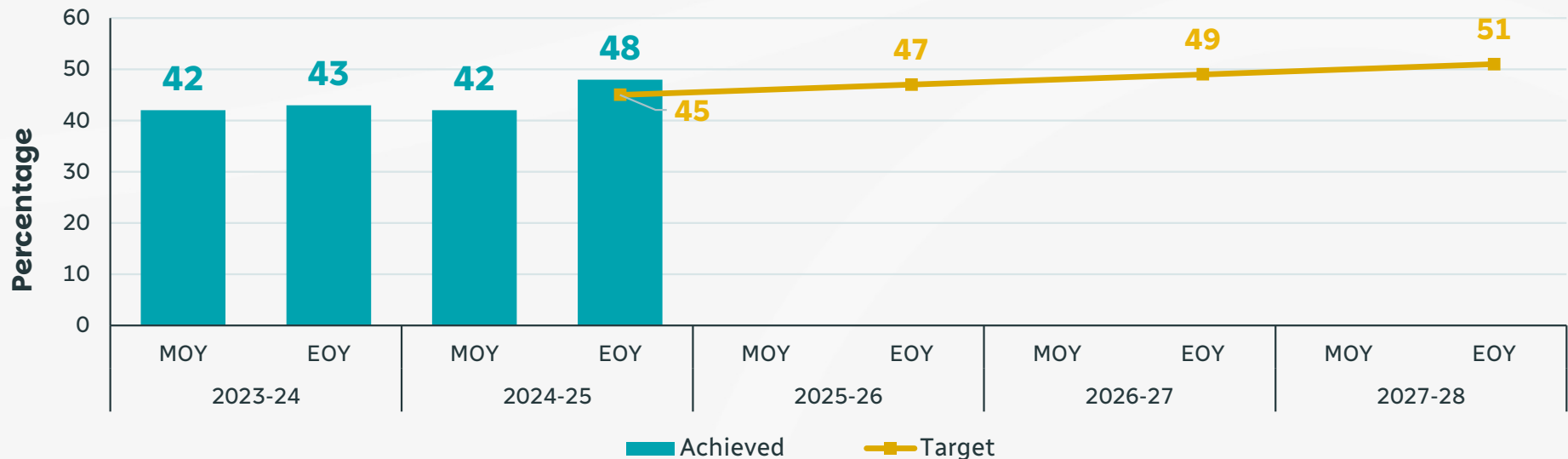
The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Reading will increase from 43% in May 2024 to 51% in May 2028.

GPM 1.3: The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Reading will increase from 43% in May 2024 to 51% in May 2028.

**24-25
Status**

MET

Figure 8: Percentage of 2nd Graders Demonstrating Projected Proficiency Level Growth on NWEA MAP Reading (English)



Key Takeaway

Houston ISD students met the 24-25 annual target, with 48% of 2nd grade students growing one or more proficiency levels or maintaining Meets or Masters from BOY to EOY on NWEA MAP Reading (English).

Data Source: EOY 24-25 NWEA MAP

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Goal 1: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Reading test will increase from 41% in June 2023 to 56% in June 2028.

24-25
Status

MET

Previously Communicated Improvement Strategies:	Improvement Strategy Next Steps:
<ul style="list-style-type: none">• Strategy 1: Fidelity of implementation of Science of Reading curriculum• Strategy 2: Stronger implementation of high-quality instruction• Strategy 3: Increased access to high-quality Pre-K programming	<ul style="list-style-type: none">• Strategy 1: Continue monitoring high-quality Tier 1 instruction• Strategy 2: Expand planning tools for content internalization for teachers and leaders• Strategy 3: K-2 Literacy plan supporting students below benchmark• Strategy 4: Continue Pre-K Expansion

GOAL 2: 3rd Grade STAAR Math

The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.

Goal 2 Overview

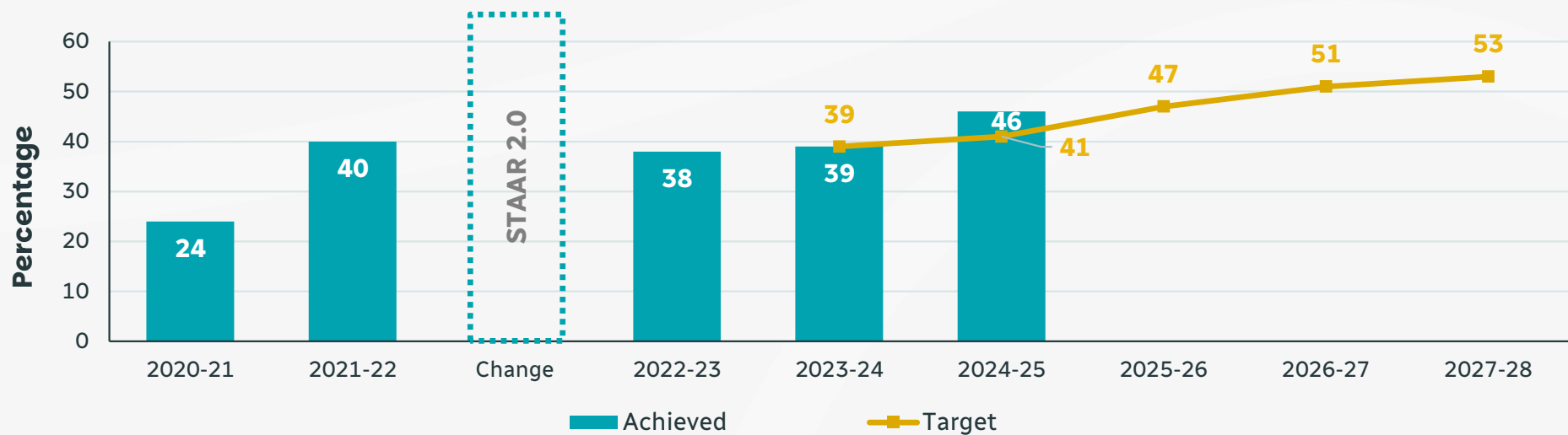
Goal #	Metric	24 -25 Annual Target Status	Reference Slide
Goal 2	The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.	Met	18
GPM 2.1	The percentage of all 3rd graders projected at Meets Grade Level on NWEA MAP in Math will increase from 44% in May 2024 to 53% in May 2028.	Met	22
GPM 2.2	The percentage of 3rd grade students attending a New Education System (NES) campus projected at Meets GL on NWEA MAP in Math will increase from 38% in May 2024 to 47% in May 2028.	Met	25
GPM 2.3	The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Math will increase from 38% in May 2024 to 46% in May 2028.	Met	28

Goal 2: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.

**24-25
Status**

MET

Figure 9: Percentage of HISD 3rd Grade Students Met Grade Level in STAAR Math*



Key Takeaway

Houston ISD students met the 24-25 annual target, with 46% of 3rd grade students meeting grade level expectations in STAAR Math.

*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

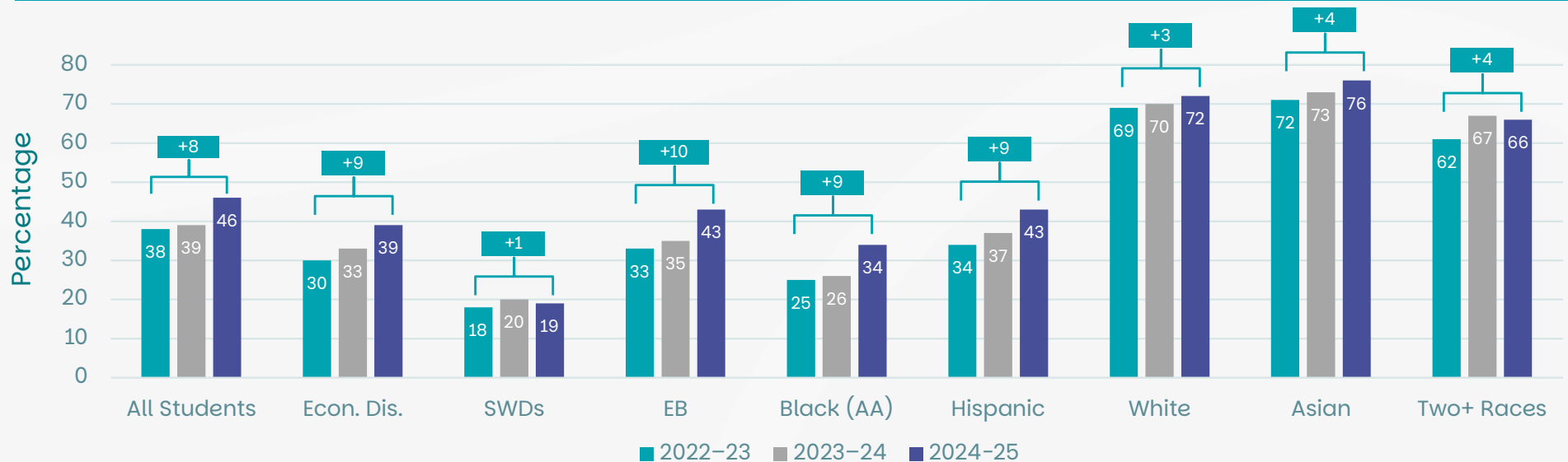
*Note: Goal 2 is reviewed annually each August and was most recently reviewed on August 15, 2024.

Goal 2: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.

**24-25
Status**

MET

Figure 10: Percentage of HISD 3rd Grade Students Meeting Grade Level in STAAR Math By Ethnicity/Program Group



Key Takeaway

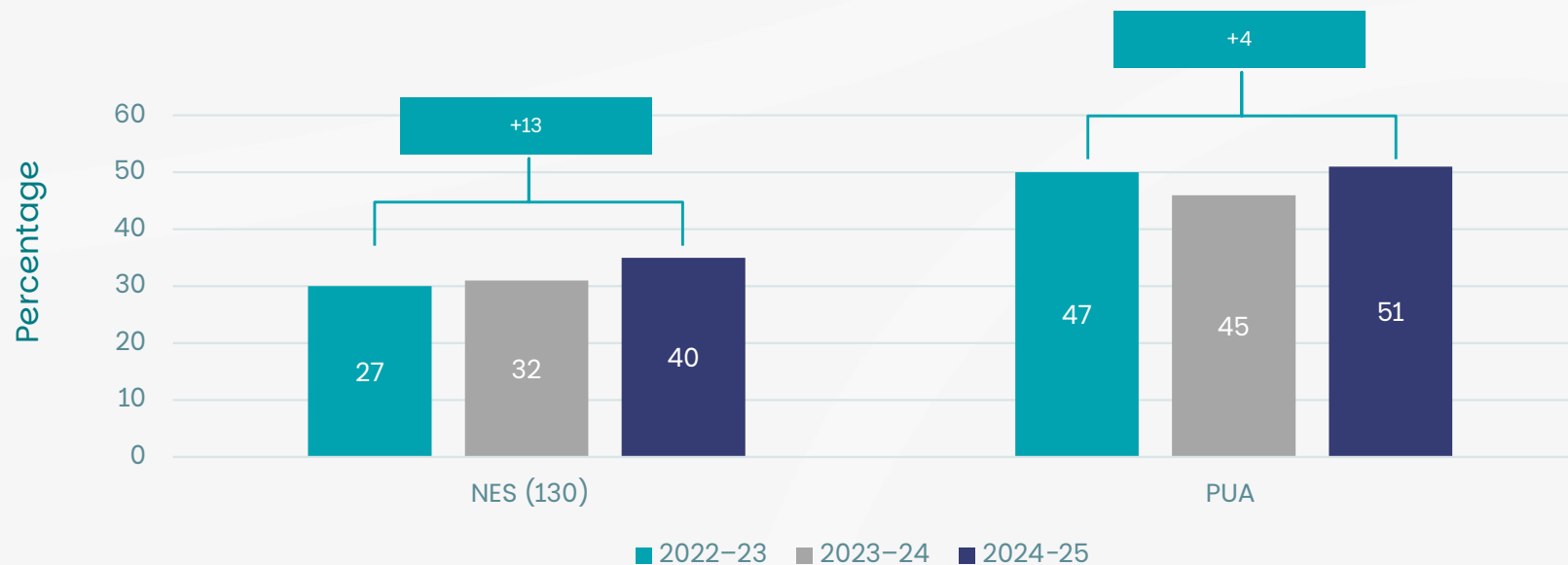
The district met the annual target for all 3rd graders. All student groups improved proficiency.

*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

**24-25
Status**
MET

Goal 2: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.

Figure 11: Percentage of HISD 3rd Grade Students Meeting Grade Level in STAAR Math By Campus Type



Key Takeaway

The district met the annual target for all 3rd graders. NES and PUA campuses both demonstrated proficiency gains.

*Data Source: STAAR 2024-25 Preliminary Data Files from TEA Cambium; Notes: Data reflects total testers; may vary from Accountability and TAPR.

GPM 2.1: 3rd Grade MAP Math

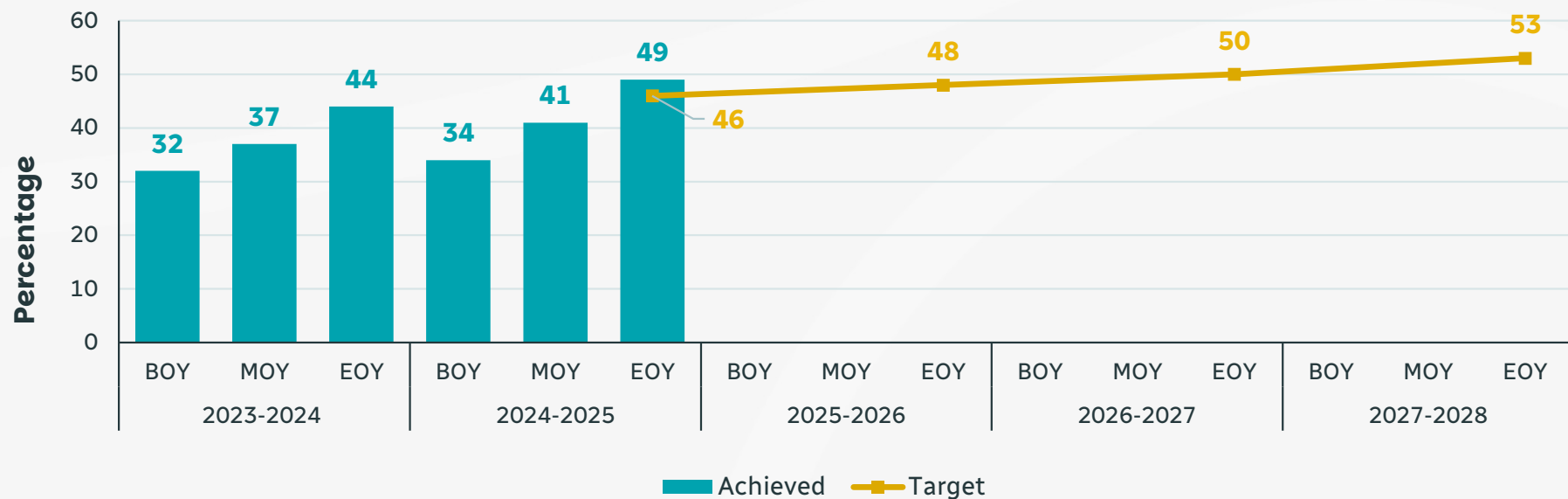
The percentage of all 3rd graders projected at Meets Grade Level on NWEA MAP in Math will increase from 44% in May 2024 to 53% in May 2028.*

GPM 2.1: The percentage of all 3rd grade students projected at Meets Grade Level on NWEA MAP in Math will increase from 44% in May 2024 to 53% in May 2028.*

**24-25
Status**

MET

Figure 12: Percentage of 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Math



Key Takeaway

Houston ISD students met the 24-25 annual target, with 49% of 3rd grade students meeting grade level expectations in NWEA MAP Math.

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

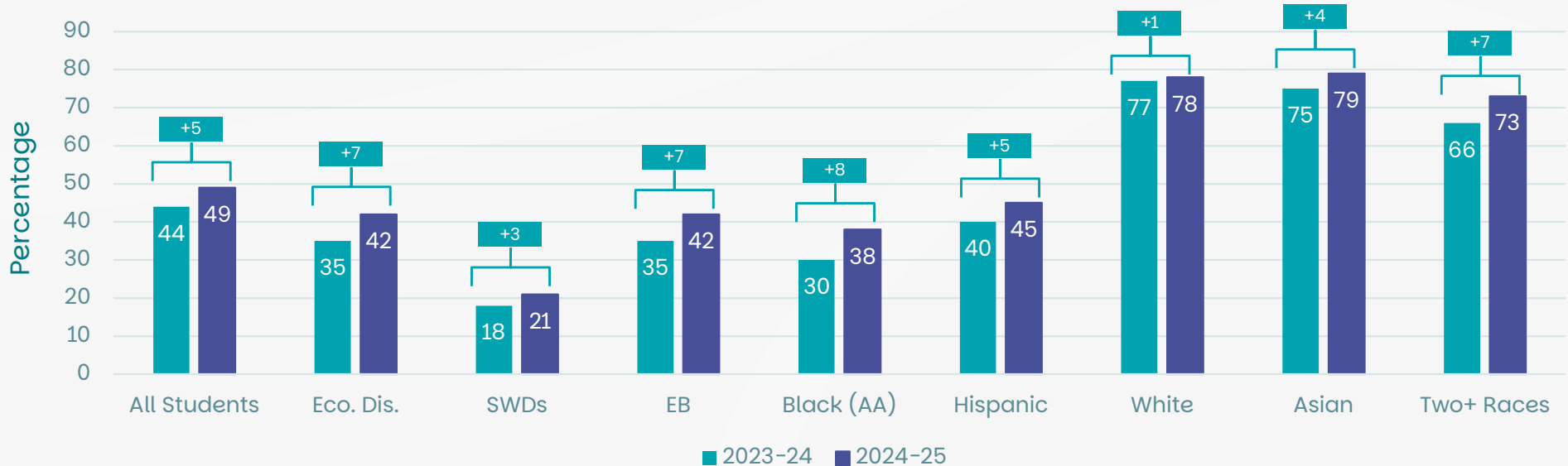
Data Source: EOY 24-25 NWEA MAP 22

GPM 2.1: The percentage of all 3rd grade students projected at Meets Grade Level on NWEA MAP in Math will increase from 44% in May 2024 to 53% in May 2028.*

**24-25
Status**

MET

Figure 13: Percentage of 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Math By Ethnicity/Program Group



Key Takeaway

The district met the annual target for all 3rd graders. All student groups improved proficiency.

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

Data Source: EOY 24-25 NWEA MAP

23

GPM 2.2: 3rd Grade MAP Math

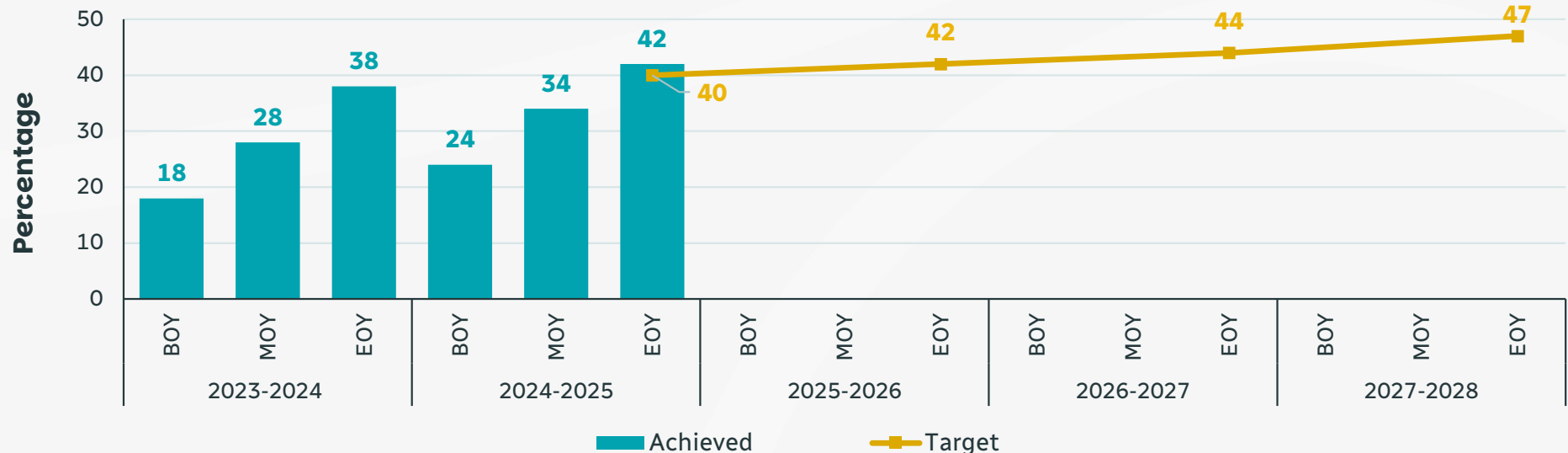
The percentage of 3rd grade students attending NES campuses projected at Meets GL on NWEA MAP in Math will increase from 38% in May 2024 to 47% in May 2028.*

GPM 2.2: The percentage of 3rd grade students attending NES campuses projected at Meets GL on NWEA MAP in Math will increase from 38% in May 2024 to 47% in May 2028.*

**24-25
Status**

MET

Figure 14: Percentage of NES 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Math



Key Takeaway

Houston ISD students met the 24-25 annual target, with 42% of 3rd grade students attending NES campuses meeting grade level expectations in NWEA MAP Math.

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.

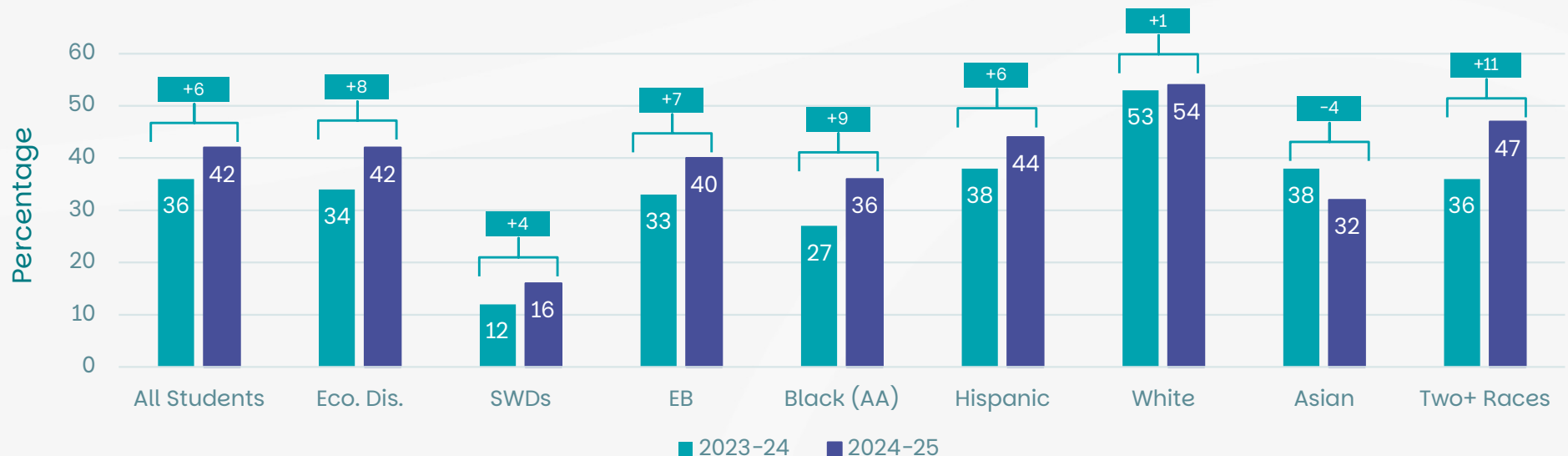
Data Source: EOY 24-25 NWEA MAP; 24-25 CIL Listings 25

GPM 2.2: The percentage of 3rd grade students attending NES campuses projected at Meets GL on NWEA MAP in Math will increase from 38% in May 2024 to 47% in May 2028.*

**24-25
Status**

MET

Figure 15: Percentage of NES 3rd Graders Projected to Meet or Exceed GL on NWEA MAP Math By Ethnicity/Program Group



Key Takeaway

The district met the annual target for all 3rd grader students. All student groups improved proficiency except Asian (5% of the tested 3rd grade population).

*Revised targets for GPMs associated with NWEA MAP and adjusted historical achievement for NWEA MAP reflect the incorporation of the July 2024 NWEA MAP Linking Study.
Data Source: EOY 24-25 NWEA MAP; 24-25 CIL Listings

GPM 2.3: 2nd Grade MAP Math

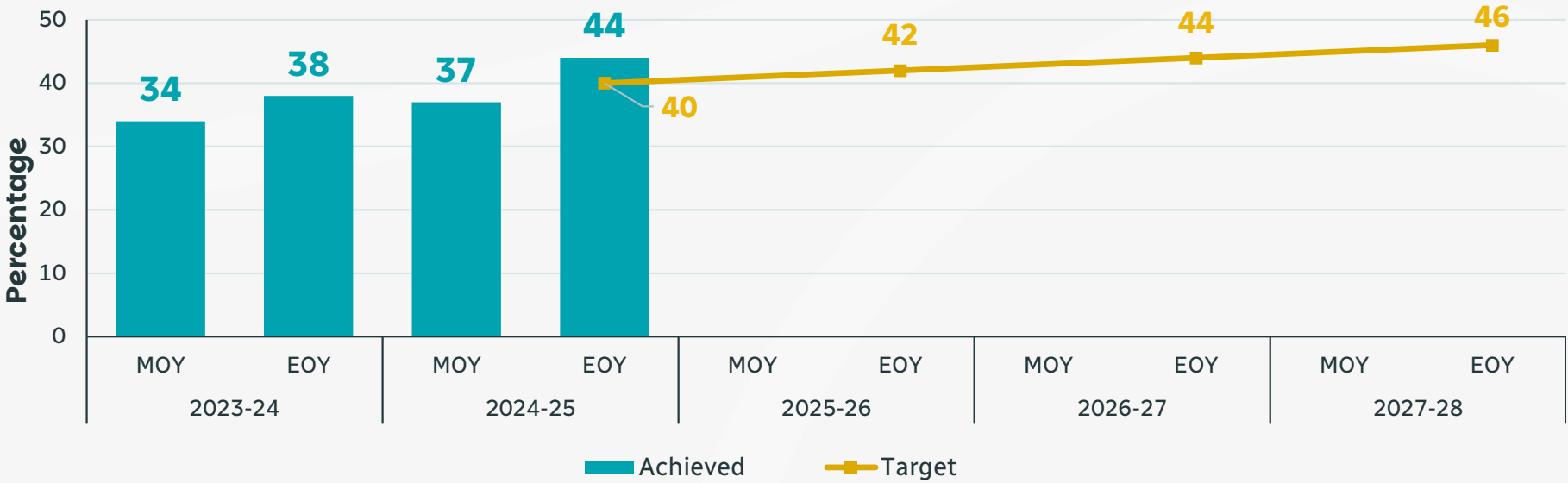
The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Math will increase from 38% in May 2024 to 46% in May 2028.

GPM 2.3: The percentage of 2nd grade students who grow one or more proficiency levels or maintain Meets or Masters from BOY to EOY on NWEA MAP in Math will increase from 38% in May 2024 to 46% in May 2028.

24-25
Status

MET

Figure 16: Percentage of 2nd Graders Demonstrating Projected Proficiency Level Growth on NWEA MAP Math



Key Takeaway

Houston ISD students met the 24-25 annual target, with 44% of 2nd grade students growing one or more proficiency levels or maintaining Meets or Masters from BOY to EOY on NWEA MAP Math.

Goal 2: The percent of 3rd grade students in Houston ISD earning Meets Grade Level on the STAAR Math test will increase from 38% in June 2023 to 53% in June 2028.

24-25
Status

MET

Previously Communicated Improvement Strategies:	Improvement Strategy Next Steps:
<ul style="list-style-type: none">• Strategy 1: Piloting and continued use of high-quality instructional materials and digital resources• Strategy 2: Stronger implementation of high-quality instruction in Math	<ul style="list-style-type: none">• Strategy 1: Continue monitoring high-quality Tier 1 instruction• Strategy 2: Expand planning tools for content internalization for teachers and leaders• Strategy 3: Increase Math Language and Conceptual Understanding in curriculum resources

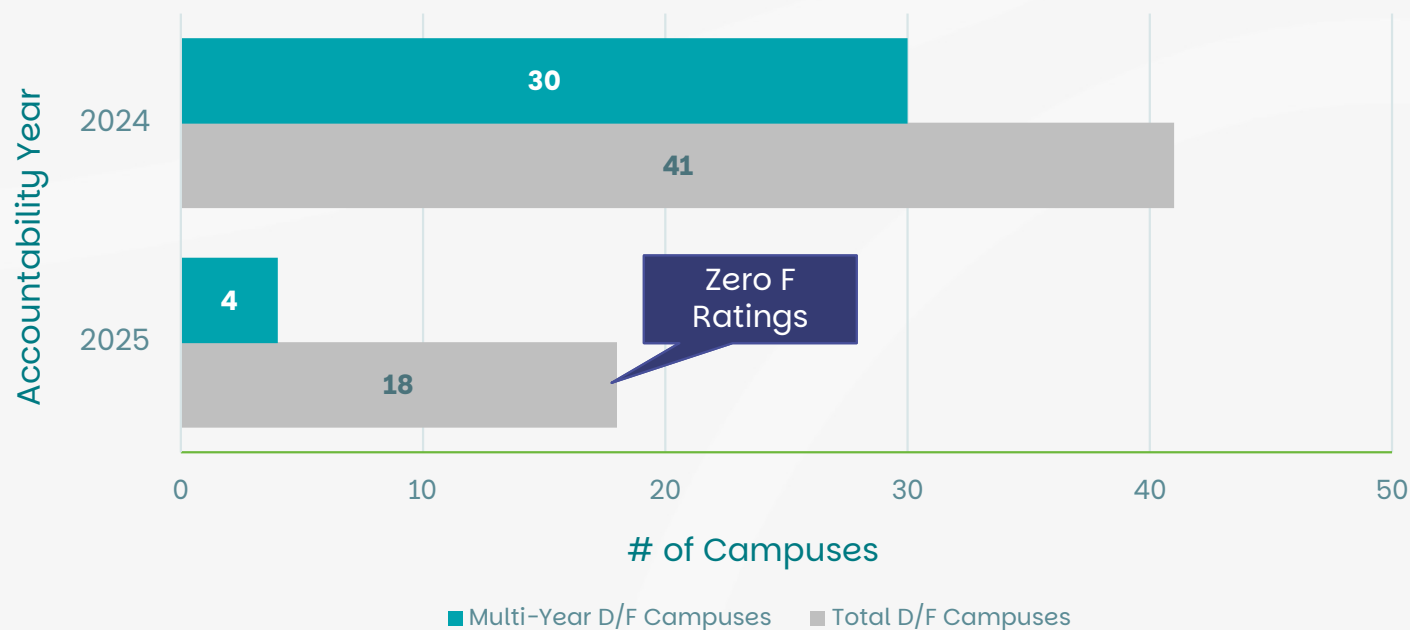
CONSTRAINT 1: No Growth in D and F Campuses

The Superintendent shall not allow the number of multi-year D or F campuses with a prior unacceptable rating to grow or maintain the same.

**24-25
Status****MET**

Constraint 1: The Superintendent shall not allow the number of multi-year D or F campuses with a prior unacceptable rating to grow or maintain the same.

Figure 17: Single Year vs Multi-Year D & F Campus Counts



Key Takeaway

Internal accountability ratings show multi-year D/F campuses dropped from 30 to 4 year-over-year, and no campus received an F rating in the 2025 accountability cycle.

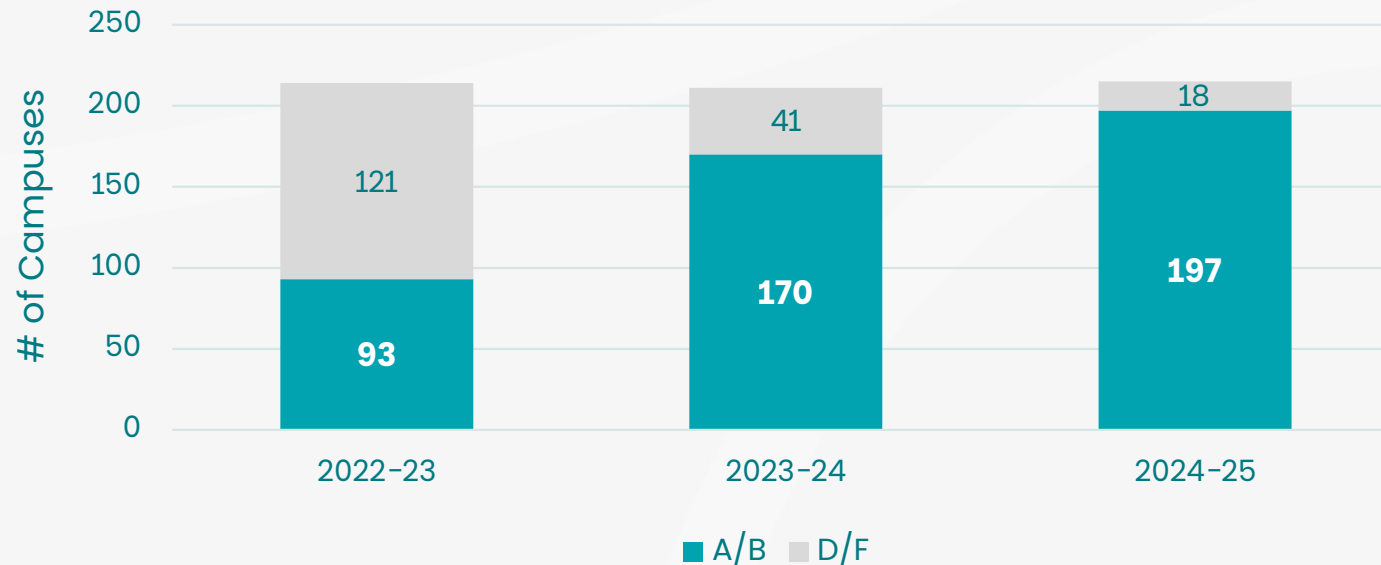
Constraint 1 is reviewed annually and was most recently reviewed on September 12, 2024.

*Data Source: 2023 Accountability Ratings, 2024 & 2025 internal Accountability Ratings (as validated by TEA)

**24-25
Status****MET**

Constraint 1: The Superintendent shall not allow the number of multi-year D or F campuses with a prior unacceptable rating to grow or maintain the same.

Figure 18: Campus Accountability Rating by Letter Grade



Key Takeaway

Internal accountability ratings show that HISD reduced the number of D & F campuses by 23 between SY 2023-24 and SY 2024-25, with no F-rated campuses in 2024-25.

Constraint 1 is reviewed annually and was most recently reviewed on September 12, 2024.

*Data Source: 2023 Accountability Ratings, 2024 & 2025 internal Accountability Ratings (as validated by TEA)

**24-25
Status**
MET

Constraint 1: The Superintendent shall not allow the number of multi-year D or F campuses with a prior unacceptable rating to grow or maintain the same.

Figure 19: NES Campus Accountability Rating by Letter Grade

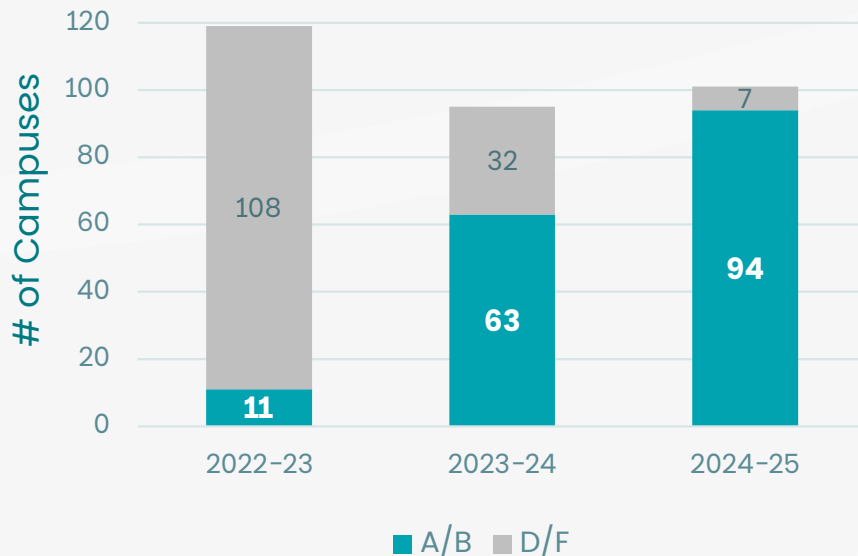
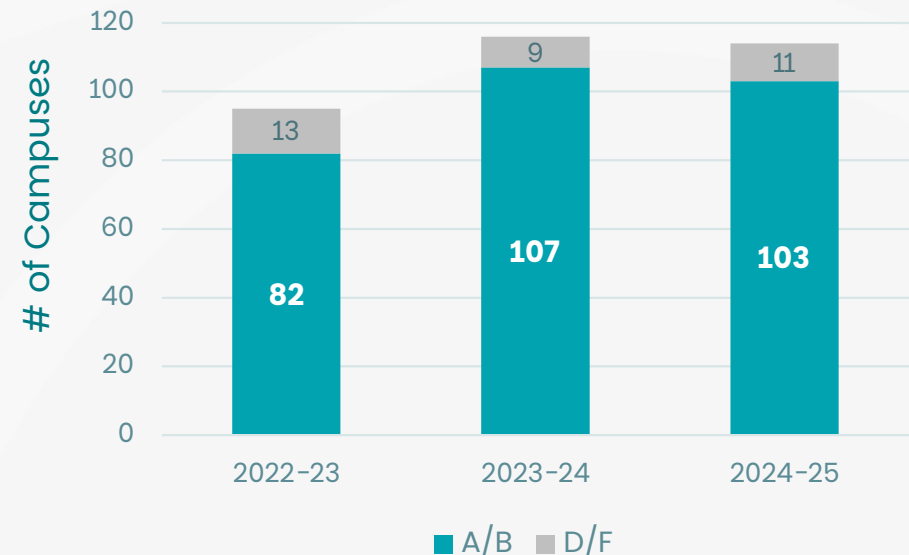


Figure 20: PUA Campus Accountability Rating by Letter Grade



Key Takeaway

2024-25 internal accountability ratings show that NES schools reduced the number of D and F campuses by 25 from SY 2023-24 to SY 2024-25, and no F ratings were received by any campus for the 2025 accountability year.

Constraint 1 is reviewed annually and was most recently reviewed on September 12, 2024.

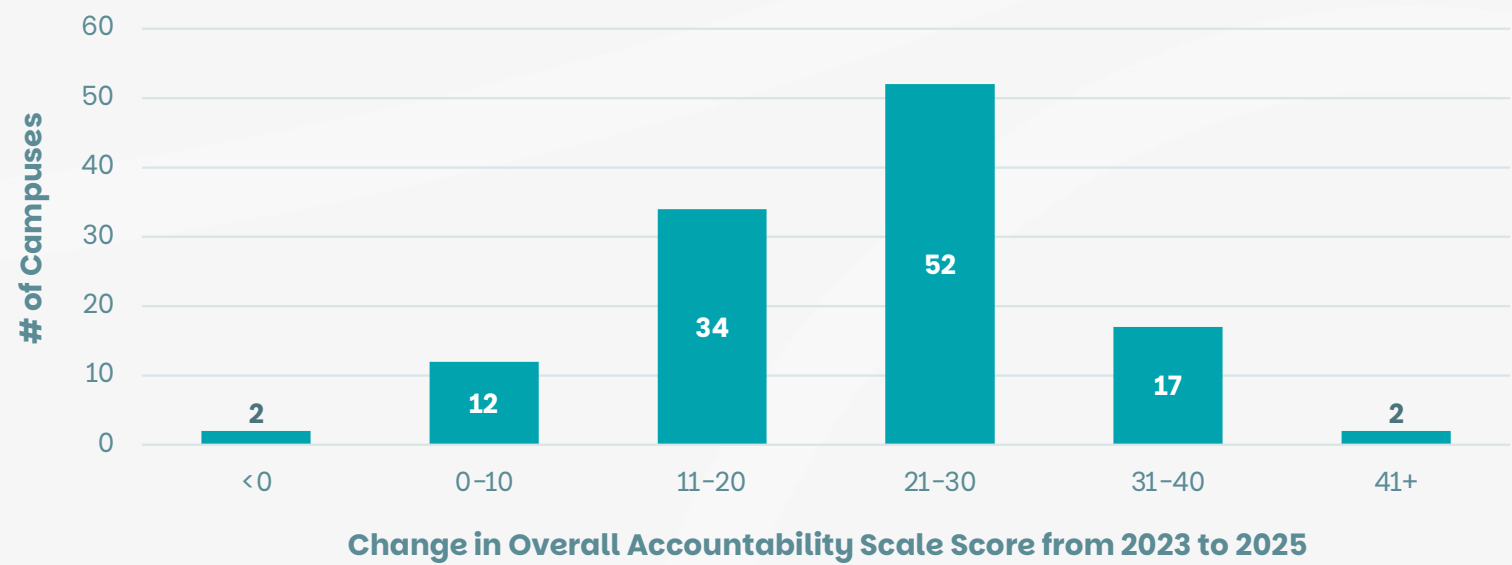
*Data Source: 2023 Accountability Ratings, 2024 & 2025 internal Accountability Ratings (as validated by TEA)

Constraint 1: The Superintendent shall not allow the number of multi-year D or F campuses with a prior unacceptable rating to grow or maintain the same.

24-25
Status

MET

Figure 21: 2023 D and F Campus Score Change Over 2 Years



Key Takeaway

According to internal 2024-25 ratings, campuses who were identified as D or F campuses in 2023 have shown improvement in overall accountability scale scores.

*Note: Although Community Services received an F in 2023, they are Not Rated in 2025, so they are excluded from Figure 21. Mount Carmel Academy HS is also excluded, as they were closed eff. 12/20/24.
Constraint 1 is reviewed annually and was most recently reviewed on September 12, 2024.
*Data Source: 2023 Accountability Ratings, 2024 & 2025 internal Accountability Ratings (as validated by TEA)

Thank You





8/14/2025

3.

Office of the Superintendent of Schools

Office of Finance and Operations

Debt Management Activity Report

The Houston Independent School District enacted a formal *Debt Management Policy* with the intent to improve the quality of decisions and provide justification for the structure of debt issuance. The guidelines set forth in the *Debt Management Policy* were developed to provide for the issuance and management of the district's debt portfolio. Adherence to the policy indicates to rating agencies and capital markets that the district's debt is being managed in a prudent manner.

The district's *Debt Management Policy* approved by the School Board on June 12, 2025, requires that the Office of Finance and Operations provide a report to the School Board annually detailing debt management activities and adherence to the policy. The attached report covers the period from July 1, 2024, through June 30, 2025.



REPORT OF DEBT MANAGEMENT ACTIVITIES

Houston Independent School District
For the period of
July 1, 2024 through June 30, 2025



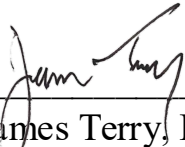
FOREWORD

Pursuant to the Debt Management Policy adopted by the School Board on June 12, 2025, the Office of Finance and Operations will provide a report to the District's School Board annually detailing the debt management activities and adherence to the policy.



COMPLIANCE CERTIFICATION

We hereby certify that debt management activities were conducted in compliance with the School Board approved Debt Management Policy.



James Terry, Ph.D, CPA, RTSBA
Chief Financial Officer & Business Services



Earl Flowers, CPA
Treasurer

DEBT MANAGEMENT POLICY COMPLIANCE REVIEW

Houston ISD Compliance Summary		
Category	Compliant	Comments
Debt Management Policy reviewed annually.	Yes	Approved by School Board on 6/12/2025 for FY 2026.
Arbitrage reports prepared and reported in CAFR.	Yes	CAFR dated 6/30/2024 reflected no arbitrage liabilities, consistent with prepared reports
Authorized types of debt issued in current reporting period.	Yes	The Limited Tax Refunding Bonds, Series 2025A bonds; Maintenance Tax Refunding Bonds, Series 2025 Bonds; and The Limited Tax Refunding Bonds, Series 2025B bonds were sold in compliance with the Debt Management Policy
Variable rate debt <= 25% of total debt.	Yes	As of 06/30/2025 variable rate debt equaled 0% of total debt.
Refunded debt met net present savings thresholds of 2% for current refundings and 4% for advance refundings.	Yes	The Limited Tax Refunding Bonds, Series 2025A bonds; Maintenance Tax Refunding Bonds, Series 2025 Bonds; and The Limited Tax Refunding Bonds, Series 2025B bonds were sold in compliance with the Debt Management Policy
Legal debt limitation requirements met.	Yes	Attorney General letter is on file with issuance documents.
District debt service tax rate limitation of \$1.00 per \$100 assessed valuation and total tax rate of \$1.70 not exceeded.	Yes	Current debt service tax rate is \$0.1667 and total tax rate is \$0.8683.
The District has obtained credit ratings from at least two nationally recognized bond rating agencies prior to bond issues.	Yes	Current General Obligation Bonds are rated Aaa by Moody's; and AA+ by Standard & Poor's
Required bond issuance reports filed with nationally recognized municipal securities information repository by bond counsel.	Yes	Letter on file by bond counsel indicating compliance.
The District filed the ACFR with the MSRB on EMMA Dataport.	Yes	Filed by District on December 20, 2024
The District filed the Annual Financial and Operating Data Disclosure Report with the MSRB on EMMA Dataport.	Yes	Filed by District on December 20, 2024
Investment of bond proceeds meets Debt Policy guidelines.	Yes	Proceeds invested in segregated accounts and reported within the district's Cash Management and Investment Policy.
The District met targeted year end debt service fund balance of 10% of total current year debt service.	Yes	The debt service fund balance at 6/30/2025 was 42% of budgeted 2026 debt service.

DEBT ACTIVITY SUMMARY

JULY 01, 2024 - JUNE 30, 2025

HOUSTON INDEPENDENT SCHOOL DISTRICT DEBT SUMMARY AS OF JUNE 30, 2025

Date of Issue	Description	Original Issue Amount	Final Maturity Date	Principal Outstanding on 06/30/24	Tender Offer 03/06/25	Bond Refunding 05/01/25	Defeasance 06/04/25	Principal Payments	Interest Payments	Principal Outstanding on 06/30/25
11/01/09	Series 2009A-2 (BABS)	\$ 148,850,000	02/15/34	\$ 148,850,000	\$ -	\$ -	\$ -	\$ -	\$ (9,158,618)	\$ 148,850,000
11/01/09	Series 2009A-3 (BABS)	183,750,000	02/15/28	81,500,000	-	-	-	(19,200,000)	(4,991,875)	62,300,000
12/16/14	Limited Tax Refunding Series 2014B	365,395,000	02/15/33	92,260,000	-	(92,260,000)	-	-	(3,690,400)	-
04/12/16	Limited Tax Sch and Ref Series 2016A	757,195,000	02/15/41	520,065,000	(116,525,000)	-	-	(29,145,000)	(23,375,300)	374,395,000
05/23/17	Limited Tax Sch and Ref Series 2017	848,740,000	02/15/42	480,205,000	(41,785,000)	-	(52,705,000)	(70,170,000)	(22,264,050)	315,545,000
06/27/18	Limited Tax Sch Series 2018	86,960,000	02/15/43	77,870,000	(4,100,000)	-	(62,715,000)	(2,565,000)	(3,853,700)	8,490,000
06/01/19	Variable Rate Ltd Tax Sch Series 2014A-2	110,520,000	06/01/39	109,650,000	-	(95,840,000)	-	(13,810,000)	(2,160,500)	-
03/21/23	Variable Rate Ltd Tax Refunding Series 2023C	80,785,000	06/01/39	80,785,000	-	(80,555,000)	-	(230,000)	(1,620,300)	-
03/21/23	Limited Tax Refunding Series 2023A	104,255,000	06/30/38	46,320,000	-	-	-	(19,510,000)	(2,316,000)	26,810,000
05/01/25	Limited Tax Refunding Series 2025A	149,685,000	02/15/42	-	149,685,000	-	-	-	-	149,685,000
03/06/25	Limited Tax Refunding Series 2025B	264,935,000	02/15/29	-	-	264,935,000	-	-	-	264,935,000
Bonds Payable		\$3,101,070,000		\$1,637,505,000	\$ (12,725,000)	\$ (3,720,000)	\$ (115,420,000)	\$ (154,630,000)	\$ (73,430,743)	\$1,351,010,000
06/29/17	Lease Revenue Ref Series 2017 (PFC)	21,550,000	09/15/30	12,275,000	-	-	-	(1,505,000)	(576,125)	10,770,000
10/22/19	Lease Revenue Ref Series 2019 (PFC)	29,675,000	09/15/29	20,565,000	-	-	-	(3,830,000)	(932,500)	16,735,000
Public Facilities Corporation (PFC) Payable		\$ 51,225,000		\$ 32,840,000	\$ -	\$ -	\$ -	\$ (5,335,000)	\$ (1,508,625)	\$ 27,505,000
06/27/18	Matintenance Tax Notes Series 2018	174,615,000	01/15/38	143,210,000	(21,370,000)	-	-	(7,275,000)	(6,859,275)	114,565,000
03/06/25	Matintenance Tax Notes Series 2025	20,555,000	01/15/38	-	20,555,000	-	-	-	-	20,555,000
Notes Payable		\$ 195,170,000		\$ 143,210,000	\$ (815,000)	\$ -	\$ -	\$ (7,275,000)	\$ (6,859,275)	\$ 135,120,000
Total Debt Payable		\$3,347,465,000		\$1,813,555,000	\$ (13,540,000)	\$ (3,720,000)	\$ (115,420,000)	\$ (167,240,000)	\$ (81,798,643)	\$1,513,635,000



DEBT ACTIVITY

FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2025

Tender Offer

Refunding of \$149,685,000 (Fixed Rate) Limited Tax Refunding Bonds, Series 2025A Bonds
Refunding of \$20,555,000 (Fixed Rate) Maintenance Tax Refunding Note, Series 2025

- ❑ On March 6, 2025, the District completed a Tender Offer to refund portions of outstanding principal from four bond series: Series 2016A, Series 2017, Series 2018, and Series 2018 MTN.
- ❑ The targeted portion of the bonds were callable in 2026, 2027, and 2028.
- ❑ With the early redemption of the tendered bonds, the District was able to avoid future interest payments on \$183,780,000 of principal. The amount of interest savings is estimated to be \$14,764,529.



DEBT ACTIVITY

FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2025

Refunding

Refunding of \$95,840,000 (Variable Rate) Limited Tax Refunding Bonds Series 2014A-2 Bonds

Refunding of \$80,555,000 (Variable Rate) Limited Tax Refunding Bonds Series 2023C Bonds

Refunding of \$92,260,000 (Fixed Rate) Limited Tax Refunding Bond Series 2014B Bonds

- ❑ On May 1, 2025, the District had the option to either remarket the balance of the Series 2014A-2 and Series 2023C Bonds, or to refund the Series 2014A-2 and Series 2023C Bonds. The Series 2014B Bonds were eligible to be called on June 2, 2025. The District redeemed the Series 2014B Bonds in their entirety by utilizing available debt service funds.
- ❑ Series 2014A-2 and Series 2023C had an original final maturity date of June 1, 2039, and Series 2014B had an original maturity date of February 15, 2033.
- ❑ With the early redemption of the bonds, the District was able to avoid future interest payments on \$268,655,000 of principal. The amount of interest savings is estimated to be \$78,812,102.

DEBT ACTIVITY

FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2025

Defeasance

Redemption of \$52,705,000 (Fixed Rate) Limited Tax Refunding Bonds, Series 2017 Bonds

Redemption of \$62,715,000 (Fixed Rate) Limited Tax Bonds, Series 2018 Bonds

- ❑ On June 4, 2025, the District had the option to pay down outstanding debt before the actual maturity date. A portion of Bond Series 2017 and Series 2018 were paid off early by utilizing available debt service funds.
- ❑ The Series 2017 Bond has an original maturity date of February 15, 2042, and Series 2018 Bond has an original maturity date of February 15, 2043.
- ❑ With the early redemption of the portion of Series 2017 and Series 2018 Bonds, the District was able to avoid future interest payments on \$115,420,000 of principal. The amount of interest savings is estimated to be \$57,407,237 million.



8/14/2025

4.

Office of the Superintendent of Schools

Office of Finance and Operations

Annual Investment Report

The Public Funds Investment Act (PFIA), Government Code Chapter 2256, requires the board-designated investment officers to prepare and submit to the School Board, not less than quarterly, a written report of investment transactions for all funds covered by the PFIA for the preceding reporting period.

Houston Independent School District (HISD) investments are further governed by the board-approved *Cash Management and Investment Policy*. All investments purchased meet the three basic tenets included in policy: investment safety, investment liquidity, and investment yield. All investments are held to maturity. HISD does not invest on a speculative basis.

The attached investment report for the fiscal year ended June 30, 2025, meets the reporting requirements of the PFIA, Section 2256.023 - Internal Management Reports. The report has been reviewed and signed by the district's investment officers (chief financial officer, treasurer, and assistant treasurer) who are responsible for all cash management and investment functions.

Annual Investment Report

FY 2025

July 01, 2024 – June 30, 2025

August 14, 2025





HOUSTON INDEPENDENT SCHOOL DISTRICT
Annual Investment Report
July 1, 2024 - June 30, 2025

COMPLIANCE


This report was prepared by Houston Independent School District and complies with the District's approved Investment Policy and Strategy.

US Treasury | 1 Month 4.24%
US Treasury | 1 Year 4.06%
US Treasury | 2 Year 3.89%
Fed Funds 4.33%

July 2024 - June 2025							
Fund Name	Investment Income	Face Amount/Shares	Market Value	Book Value	% of Portfolio-BV	YTM @ Cost	Days To Maturity
Activity Funds	1,493,228	29,639,714	29,639,714	29,639,714	2.24	4.43	1
Capital Projects	3,335,715	46,950,382	46,950,382	46,950,382	3.55	4.46	1
Child Nutrition	2,729,859	40,587,567	40,587,567	40,587,567	3.07	4.47	1
Debt Service	7,990,870	166,877,534	166,877,534	166,877,534	12.62	4.43	1
General Fund	51,355,662	1,040,667,522	1,039,420,550	1,038,367,203	78.52	4.46	337
Total / Average	66,905,333	1,324,722,720	1,323,475,747	1,322,422,401	100.00	4.45	265


James Terry, Ph, D., CPA, RTSBA - Chief Financial and Operations Officer

07.18.25
Date


Earl Flowers, CPA, CIA - Treasurer

07/11/25
Date


Curtis Walker, CPA, MBA - Assistant Treasurer

7/11/2025
Date



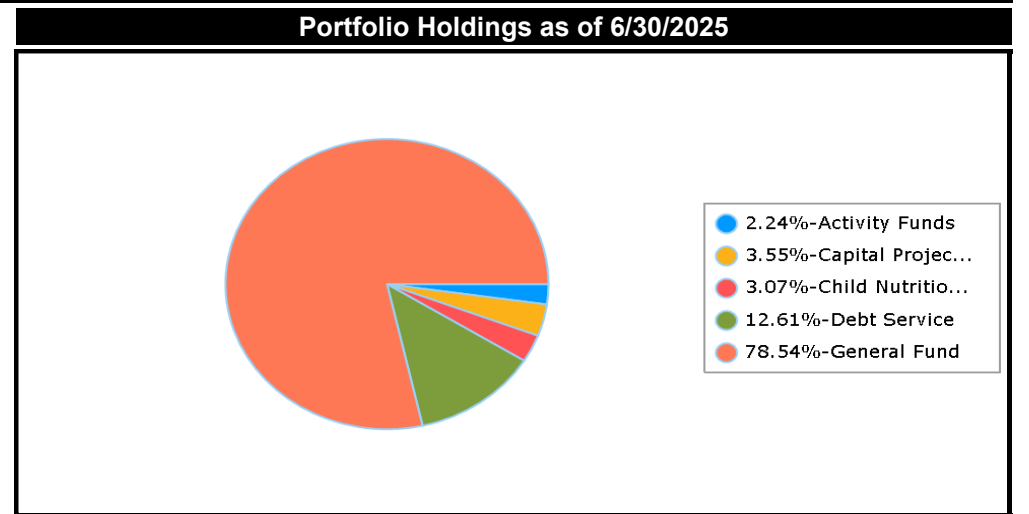
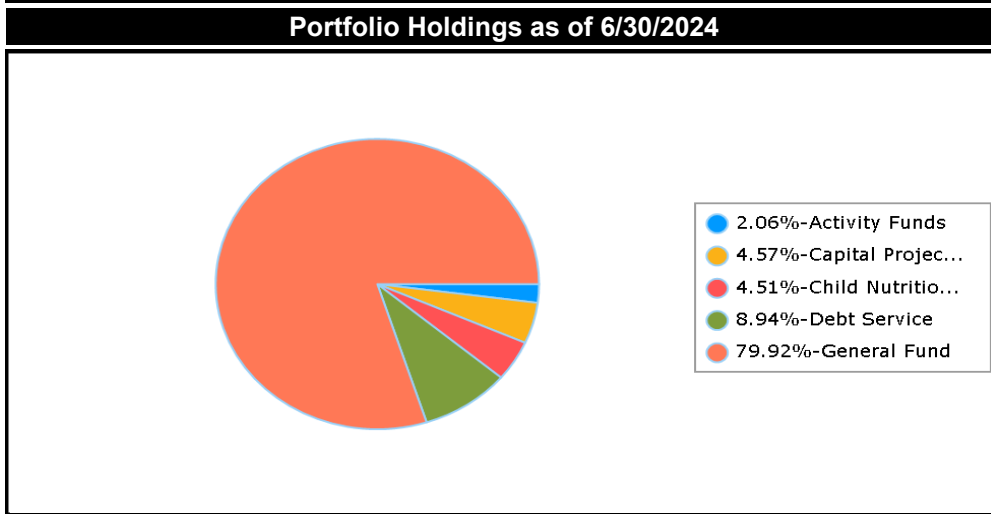
Houston Independent School District | TX

Distribution by Fund - Market Value

All Funds

Begin Date: 6/30/2024, End Date: 6/30/2025

Fund Allocation				
Fund	Market Value 6/30/2024	% of Portfolio-MV 6/30/2024	Market Value 6/30/2025	% of Portfolio-MV 6/30/2025
Activity Funds	30,213,128	2.06	29,639,714	2.24
Capital Projects	67,179,313	4.57	46,950,382	3.55
Child Nutrition	66,207,958	4.51	40,587,567	3.07
Debt Service	131,343,139	8.94	166,877,534	12.61
General Fund	1,174,200,162	79.92	1,039,420,550	78.54
Total / Average	1,469,143,700	100.00	1,323,475,747	100.00



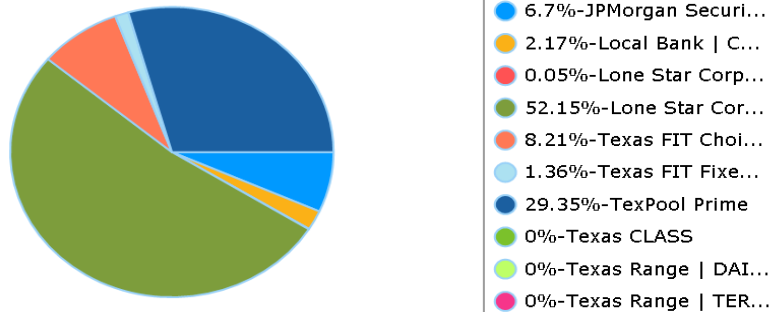


Houston Independent School District | TX Distribution by Asset Category - Market Value All Funds

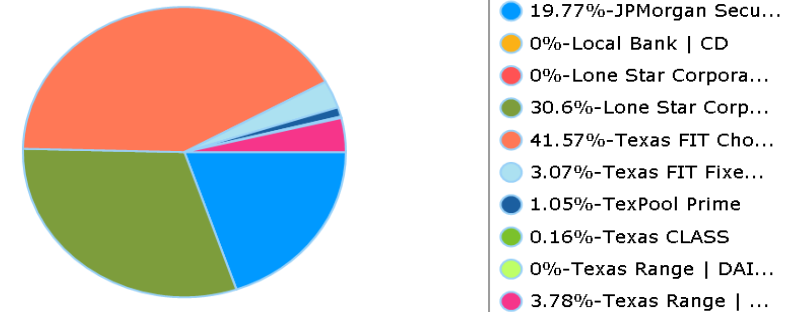
Begin Date: 6/30/2024, End Date: 6/30/2025

Asset Category Allocation				
Asset Category	Market Value 6/30/2024	% of Portfolio-MV 6/30/2024	Market Value 6/30/2025	% of Portfolio-MV 6/30/2025
JPMorgan Securities Custodian	98,497,769	6.70	261,601,110	19.77
Local Bank CD	31,916,393	2.17	-	0.00
Lone Star Corporate	724,078	0.05	21,792	0.00
Lone Star Corporate Plus	766,186,928	52.15	405,014,441	30.60
Texas FIT Choice Pool	120,680,017	8.21	550,168,894	41.57
Texas FIT Fixed Trust Pool	20,000,000	1.36	40,636,230	3.07
TexPool Prime	431,138,514	29.35	13,835,932	1.05
Texas CLASS	-	0.00	2,171,958	0.16
Texas Range DAILY	-	0.00	25,391	0.00
Texas Range TERM	-	0.00	50,000,000	3.78
Total / Average	1,469,143,700	100.00	1,323,475,747	100.00

Portfolio Holdings as of 6/30/2024



Portfolio Holdings as of 6/30/2025



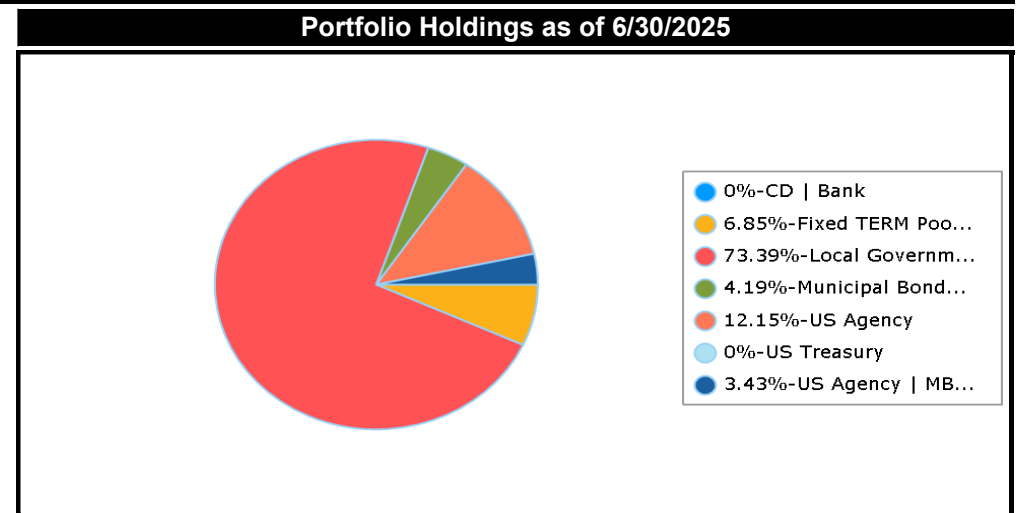
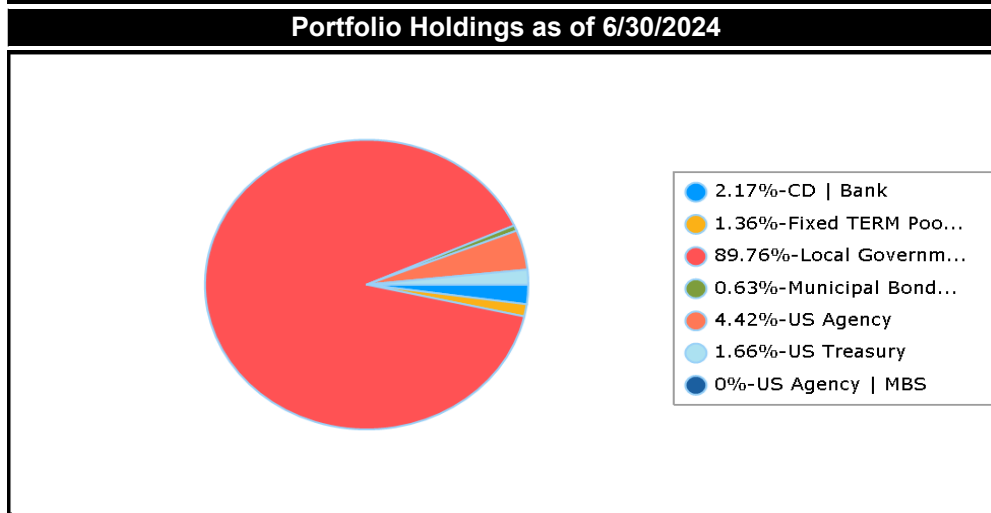
Asset Category | Financial Institution



Houston Independent School District | TX Distribution by Asset Class - Market Value All Funds

Begin Date: 6/30/2024, End Date: 6/30/2025

Asset Class Allocation				
Asset Class	Market Value 6/30/2024	% of Portfolio-MV 6/30/2024	Market Value 6/30/2025	% of Portfolio-MV 6/30/2025
CD Bank	31,916,393	2.17	-	0.00
Fixed TERM Pool	20,000,000	1.36	90,636,230	6.85
Local Government Investment Pools	1,318,729,538	89.76	971,238,407	73.39
Municipal Bonds	9,187,324	0.63	55,479,268	4.19
US Agency	64,914,168	4.42	160,788,467	12.15
US Treasury	24,396,278	1.66	-	0.00
US Agency MBS	-	0.00	45,333,375	3.43
Total / Average	1,469,143,700	100.00	1,323,475,747	100.00



Asset Class | Investment Policy Compliance

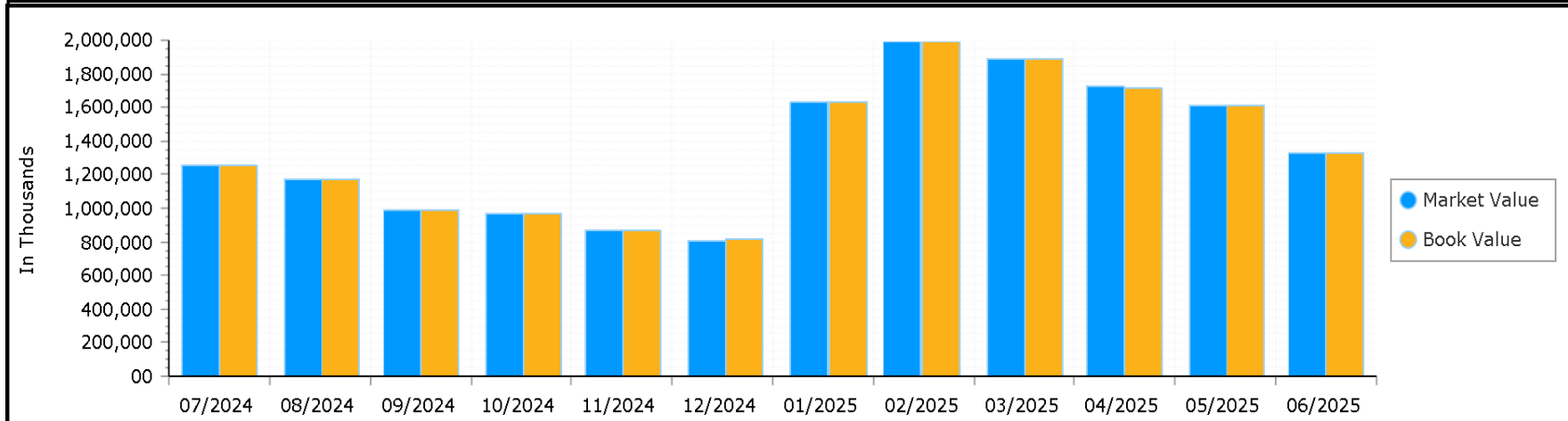


Houston Independent School District | Portfolio Summary by Month All Funds

Begin Date: 7/31/2024, End Date: 6/30/2025

Month	Market Value	Book Value	YTM @ Cost	YTM @ Market	Duration	Days To Maturity
7/31/2024	1,253,260,892	1,253,171,312	5.45	5.45	0.31	124
8/31/2024	1,170,231,700	1,169,985,307	5.37	5.36	0.49	189
9/30/2024	985,990,489	985,534,278	5.27	5.24	0.71	277
10/31/2024	964,954,834	965,788,365	4.99	4.98	0.69	265
11/30/2024	869,554,882	870,151,719	4.80	4.79	0.71	272
12/31/2024	809,877,632	811,568,409	4.69	4.70	0.83	314
1/31/2025	1,634,988,897	1,636,434,840	4.58	4.58	0.43	164
2/28/2025	1,993,348,717	1,993,325,615	4.53	4.52	0.39	149
3/31/2025	1,891,571,905	1,891,602,102	4.53	4.52	0.51	199
4/30/2025	1,720,343,871	1,719,208,053	4.49	4.47	0.52	203
5/31/2025	1,608,406,341	1,608,268,231	4.46	4.45	0.58	226
6/30/2025	1,323,475,747	1,322,422,401	4.45	4.43	0.68	266
Total / Average	1,352,167,159	1,352,288,386	4.74	4.73	0.54	210

Market Value / Book Value Comparison





Houston Independent School District | TX

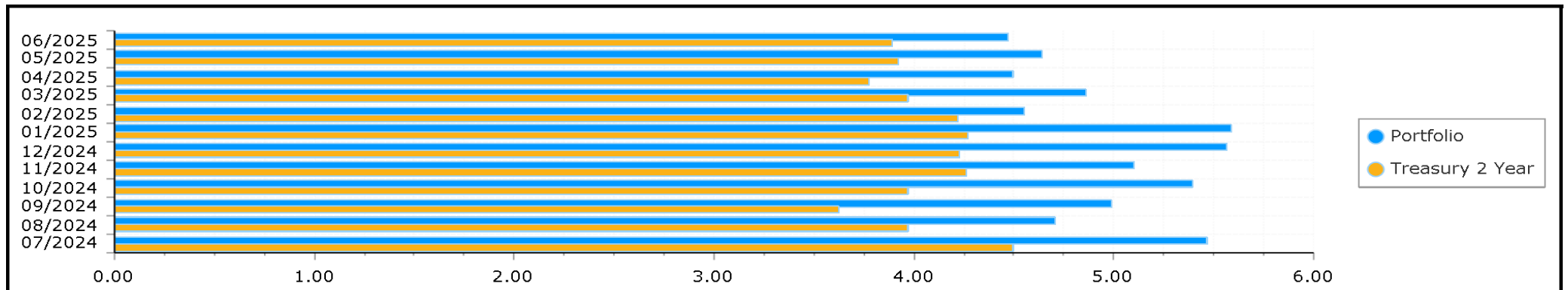
Total Rate of Return - Book Value by Month

All Funds

Begin Date: 7/31/2024, End Date: 6/30/2025

Month	Beginning BV + Accrued Interest	Interest Earned During Period-BV	Realized Gain/Loss-BV	Investment Income-BV	Average Capital Base-BV	TRR-BV	Annualized TRR-BV	Treasury 2 Year
7/31/2024	1,470,693,652	6,480,990	-	6,480,990	1,457,462,800	0.44	5.47	4.50
8/31/2024	1,255,244,282	5,476,054	-	5,476,054	1,424,282,238	0.38	4.71	3.97
9/30/2024	1,171,939,750	4,779,230	-	4,779,230	1,175,390,782	0.41	4.99	3.62
10/31/2024	987,915,227	4,196,736	-	4,196,736	957,978,909	0.44	5.39	3.97
11/30/2024	968,338,384	3,684,279	70,558	3,754,837	904,063,490	0.42	5.10	4.26
12/31/2024	872,795,287	3,748,773	-	3,748,773	829,941,580	0.45	5.56	4.23
1/31/2025	814,742,342	5,437,095	(22) *	5,437,074	1,197,203,150	0.45	5.59	4.27
2/28/2025	1,640,426,415	7,368,844	(21) *	7,368,823	1,983,082,251	0.37	4.55	4.22
3/31/2025	1,996,553,242	7,706,291	(36) *	7,706,254	1,946,571,640	0.40	4.86	3.97
4/30/2025	1,894,858,291	6,699,922	(21) *	6,699,901	1,823,456,769	0.37	4.50	3.78
5/31/2025	1,722,876,913	6,233,543	(25) *	6,233,518	1,646,462,655	0.38	4.64	3.92
6/30/2025	1,611,878,263	5,023,164	(20) *	5,023,144	1,375,624,112	0.37	4.47	3.89
Total/Average	1,470,693,652	66,834,920	70,413	66,905,333	1,365,860,886	4.90	4.90	4.05

Annualized TRR-BV



TRR-BV | Total Rate of Return - Book Value

* The realized loss is due to the principal paydown on Mortgage Backed Securities. It reflects the accelerated amortization of the bond premium due to early principal repayment, resulting in a non-cash loss.



Houston Independent School District | TX

Performance Spread

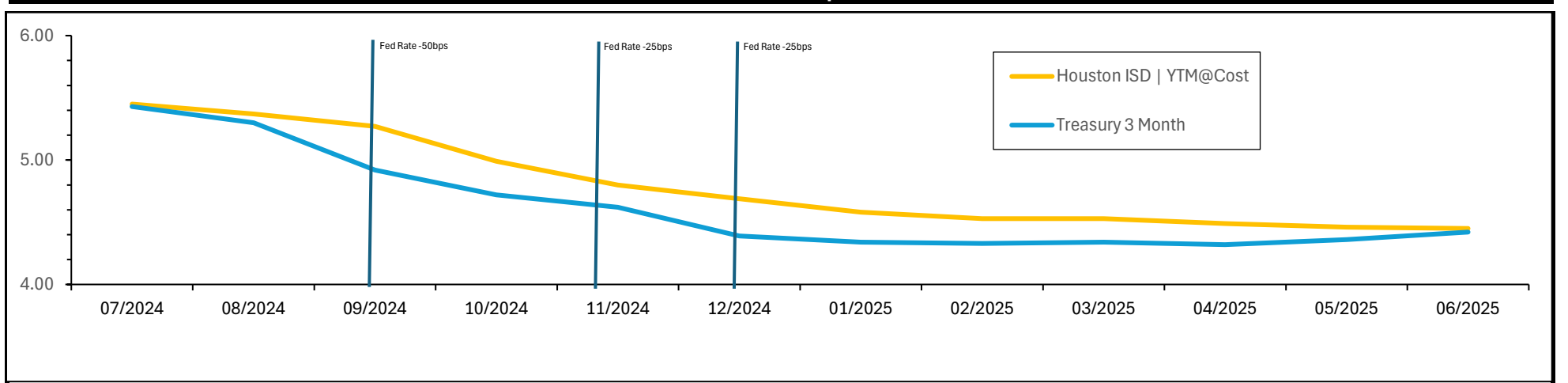
Houston ISD YTM @ Cost vs. Treasury 3 Month

Begin Date: 7/31/2024,
End Date: 6/30/2025

Performance Spread

Date	Houston ISD YTM@Cost	Treasury 3 Month	Spread
07/31/24	5.45	5.43	0.02
08/31/24	5.37	5.30	0.07
09/30/24	5.27	4.92	0.35
10/31/24	4.99	4.72	0.27
11/30/24	4.80	4.62	0.18
12/31/24	4.69	4.39	0.30
01/31/25	4.58	4.34	0.24
02/28/25	4.53	4.33	0.20
03/31/25	4.53	4.34	0.19
04/30/25	4.49	4.32	0.17
05/31/25	4.46	4.36	0.10
06/30/25	4.45	4.42	0.03

Performance Spread





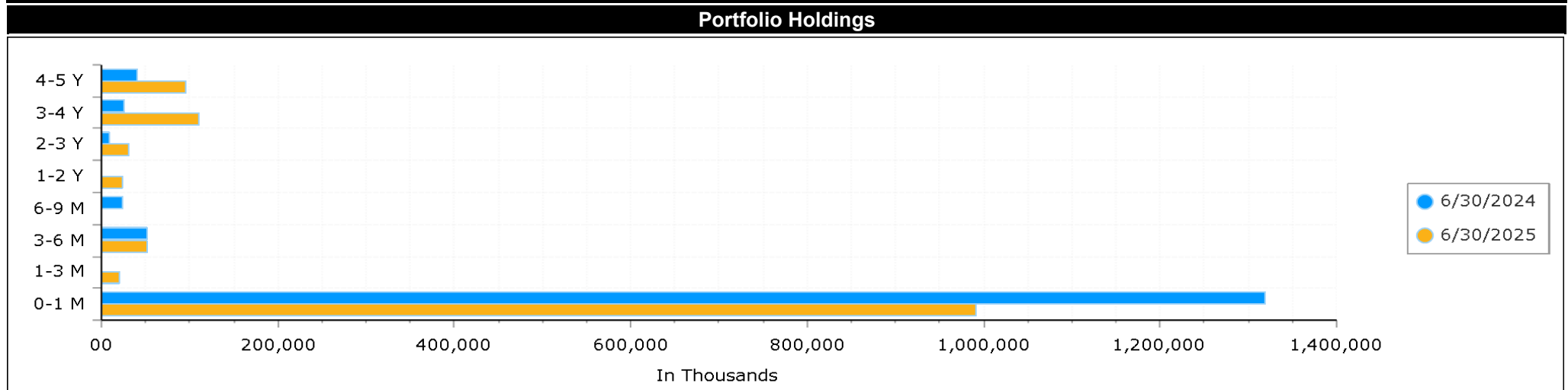
Houston Independent School District | TX

Distribution by Maturity Range - Market Value

All Funds

Begin Date: 6/30/2024, End Date: 6/30/2025

Maturity Range Allocation				
Maturity Range	Market Value 6/30/2024	% of Portfolio-MV 6/30/2024	Market Value 6/30/2025	% of Portfolio-MV 6/30/2025
0-1 Month	1,318,729,538	89.76	991,238,407	74.90
1-3 Months	95,044	0.01	20,000,000	1.51
3-6 Months	51,821,349	3.53	50,636,230	3.83
6-9 Months	24,396,278	1.66	-	0.00
1-2 Years	-	0.00	24,545,156	1.85
2-3 Years	9,187,324	0.63	30,833,481	2.33
3-4 Years	24,994,733	1.70	110,245,067	8.33
4-5 Years	39,919,435	2.72	95,977,406	7.25
Total / Average	1,469,143,700	100.00	1,323,475,747	100.00





Houston Independent School District | TX

Portfolio Holdings by Fund

All Funds

Date: 6/30/2025

Description CUSIP	Face Amount / Shares	Settlement Date YTM @ Cost	Cost Value Book Value	Market Price YTM @ Market	Market Value Accrued Interest	% Portfolio Unre. Gain/Loss	Credit Rating Credit Rating	Days To Call/Maturity Duration To Maturity
Activity Funds								
Lone Star Activity TA2 LGIP		6/30/2024	16,057,515	100.00	16,057,515	1.21%	NR	1
LS-TA2-CP7547	16,057,515	4.43	16,057,515	4.43		-	NR	0
Lone Star Activity TA3 LGIP		6/30/2024	1,573,807	100.00	1,573,807	0.12%	NR	1
LS-TA3-CP7984	1,573,807	4.43	1,573,807	4.43		-	NR	0
Lone Star Activity TO3 LGIP		6/30/2024	86,296	100.00	86,296	0.01%	NR	1
LS-TO3-CP8008	86,296	4.43	86,296	4.43		-	NR	0
Lone Star Trust & Agency TO4 + Scholarship		6/30/2024	725,937	100.00	725,937	0.05%	NR	1
LS-T04-CP8016	725,937	4.43	725,937	4.43		-	NR	0
Lone Star Trust & Agency TO4 959 Jackson LG		6/30/2024	29,444	100.00	29,444	0%	NR	1
LS-959-CP8016	29,444	4.43	29,444	4.43		-	NR	0
TexPool Print Shop PS1 LGIP		6/30/2024	5,510,363	100.00	5,510,363	0.42%	NR	1
TXPOOL-PS1-P011	5,510,363	4.43	5,510,363	4.43		-	NR	0
TexPool Trust & Agency T05 LGIP		6/30/2024	5,656,352	100.00	5,656,352	0.43%	NR	1
TXPOOL-T05-P013	5,656,352	4.43	5,656,352	4.43		-	NR	0
			29,639,714		29,639,714	2.24%		1
Sub Total Activity Funds	29,639,714	4.43	29,639,714	4.43		-		0
Capital Projects								
Lone Star 697 - Capital Projects Fund MM		5/27/2025	3,414,313	100.00	3,414,313	0.26%	None	1
LS-697-CP7869	3,414,313	4.43	3,414,313	4.43		-	None	0
Lone Star Capital Projects CP1 LGIP		6/30/2024	507,507	100.00	507,507	0.04%	NR	1
LS-698-CP7703	507,507	4.43	507,507	4.43		-	NR	0
Lone Star Capital Projects CP1 LGIP		6/30/2024	10,220,215	100.00	10,220,215	0.77%	NR	1
LS-CP1-CP7703	10,220,215	4.43	10,220,215	4.43		-	NR	0
Lone Star Capital Projects CP1 MM		6/29/2025	21,792	100.00	21,792	0%	NR	1
LS-698-C7703	21,792	4.43	21,792	4.43		-	NR	0
Texas FIT Pool Capital Projects 2018 CP1 LGIP		10/11/2024	32,421,931	100.00	32,421,931	2.45%	NR	1
TXFIT-CP1-159	32,421,931	4.47	32,421,931	4.47		-	NR	0
TexPool Capital Projects CP1 LGIP		6/30/2024	364,624	100.00	364,624	0.03%	NR	1
TXPOOL-CP1-P041	364,624	4.43	364,624	4.43		-	NR	0
			46,950,382		46,950,382	3.55%		1
Sub Total Capital Projects	46,950,382	4.46	46,950,382	4.46		-		0
Child Nutrition								
Lone Star Food Service FD1 LGIP		6/30/2024	1,092,033	100.00	1,092,033	0.08%	NR	1



Houston Independent School District | TX

Portfolio Holdings by Fund

All Funds

Date: 6/30/2025

Description CUSIP	Face Amount / Shares	Settlement Date YTM @ Cost	Cost Value Book Value	Market Price YTM @ Market	Market Value Accrued Interest	% Portfolio Unre. Gain/Loss	Credit Rating Credit Rating	Days To Call/Maturity Duration To Maturity
LS-FD1-CP7885	1,092,033	4.43	1,092,033	4.43		-	NR	0
Lone Star Food Service FD2 CAVE LGIP		6/30/2024	153,203	100.00	153,203	0.01%	NR	1
LS-CAVE-CP7893	153,203	4.43	153,203	4.43		-	NR	0
Texas FIT Pool Food Service FD1 LGIP		6/30/2024	39,313,691	100.00	39,313,691	2.97%	NR	1
TXFIT-FD1-124	39,313,691	4.47	39,313,691	4.47		-	NR	0
TexPool Food Service FD1 LGIP		6/30/2024	28,640	100.00	28,640	0%	NR	1
TXPOOL-FD1-P006	28,640	4.43	28,640	4.43		-	NR	0
			40,587,567		40,587,567	3.06%		1
Sub Total Child Nutrition	40,587,567	4.47	40,587,567	4.47		-		0
Debt Service								
Lone Star Debt Service DS1 LGIP		6/30/2024	166,877,483	100.00	166,877,483	12.62%	NR	1
LS-DS1-CP7844	166,877,483	4.43	166,877,483	4.43		-	NR	0
Texas CLASS Debt Service LGIP		11/8/2024	51	100.00	51	0%	NR	1
TXCLASS-DS1-002	51	4.40	51	4.40		-	NR	0
			166,877,534		166,877,534	12.62%		1
Sub Total Debt Service	166,877,534	4.43	166,877,534	4.43		-		0
General Fund								
Alabama Public Schools 5.15 9/1/2027		2/13/2025	10,785,788	101.77	10,838,825	0.81%	None	793
0106085M5	10,650,000	4.61	10,765,523	4.28	181,301	73,302	S&P-AA	2.05
FFCB 4.82 2/19/2030-27		2/19/2025	15,000,000	100.84	15,125,846	1.13%	None	599
3133ER4F5	15,000,000	4.82	15,000,000	4.62	263,092	125,846	None	4.14
FHLB 4 9/18/2028-25		9/27/2024	30,000,000	99.75	29,923,908	2.27%	Moody's-Aaa	80
3130B2XG5	30,000,000	4.00	30,000,000	4.08	340,000	(76,092)	S&P-AA+	3.02
FHLB 4.73 5/19/2028-25		5/27/2025	20,000,000	99.97	19,994,656	1.51%	Moody's-Aaa	50
3130B6GG5	20,000,000	4.73	20,000,000	4.74	86,717	(5,344)	S&P-AA+	2.72
FHLMC 4 2/28/2029		9/3/2024	10,766,749	99.30	10,778,845	0.82%	Moody's-Aaa	1339
3134HAHP1	10,855,000	4.20	10,782,978	4.21	144,733	(4,134)	S&P-AA+	3.4
FHLMC 5 11/7/2029-25		11/12/2024	20,000,000	99.98	19,996,480	1.51%	Moody's-Aaa	38
3134HAXT5	20,000,000	5.00	20,000,000	5.00	147,222	(3,520)	S&P-AA+	3.94
Florida SBA 1.705 7/1/2027		4/2/2024	9,204,233	95.24	9,642,544	0.72%	Moody's-Aa3	731
341271AE4	10,125,000	4.76	9,557,101	4.21	85,836	85,442	S&P-AA	1.96
FNMA 3.55 12/10/2026-25		10/24/2024	14,845,500	99.35	14,902,613	1.13%	Moody's-Aaa	10
3135GAWA5	15,000,000	4.06	14,895,117	4.02	118,333	7,495	S&P-AA+	1.41
FNMA 4.335 3/12/2030-27		3/12/2025	25,000,000	100.54	25,135,515	1.89%	None	620



Houston Independent School District | TX

Portfolio Holdings by Fund

All Funds

Date: 6/30/2025

Description CUSIP	Face Amount / Shares	Settlement Date YTM @ Cost	Cost Value Book Value	Market Price YTM @ Market	Market Value Accrued Interest	% Portfolio Unre. Gain/Loss	Credit Rating Credit Rating	Days To Call/Maturity Duration To Maturity
3136GAD48	25,000,000	4.34	25,000,000	4.21	325,125	135,515	None	4.25
FNMA 4.46 3/6/2030-26		3/11/2025	25,000,000	99.72	24,930,605	1.89%	Moody's-Aaa	249
3136GAD30	25,000,000	4.46	25,000,000	4.53	337,597	(69,395)	S&P-AA+	4.22
FNMA MBS 3.1 6/1/2029		8/13/2024	28,936,028	96.12	29,287,251	2.21%	Moody's-Aaa	1432
3140LGDL3	30,469,000	4.26	29,216,738	4.26	76,088	70,513	S&P-AA+	3.92
FNMA MBS 4.56 11/1/2029		12/5/2024	10,664,994	101.45	10,788,961	0.81%	Moody's-Aaa	1585
3140NWQX6	10,635,083	4.53	10,661,539	4.53	39,066	127,422	S&P-AA+	4.34
FNMA MBS 4.95 7/1/2029		12/2/2024	5,173,131	102.80	5,257,164	0.39%	Moody's-Aaa	1462
3140NVM79	5,114,000	4.70	5,165,704	4.70	20,392	91,460	S&P-AA+	4.01
Lone Star General GF1 LGIP		6/30/2024	154,195,353	100.00	154,195,353	11.66%	NR	1
LS-GF1-CP7869	154,195,353	4.43	154,195,353	4.43	-	-	NR	0
Lone Star Health Insurance IS1 LGIP		6/30/2024	36,281,778	100.00	36,281,778	2.74%	NR	1
LS-IS1-CP7927	36,281,778	4.43	36,281,778	4.43	-	-	NR	0
Lone Star Medicaid MD1 LGIP		6/30/2024	2,187,249	100.00	2,187,249	0.17%	NR	1
LS-MD1-CP7851	2,187,249	4.43	2,187,249	4.43	-	-	NR	0
Lone Star Special Revenue SR1 LGIP		6/30/2024	700,168	100.00	700,168	0.05%	NR	1
LS-SR1-CP7968	700,168	4.43	700,168	4.43	-	-	NR	0
Lone Star Stadium IS3 LGIP		1/27/2025	6,622,672	100.00	6,622,672	0.5%	NR	1
LS-IS3-CP7687	6,622,672	4.43	6,622,672	4.43	-	-	NR	0
Lone Star Workers Compensation IS2 LGIP		6/30/2024	4,289,469	100.00	4,289,469	0.32%	NR	1
LS-IS2-CP7935	4,289,469	4.43	4,289,469	4.43	-	-	NR	0
San Antonio ISD 4.006 8/15/2028-21		11/18/2024	34,405,000	99.99	34,997,900	2.61%	Moody's-Aaa	46
796269VA3	35,000,000	4.50	34,503,062	4.01	525,788	494,838	Fitch-AAA	2.93
Texas CLASS General GF1 LGIP		7/15/2024	190,722	100.00	190,722	0.01%	NR	1
TXCLASS-GF1-001	190,722	4.40	190,722	4.40	-	-	NR	0
Texas CLASS Medicaid Enterprise LGIP		7/15/2024	1,981,184	100.00	1,981,184	0.15%	NR	1
TXCLASS-MD1-004	1,981,184	4.40	1,981,184	4.40	-	-	NR	0
Texas FIT Pool General GF1 LGIP		6/30/2024	478,433,272	100.00	478,433,272	36.18%	NR	1
TXFIT-GF1-122	478,433,272	4.47	478,433,272	4.47	-	-	NR	0
Texas FIT TERM General GF1 4.53 8/27/2025		8/28/2024	20,000,000	100.00	20,000,000	1.51%	NR	58
TEXASFIT082725	20,000,000	4.53	20,000,000	4.53	759,551	-	NR	0.16
Texas FIT TERM General GF1 4.48 10/1/2025		5/1/2025	20,636,230	100.00	20,636,230	1.56%	None	93



Houston Independent School District | TX

Portfolio Holdings by Fund

All Funds

Date: 6/30/2025

Description CUSIP	Face Amount / Shares	Settlement Date YTM @ Cost	Cost Value Book Value	Market Price YTM @ Market	Market Value Accrued Interest	% Portfolio Unre. Gain/Loss	Credit Rating Credit Rating	Days To Call/Maturity Duration To Maturity
TEXASFIT100125	20,636,230	4.48	20,636,230	4.48	151,973	-	None	0.25
Texas Range General GF1 LGIP		2/27/2025	25,391	100.00	25,391	0%	NR	1
TXRANGE-GF1	25,391	4.42	25,391	4.42		-	NR	0
Texas Range TERM General GF1 4.39 10/7/2025		10/22/2024	30,000,000	100.00	30,000,000	2.27%	NR	99
TXTERM100725	30,000,000	4.39	30,000,000	4.39	905,663	-	NR	0.27
Texas Range TERM General GF1 4.42 7/22/2025		4/22/2025	20,000,000	100.00	20,000,000	1.51%	NR	22
TXTERM072225	20,000,000	4.42	20,000,000	4.42	167,112	-	NR	0.06
TexPool General GF1 LGIP		6/30/2024	1,935,515	100.00	1,935,515	0.15%	NR	1
TXPOOL-GF1-P009	1,935,515	4.43	1,935,515	4.43		-	NR	0
TexPool Internal Service IS3 LGIP		6/30/2024	340,438	100.00	340,438	0.03%	NR	1
TXPOOL-IS3-P028	340,438	4.43	340,438	4.43		-	NR	0
			1,037,600,861		1,039,420,550	78.51%		135
Sub Total General Fund	1,040,667,522	4.46	1,038,367,203	4.43	4,675,590	1,053,347		0.86
			1,321,656,059		1,323,475,747	100.00%		106
TOTAL PORTFOLIO	1,324,722,720	4.45	1,322,422,401	4.43	4,675,590	1,053,347		0.68



8/14/2025

5.

Office of the Superintendent of Schools

Office of Finance and Operations

Purchasing Services Quarterly Report

Board Policy CH(LOCAL) requires that the superintendent and/or designee furnish a quarterly report to the board of all district solicitation purchase costs or aggregates between \$250,000 and \$1,000,000.

The report for the quarter ending June 30, 2025, for the fiscal year 2024-2025 is attached. There is no board action or vote required on this report.

Aggregated Purchase Order Expenditure Report - \$250,000 to \$1,000,000 Q4 (4/1/2025 - 6/30/2025)						
FY	PROJECT NUMBER	PROJECT NAME	SUPPLIER	Q4 SPEND	Q4 POs	CHIEF
2025	23-04-04	Fencing Services Districtwide	POST OAK CONSTRUCTION LLC	\$979,625.00	5	Chief of Facilities, Maintenance & Operations
2025	24-08-09-04	JOC Construction	DURA PIER FACILITIES SERVICES, LTD.	\$966,845.83	7	Chief of Facilities, Maintenance & Operations
2025	22-09-07	Title I, Private Nonprofit Schools & Neglected Facilities	CATAPULT LEARNING WEST, LLC	\$954,478.01	16	Chief Finance and Operations Officer
2025	25-11-13-02	Printing Equipment, Software, Supplies, & Related Services	CANON USA INC	\$947,217.87	5	Chief Information Officer
2025	24-08-13	Onsite Clinic Services	NEXT LEVEL MEDICAL LLC	\$902,426.15	7	Chief Finance and Operations Officer
2025	21-10-05-09	Heating, Ventilation, & Air Conditioning Services, Repairs, Preventive Maintenance, & Window/Portable Air Conditioning Units & Parts	JOHNSON CONTROLS (SERVICE ONLY)	\$878,183.65	7	Chief of Facilities, Maintenance & Operations
2025	00-00-18	Facilities, Maintenance & Operations	AMS OF HOUSTON LLC	\$868,683.52	3	Chief of Facilities, Maintenance & Operations
2025	21-06-11	Fresh Juice Direct Delivery	LABATT	\$859,436.87	4098	Chief Finance and Operations Officer
2025	21-06-02	Instructional Curriculum Materials, Supplies, & Digital Resources	PUBLIC CONSULTING GROUP	\$802,515.00	1	Chief Academic Officer
2025	24-08-01-09	Office Supplies & Related Items	ODP BUSINESS SOLUTIONS, LLC	\$801,238.36	242	Chief Finance and Operations Officer
2025	21-05-02	Special Education Services - Speech Therapy - Independent Education Evaluations & Evaluation Services	THE STEPPING STONES GROUP	\$778,782.05	10	Chief of Organizational Effectiveness
2025	20-08-11	Waste Disposal, Recycling, & Portable Services	REPUBLIC SERVICES	\$757,547.54	24	Chief of Facilities, Maintenance & Operations
2025	23-03-01	End User Computing Devices, Accessories, & Services	NETSYNC NETWORK SOLUTIONS, INC	\$755,798.00	10	Chief Information Officer
2025	24-08-01-09	Office Supplies & Related Items	ODP BUSINESS SOLUTIONS, LLC	\$731,936.76	226	Chief Finance and Operations Officer
2025	21-10-05-09	Heating, Ventilation, & Air Conditioning Services, Repairs, Preventive Maintenance, & Window/Portable Air Conditioning Units & Parts	JOHNSON CONTROLS (SERVICE ONLY)	\$728,887.21	8	Chief of Facilities, Maintenance & Operations
2025	21-05-02	Special Education Services - Speech Therapy - Independent Education Evaluations & Evaluation Services	NEW DIRECTION SOLUTIONS, LLC.	\$699,462.96	9	Chief of Organizational Effectiveness
2025	24-03-05-01	Plumbing Services	AMS OF HOUSTON LLC	\$689,815.48	41	Chief of Facilities, Maintenance & Operations
2025	22-07-15-04	Technology Hardware, Software, & Related Services	NETSYNC NETWORK SOLUTIONS, INC	\$660,511.43	3	Chief Information Officer
2025	21-06-02	Instructional Curriculum Materials, Supplies, & Digital Resources	LEARNING A-Z LLC	\$633,750.00	1	Chief Academic Officer
2025	25-02-01-23	Software Accessories & Supplies	JOURNEYED.COM	\$599,035.27	3	Chief Academic Officer
2025	00-00-18	Facilities, Maintenance & Operations	JOHNSON CONTROLS (SERVICE ONLY)	\$594,144.84	1	Chief of Facilities, Maintenance & Operations
2025	21-06-03	Student Services, Enrichment Tutorials, Mentoring Services, & Alcohol and Drug Counseling	A YANCY LIFE TRANSITION CENTER	\$591,450.00	5	Chief Academic Officer
2025	21-07-01	Furniture Districtwide	LAKESHORE PARENT, LLC	\$544,930.50	2	Chief Finance and Operations Officer
2025	22-10-02	Bakery Products & Related Items	LABATT	\$541,675.69	3954	Chief Finance and Operations Officer
2025	22-07-19	Benefits Administration	EMPYREAN BENEFIT SOLUTIONS, INC	\$533,582.04	4	Chief Finance and Operations Officer
2025	21-06-03	Student Services, Enrichment Tutorials, Mentoring Services, & Alcohol and Drug Counseling	YMCA OF GREATER HOUSTON	\$533,300.20	2	Chief Academic Officer
2025	24-08-01-09	Office Supplies & Related Items	ODP BUSINESS SOLUTIONS, LLC	\$527,886.97	160	Chief Finance and Operations Officer
2025	22-05-08	Maintenance, Supplies, & Services for Printing Services	ABSOLUTE COLOR	\$526,347.17	20	Chief Information Officer
2025	22-10-09	Special Education Services – Evaluation Materials, Auditory/Visual Impairments Materials; Occupational/ Physical Therapy Services, Assistive Technology & Specialized Access Items, Devices, Equipment, Software, & Related Goods & Services	HARRIS COUNTY DEPT OF EDUCATION	\$519,281.25	2	Chief of Organizational Effectiveness
2025	24-08-01-09	Office Supplies & Related Items	ODP BUSINESS SOLUTIONS, LLC	\$519,103.65	241	Chief Finance and Operations Officer
2025	23-04-09	Fuel: Unleaded, Biodiesel, Ultra-Low Sulfur Diesel, & Related Products & Services	SUN COAST RESOURCES, INC.	\$506,828.73	10	Chief of Organizational Effectiveness
2025	21-06-05	College and Career Readiness Materials & Services	EMERGE FELLOWSHIP	\$500,000.00	1	Chief Academic Officer
2025	23-03-01	End User Computing Devices, Accessories, & Services	NETSYNC NETWORK SOLUTIONS, INC	\$491,080.27	90	Chief Information Officer
2025	21-06-02	Instructional Curriculum Materials, Supplies, & Digital Resources	ZEARN	\$469,761.60	2	Chief Academic Officer
2025	63-89-00-99	Houston Community College	HOUSTON COMMUNITY COLLEGE SYSTEMS	\$430,871.27	2	Chief Academic Officer
2025	21-05-02	Special Education Services - Speech Therapy - Independent Education Evaluations & Evaluation Services	AMN ALLIED SERVICES, LLC	\$429,107.69	7	Chief of Organizational Effectiveness
2025	23-03-01	End User Computing Devices, Accessories, & Services	NETSYNC NETWORK SOLUTIONS, INC	\$412,309.67	28	Chief Information Officer
2025	21-10-05-09	Heating, Ventilation, & Air Conditioning Services, Repairs, Preventive Maintenance, & Window/Portable Air Conditioning Units & Parts	DAIKIN APPLIED AMERICAS, INC.	\$411,200.70	3	Chief of Facilities, Maintenance & Operations
2025	24-08-12-01	Vehicle Purchases - Various	SILSBEE FORD, INC.	\$404,159.75	1	Chief of Organizational Effectiveness
2025	21-10-04	Network Systems Hardware & Related Services (E-Rate Eligible)	NETSYNC NETWORK SOLUTIONS, INC	\$377,664.48	24	Chief Information Officer
2025	21-10-05-09	Heating, Ventilation, & Air Conditioning Services, Repairs, Preventive Maintenance, & Window/Portable Air Conditioning Units & Parts	JOHNSON CONTROLS (SERVICE ONLY)	\$371,087.79	4	Chief of Facilities, Maintenance & Operations
2025	24-11-12-01	Comprehensive HVAC Services, Equipment, and Supplies	AMS OF HOUSTON LLC	\$367,527.23	13	Chief of Facilities, Maintenance & Operations
2025	21-10-04	Network Systems Hardware & Related Services (E-Rate Eligible)	NETSYNC NETWORK SOLUTIONS, INC	\$355,562.52	24	Chief Information Officer
2025	24-08-09-04	JOC Construction	BASELINE PAVING & CONSTRUCTION	\$354,589.56	4	Chief of Facilities, Maintenance & Operations
2025	23-06-16	Rental of Heating, Ventilation, & Air Conditioning & Boiler Equipment	CARRIER RENTAL SYSTEMS	\$339,263.05	69	Chief of Facilities, Maintenance & Operations
2025	25-11-07	Nursing Services	ASTROCARE VISITING HEALTH	\$337,159.73	4	Chief of Organizational Effectiveness
2025	25-08-14-04	Harris County Department of Education	HARRIS COUNTY DEPT OF EDUCATION	\$328,307.50	1	Chief Academic Officer
2025	25-08-04	Events - Venues, Catering, Audiovisual & Related Products/Services	SOUTHERN SOUND & LIGHTING	\$327,770.08	3	Chief of Schools
2025	24-03-05-01	Plumbing Services	AMS OF HOUSTON LLC	\$305,095.88	17	Chief of Facilities, Maintenance & Operations
2025	25-11-07	Nursing Services	AMERGIS HEALTHCARE STAFFING, INC	\$303,859.22	5	Chief of Organizational Effectiveness
2025	24-08-09-04	JOC Construction	JR THOMAS GROUP	\$301,288.74	2	Chief of Facilities, Maintenance & Operations
2025	25-12-04-01	TIPWeb Software Licensing & Related Products & Services	FRONTLINE TECHNOLOGIES GROUP, LLC	\$299,186.26	5	Chief Information Officer
2025	21-06-02	Instructional Curriculum Materials, Supplies, & Digital Resources	CARNEGIE LEARNING, INC.	\$297,221.31	2	Chief Academic Officer
2025	21-06-02	Instructional Curriculum Materials, Supplies, & Digital Resources	LAKESHORE PARENT, LLC (PUNCH-OUT ON	\$282,942.41	7	Chief Academic Officer
2025	24-05-12-05	Communications Network Infrastructure	MOTOROLA SOLUTIONS INC	\$279,902.00	1	Chief of Police
2025	25-08-04	Events-Venues, Catering, Audiovisual & Related Products/Services	SMG	\$273,095.16	2	Chief of Schools
2025	24-08-09-04	JOC Construction	E CONTRACTORS USA, LLC	\$265,074.19	1	Chief of Facilities, Maintenance & Operations
2025	23-04-08	Student Uniforms for Homeless Education	FIESTA MART INC	\$262,240.00	4	Chief of Schools
2025	23-10-13-04	Amazon Business Services	AMAZON.COM SALES, INC	\$260,372.67	207	Chief Finance and Operations Officer
2025	23-06-16	Rental of Heating, Ventilation, & Air Conditioning & Boiler Equipment	DAIKIN APPLIED AMERICAS, INC.	\$256,776.06	24	Chief of Facilities, Maintenance & Operations
Total				\$32,029,184.79	9,684	



8/14/2025

6.

Office of the Superintendent of Schools

Office of Finance and Operations

Budget To Actual Report

Board Policy CE(LOCAL) requires that the budget officer or designee prepares and submits to the board a quarterly budget to actual report for the General Fund, the Child Nutrition Fund, and the Debt Service Fund.

The quarterly budget to actual report for the quarter ending June 30, 2025, for fiscal year 2024-2025 contains comparisons of budget to current financial data for the General Fund, Child Nutrition Fund, and Debt Service Fund.

This is an informational report for the School Board reporting the progress of actual revenues and expenditures for the current year as of June 30, 2025, vs. the same period in 2024. It also contains the percentage of revenues and expenditures recognized in the same period. There is no board action or vote required for this report.

General Fund | Financial Report

For the Period Ending June 30

	Fiscal Year 2024-2025			Fiscal Year 2023-2024		
	Amended Budget as of June 12, 2025	Actual as of June 30, 2025	YTD % of Budget	Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES						
Local sources	\$1,618,582,218	\$1,639,251,703	101.28%	\$1,593,663,242	\$1,584,970,890	99.45%
State sources	262,890,713	\$222,060,615	84.47%	286,263,599	319,532,249	111.62%
Federal sources	25,131,818	\$24,312,125	96.74%	62,538,142	78,105,613	124.89%
TOTAL REVENUE	\$1,906,604,750	\$1,885,624,443	98.90%	\$1,942,464,983	\$1,982,608,752	102.07%
EXPENDITURES FUNCTIONS						
11 Instruction	1,202,028,014	1,219,711,314	101.47%	\$1,199,024,696	1,150,954,093	95.99%
12 Instructional Media	7,533,634	6,884,082	91.38%	13,964,580	13,830,385	99.04%
13 Curriculum & Personnel Development	16,558,653	14,476,747	87.43%	25,967,376	25,815,707	99.42%
21 Instructional Leadership	67,230,988	67,634,698	100.60%	62,966,364	63,063,461	100.15%
23 School Leadership	221,800,900	231,916,086	104.56%	212,399,124	215,392,395	101.41%
31 Guidance & Counseling	66,092,313	66,949,031	101.30%	65,124,641	64,717,439	99.37%
32 Social Work Services	6,869,543	6,636,298	96.60%	5,437,770	4,712,785	86.67%
33 Health Services	24,638,108	25,793,615	104.69%	25,542,942	24,201,089	94.75%
34 Pupil Transportation	53,482,293	50,941,678	95.25%	66,468,695	57,023,753	85.79%
35 Food Services	131,632	143,943	109.35%	89,059	71,239	79.99%
36 Extracurricular Activities	27,223,366	25,493,022	93.64%	26,511,529	25,280,790	95.36%
41 General Administration	51,651,348	50,509,326	97.79%	55,681,422	53,050,919	95.28%
51 Plant Maintenance & Operations	217,948,329	202,244,113	92.79%	248,793,169	235,307,348	94.58%
52 Security & Monitoring Services	30,157,939	30,230,196	100.24%	32,840,069	32,091,167	97.72%
53 Data Processing Services	49,356,090	49,212,781	99.71%	61,684,520	58,440,335	94.74%
61 Community Service	7,812,291	4,826,783	61.78%	8,779,155	7,050,496	80.31%
71 Debt Service	7,030,350	4,050,350	57.61%	15,054,927	18,998,183	126.19%
81 Facilities Acq. & Construction	1,268,646	872,359	68.76%	7,911,999	6,632,145	83.82%
91 Contracted Instructional Services Between Public Schools	44,468,370	0	0.00%	0	0	0
95 Payments to JJAEP Programs	692,000	583,200	84.28%	792,000	583,200	73.64%
97 Payments to Tax Increment Fund	56,066,884	56,066,884	100.00%	75,720,089	75,544,048	99.77%
99 Other Intergovernmental Charges	16,190,000	14,170,441	87.53%	16,501,316	16,453,702	99.71%
TOTAL EXPENDITURES	\$2,176,231,690	\$2,129,346,946	97.85%	\$2,227,255,442	\$2,149,214,679	96.50%
SURPLUS / (DEFICIT)	(\$269,626,940)	(\$243,722,503)		(\$284,790,459)	(\$166,605,927)	
OTHER FINANCING SOURCES / (USES)						
Transfers-in	\$24,700,000	\$24,398,408		\$90,000,000	\$84,000,000	
Sale of Property	\$14,000,000	\$30,000		\$0	\$0	
Insurance Proceeds	\$0	\$0		\$16,000,000	\$18,165,781	
Issuance of leases and SBITAs	\$0	\$0		\$805,000	\$963,576	
Transfers-out	(16,405,274)	(16,215,400)		(16,395,650)	(16,395,650)	
TOTAL OTHER FINANCING SOURCES / (USES)	\$22,294,726	\$8,213,008		\$90,409,350	\$86,733,707	
Net change in Fund Balances	(\$247,332,214)	(\$235,509,495)		(\$194,381,109)	(\$79,872,220)	
Beginning Fund Balance *	\$1,047,196,700	\$1,047,196,700		\$1,127,068,920	\$1,127,068,920	
Projected Ending Fund Balance	\$799,864,486	\$811,687,205		\$932,687,811	\$1,047,196,700	

*Note:

During the Annual Comprehensive Financial Report (ACFR) process that is approved by the Board in November, additional revenue and expenditures will be accounted for to realize the final ending fund balance which will be less than the \$811,687,205

For example, Recapture \$45 million, still needs to be paid August 15th and reconciled during the settle up process with the State in September. Revenue from the State \$28M is also recorded during the settle up process in September

Debt Service Fund | Financial Report

For the Period Ending June 30

	Fiscal Year 2024-2025			Fiscal Year 2023-2024		
	Amended Budget as of June 12, 2025	Actual as of June 30, 2025	YTD % of Budget	Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES						
Local sources	\$371,396,035	\$370,247,199	99.69%	\$368,667,130	\$366,211,302	99.33%
State sources	\$17,168,780	\$16,323,934	95.08%	\$18,384,423	\$17,973,535	97.77%
TOTAL REVENUE	\$388,564,815	\$386,571,133	99.49%	\$387,051,553	\$384,184,837	99.26%
EXPENDITURES FUNCTIONS						
71 Debt Service	377,890,940	387,341,471	102.50%	409,308,329	409,281,911	99.99%
TOTAL EXPENDITURES	\$377,890,940	\$387,341,471	102.50%	\$409,308,329	\$409,281,911	99.99%
SURPLUS / (DEFICIT)	\$10,673,875	(\$770,338)		(\$22,256,776)	(\$25,097,074)	
OTHER FINANCING SOURCES / (USES)						
Other Financing Sources	\$21,166,025	\$20,977,900		\$22,256,775	\$22,256,775	
Issuance of bonds and other debt	\$435,175,000	\$435,175,000				
Premium on the sale of bonds	\$26,483,255	\$26,483,255				
Payments to escrow agents	(\$448,915,666)	(\$448,915,666)				
TOTAL OTHER FINANCING SOURCES / (USES)	\$33,908,614	\$33,720,489		\$22,256,775	\$22,256,775	
Net change in Fund Balances	\$44,582,489	\$32,950,151		(\$1)	(\$2,840,299)	
Beginning Fund Balance *	\$123,816,823	\$123,816,823		\$126,657,122	\$126,657,122	
Projected Ending Fund Balance	\$168,399,312	\$156,766,974		\$126,657,121	\$123,816,823	

Child Nutrition Fund | Financial Report

For the Period Ending June 30

	Fiscal Year 2024-2025				Fiscal Year 2023-2024		
	Amended Budget as of April 10, 2025	Actual as of June 30, 2025	YTD % of Budget		Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES							
Local sources	8,739,835	8,743,177	100.04%		8,823,232	8,651,223	98.05%
State sources	458,239	491,957	107.36%		458,239	458,239	100.00%
Federal sources	133,280,661	129,682,487	97.30%		141,934,423	127,535,513	89.86%
TOTAL REVENUE	\$142,478,735	\$138,917,620	97.50%		\$151,215,894	\$136,644,975	90.36%
EXPENDITURES FUNCTIONS							
35 Food Services	149,632,418	141,198,030	94.36%		157,523,928	141,335,483	89.72%
41 General Administration	655,308	735,698	112.27%		5,138	4,688	91.24%
51 Plant Maintenance & Operations	2,443,723	4,163,847	170.39%		3,108,531	3,257,338	104.79%
71 Debt Service	0	0			0	272,257	
TOTAL EXPENDITURES	\$152,731,449	\$146,097,576	95.66%		\$160,637,597	\$144,869,766	90.18%
Net change in Fund Balances	(\$10,252,714)	(\$7,179,955)			(\$9,421,703)	(\$8,224,791)	
Beginning Fund Balance *	\$63,885,934	\$63,885,934			\$72,110,725	\$72,110,725	
Projected Ending Fund Balance	\$53,633,220	\$56,705,979			\$62,689,022	\$63,885,934	

General Fund Major Object

For the Period Ending June 30

	Fiscal Year 2024-2025			Fiscal Year 2023-2024		
	Amended Budget as of June 12, 2025	Actual as of June 30, 2025	YTD % of Budget	Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES						
5700 Local sources	\$1,618,582,218	\$1,639,251,703	101.28%	\$1,593,663,242	\$1,584,970,890	99.45%
5800 State sources	262,890,713	\$222,060,615	84.47%	286,263,599	\$319,532,249	111.62%
5900 Federal sources	25,131,818	\$24,312,125	96.74%	62,538,142	\$78,105,613	124.89%
TOTAL REVENUE	\$1,906,604,750	\$1,885,624,443	98.90%	\$1,942,464,983	\$1,982,608,752	102.07%
EXPENDITURES FUNCTIONS						
6100 Personnel Costs	1,642,960,094	1,723,602,807	104.91%	1,663,608,799	1,665,195,405	100.10%
6200 Professional & Contracted Services	325,082,276	245,614,048	75.55%	266,025,101	216,513,922	81.39%
6300 Supplies & Materials	54,134,971	39,085,873	72.20%	65,447,575	49,382,643	75.45%
6400 Other Operating Costs	111,892,098	90,281,411	80.69%	122,056,638	113,449,545	92.95%
6500 Debt Service	4,050,350	4,050,350	100.00%	5,843,350	18,998,183	325.12%
6600 Capital Costs	38,111,902	26,712,458	70.09%	104,273,979	85,674,981	82.16%
TOTAL EXPENDITURES	\$2,176,231,690	\$2,129,346,946	97.85%	\$2,227,255,442	\$2,149,214,679	96.50%
SURPLUS / (DEFICIT)	(\$269,626,940)	(\$243,722,503)		(\$284,790,459)	(\$166,605,927)	
OTHER FINANCING SOURCES / (USES)						
7900 Other Financing Sources	\$38,700,000	\$24,428,408		\$106,805,000	\$103,129,357	
8900 Other Financing Uses	(16,405,274)	(16,215,400)		(16,395,650)	(16,395,650)	
TOTAL OTHER FINANCING SOURCES / (USES)	\$22,294,726	\$8,213,008		\$90,409,350	\$86,733,707	
Net change in Fund Balances	(\$247,332,214)	(\$235,509,495)		(\$194,381,109)	(\$79,872,220)	
Beginning Fund Balance *	\$1,047,196,700	\$1,047,196,700		\$1,127,068,920	\$1,127,068,920	
Projected Ending Fund Balance	\$799,864,486	\$811,687,205		\$932,687,811	\$1,047,196,700	

Debt Service Major Object

For the Period Ending June 30

		Fiscal Year 2024-2025			Fiscal Year 2023-2024		
		Amended Budget as of June 12, 2025	Actual as of June 30, 2025	YTD % of Budget	Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES							
5700	Local sources	\$371,396,035	\$370,247,199	99.69%	\$368,667,130	\$366,211,302	99.33%
5800	State sources	\$17,168,780	\$16,323,934	95.08%	\$18,384,423	\$17,973,535	97.77%
TOTAL REVENUE		\$388,564,815	\$386,571,133	99.49%	\$387,051,553	\$384,184,837	99.26%
EXPENDITURES FUNCTIONS							
6500	Debt Service	377,890,940	387,341,471	102.50%	409,308,329	409,281,911	99.99%
TOTAL EXPENDITURES		\$377,890,940	\$387,341,471	102.50%	\$409,308,329	\$409,281,911	99.99%
SURPLUS / (DEFICIT)		\$10,673,875	(\$770,338)		(\$22,256,776)	(\$25,097,074)	
OTHER FINANCING SOURCES / (USES)							
7900	Other Financing Sources	\$482,824,280	\$482,636,155		\$22,256,775	\$22,256,775	
8900	Other Financing Uses	(\$448,915,666)	(\$448,915,666)	100.00%	\$0		
TOTAL OTHER FINANCING SOURCES / (USES)		\$33,908,614	\$33,720,489		\$22,256,775	\$22,256,775	
Net change in Fund Balances		\$44,582,489	\$32,950,151		(\$1)	(\$2,840,299)	
Beginning Fund Balance *		\$123,816,823	\$123,816,823		\$126,657,122	\$126,657,122	
Projected Ending Fund Balance		\$168,399,312	\$156,766,974		\$126,657,121	\$123,816,823	

Child Nutrition Major Object

For the Period Ending June 30

	Fiscal Year 2024-2025			Fiscal Year 2023-2024		
	Amended Budget as of April 10, 2025	Actual as of June 30, 2025	YTD % of Budget	Final Budget as of June 30, 2024	Actual as of June 30, 2024	YTD % of PY Actual
REVENUES						
5700 Local sources	8,739,835	8,743,177	100.04%	8,823,232	8,651,223	98.05%
5800 State sources	458,239	491,957	107.36%	458,239	458,239	100.00%
5900 Federal sources	133,280,661	129,682,487	97.30%	141,934,423	127,535,513	89.86%
TOTAL REVENUE	\$142,478,735	\$138,917,620	97.50%	\$151,215,894	\$136,644,975	90.36%
EXPENDITURES FUNCTIONS						
6100 Personnel Costs	48,081,965	52,421,565	109.03%	57,825,091	55,572,559	96.10%
6200 Professional & Contracted Services	9,275,747	6,387,463	68.86%	12,412,070	10,009,550	80.64%
6300 Supplies & Materials	82,738,723	76,578,704	92.55%	78,553,646	74,458,764	94.79%
6400 Other Operating Costs	10,145,436	9,890,731	97.49%	8,995,524	1,875,785	20.85%
6500 Debt Service	0	0		0	272,257	
6600 Capital Costs	2,489,579	819,113	32.90%	2,851,267	2,680,851	94.02%
TOTAL EXPENDITURES	\$152,731,449	\$146,097,576	95.66%	\$160,637,597	\$144,869,766	90.18%
Net change in Fund Balances	(\$10,252,714)	(\$7,179,955)		(\$9,421,703)	(\$8,224,791)	
Beginning Fund Balance *	\$63,885,934	\$63,885,934		\$72,110,725	\$72,110,725	
Projected Ending Fund Balance	\$53,633,220	\$56,705,979		\$62,689,022	\$63,885,934	



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

7.

Office of the School Board

Review And Approval Of The Board's Quarterly Self-Evaluation

The School Board is asked to review and approve its self-evaluation for the April-June 2025 quarter. A copy of the Lone Star Governance Quarterly Self-Evaluation is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board reviews and approves the quarterly self-evaluation for April-June 2025, effective August 15, 2025.

Lone Star Governance Progress Tracker

2024-2025

Quarter 4: April-June, 2025

Why Board Self-Evaluation Matters

The Board exists to represent the community's vision and values in its promise to improve student outcomes—the sole reason for a school system's existence. Lone Star Governance is a framework designed to drive the board's ability to function most effectively and deliver on its promise to improve student outcomes.

Self-evaluation is the process of calibration and recalibration that allows the board to align and realign its behaviors with those most effective in creating the context for improving student outcomes. These behaviors are often not intuitive; therefore, it can be easy for board members to fall back to the behaviors that are more intuitive, which, more often than not, are more appropriate in the realm of project management and work that belongs to the Superintendent. The Board assessing itself with the LSG instrument in a consistent fashion (quarterly) assists the board in shifting and maintaining its focus on governance vs. management.

Aligning Saying with Doing

In collaboration with a Lone Star Governance Coach, the board has adopted an implementation timeline to identify the scope and sequence that will be deployed as its members implement the LSG framework. This is what the board says they intend to do. Along the process of implementing the framework, it should be expected that conditions may change, and the work plan must be adapted to align with reality. The quarterly progress tracker is a tool for the board to assess how well its intention of becoming most effective is aligned with the reality of how it is actually governing.

Self-evaluation is a continuous improvement exercise and is not about laying blame and pointing fingers. It serves as a reminder for the board to match its doings with its sayings. A board that says it wants to be student outcomes-focused will need to employ behaviors that create the conditions for systemwide focus on improving student outcomes. As the board continues to improve, the board's growth and accomplishments are cause for celebration. In the times when the board's intentions become misaligned with its reality, it is proper to identify this fact and adapt the plan as necessary.

Previous Results

Q1 Results- Overall Q1 evaluation results are rolled into the annual results

- Time Use- 31.9%
- Vision and Goals 1- 12/15 points
- Vision and Goals 2- 12/15 points
- Vision and Goals 3- 9/10 points
- Vision and Goals 4- 2/5 points
- Progress and Accountability 1- 9/15 points
- Progress and Accountability 2- 4/5 points
- Systems and Processes- 4/15 points

Q2 Results: This self-evaluation was completed in February 2025 for October, November, and December 2024). The board will acknowledge work done on Constraint 3 as the language was refined to provide more clarity.

- Vision and Goals 1- 12/15 points
- Vision and Goals 2- 12/15 points
- Vision and Goals 3- 9/10 points
- Vision and Goals 4- 2/5 points
- Progress and Accountability 1- 12/15 points
 - Quarterly Time-Use- 37.24%
- Progress and Accountability 2- 4/5 points
 - The board engaged in an annual board self-evaluation on November 14, 2024
- Systems and Processes- 4/15 points

Quarter 3 Reporting (January - March 2025): Board adopted a revised monitoring calendar

- Vision and Goals 1- 12/15 points
- Vision and Goals 2- 12/15 points
- Vision and Goals 3- 9/10 points
- Vision and Goals 4- 4/5 point
- Progress and Accountability 1- 12/15 points
 - Quarterly Total Time: 46%
- Progress and Accountability 2- 4/5 points
- Systems and Processes- 1/15 points

Quarter 4 Reporting (April - June 2025)

- Vision and Goals 1- 12/15 points
- Vision and Goals 2- 12/15 points
- Vision and Goals 3- 9/10 points
- Vision and Goals 4- 4/5 points
- Progress and Accountability 1- 15/15 points
 - The increased focus on student outcomes was achieved through collaboration with the superintendent, by consistently prioritizing an alignment to student outcome goals and constraints during budget workshops.
 - April 16, 2025:
 - Time focused on student outcome goals: 0%
 - April 23, 2025:
 - Time focused on student outcome goals: 98%
 - May 1, 2025:
 - Time focused on student outcome goals: 100%
 - May 8, 2025:
 - Time focused on student outcome goals: 63%
 - May 22, 2025:
 - Time focused on student outcome goals: 0%
 - June 12, 2025: %
 - Time focused on student outcome goals: 74%
 - **Quarterly Total Time: 58%**
- Progress and Accountability 2- 4/5 points
- Systems and Processes- 4/15 points

Next Implementation Priorities:

- **Staying at “Masters Focus” in Progress and Accountability 1**
 - Continue focused conversations around student outcome goals and constraints
 - Engage in effective progress monitoring sessions.
- **Move to the “Meets Focus” level in Systems and Processes category.**
 - Conduct a review of the board’s existing local policies and adopt only those policies that directly pertain to board governance and responsibilities.

Next Quarterly Self-Evaluation:

- October 2025
- Evaluating July- September 2025



Houston ISD Board of Managers Implementation Integrity Instrument

The intention of Lone Star Governance is to provide a continuous improvement model for governing teams—boards in collaboration with their superintendents—that choose to intensively focus on one primary objective: improving student outcomes. Lone Star Governance accomplishes this intense focus through tailored execution of the five pillars of the Texas Framework for School Board Development, as adopted by the State Board of Education: Vision and Goals, Progress and Accountability, Systems and Processes, Synergy and Teamwork, and Advocacy and Engagement. In addition to its singular focus on improving student outcomes, Lone Star Governance provides a system for governing the secondary, but vital, legal and fiscal responsibilities of the board.

The Houston ISD Board of Managers Implementation Integrity Instrument is based on the Lone Star Governance Instrument. It has been adapted to meet the exit criteria agreed upon with the Texas Education Agency. This instrument is designed to support the Board of Managers in their governance responsibilities

TEXAS FRAMEWORK: VISION AND GOALS

Vision and Goals 1: The board has adopted student outcome goals

Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	4	Meets Focus	12	Masters Focus	15
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<input type="checkbox"/> The board does not have a vision. <input type="checkbox"/> The board does not have goals . <input type="checkbox"/> The board does not consistently distinguish between inputs, outputs, and outcomes .		The board has <input checked="" type="checkbox"/> adopted a vision statement; <input checked="" type="checkbox"/> owned the vision development process while working collaboratively with the superintendent; <input checked="" type="checkbox"/> adopted three to five goals ; and <input checked="" type="checkbox"/> owned the goal development process while working collaboratively with the superintendent.		All goals are specific, quantifiable, student outcome goals that include <input checked="" type="checkbox"/> a population ; <input checked="" type="checkbox"/> a five-year deadline of a month and year; <input checked="" type="checkbox"/> a baseline of a month and a year ; <input checked="" type="checkbox"/> annual targets ; and <input checked="" type="checkbox"/> annual student group targets .		<input checked="" type="checkbox"/> All board members and the superintendent agree that the student outcome goals 1. will challenge the organization; 2. require adult behavior change; 3. are influenceable by the superintendent; and 4. are the superintendent's first priority for resource allocation. <input checked="" type="checkbox"/> The board relied on a root-cause analysis, comprehensive student needs assessment, or a similar research-based tool to inform the identification and prioritization of all student outcome goals .		All board members and the superintendent <input checked="" type="checkbox"/> have committed the vision and student outcome goals to memory; <input type="checkbox"/> know the current status of each student outcome goal ; and <input type="checkbox"/> agree there is broad community ownership of the board's vision and student outcome goals through involvement and communication with students, staff, and community members.	

TEXAS FRAMEWORK: VISION AND GOALS

Vision and Goals 2: The board has adopted goal progress measures (GPMs) aligned to each student outcome goal

Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	4	Meets Focus	12	Masters Focus	15
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<input type="checkbox"/> The board does not have goal progress measures (GPMs) . <input type="checkbox"/> The board is treating the annual targets for student outcome goals as if they are GPMs.		<input checked="" type="checkbox"/> The board has adopted GPMs for each student outcome goal . <input checked="" type="checkbox"/> The superintendent owned the GPM development process while working collaboratively with the board. <input checked="" type="checkbox"/> The status of each adopted GPM is able to be updated multiple times during each school year.		<input checked="" type="checkbox"/> The board has adopted no more than three GPMs for each student outcome goal . [*] <input checked="" type="checkbox"/> All GPMs are student outputs , not adult inputs or outputs , that include <ol style="list-style-type: none"> 1. a population; 2. a five-year deadline of a month and year; 3. a baseline of a month and a year; 4. annual targets; and 5. annual student group targets. 		All board members and the superintendent agree that the GPMs : <ul style="list-style-type: none"> <input checked="" type="checkbox"/> will challenge the organization; <input type="checkbox"/> require adult behavior change; <input checked="" type="checkbox"/> are influenceable by the superintendent; and <input checked="" type="checkbox"/> are all predictive of their respective student outcome goals. 		All board members and the superintendent agree there is broad community ownership of the GPMs through involvement and communication with students, staff, and community members.	

^{*}Framework flexibility was provided for this indicator in collaboration with Houston ISD to ensure alignment with the district's focus on student outcomes, as determined by the Texas Education Agency.

TEXAS FRAMEWORK: VISION AND GOALS									
Vision and Goals 3: The board has adopted constraints									
Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	3	Meets Focus	9	Masters Focus	10
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
The board does not have constraints .		<ul style="list-style-type: none"> ✓ adopted 1 to 5 superintendent constraints; and ✓ owned the constraint development process while working collaboratively with the superintendent. 		<ul style="list-style-type: none"> ✓ Each superintendent constraint describes a single operational action or class of actions the superintendent may not use or allow. 		<ul style="list-style-type: none"> ✓ The board has adopted one to five board self-constraints. ✓ The board, where appropriate, relied on a root-cause analysis, comprehensive student needs assessment, or similar research-based tool to inform the identification of and prioritization of superintendent constraints. ✓ All board members and the superintendent agree that the constraints will challenge the organization to focus on the vision and uphold community values. 		<ul style="list-style-type: none"> □ The board, in collaboration with the superintendent, has adopted one or more theories of action to drive overall strategic direction. □ All board members and the superintendent agree there is broad community ownership of the constraints through involvement and communication with students, staff, and community members. 	

TEXAS FRAMEWORK: VISION AND GOALS

Vision and Goals 4: The board has adopted superintendent constraint progress measures (CPMs)

Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	2	Meets Focus	4	Masters Focus	5
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<input type="checkbox"/> The board does not have superintendent constraint progress measures (CPMs) .		<input checked="" type="checkbox"/> The board has adopted CPMs for each superintendent constraint . <input checked="" type="checkbox"/> The superintendent owned the CPM development process while working collaboratively with the board. <input checked="" type="checkbox"/> The status of each adopted CPM is able to be updated multiple times during each school year.		<input checked="" type="checkbox"/> The board has adopted no more than three CPMs for each superintendent constraint . <input checked="" type="checkbox"/> All CPMs include: <ol style="list-style-type: none"> 1. a one- to five-year deadline of a month and year; 2. a baseline of a month and a year; and 3. annual targets. 		All board members and the superintendent agree that the superintendent CPMs <input checked="" type="checkbox"/> will challenge the organization to focus on the vision; <input checked="" type="checkbox"/> will challenge the organization to uphold community values; <input checked="" type="checkbox"/> are all predictive of their respective constraint ; and <input checked="" type="checkbox"/> are influenceable by the superintendent.		All board members and the superintendent agree there is broad community ownership of the superintendent CPMs through involvement and communication with students, staff, and community members.	

TEXAS FRAMEWORK: Progress and Accountability

Progress and Accountability 1: The board invests at least half of its time to improving student outcomes

Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	4	Meets Focus	12	Masters Focus	15
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<ul style="list-style-type: none"> <input type="checkbox"/> The board does not have student outcome goals, GPMs, superintendent constraints, superintendent CPMs, or annual targets. <input type="checkbox"/> The board does not track its use of time in board authorized public meetings. <input type="checkbox"/> The board does not have a monitoring calendar. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The superintendent owned the monitoring calendar development, working with the board to adopt a calendar that monitors <ol style="list-style-type: none"> 1. each student outcome goal at least four times per year; 2. no more than two student outcome goals per month; 3. each constraint at least once per year. <input checked="" type="checkbox"/> The calendar spans the length of the student outcome goals. <input checked="" type="checkbox"/> The board tracks its time in public meetings, identifying each minute according to the time use tracker. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 10% or more of the total quarterly minutes in board authorized public meetings were invested in improving student outcomes according to the time use tracker. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 25% or more of the total quarterly minutes in board authorized public meetings were invested in improving student outcomes according to the time use tracker. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> 50% or more of the total quarterly minutes in board authorized public meetings were invested in improving student outcomes according to the time use tracker. 	

TEXAS FRAMEWORK: Progress and Accountability

Progress and Accountability 2: The board evaluates, but does not interfere with, progress toward improving student outcomes

Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	2	Meets Focus	4	Masters Focus	5
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<ul style="list-style-type: none"> <input type="checkbox"/> Any individual board member does not know if the school system is in low performing status and for how long. <input type="checkbox"/> Any individual board member does not know if any campus is in low performing status and for how long. <input type="checkbox"/> Any individual board member agrees that their first loyalty is owed to staff or vendors, rather than the vision, community values, and improving student outcomes. <input type="checkbox"/> The board has not voted to approve a self-evaluation within the past 12 months. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The board has performed a self-evaluation within the previous 12 months using a research aligned instrument; <input checked="" type="checkbox"/> performed a superintendent annual evaluation no more than 15 months ago; <input checked="" type="checkbox"/> been provided copies of the superintendent's implementation plan(s), that include campus goals*, to make progress towards the student outcome goals; and <input checked="" type="checkbox"/> not voted to approve the superintendent's implementation plan unless required by law. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The board performs self-evaluations using the LSG Integrity Instrument; <input checked="" type="checkbox"/> performed a self-evaluation no more than 45 days prior to the most recent superintendent's evaluation; and <input checked="" type="checkbox"/> evaluates the superintendent in part on the results and progress toward the student outcome goals and constraints using information within monitoring reports according to the monitoring calendar. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The board receives, at least annually, a report on the average cost of staff time spent on governance using the staff use tracker. <input checked="" type="checkbox"/> One quarter ago the board <ol style="list-style-type: none"> 1. Performed a self-evaluation using the LSG Integrity Instrument; and <input checked="" type="checkbox"/> voted to approve the quarterly progress tracker. 		<ul style="list-style-type: none"> <input checked="" type="checkbox"/> The board unanimously approved the current quarterly progress tracker; <input checked="" type="checkbox"/> has not modified outcome goals, GPMs, constraints, CPMs, or targets during the cycle applicable to the annual superintendent evaluation; and <input type="checkbox"/> considers superintendent performance as indistinguishable from system performance by evaluating the superintendent on only results and progress toward student outcome goals and constraints using information in monitoring reports according to the monitoring calendar. 	

*Campus goals should be aligned to the district's early childhood literacy and mathematics proficiency goals and CCMR goals required by H.B. 3 (86th Texas Legislature)

TEXAS FRAMEWORK: Systems and Processes

Systems and Processes: The board operates in a way that allows the superintendent to accomplish the vision



Does Not Meet Focus	0	Preparing To Focus	1	Approaches Focus	4	Meets Focus	12	Masters Focus	15
<i>The board does not meet focus if any of the following are true:</i>		<i>The board is preparing to focus if the following is true.</i>		<i>The board approaches focus if all prior conditions and the following are true.</i>		<i>The board meets focus if all prior conditions and the following are true.</i>		<i>The board masters focus if all prior conditions and the following are true.</i>	
<input type="checkbox"/> The board has not received a monitoring report . <input type="checkbox"/> There were six or more board authorized public meetings in a month (unless a state of emergency was declared). <input type="checkbox"/> Any meeting of the board lasted longer than eight hours. <input type="checkbox"/> Board members did not receive the final version of materials to be voted on at least three calendar days in advance of the board authorized public meeting.		The board receives and votes to accept monitoring reports that include <input checked="" type="checkbox"/> the student outcome goal and GPM or constraint and CPM being monitored; <input checked="" type="checkbox"/> the current status of the student outcome goal and GPM or constraint and CPM compared to previous, annual, and deadline targets ; <input checked="" type="checkbox"/> the superintendent's interpretation of performance; and <input checked="" type="checkbox"/> supporting information that describes any needed next steps.		<input checked="" type="checkbox"/> All consent-eligible items were placed on the consent agenda and more than 75% of the items were voted on using a consent agenda. <input checked="" type="checkbox"/> The adopted monitoring calendar has not been modified during the past quarter.		<input type="checkbox"/> Board authorized public meetings in the last quarter did not exceed <input checked="" type="checkbox"/> an average of four meetings per month; <input checked="" type="checkbox"/> an average of three hours per meeting; and <input checked="" type="checkbox"/> an average of five other topics per meeting. <input type="checkbox"/> The board has 1. reviewed its existing local policies; and 2. only adopted local policies pertaining to board work .		<input type="checkbox"/> Board authorized public meetings in the last quarter did not exceed <input checked="" type="checkbox"/> an average of three meetings per month; <input checked="" type="checkbox"/> an average of two hours per meeting; and <input checked="" type="checkbox"/> an average of three other topics per meeting. <input type="checkbox"/> Board members received the final materials to be voted on at least seven calendar days before the public meeting. <input type="checkbox"/> No edits to the board's regularly scheduled meeting agenda in the three days prior to, or during, the meeting (unless a state of emergency was declared).	

QUARTERLY PROGRESS TRACKER

School Board: Houston ISD				Date: August 14 2025		Quarter: 4
Framework	Three Quarters Ago	Two Quarters Ago	One Quarter Ago	Current Quarter	Next Quarter Targets	Total Points Possible
Vision and Goals 1	12	12	12	12	12	15
Vision and Goals 2	12	12	12	12	12	15
Vision and Goals 3	9	9	9	9	9	10
Vision and Goals 4	2	2	4	4	4	5
Progress and Accountability 1	9	12	12	15	15	15
Progress and Accountability 2	4	4	4	4	4	5
Systems and Processes	4	4	1	4	4	15
Total	52	55	54	60	60	80

The Lone Star Governance Instrument has been revised to align with the requirements outlined in the exit criteria agreement between the Houston Independent School District (HISD) and the Texas Education Agency (TEA).

By signing below, I affirm that the Lone Star Governance Integrity Instrument was completed and is accurate			
Board Member Signatures:	% Student Outcome Minutes	Vote Count for	Vote Count Against
	58%		
EVALUATION NOTES The standard of evidence for items where board action is required will be the minutes of the meeting during which the board voted to take the described action. Where an opinion of the board is required, a resolution or vote passed by the board will meet the standard of evidence. Any board completing a self-evaluation using the LSG Integrity Instrument that is supported or reviewed by an LSG Coach may submit the review for the LSG Leaderboard. If the board would like their self-evaluation reviewed by an LSG Coach, please email the completed LSG Integrity Instrument to LSG@tea.texas.gov .			

TIME USE TRACKER			Houston ISD - Regular Board Meeting		QTR:	4	Date:	04/16/25					
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings				Other Topic Minutes						
Vision and Goals			← Minutes setting student outcome goals										
			← Minutes setting constraints or theories of action										
Progress and Accountability			← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar										
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar										
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs										
			← Minutes performing board self-evaluations using the LSG Integrity Instrument										
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →						8						
Advocacy and Engagement			← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals										
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals										
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law												
Other	Any time spent on an activity that does not meet the conditions listed above →						43						
TOTALS	0	0	 51 				51						
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation: <table border="1" style="display: inline-table; margin: 0 10px;"> <tr> <td>0</td> <td>÷</td> <td>51</td> <td>× 100 =</td> <td>0.00%</td> <td>% Student Outcome and Adult Behavior Minutes</td> </tr> </table>								0	÷	51	× 100 =	0.00%	% Student Outcome and Adult Behavior Minutes
0	÷	51	× 100 =	0.00%	% Student Outcome and Adult Behavior Minutes								
Use For Student Outcome Minutes Percentage Calculation: <table border="1" style="display: inline-table; margin: 0 10px;"> <tr> <td>0</td> <td>÷</td> <td>51</td> <td>× 100 =</td> <td>0.00%</td> <td>% Student Outcome Minutes</td> </tr> </table>								0	÷	51	× 100 =	0.00%	% Student Outcome Minutes
0	÷	51	× 100 =	0.00%	% Student Outcome Minutes								

Trustees Present	Trustees Absent	% Attendance
8	1	88.89%

Count of 'Other' Agenda Items
0

Goals Discussed	Goals on Target	% on Target
0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda
11	0	100.00%

GPMs Discussed	GPMs on Target	% on Target
0		0.00%

TIME USE TRACKER		Houston ISD - Budget Workshop		QTR:	4	Date:	04/23/25
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings				Other Topic Minutes
Vision and Goals	44		← Minutes setting student outcome goals				
			← Minutes setting constraints or theories of action				
Progress and Accountability			← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs				
			← Minutes performing board self-evaluations using the LSG Integrity Instrument				
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →						
Advocacy and Engagement			← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals				
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals				
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law						
Other	Any time spent on an activity that does not meet the conditions listed above →						1
TOTALS	44	0	45				1
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation:							
<div><div>44</div><div>÷</div><div>45</div><div>× 100 =</div><div>97.78%</div><div>% Student Outcome and Adult Behavior Minutes</div></div>							
Use For Student Outcome Minutes Percentage Calculation:							
<div><div>44</div><div>÷</div><div>45</div><div>× 100 =</div><div>97.78%</div><div>% Student Outcome Minutes</div></div>							

Trustees Present	Trustees Absent	% Attendance
8	1	88.89%

Count of 'Other' Agenda Items
0

Goals Discussed	Goals on Target	% on Target
0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda
0	0	0.00%

GPMs Discussed	GPMs on Target	% on Target
0		0.00%

TIME USE TRACKER		Houston ISD - Budget Workshop		QTR:	4	Date:	05/01/25
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings				Other Topic Minutes
Vision and Goals	62		← Minutes setting student outcome goals				
			← Minutes setting constraints or theories of action				
Progress and Accountability			← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs				
			← Minutes performing board self-evaluations using the LSG Integrity Instrument				
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →						
Advocacy and Engagement			← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals				
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals				
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law						
Other	Any time spent on an activity that does not meet the conditions listed above →						0
TOTALS	62	0	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 2em; margin-right: 10px;">→</div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 2em; margin-right: 10px;">←</div> <div style="border: 1px solid black; padding: 5px;">0</div> </div>				0
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation: <div style="display: flex; align-items: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 1.5em; margin-right: 10px;">÷</div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 1.5em; margin-right: 10px;">×</div> <div style="font-size: 1.5em; margin-right: 10px;">100 =</div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px; color: red;">100.00%</div> <div>% Student Outcome and Adult Behavior Minutes</div> </div>							
Use For Student Outcome Minutes Percentage Calculation: <div style="display: flex; align-items: center; margin-top: 10px;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 1.5em; margin-right: 10px;">÷</div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">62</div> <div style="font-size: 1.5em; margin-right: 10px;">×</div> <div style="font-size: 1.5em; margin-right: 10px;">100 =</div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px; color: red;">100.00%</div> <div>% Student Outcome Minutes</div> </div>							

Trustees Present	Trustees Absent	% Attendance
8	1	88.89%

Count of 'Other' Agenda Items
0

Goals Discussed	Goals on Target	% on Target
0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda
0	0	0.00%

GPMs Discussed	GPMs on Target	% on Target
0		0.00%

TIME USE TRACKER		Houston ISD - Regular Board Meeting		QTR:	4	Date:	05/08/25
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings				Other Topic Minutes
Vision and Goals	21		← Minutes setting student outcome goals				
			← Minutes setting constraints or theories of action				
Progress and Accountability	63		← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs				
			← Minutes performing board self-evaluations using the LSG Integrity Instrument				
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →						10
Advocacy and Engagement			← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals				
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals				
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law						
Other	Any time spent on an activity that does not meet the conditions listed above →						39
TOTALS	84	0	133				49
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation:							
<div><div>84</div><div>÷</div><div>133</div><div>×</div><div>100</div><div>=</div><div>63.16%</div><div>% Student Outcome and Adult Behavior Minutes</div></div>							
Use For Student Outcome Minutes Percentage Calculation:							
<div><div>84</div><div>÷</div><div>133</div><div>×</div><div>100</div><div>=</div><div>63.16%</div><div>% Student Outcome Minutes</div></div>							



Trustees Present	Trustees Absent	% Attendance
9	0	100.00%

Count of 'Other' Agenda Items
2

Goals Discussed	Goals on Target	% on Target
0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda
19	2	89.47%

GPMs Discussed	GPMs on Target	% on Target
5	5	100.00%

TIME USE TRACKER			Houston ISD - Budget Workshop		QTR: 4		Date: 05/22/25								
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings					Other Topic Minutes							
Vision and Goals			← Minutes setting student outcome goals												
			← Minutes setting constraints or theories of action												
Progress and Accountability			← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar												
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar												
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs												
			← Minutes performing board self-evaluations using the LSG Integrity Instrument												
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →														
Advocacy and Engagement			← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals												
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals												
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law														
Other	Any time spent on an activity that does not meet the conditions listed above →							51							
TOTALS	0	0	 51 					51							
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation: <table border="1" style="display: inline-table; margin: 0 10px;"> <tr> <td>0</td> <td>÷</td> <td>51</td> <td>×</td> <td>100 =</td> <td>0.00%</td> <td>% Student Outcome and Adult Behavior Minutes</td> </tr> </table>									0	÷	51	×	100 =	0.00%	% Student Outcome and Adult Behavior Minutes
0	÷	51	×	100 =	0.00%	% Student Outcome and Adult Behavior Minutes									
Use For Student Outcome Minutes Percentage Calculation: <table border="1" style="display: inline-table; margin: 0 10px;"> <tr> <td>0</td> <td>÷</td> <td>51</td> <td>×</td> <td>100 =</td> <td>0.00%</td> <td>% Student Outcome Minutes</td> </tr> </table>									0	÷	51	×	100 =	0.00%	% Student Outcome Minutes
0	÷	51	×	100 =	0.00%	% Student Outcome Minutes									

Trustees Present	Trustees Absent	% Attendance	Count of 'Other' Agenda Items	Goals Discussed	Goals on Target	% on Target
9	0	100.00%	0	0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda	GPMs Discussed	GPMs on Target	% on Target
0	0	0.00%	0		0.00%

TIME USE TRACKER		Houston ISD - Regular Board Meeting		QTR:	4	Date:	06/12/25
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings				Other Topic Minutes
Vision and Goals	18		← Minutes setting student outcome goals				
			← Minutes setting constraints or theories of action				
Progress and Accountability	9		← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar				
		2	← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar				
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs				
			← Minutes performing board self-evaluations using the LSG Integrity Instrument				
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →						1
Advocacy and Engagement	14		← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals				
			← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals				
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law						
Other	Any time spent on an activity that does not meet the conditions listed above →						14
TOTALS	41	2	58				15
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation: <div>43 ÷ 58 × 100 = 74.14%</div> % Student Outcome and Adult Behavior Minutes							
Use For Student Outcome Minutes Percentage Calculation: <div>41 ÷ 58 × 100 = 70.69%</div> % Student Outcome Minutes							

Trustees Present	Trustees Absent	% Attendance
8	1	88.89%

Count of 'Other' Agenda Items
0

Goals Discussed	Goals on Target	% on Target
0		0.00%

Consent Items	Consent Items Removed	% Remaining on Consent Agenda
39	1	97.44%

GPMs Discussed	GPMs on Target	% on Target
2	2	100.00%

TIME USE TRACKER			Houston ISD All Meetings from April-June 2025		QTR:	4	Date:	06/30/25
Framework Pillars	Student Outcome Minutes	Adult Behavior Minutes	The board tracks its time spent during public authorized meetings					Other Topic Minutes
Vision and Goals	145		← Minutes setting student outcome goals					
			← Minutes setting constraints or theories of action					
Progress and Accountability	72	2	← Minutes receiving, discussing, and voting on Student Outcome Goal Monitoring Reports according to the board adopted Monitoring Calendar					
			← Minutes receiving, discussing, and voting on Constraint Monitoring Reports according to the board adopted Monitoring Calendar					
			← Minutes evaluating the superintendent on student outcome goals, GPMs, constraints, and CPMs					
			← Minutes performing board self-evaluations using the LSG Integrity Instrument					
Systems and Processes	Minutes discussing, debating, and voting on other agenda items (including consent agenda items) →							19
Advocacy and Engagement	14		← Minutes hosting two-way communication meetings on student outcome goals, constraints, theories of action and/or progress toward student outcome goals ← Minutes recognizing the accomplishments of students and staff regarding progress on student outcome goals					
Synergy and Teamwork	Minutes fulfilling statutorily required public hearings, forums, and comments Minutes fulfilling statutorily required or Lone Star Governance workshops Minutes in closed session as permitted by law							
Other	Any time spent on an activity that does not meet the conditions listed above →							148
TOTALS	231	2	400					167
Use For Student Outcome and Adult Behavior Minutes Percentage Calculation: 233 ÷ 400 × 100 = 58.25% % Student Outcome and Adult Behavior Minutes								
Use For Student Outcome Minutes Percentage Calculation: 231 ÷ 400 × 100 = 57.75% % Student Outcome Minutes								

Trustees Present	Trustees Absent	% Attendance	Count of 'Other' Agenda Items	Goals Discussed	Goals on Target	% on Target
		0.00%				0.00%
Consent Items	Consent Items Removed	% Remaining on Consent Agenda		GPMs Discussed	GPMs on Target	% on Target
		0.00%				0.00%



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

8.

Office of the School Board

Appointment Of A Houston Independent School District Representative To The Tax Increment Reinvestment Zone 18 Board Of Directors

The Houston Independent School District (HISD) participates in 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.

The current HISD appointee to TIRZ 18, Ronda Prince, has submitted her resignation, and this agenda item is to authorize appointment of the following representative to complete the term of service:

- Robert Thomas - TIRZ 18 (Fifth Ward): This appointment is to complete the two-year term of service that began July 21, 2024, and ends July 20, 2026.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the appointment of Robert Thomas to the TIRZ 18 board of directors, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

9.

Office of the School Board

Approval Of A Director Appointment To The Houston Independent School District Public Facility Corporation Board Of Directors

The Houston Independent School District (HISD) Public Facility Corporation (PFC) was created in 1997 to assist the school district in the financing of public-school facilities.

The corporation has a board of directors with rotating terms of office. It is recommended that Edgar Colón be appointed to Position 2. The position term expires March 2026.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the appointment of Edgar Colón to Position 2 of the HISD PFC Board of Directors to complete the term expiring in March 2026, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

10.

Office of the School Board

Approval Of A Delegate And Alternate For The 2025 Texas Association Of School Boards Delegate Assembly

The Houston Independent School District (HISD) School Board is entitled to name a voting delegate and an alternate for the Texas Association of School Boards Delegate Assembly. The 2025 assembly will be held during txEDCON25 in Houston, Texas, on September 13, 2025.

The board is asked to approve naming Lauren Gore as the delegate and Paula Mendoza as the alternate.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves naming Lauren Gore as the delegate and Paula Mendoza as the alternate for the 2025 Texas Association of School Boards Delegate Assembly, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

11.

Office of the School Board

Resolution Ordering November 4, 2025, General Election For Houston Independent School District Single-Member Districts I, V, VI, VII, and IX, And Authority To Negotiate And Execute An Agreement With Harris County To Conduct Joint Elections

The School Board is required to order a general election to be held in single-member districts I, V, VI, VII, and IX of the Houston Independent School District (HISD) on November 4, 2025, for the purpose of electing a trustee from each of the following geographic districts.

- Geographic District I, currently held by Elizabeth Santos; term expires December 31, 2025
- Geographic District V, currently held by Sue Deigaard; term expires December 31, 2025
- Geographic District VI, currently held by Kendall Baker; term expires December 31, 2025
- Geographic District VII, currently held by Bridget Wade; term expires December 31, 2025
- Geographic District IX, currently held by Myrna Guidry; term expires December 31, 2025

In accordance with the Texas Election Code, Section 3.005, the resolution ordering the election of Board of Education trustees must be made at least 78 days prior to the trustee election.

This agenda item also seeks authorization for the superintendent of schools or a designee to negotiate and execute an agreement with Harris County to conduct joint elections for the above referenced HISD geographic trustee districts.

A proposed election order for the general election is attached to this agenda item.

COST/FUNDING SOURCE(S): The total cost for this program is not expected to exceed \$XXX,XXX and will be funded by districtwide funds.

Fund Source	Fund	Cost Center	Functional Area	General Ledger	Internal Order/ Work Breakdown Structure	Amount
General Funds	1999000001	1090800003	41990000000000	6439000000	N/A	\$XXX,XXX

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the resolution ordering a November 4, 2025, general election for HISD Board of Education single-member districts I, V, VI, VII, and IX, and authorizes the superintendent of schools or a designee to negotiate and execute an agreement with Harris County to conduct joint elections for these districts, effective August 15, 2025.

notice of the date, hour, and place of the drawing(s) on the bulletin board used for the notices of meetings of the School Board of the District. The notice shall remain posted continuously for seventy-two (72) hours immediately preceding the scheduled time of the drawing. The District shall also mail notice of the date, hour, and place of the drawing to each candidate, at the address stated on the candidate's application for a place on the ballot, not later than the fourth (4th) day before the day of the drawing. Each candidate involved in the drawing, or a representative designated by him or her, shall have a right to be present at the drawing and to draw for a position on the ballot.

8. The official ballots for the election shall be prepared in accordance with the Texas Election Code and Article 2774b. All candidates shall be designated on the official ballot according to the number of the geographic district in which the candidate resides. The official ballot shall have printed on it the following:

Official Ballot for the Purpose of Electing Trustees

Houston Independent School District

9. The polling places for this election shall be open for voting from 7:00 a.m. to 7:00 p.m. on November 4, 2025.

10. The following regular county polling places in Harris County election precincts that contain territory lying within Geographic Districts I, V, VI, VII, and IX or parts thereof are hereby designated as polling places for the election:

[INSERT POLLING LOCATIONS WHEN AVAILABLE]

11. NRG Arena, Hall D, 1 NRG Parkway, Houston, Texas 77054 is designated as the main early voting place, and Teneshia Hudspeth, Harris County Clerk (telephone number: 713-755-6965), is hereby appointed clerk for early voting in the election. Applications for ballots by mail should be directed in writing to Early Voting Clerk, P.O. Box 1148, Houston, Texas 77251-1148 by regular mail; to Teneshia Hudspeth, Harris County Clerk, 1001 Preston Street, Fourth Floor, Houston, Texas 77002 by common or contract carrier; by telephonic facsimile machine at 713-755-4983; or by electronic transmission of a scanned application containing an original signature to the following email address: vbm@HarrisVotes.com. Registered voters may obtain an application to vote by mail by downloading it from HarrisVotes.com/Voter/Vote-By-Mail; calling 713-755-6965; or sending an email to vbm@HarrisVotes.com. An application must be received by the Clerk for Early Voting by October 24, 2025. Additionally, if an application for ballot by mail (ABBM) is faxed or emailed, or if a federal postcard application (FPCA) is faxed, then the applicant must submit the original application to the Early Voting Clerk by mail so that the Clerk receives the original not later than the fourth (4th) business day after receiving the emailed or faxed ABBM or faxed FPCA. If the Early Voting Clerk does not receive the original ABBM or FPCA by this deadline, then the emailed or faxed ABBM or faxed FPCA is incomplete, and the Clerk cannot send the applicant a ballot. Early voting by personal appearance will be held Monday, October 20, 2025, through Friday, October 31, 2025. Dates and times for early voting by personal appearance shall be as follows: October 20 – October 25, 2025 7 a.m. – 7 p.m.; October

26, 2025 12 p.m. – 7 p.m.; October 27 – 31, 2025 7 a.m. – 7 p.m. Early voting will be conducted at the following established Harris County early voting locations:

[INSERT EARLY VOTING LOCATIONS WHEN AVAILABLE]

12. All voting at the election shall be by the method provided by the Commissioners' Court of Harris County, Texas, for use in elections held in Harris County, Texas, under the conditions provided for by contract between Harris County and the Houston Independent School District.

13. The candidate receiving the majority of the votes cast for the position shall be deemed to be elected and be entitled to serve as trustee.

14. The results of the election shall be canvassed by the Board not earlier than November 7, 2025, or later than November 15, 2025, at a meeting called by the Board in accordance with the requirements of the Texas Open Meetings Act. In the event that no person is elected by majority vote, the Board shall order a special run-off election to be held on a date specified by law and shall cause the names of the two (2) candidates receiving the highest number of votes in the election to be placed on the ballot as candidates for the run-off election. The special run-off election shall be held and conducted in the manner prescribed by law for regular elections. In setting the date for the special run-off election, the Board may take into consideration any other election to be held at or around the date of the special election.

15. The candidates elected to office in Geographic Districts I, V, VI, VII, and IX shall assume office on January 1, 2026, continuing until December 31, 2029.

16. All election materials including the notice of election, ballots, instruction cards, affidavits, and other forms which the voter may be requested to sign, and all early voting materials, shall be printed in English, Spanish, Chinese, and Vietnamese, or Spanish, Chinese and Vietnamese translations thereof shall be made available in the circumstances permitted and the manner required by law.

17. Pursuant to Section 63.0013 of the Texas Election Code, an election officer may give voting order priority to individuals with a mobility problem that substantially impairs the person's ability to move around. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. Disabilities and conditions that may qualify for voting order priority include paralysis, lung disease, the use of portable oxygen, cardiac deficiency, severe limitation in the ability to walk due to arthritic, neurological, or orthopedic condition, wheelchair confinement, arthritis, foot disorder, the inability to walk 200 feet without stopping to rest, or use of a brace, cane, crutch, or other assistive device.

18. A substantial copy of this order shall serve as proper notice of the election. The notice, including a Spanish, Chinese and Vietnamese translation, shall be published at least one time not more than thirty (30) days or less than ten (10) days before the day of the election in a newspaper of general circulation in the District and posted not later than the 21st day before the election and remain posted continuously through election day on the bulletin board used for notices of meetings of the School Board, and also on the District's website. The District shall deliver notice of this election to the Harris County Clerk not later than the 60th day before the election.

19. To the extent not contained within the District's official election notice, the District shall also post on its website not later than October 14, 2025, the following information: (1) the election date; (2) the location of each polling place; (3) the name of each candidate for an elected office on the ballot; and (4) to the extent applicable, each measure on the ballot.

20. Additionally, the District shall post the following information on its website as soon as practicable after the election: (1) the results of the election; (2) total number of votes cast; (3) total number of votes cast for each candidate or for or against each measure; (4) total number of votes cast by personal appearance on election day; (5) total number of votes cast by personal appearance or mail during the early voting period; and (6) total number of counted and uncounted provisional ballots cast.

21. This Order shall take effect immediately upon its approval.

PASSED AND APPROVED, this fourteenth day of August, 2025.

Paula Mendoza, Secretary
School Board
Houston Independent School District

Ric Campo, President
School Board
Houston Independent School District

(District Seal)



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

12.

Office of the School Board

Approval Of A Member Appointment To The Houston Independent School District Board Audit Committee

Board Policy BDB(LOCAL), *Board Internal Organization: Board Committees*, states that the Audit Committee shall be composed of three board members. Pursuant to this policy, the Houston Independent School District (HISD) School Board is asked to approve the appointment of Paula Mendoza to the Audit Committee to replace former member Adam Rivon.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the appointment of Paula Mendoza to the board's Audit Committee, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

13.

Office of the School Board

Approval Of Appointment To The Council Of The Great City Schools

The Houston Independent School District (HISD) School Board is asked to approve the appointment of Michelle Cruz Arnold as the HISD representative for the Council of the Great City Schools (CGCS).

The CGCS is a coalition of 81 large city school districts which serve 7.84 million students according to the CGCS website. The CGCS advocates for urban students; informs legislators, news media, and the public about issues regarding large city schools; operates programs to improve student performance and school management; and coordinates with other organizations to accomplish its mission.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the appointment of Michelle Cruz Arnold as the HISD representative for the CGCS, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

14.

Office of the School Board

Approval Of Appointment To The School Safety And Security Committee

The Houston Independent School District (HISD) School Board is asked to approve the appointment of Marcos Rosales as the second board member to serve on the district's state-mandated School Safety and Security Committee. (See Texas Education Code 37.109.)

The HISD School Safety and Security Committee, by law, includes two board members, one of which must be the board president.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the appointment of Marcos Rosales to the HISD School Safety and Security Committee, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

15.

Office of the Superintendent of Schools

Office of Academics

Authority To Negotiate, Execute, and Amend An Interlocal Partnership Agreement With The Harris County Department Of Education For The BridgeYear Career Test Drive Fair

The purpose of this request is to obtain authorization for the superintendent of schools or designee to negotiate, execute, and amend an interlocal partnership agreement with the Harris County Department of Education (HCDE). This agreement will provide support in the amount of \$10,000 to fund the BridgeYear Career Test Drive Fair. The Career Test Drive Fair is an in-school, hands-on career exploration experience. BridgeYear brings six career simulations to a middle school or high school campus, showcasing high-growth, in-demand careers that pay a living wage or higher and do not require a four-year degree. These careers span industries such as healthcare, manufacturing, construction, and technology. The interlocal agreement will expire on August 31, 2026.

COST/FUNDING SOURCE(S): The total cost for the initiative is not to exceed \$10,000 and will be funded by HCDE through August 31, 2026.

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board authorizes the superintendent of schools or designee to negotiate, execute, and amend an interlocal agreement with the HCDE to provide the BridgeYear Career Test Drive Fair in the Houston Independent School District, effective August 15, 2025.



8/14/2025

16.

Office of the Superintendent of Schools

Office of Academics

Authority To Renew Partnerships With AVANCE-Houston, Inc.; Gulf Coast Community Services Association; Harris County Department Of Education; And BakerRipley, For Head Start Prekindergarten Collaborative Programs

The purpose of this agenda item is to seek approval from the Houston Independent School District (HISD) School Board to negotiate, execute, and amend agreement renewals with specific external agencies to create effective prekindergarten (pre-K) collaboratives. HISD collaborates with four federally funded Head Start agencies that serve regional sectors of Harris County within HISD boundaries. Collectively, all four agencies will partner with 23 HISD schools. Within the schools, the HISD and Head Start teachers collaborate and deliver instruction to dually enrolled students in 96 pre-K classrooms.

During the 2025-2026 school year, the HISD/AVANCE-Houston, Inc., Head Start pre-K collaborative will continue at Janowski Elementary School (ES). The HISD/Harris County Department of Education (HCDE) Head Start pre-K collaborative will continue at Dogan ES and Fonwood Early Childhood Center (ECC). The HISD/Gulf Coast Community Services Association (GCCSA) Head Start pre-K collaborative will continue at Bastian ES, Codwell ES, DeAnda ES, Kelso ES, Lockhart ES, Patterson ES, Reynolds ES, Rucker ES, Thompson ES, and Woodson PK-5 Leadership Academy. The HISD/BakerRipley Head Start pre-K collaborative will continue at Anderson ES, Benavidez ES, Bonham ES, Braeburn ES, Halpin ECC, King ECC, Mistral ECC, Neff ECC, Rodriguez ES, and Shearn ES.

The Head Start agencies will offer comprehensive services to eligible children at the designated schools. These services include medical, dental, nutritional, and psychological services for students and classes for parents. Preschoolers with disabilities will be enrolled according to HISD guidelines for special education and prekindergarten. The class sizes, program options, and hours of operation at each site will depend upon the mutually agreed-upon needs of the community, each individual campus, and the Head Start program. This determination will be made after the student-certification process is completed at each site. As space becomes available in schools or in standalone Head Start sites, additional classrooms, Head Start staff members, and HISD teachers may be added as agreed upon by all parties involved.

One HISD teacher and at least one Head Start staff member will serve each HISD/Head Start collaborative class. The HISD teachers at non-New Education System (NES) campuses will work 7.75 hours each day, with a 30-minute duty-free lunch and a 45-minute planning period. The HISD teachers at NES campuses will work 8 hours each day, with a 30-minute duty-free lunch, and a 60-minute planning period. The HISD teachers will be funded through state revenues generated by the

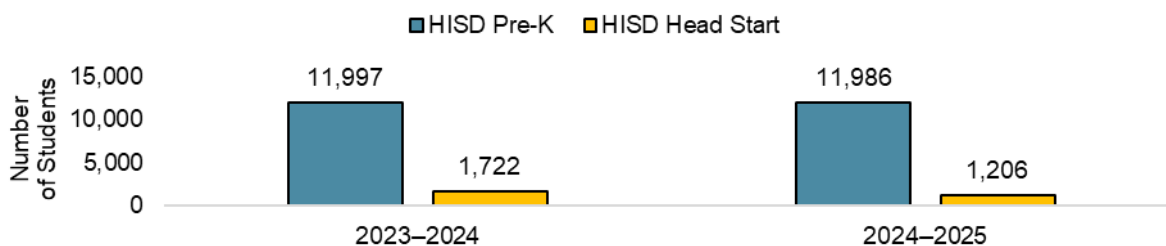
average daily attendance of eligible students.

The Head Start agencies will furnish the classrooms in the collaboratives with appropriate furniture, materials, supplies, and playground equipment, if needed. The Head Start agencies provide teachers/teacher aides, materials, copying services, and supplies as well as cover indirect costs with in-kind funds.

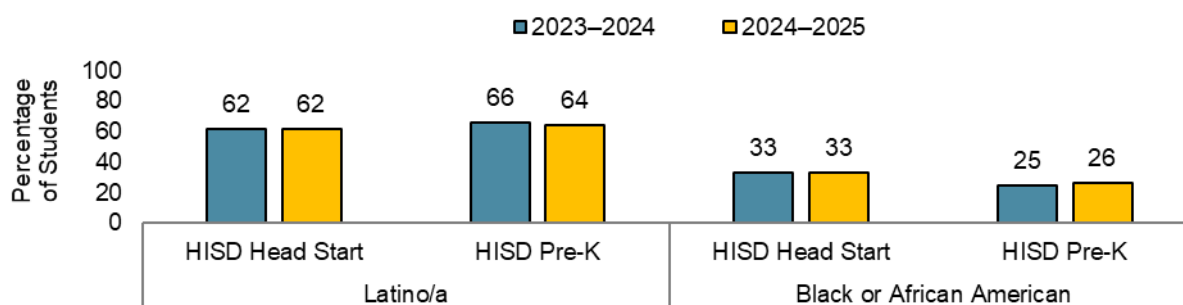
These collaboratives, while adhering to Head Start performance standards, will provide an appropriate program supported by and correlated to the HISD pre-K district curriculum, standards in *Developmentally Appropriate Practice in Early Childhood Programs, Fourth Edition* (National Association for the Education of Young Children, 2022), and the Texas Education Agency's pre-K guidelines.

Preliminary Findings

In the 2023-2024 school year, 11,997 students were identified as HISD pre-K students across 162 schools, with 1,722 of them participating in HISD Head Start programs at 24 schools. In the 2024-2025 school year, the number of students identified as participants in HISD pre-K programs decreased by 11 students to 11,986 students, at 167 schools. Students identified as HISD Head Start participants decreased by 516 students from 1,722 to 1,206 students attending programs at 19 schools.



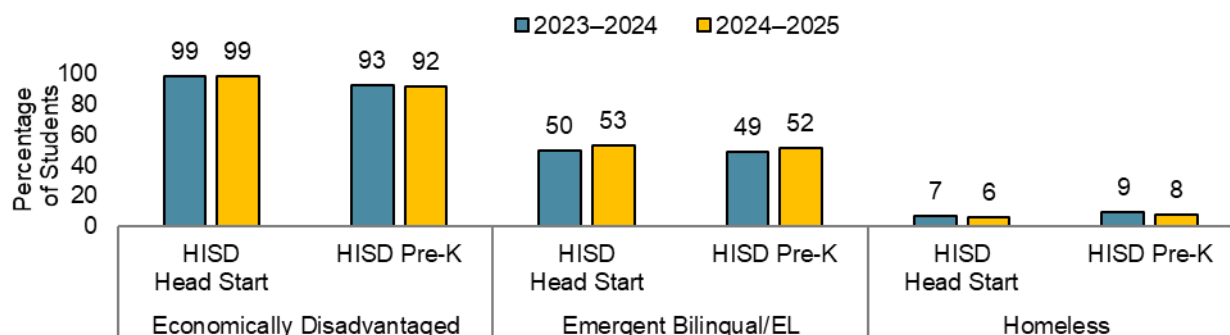
In 2023-2024 and 2024-2025, most HISD pre-K students were Latino/a or African American/Black students. Each year, there was a higher percentage of HISD pre-K Latino/a students, overall, (66 percent and 64 percent, respectively) than those who attended HISD Head Start programs (62 percent each year). In contrast, in both years, a higher percentage of African American/Black students attended HISD Head Start programs (33 percent each year) than the percentages of African American/Black students in HISD pre-K overall (25 percent and 26 percent, respectively).



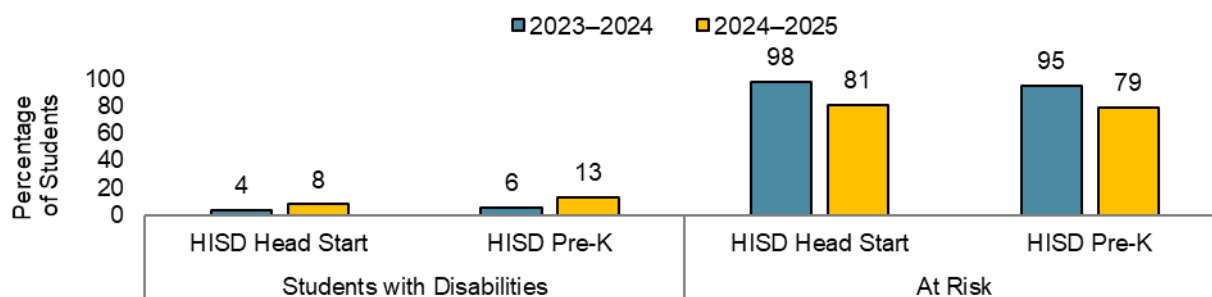
In 2023-2024 and 2024-2025, a larger proportion of Head Start pre-K students were identified as economically disadvantaged (99 percent each year) than the proportion of HISD pre-K students, overall (93 percent and 92 percent, respectively).

In 2023-2024 and 2024-2025, a larger proportion of Head Start pre-K students were identified as emergent bilingual/English learners (50 percent and 53 percent, respectively) than the proportion of HISD pre-K students, overall (49 percent and 52 percent, respectively).

In 2023-2024 and 2024-2025, a larger proportion of HISD pre-K students, overall, were identified as homeless (9 percent and 8 percent, respectively) than the proportion of Head Start pre-K (7 percent and 6 percent, respectively).



In 2023-2024 and 2024-2025, the proportions of students with disabilities receiving special services were larger among HISD pre-K students, overall (6 percent and 13 percent, respectively), than their proportion among Head Start pre-K students (4 percent and 8 percent, respectively). In contrast, each year, the proportions of at-risk students were larger among Head Start pre-K students, overall (98 percent and 81 percent, respectively), than their proportion among HISD pre-K students, overall (95 percent and 79 percent, respectively).



A list of the Head Start collaboratives is attached.

COST/FUNDING SOURCE(S):

The total cost of this program is not expected to exceed \$22,597,483.84, of which HISD will pay \$6,573,000 for salaries for HISD teachers.

Fund Source	Fund	Cost Center	Functional Area	General Ledger	Internal Order/ Work Breakdown Structure	Amount
General Fund	1991010001	1012XXX000	PS1110000000000	6119000000	N/A	\$6,573,000
In-kind contributions						\$16,024,483.84

The balance of \$1,024,483.84 will be covered by in-kind contributions from the four Head Start agencies:

- \$413,934-AVANCE-Houston, Inc.
- \$4,517,336.84-GCCSA
- \$1,237,469-HCDE
- \$9,855,744-Baker Ripley

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board authorizes the superintendent of schools or a designee to negotiate, execute, and amend agreement renewals for HISD/Head Start Prekindergarten Collaborative Programs with AVANCE-Houston, Inc.; GCCSA; HCDE; and BakerRipley, effective August 15, 2025.



8/14/2025

17.

Office of the Superintendent of Schools

Office of the Chief of Schools

Approval Of Revisions To And Ratification Of The 2025-2026 *Student Code Of Conduct*

This agenda item seeks board approval of revisions to the 2025-2026 *Student Code of Conduct* (SCOC), which was previously approved on June 12, 2025, and ratification that the SCOC is effective for the 2025-2026 school year. The revisions are in response to changes in state law.

According to the Texas Education Code (TEC) Chapter 37, each school district is required to adopt a student code of conduct prior to the first day of school. The Houston Independent School District (HISD) SCOC establishes districtwide standards for student behavior and outlines the procedures, protocols, supports, and interventions for student misconduct. This serves as a foundational document to guide school-based discipline systems and ensure consistency across campuses.

Students and families have access to the SCOC through the HISD website. Additionally, printed copies are available upon request. This document is published annually in both English and Spanish, informing families of their student's rights, responsibilities, behavioral expectations, and available appeal processes.

The SCOC is developed in alignment with:

- TEC Chapter 37
- Guidance from the Texas Association of School Boards (TASB)
- Federal and state laws
- Educational best practices in student discipline
- Feedback from HISD staff, students, families, and legal counsel

Key Revisions for 2025-2026

1. Personal Communication Devices

In accordance with House Bill (HB) 1481, the policy on student use of personal electronic devices has been revised to promote an academically focused and distraction-free learning environment.

Revised Language:

Possession of Telecommunications or other Electronic Devices

To ensure a safe, respectful, and academically focused school environment, the use of cell phones

and similar electronic devices (cell phones, tablets, smartwatches, or any other electronic device capable of digital communication) is strictly prohibited during the school day on all HISD campuses.

Students may not:

- Use cell phones for any reason (calls, texts, photos, social media, internet access, etc.)
- Display or visibly carry phones
- Use smartwatches or other wearable communication devices
- Have phones visible or audible at any time from arrival to dismissal, including during lunch and passing periods

Our expectations are that:

- Students must leave their phones at home or store them, powered off, in their backpacks upon arrival.
- Phones must remain out of sight and unused throughout the school day, including transitions and lunch.
- Phones may not be carried in clothing or displayed visibly at any time.

If a phone is seen, heard, or used during the school day:

1. The device will be confiscated by staff.
2. The student's name will be clearly labeled on the device.
3. The phone will be delivered to and stored in the main office.

Consequences:

- 1st Offense: Parents/guardians may retrieve the personal communication device from the main office after school hours and will review Texas state law and HISD's personal communication device policy with campus administration or designee.
- 2nd Offense: Parents/guardians may retrieve the device from the office after one full school day and will review Texas state law and HISD's personal communication device policy with campus administration or designee.
- 3rd Offense: Parents/guardians may retrieve the device from the main office after two full school days and will review Texas state law and HISD's personal communication device policy with campus administration or designee.

Further offenses shall result in elevated formal disciplinary action following HISD's SCOC. This prohibition does not apply to the use of the devices:

- 1) that is necessary to implement an Individualized Education Plan (IEP), a plan created under Section 504, or a similar program or plan.
- 2) that is necessary to comply with a health or safety requirement imposed by law or as part of the district's or school's safety protocols.

Revised Language:

Level III Offenses: Failure to comply with the personal communication device designated storage method/Using a communication device on school property during the school day.

2. Safety Transgressions - Door Security

A new provision has been added to address the safety risks associated with propped doors on campuses. Students who knowingly prop or tamper with secured exterior doors may be subject to disciplinary action under safety violation provisions.

Revised Language:

Safety Transgressions

Students shall not: Prop open any secure school door(s) or bypass weapon detection systems, including but not limited to exterior doors, emergency exits, and temporary building doors.

Revised Language:

Level IV Serious Offenses: Breaching or bypassing school security measures (opening or propping secured doors)

A copy of the 2025-2026 SCOC is attached.

COST/FUNDING SOURCE(S): None

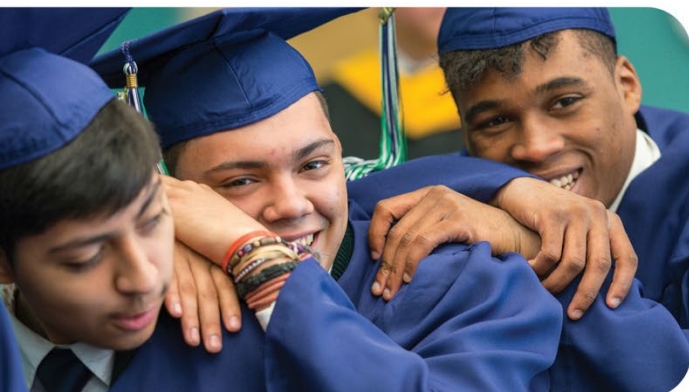
STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves and ratifies the revisions to the SCOC for the school year 2025-2026, effective August 1, 2025.

2025-2026

STUDENT CODE OF CONDUCT



Proposed Adoption by the Houston ISD Board of Managers
July 22, 2025 • www.houstonisd.org

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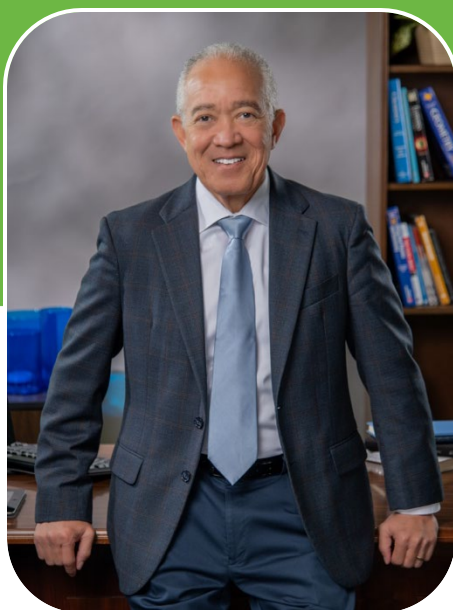
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Board Member



Lauren Gore
Board Member



Marcos Rosales
Board Member



F. Mike Miles
Houston ISD Superintendent of Schools

This publication, approved by the HISD School Board, carries the full impact of approved Board Policy and Administrative Regulations. Any revisions must be approved by the Board before becoming effective.

STAY INFORMED

HISD Website:

www.HoustonISD.org

HISD NOW:

<https://www.youtube.com/@HISDNOW>

Twitter:

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Text Messaging:

Text YES to 68453

YouTube:

www.youtube.com/user/TheHISD

It is the policy of the Houston Independent School District not to discriminate on the basis of age, color, handicap or disability, ancestry, national origin, marital status, race, religion, sex, veteran status, political affiliation, sexual orientation, and gender identity and/or gender expression in its educational or employment programs and activities.

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STUDENT CODE OF CONDUCT

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the HISD Administration Office at 713-556-6000.

Purpose

The Student Code of Conduct (“Code of Conduct”), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

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

In accordance with state law, the Code of Conduct shall be posted at each school campus or shall be available for review at the office of the campus principal and the campus disciplinary officers. Additionally, the Code of Conduct shall be posted on the district’s website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Code of Conduct is adopted by the District’s School Board, it has the force of policy. In the event of a conflict between the Code of Conduct and the Student Handbook, the Code of Conduct shall prevail.

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

AT A GLANCE: SUMMARY OF RELATED BOARD POLICIES

This Code of Student Conduct is drawn from Board Policies and Administrative Regulations. Students are subject to the Board Policies and Administrative Regulations now in effect and those that may be adopted or amended after the publication of this Code. Those who desire more information concerning the policies and administrative procedures upon which this Code is based should refer to them. Copies are available in all schools. The sections that relate to student conduct are as follows:

Attendance

Board Policy and Administrative Regulations state that regular attendance and punctuality shall be required of every student. Board Policies state the District’s attendance policy for students for course credit. In addition, Texas Education Code Section 25.087 pertains to excused absences. Board Policy Reference(s): FEC, FED, FEA

Complaints

Board Policy states that students may present any complaint to the District, either personally or through a representative, through appropriate complaint procedures. Board Policy Reference(s): FNG, FFH

Student Dress and Personal Grooming

Board Policy describes the District's policy with regard to student dress and personal grooming; it calls for the establishment of standards in each school. Additionally, each school may establish a mandatory uniform policy in conformance with state law and District policy. Board Policy Reference(s): FNCA

Illegal Drugs and Alcohol

Board Policy and state law prohibit any student from selling or possessing an illegal drug or alcohol on school grounds. Board Policy Reference(s): FNF1, FNF2, FNCF

Student Publications

Board Policy describes the District's policies regarding student participation in the publication of school newspapers, yearbooks, literary magazines, and other school-sponsored publications; it also covers the publication and distribution of publications that are not school-sponsored. Board Policy Reference(s): FNAA, FMA

Smoking/Vaping

Board Policy states that students are prohibited from possessing, smoking, or using tobacco products or vaping on school property and at any school-related or school sanctioned activity on or off of school property. Board Policy Reference(s): FNCD

School Property

Board Policy notes that the student's responsibility for school property is the same as his or her responsibility for other public property; it holds the student accountable for malicious damage, the defacing of property, and vandalism. Board Policy Reference(s): FNCB

Information and Privacy Records

Board Policy spells out District policies with regard to the right to information and privacy of student records. In addition, the Texas Public Information Act, Article 6251.17a, and the Family Educational Rights and Privacy Act of 1974, Public Law 93480, describe the student's rights in this regard. Additionally, certain special education records will be destroyed after seven years upon proper notification. Board Policy Reference(s): FL, FL2, FL3

Discipline

Board Policy states that the principal shall have full authority to maintain adequate discipline in the school, and that teachers shall have the responsibility for the discipline of students. Further, it states that students shall be addressed reasonably, fairly, and consistently, but serious or persistent misconduct shall not be tolerated. By Board action, this Code of Student Conduct carries the force of policy in discipline matters. Board Policy Reference(s): FOE, FOD, FOC, FOB, FO, FOF, FNC

Suspension/Expulsion

Board Policy details policies regarding suspensions and expulsions. Board Policy Reference(s): FO, FOD, FFB, FOC, FOA

Hearings

Administrative Regulations establish the guidelines for the format of hearings. Board Policy Reference(s): FOD

Fraternities, Sororities, Gangs, and Other Secret Organizations

Board Policy and state laws disallow fraternities, sororities, and other secret organizations in District schools. Board Policy Reference(s): FNCC, FOC

Search and Seizure

Board Policy details policies regarding search and seizure on campuses. Board Policy Reference(s): FNF, FNF1, FNF2, FNCF

Corporal Punishment

Board Policy details District prohibition of corporal punishment. Board Policy Reference(s): DC11

SCHOOL DISTRICT AUTHORITY AND JURISDICTION

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

The district has disciplinary authority over a student:

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

Students' Rights and Responsibilities

Title IX of the Education Amendments Act is a federal law that prohibits discrimination on the basis of sex against students and employees of HISD, including sex discrimination, sexual harassment, and other sexual misconduct (such as sexual assault, stalking, and dating or domestic violence) in an educational program or activity. The District shall take all allegations of Title IX violations seriously and will make every reasonable effort to handle and respond to every Title IX complaint filed by students or employees in a prompt, fair, thorough, and equitable manner.

As required by law, the District shall follow the procedures below upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment under Title IX. Please consult HISD's Title IX website for more information regarding Title IX. Also, questions regarding Title IX may be referred to:

Danielle Delone, *District Title IX Coordinator*

Breanna Turner, *District Title IX Co-Coordinator*

Office Mailing Address:

Hattie Mae White Educational Support Center
4400 West 18th Street
Houston, Texas 77092

Phone: 713.556.6023

Email Address: TitleIXComplaints@houstonisd.org

Threat Assessment and Safe and Supportive School Team

Campus administrators will work closely with the campus threat assessment and safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

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

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

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

Reporting Crimes

The principal and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects a crime has been committed on campus.

Security Personnel

The board utilizes School Based Law Enforcement (SBLE) officers to ensure the security and protection of students, staff, and property. In accordance with law, the board has coordinated with the campus administration and other district employees to ensure appropriate law enforcement duties are assigned to these persons. Provisions addressing the various types of security personnel can be found in the CKE policy series.

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

The district has the right to limit a student's participation in graduation activities for violating the district's Code of Conduct. Participation might include a speaking role, as established by district policy and procedures.

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

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

Only students who are graduating and who hold one of the following positions of honor based on the neutral criteria shall be eligible to use the limited public forum: class officers and the top ten percent. A student who shall otherwise have a speaking role in the graduation ceremony is ineligible to give the opening and closing remarks. Students who are eligible shall be notified and given an opportunity to volunteer. Students are not eligible to volunteer if they were in a disciplinary placement during any part of the spring semester.

The topic of the opening and closing remarks shall be related to the purpose of the graduation ceremony and to the purpose of marking the opening and closing of the event; honoring the occasion, the participants, and those in attendance; bringing the audience to order; and focusing the audience on the purpose of the event. FNA(LOCAL)

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator or district police officer shall have the authority to refuse entry or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

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

STANDARDS FOR STUDENT CONDUCT

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress including wearing ID badges.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with or assist the school staff in maintaining safety, order and discipline.
- Adhere to the requirements of the Student Code of Conduct.

GENERAL CONDUCT VIOLATIONS

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension, DAEP Placement, Placement and/or Expulsion** for Certain Offenses, and Expulsion, those offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in Removal from the Regular Educational Setting as detailed in that section.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher, principal, or district administrator.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP--Placement and/or Expulsion for Certain Offenses.**)
- Participate in hazing. (See **glossary.**)
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Coerce an individual to act by threat of force.
- Commit extortion or blackmail.
- Threaten a district student, employee, or volunteer including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in inappropriate verbal, physical, or sexual contact directed toward another person, including a district student, employee, or volunteer.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in inappropriate or indecent exposure of private body parts.
- Engage in conduct that constitutes dating violence. (See **glossary.**)
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

Property Offenses

Students shall not:

- Steal from students, staff, or the school.
- Damage or vandalize property owned by others.
(For felony criminal mischief, see **DAEP--Placement and/or Expulsion for Certain Offenses.**)
- Deface or damage school property, including textbooks, technology, electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, or theft see **DAEP--Placement and/or Expulsion for Certain Offenses.**)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

- Fireworks of any kind, smoke or stink bombs, or any other pyrotechnic device;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- Knuckles;
- A location-restricted knife:
- A club;
- A firearm;
- A stun gun;
- A pocket knife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products, cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for an approved use; or
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines a danger exists.

*For weapons and firearms, see **DAEP-Placement and/or Expulsion for Certain Offenses**. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or other Electronic Devices

Texas House Bill 1481

In accordance with Texas House Bill 1481 and to ensure an academically focused school environment, the use of personal communication devices is prohibited by law on school property during the instructional day.

Instructional day is defined as when the student arrives to school in the morning through the end of the final period.

Personal communication devices, as defined by law, include the following:

- Cell phones
- Tablets
- Smartwatches or wearable communication devices
- Any electronic device capable of digital communication

Students shall not:

- Use phones or other devices for any reason (calls, texts, photos, social media, internet access, etc.) during the instructional day.
- Display or visibly carry phones during the instructional day.
- Use smartwatches or other wearable communication devices during the instructional day.
- Have phones or other devices on school property, visible or audible at any time during the instructional day.

Our expectations are that:

- Students must leave their phones or devices at home or store them, powered off, in their backpacks while on school property during the instructional day.
- Phones and devices must remain out of sight and unused on school property during the instructional day.
- Phones may not be carried in clothing or worn visibly at any time during the instructional day.

If a phone is seen, heard, or used during the instructional day:

1. The device shall be confiscated by staff.
2. Staff will place the device in an envelope and label it clearly with the student's full name, the date and time of confiscation, and the name of the staff member who confiscated the device.
3. Staff or administration will deliver the device to the office for secure storage and retrieval by the parent/guardian.
4. Upon parent/guardian retrieval, the parent will sign a copy of the state law, HISD policy, and confirm receipt of the device.

HISD will not be held responsible for any lost, stolen, or damaged devices confiscated due to the violation of the law and district policy.

Consequences:

- 1st Offense: Parents/guardians may retrieve the phone from the office after school, review, and sign the HISD Personal Communication Devices Policy as it relates to the law.
- 2nd Offense: Parents/guardians may pick up the phone in the office at the end of the following full school day.
- 3rd Offense: Parents/guardians may pick up the phone in the office at the end of two full school days.

Further offenses will result in elevated formal disciplinary action, which includes DAEP placement.

Accommodations:

This prohibition does not apply to the use of devices that are necessary for:

1. Disability-related accommodations under federal law (e.g., IEP or Section 504 plan)
2. A documented need based on a directive from a qualified physician
3. Compliance with health and safety requirements imposed by law or as part of the district's or school's safety protocols

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give or sell alcohol or an illegal drug. (Also see **DAEP Placement and Expulsion** for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to the body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal, including cyberbullying and “sexting,” either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees, or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Possess published or electronic material designed to promote or encourage illegal behavior or that could threaten school safety.
- Prop open any secure school doors or bypassing weapon detection systems, including but not limited to exterior doors, emergency exits and temporary building doors.

Miscellaneous Offenses

Students shall not:

- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Violate dress and grooming standards as communicated in the **Student Handbook and Code of Conduct**.
- Repeatedly violate other communicated campus or classroom standards of behavior.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.

The district may impose campus or classroom rules in addition to those found in the Code of Conduct. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.

DISCIPLINE MANAGEMENT TECHNIQUES

Discipline shall be designed to improve conduct and to encourage students to adhere to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Restorative practices.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours. (Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student and the parent/guardian should be notified to inform him or her so that transportation arrangements can be planned.)
- Sending the student to the office, other assigned area, or to ISS (In-School Suspension).
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in the **Out-of-School Suspension** section of this Code.
- Placement in a **DAEP**, as specified in the DAEP section of this Code.
- Expulsion and/or placement in an alternative educational setting, as specified in the **Placement and/or Expulsion for Certain Offenses** section of this Code.
- Expulsion, as specified in the **Expulsion** section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain.

Aversive techniques include:

- Using techniques designed or likely to cause physical pain.
- Using techniques designed or likely to cause physical pain by shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

LISTING OF OFFENSES AND CONSEQUENCES BY LEVEL

Level I Offenses

Level I acts of misconduct include repeated infractions of classroom management procedures or rules or other misconduct that disrupts the educational process. The following is a list of most common types of Level I behavior infractions:

1. Refusing to follow classroom rules.
2. Being tardy to class.
3. Refusing to participate in classroom activities or fulfill assignments.
4. Failing to bring appropriate materials to class.
5. Possessing and/or using nuisance items.
6. Using prohibited electronic device(s).
7. Eating, drinking, or gum chewing in an undesignated area.
8. Disrupting the orderly classroom process.
9. Running, making excessive noise or other disruptions in halls, buildings, classrooms, or other supervised settings.
10. Violating dress code (including not wearing appropriate face coverings or ID badges).
11. Receiving parking violations.

Level I Disciplinary Options

In no rank order, any one or combination will be applied:

1. Teacher/student, counselor/student or administrator/student conference.
2. Parent conference call.
3. In-class disciplinary action or assignment such as, but not limited to: verbal correction, change of seat, rewards or demerits, behavioral contracts, or point deductions using systems for conduct grades.
4. Withdrawal of student privileges.
5. Detention.
6. Confiscation of nuisance items or materials.
7. Confiscation of prohibited items.
8. Supervised campus service assignment.
9. Required correction in attire or appearance.
10. School-assigned period of probation.
11. Restorative practices.

Level II Offenses

When a student's behavior does not change as a result of action taken on Level I and the student is being seen for a second time in the principal's office for repeated Level I infractions, the student is moved to Level II for discipline purposes.

Examples of Level II offenses include, but are not limited to:

1. Disrespect to authority.
2. Failing to comply with directions given by school personnel.

Level II Disciplinary Options

In no rank order, any one or combination will be applied:

1. Any Level I consequence.
2. Saturday School.
3. In-School Suspension.
4. Mandatory Parent/Guardian Conference.

Level III Offenses

Level III acts of misconduct include those student infractions which are somewhat more serious than those in Levels I and II in their effect on the orderly process of the school program. Examples of misconduct include, but are not limited to the following:

1. Cheating or copying the work of another student.
2. Leaving the classroom, school grounds, or school-sponsored events without permission. (Truant)
3. Failure to comply with the personal communication device designated storage method/Using a communication device on school property during the school day.
4. Cutting class or other scheduled activity.
5. Using profane, obscene, indecent, or racially or ethnically offensive language, verbally or written, and/or gestures to other students.
6. Altering school records, documents, or forgery of a name on school documents.
7. Vandalizing or defacing school property.
8. Having excessive absences or tardies.
9. Engaging in acts of inappropriate familiarity with other students.
10. Throwing or irresponsible use of objects that can cause bodily injury or damage to property.
11. Possessing or using tobacco products on school property at any time or while attending an off-campus school related activity.
12. Exhibiting any unacceptable or unwanted physical contact whether injury occurs.
13. Driving recklessly in an automobile.
14. Gambling.
15. Possessing, using, or distributing non-alcoholic beers, wines, or other liquors
16. Possessing a soft air gun.
17. Possessing live ammunition.
18. Repeating any Level II offense or having a new violation while being disciplined for a Level II offense.

Level III Disciplinary Options

In no rank order, any one or combination of the following will be applied:

1. Any Level I or Level II consequence.
2. Confiscation of prohibited items.
3. Grade penalty for copying or cheating and/or a written assignment related to offense.
4. Exclusion from extracurricular activities.
5. Restoration and/or restitution as applicable.
6. Referral to law enforcement personnel.
7. In-School Suspension.
8. Out-Of-School Suspension.

Level IV Serious Offenses

Level IV offenses include those acts of misconduct that seriously disrupt the educational process, endanger, or seriously affect other students, or violate the law. Examples include, but are not limited to the following:

1. Any repeated offense of Level III or having a new violation while being disciplined for a Level III offense.
2. Repeated acts of disobedience or disorderly behavior that may cause a disruption in school, endanger, or seriously affect the health and safety of others.
3. Oral or written threats to do bodily harm to others or to the property of others (harassment).
4. Breaching or bypassing school security measures (opening or propping secured doors)
5. Interfering with school authorities or programs to include boycotts, sit-ins, or trespassing.
6. Fighting is defined as a physical conflict between two or more individuals.
A fight occurs if a student who is attacked strikes back. To avoid penalty, a student under attack should seek to detach himself/herself from the situation and get school personnel.
7. Stealing, robbery, or burglary.
8. Extortion, coercion, or blackmail (Obtaining money, objects, or favors from unwilling person(s)).
9. Using profane, obscene, indecent, immoral, or offensive language and/or gestures directed toward school personnel.
10. Failure to comply with assigned disciplinary consequences.
11. Possessing a device, object, or substance that could cause bodily harm to individuals in any school setting.
12. Failure to report to school personnel the knowledge of an event, device, object, or substance that could cause bodily harm to individuals in any school setting.
13. Possession, use, or distribution of any substance represented to be a drug or alcohol.
14. Sexual misconduct, and/or sexual harassment.
15. Hazing.
16. Gang-related behavior, attire, activity, or gang membership.
17. Possession of drug paraphernalia.
18. Major vandalism to district property.
19. Posting or distributing unauthorized communicative materials on school premises.
20. Placing or discharging fireworks.
21. Pledges to join, solicit membership in a public school fraternity, sorority, secret society, or gang as defined in TEC 37.121.
22. Possession or distribution of pornographic materials.
23. Distribution of over the counter or prescription medications to other students and/or ingestion of such medications received from other students
24. Criminal trespass.
25. Continuing to engage in serious or persistent misbehavior that violates the code of conduct or DAEP classroom rules after being placed in an alternative education program for disciplinary reasons (Possible Expulsion).
26. Engaging in criminal mischief under Penal Code 28.03, if the conduct is punishable as a felony, whether committed on or off of school property or at a school-related activity, (intentionally or knowingly damage to school property resulting in a loss of \$1,500 or more) (Possible Expulsion).

27. Simple Assault (Class C Assault found Section F of Board Policy).
28. Any unwanted physical contact with injury.
29. Electronically modifying school records.
30. Retaliation against another student.
31. Tampering or falsifying a drug test, screening, or searches.
32. Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang.
33. Engaging in bullying that encourages a student to commit or attempt to commit suicide.
34. Inciting violence against a student through group bullying.
35. Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.

Level IV Disciplinary Options

In no rank order, any one or combination of the following will be applied:

1. Teacher/student, administrator/student, or parent conference call.
2. Restorative practices.
3. Out-of-School Suspension from school, not to exceed three days at a time.
4. Citation by law enforcement personnel.
5. In-School Suspension (includes assignment for students under the age of 10).
6. Reassignment of classes.
7. Disciplinary Alternative Education Program Placement.
8. Mandatory Parent/Guardian Conference.
9. Community service projects.

Level V Mandatory Removal

A student must be placed in a Disciplinary Alternative Education Program (DAEP) if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a) (1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance, or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section of the Code). (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of alcohol.

- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**)
- Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07 (a)(1), (2), (3), or (7).
- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code).
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),
 2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 3. The superintendent or designee has a reasonable belief (see the **glossary**) that the student engaged in the conduct

Note: Starting January 1, 2024, following amendments to Texas Education Code (HB114) and HISD’s District of Innovation plan, students committing a first-time vaping-related offense will no longer face mandatory placement in a DAEP. Instead, HISD will focus on alternative consequences and early interventions to handle these disciplinary actions and prevent DAEP overcrowding. All subsequent violations will result in a mandatory DAEP placement.

Level V Mandatory Expulsion

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

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

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

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
- A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting competition or a shooting sports activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
- A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains the elements of the following offenses under the Penal Code:
- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Aggravated robbery.
- Manslaughter.
- Criminally negligent homicide.
- Continuous sexual abuse of a young child or disabled individual.
- Behavior punishable as a felony that involves the selling, giving or delivering to another person, possessing, using, or being under the influence of a controlled substance or a dangerous drug.
- Engaging in retaliation against a school employee or volunteer combined with one of the above listed mandatory expulsion offenses.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an Admission, Review, and Dismissal (ARD) committee meeting has been held to review the conduct.

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

For information regarding students with disabilities, suspension, expulsion, and DAEP, refer to the Notice of Procedural Safeguards, Rights of Parents of Students with Disabilities on our district website, www.houstonisd.org.

Notification

A campus administrator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The administrator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code.

A good faith effort shall be made to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the administrator shall send written notification by U.S. Mail. If the administrator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administration as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FOC/FOD (LEGAL). A copy of the policy may be obtained from the principal's office, the central administration office or through Policy Online at the following address: www.houstonisd.org.

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) AND (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the transportation director's office or to the campus administration office to maintain effective discipline on the bus. The transportation director or campus administration must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the transportation director or campus administrator may restrict or revoke a student's transportation privileges, in accordance with law.

REMOVAL FROM THE REGULAR EDUCATIONAL SETTING

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the campus administrator's office as a discipline management technique. The campus administrator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for behavior that violates this Code of Conduct to maintain effective discipline in the classroom.

Formal Removal

A teacher may also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with other students' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator. At the conference, the appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the campus administrator may place the student in:

- Another appropriate classroom.
- In-School Suspension.
- Out-of-school suspension.
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning Student to Classroom

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

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

OUT-OF-SCHOOL SUSPENSION

Misconduct

Students may be suspended for any behavior listed in the Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.

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

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

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drugs as defined by federal or state law.

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of the law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the appropriate campus administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator renders a decision.

The campus administrator shall determine the number of days of a student's suspension, not to exceed three school days. In deciding whether to order out-of-school suspension, the administrator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care) or
6. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity before the beginning of the next school year to complete each course the student was enrolled in at the time of removal. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM (DAEP) PLACEMENT

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student that is not in elementary school.

For purposes of DAEP, elementary classification shall be kindergarten – grade 5, secondary classification shall be grades 6 – 8, and high school classification shall be grades 9 -12.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion. Removals to a DAEP shall be made by the Office of Student Discipline

Conference

When a student is removed from class for a DAEP offense, the CBC (Campus Behavior Coordinator) or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, and the referring campus. At the conference, the CBC or appropriate administrator shall provide the student:

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

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC or appropriate administrator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

Misconduct Identified in State Law

In accordance with state law, a student may be placed in a DAEP for any one of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Involvement in a public school fraternity, sorority or secret society, including participating as a member or pledge or soliciting another person to become a pledge or member of a public school fraternity, sorority or secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Criminal mischief not punishable as a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student **may** be placed in a DAEP if the superintendent or the superintendent's designee has reasonable belief (see **glossary**) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus CBC or appropriate administrator **may** place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a Disciplinary Alternative Education Program (DAEP) if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
- Engages in conduct punishable as a felony.
- Commits an assault (see **glossary**) under Penal Code 22.01(a) (1).
- Sells, gives, or delivers to another person or possesses, uses, or is under the influence of a controlled substance, or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in the Expulsion section of the Code). (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
- Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
- Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of alcohol.

- Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
- Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
- Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**)
- Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07 (a)(1), (2), (3), or (7).
- Engages in expellable conduct and is six to nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property (Committing retaliation in combination with another expellable offense is addressed in the **Expulsion** section of this Code).
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),
 2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 3. The superintendent or designee has a reasonable belief (see the **glossary**) that the student engaged in the con

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

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

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

Process

Removals to a DAEP will be made by the Office of Student Discipline.

Conference

When a student is removed from class for a DAEP offense, the CBC or appropriate administrator shall schedule a conference within three school days with the student's parent, the student, the referring campus, and, in the case of a teacher removal, the teacher.

At the conference, the CBC or appropriate administrator shall provide the student:

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

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

Consideration of Mitigating Factors

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus administrator shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the campus CBC or appropriate administrator shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code. If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order shall give notice of the inconsistency.

DAEP at Capacity

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

If a DAEP is at capacity at the time the appropriate administrator or designee is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical may be placed in in-school suspension to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

Coursework Notice

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

Length of Placement

The campus CBC or appropriate administrator shall determine the duration of a student's placement in a DAEP. The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements. The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student, so the students are not assigned to the same campus.

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the appropriate administrator or the board's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others; or
2. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code of Conduct.

Exceeds 60 Days

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

Appeals

Appeals from students or parents regarding a student's placement in a Disciplinary Alternative Education Program (DAEP) should follow the guidelines outlined in policy FOC(LOCAL). All Level One DAEP appeals must be directed to the Executive Director of Student Discipline. Disciplinary consequences will not be delayed while an appeal is under review. The decision made by the Executive Director is final and cannot be appealed further. Copies of this policy are available at the principal's office, the central administration office, or online through Policy On-Line at www.houstonisd.org.

Restrictions During Placement

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activities, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations. The district shall provide transportation to students in a DAEP at the elementary and middle school levels. A student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan will receive transportation regardless of grade level.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program will continue through graduation, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus administrator or the board's designee, at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator or designee may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated; or
2. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board will make a record of the proceedings. If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the district's Code of Conduct in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the appropriate administrator or designee may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the appropriate administrator or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the district and was assigned to a DAEP in an open enrollment charter school or another district. The district may place the student in the district's DAEP or a regular classroom setting.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

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

Emergency Placement Procedure

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

Transition Services

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

PLACEMENT AND/OR EXPULSION FOR CERTAIN OFFENSES

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

Registered Sex Offenders

Upon receiving notification in accordance with state law that a student is currently required to register as a sex offender, the district must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement. If the student is under any form of court supervision, including probation, community supervision, or parole, the student shall be placed in DAEP for at least one semester.

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

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

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation. The placement review of a student with a disability who receives special education services must be done by the ARD committee.

Newly Enrolled Student

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee is final and may not be appealed.

Certain Felonies

Regardless of whether DAEP placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or its designee makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must have:

- Received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
- Been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
- Been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; or
- Received probation or deferred adjudication or has been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the campus administrator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

EXPULSION

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the district will take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement**)

Any Location

A student may be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01 (a) (1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student;
- Aggravated assault.
- Sexual assault.
- Aggravated sexual assault.
- Murder.
- Capital Murder.
- Criminal attempt to commit murder or capital murder.
- Aggravated robbery.
- Breach of computer security. (See **glossary**)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

At School, Within 300 Feet, or at a School Event

A student may be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school's real property boundary line or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, a controlled substance, or a dangerous drug. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See **glossary** for "under the influence.")
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of alcohol; or committing a serious act or offense while under the influence of alcohol.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a) (1) against an employee or a volunteer.
- Engaging in deadly conduct. (See **glossary**.)

Within 300 Feet of School

A student may be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school's real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See **glossary**.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual.
- Felony controlled substance or dangerous drug offenses, not including THC.
- Unlawfully carrying on or about the student's person a handgun or a location-restricted knife, as these terms are defined by state law. (See **glossary**)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See **glossary**)
- Possession of a firearm, as defined by federal law. (See **glossary**)

Property of Another District

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

While in DAEP

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

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07,
 - b. Indecent exposure under Penal Code 21.08,
 - c. Criminal mischief under Penal Code 28.03,
 - d. Hazing under Education Code 37.152, or
 - e. Harassment under Penal Code 42.07(a) (1) of a student or district employee

Mandatory Expulsion: Misconduct that Requires Expulsion

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

Under Federal Law

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

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

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) Note: A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting competition or a shooting sports activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)

- Behaving in a manner that contains the elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves the selling, giving or delivering to another person, possessing, using, or being under the influence of a controlled substance or a dangerous drug.
 - Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses.

Under Age Ten

When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled but shall be placed in a Disciplinary Alternative Education Program (DAEP). A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Process

If a student is believed to have committed an expellable offense, the appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

Until a hearing can be held, the administrator may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- A Disciplinary Alternative Education Program (DAEP).

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends. The HISD School Board delegates to the superintendent or designee authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request the board review the expulsion decisions. The student or parent must submit a written request to the division superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the board or its designee shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the superintendent or designee shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code. If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements. The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one calendar year, except as provided below:

An expulsion may not exceed one year unless, after review, the district determines that:

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

State and federal law require a student to be expelled from the regular classroom for a period of at least one calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district. If the superintendent's designee or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the superintendent's designee or the board may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion. No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open enrollment charter school upon enrollment in the district.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

GLOSSARY

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

Abuse is improper or excessive use.

Aggravated robbery is defined in part by Penal Code 29.03(a) as when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older; or
 - b. a disabled person.

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

1. Starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; or
 - b. Any building, habitation, or vehicle:
 - I. Knowing that it is within the limits of an incorporated city or town;
 - II. Knowing that it is insured against damage or destruction;
 - III. Knowing that it is subject to a mortgage or other security interest;
 - IV. Knowing that it is located on property belonging to another;
 - V. Knowing that it has located within a property belonging to another; or
 - VI. When the person starting the fire is reckless about whether the burning or explosion will endanger the life of some individual or the safety of the property of another;
1. Recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance if the fire or explosion damages any building, habitation, or vehicle; or
2. Intentionally starting a fire or causing an explosion and in so doing:
 - c. Recklessly damaging or destroying a building belonging to another, or
 - d. Recklessly causing another person to suffer bodily injury or death.

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

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

Bullying is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

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

Criminal Street Gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activity

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

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

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

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

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

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

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

Demerit is a mark given to someone for doing something wrong that may result in the loss of rank or privilege

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

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

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

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

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

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

1. Any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer, defined as any device for silencing, muffling, or diminishing the report of a portable firearm; or
4. Any destructive device, such as any explosive, incendiary or poison gas bomb, or grenade.
Such a term does not include an antique firearm.

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

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

Harassment includes:

1. Conduct that meets the definition established in district policies DIA (LOCAL) and FFH (LOCAL);

2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety as defined in Education Code 37.001(b)(2); or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report,
 - d. a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - e. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - f. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - g. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - h. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - i. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
 - j. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

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

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

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

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

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

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

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

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

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

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

Mandatory Parent/Guardian Conference - If a student is placed on a mandatory parent/guardian conference, a parent/guardian must accompany the student to school the next school day for a conference. Student absences, caused by the student's failure to appear with a parent or guardian, are considered unexcused absences. This type of suspension is not considered a disciplinary alternative education program, nor does it constitute a removal from school. Parents will be notified in writing that a student has been placed on a mandatory parent/guardian conference, and the transportation department will be notified that the student is not to ride the bus to school.

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

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

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

Prohibited weapon under Penal Code 46.05(a) means: The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:

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

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

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

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

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

Serious misbehavior means:

1. Deliberate or violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a) (1) of a student or district employee

Serious or persistent misbehavior includes but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

Short-barrel firearm is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

Terroristic threat is defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

1. Cause a reaction of any type to his or her threat by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building, room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or another public place;
4. Cause impairment or interruption of public communications, public transportation, public water, gas or power supply, or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02-.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05-.06;
- Assault under Sections 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;

- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09, [See FOC (EXHIBIT)]

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person’s physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student “under the influence” need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one’s body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.



2025–2026

Código de Conducta Estudiantil



Adopción propuesta por la Junta Escolar de Houston ISD
el 22 de julio de 2025 • www.houstonisd.org

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Edgar Colón
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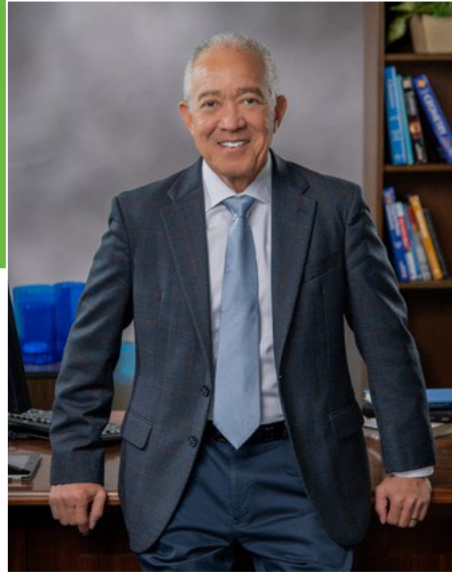
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F. Mike Miles
Superintendente de Escuelas de Houston ISD

Esta publicación, aprobada por la Junta Escolar de HISD, conlleva todo el peso de las Normas Administrativas y las Políticas de la Junta aprobadas y vigentes. Toda revisión debe ser aprobada por la Junta Escolar antes de entrar en vigor.

MANTÉNGASE INFORMADO

Sitio web de HISD:
www.HoustonISD.org

HISD NOW::
<https://www.youtube.com/@HISDNOW>

Twitter:
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Facebook:
www.facebook.com/HoustonISD

Mensajes de texto:
Enviar YES al 68453

YouTube:
www.youtube.com/user/TheHISD

La política del Distrito Escolar Independiente de Houston prohíbe la discriminación basada en la edad, color, impedimento o discapacidad, ascendencia, nacionalidad, estado civil, raza, religión, sexo, condición de veterano militar, afiliación política, orientación sexual, e identidad o expresión de género de una persona en sus programas y actividades educativos y en sus prácticas de empleo.

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Código de Conducta Estudiantil

Accesibilidad

Si debido a una discapacidad, usted tiene dificultades para acceder a la información contenida en este documento, comuníquese con la Oficina Administrativa de HISD llamando al 713-556-6000.

Propósito

El Código de Conducta Estudiantil (“Código de Conducta”), en cumplimiento con el Capítulo 37 del Código de Educación de Texas, establece métodos y opciones para el control del comportamiento de los estudiantes, la prevención, la intervención en problemas de disciplina estudiantil y la imposición de la disciplina.

La ley requiere que el Distrito defina la mala conducta que puede o debe dar lugar a una serie de consecuencias disciplinarias específicas, que incluyen la expulsión de una escuela o aula de educación general, la suspensión fuera de la escuela, la asignación al Programa Escolar Alternativo Disciplinario (DAEP), la asignación al Programa Escolar Alternativo de la Justicia de Menores (JJAEP) y la expulsión de la escuela.

Este Código de Conducta adoptado por la Junta Escolar de Houston ISD fue elaborado con el asesoramiento del comité distrital y provee información a los padres y estudiantes sobre las normas de conducta, las consecuencias de la mala conducta y los procedimientos para la aplicación de medidas disciplinarias. Este Código de Conducta permanece en vigor durante la escuela de verano y en todos los eventos y actividades relacionados con la escuela fuera del ciclo escolar hasta que la Junta adopte una versión actualizada para el próximo ciclo escolar.

De conformidad con la ley estatal, el Código de Conducta será publicado en cada una de las escuelas o estará disponible para consulta en las oficinas del director de la escuela y de los funcionarios a cargo de la disciplina escolar. Además, el Código de Conducta será publicado en el sitio web del Distrito. Los padres recibirán notificación de cualquier infracción de conducta que pueda dar lugar a la suspensión, asignación de un estudiante al DAEP o JJAEP, expulsión o detención por parte de un agente policial en el marco del Capítulo 37 del Código de Educación.

Debido a que el Código de Conducta es adoptado por la Junta Escolar del Distrito, tiene vigor de política. En caso de conflicto entre el Código de Conducta y el Manual del Estudiante, prevalecerá el Código de Conducta.

Aviso: La disciplina de los estudiantes con discapacidades que son elegibles para recibir servicios bajo la ley federal (Ley de Educación de Personas con Discapacidades y la Sección 504 de la Ley de Rehabilitación de 1973) está sujeta a las disposiciones de esas leyes.

Resumen de las políticas relacionadas de la Junta Escolar

Este Código de Conducta Estudiantil se basa en las Políticas de la Junta y en las Normas Administrativas del Distrito. Los estudiantes están sujetos a las Políticas de la Junta y a las Normas Administrativas actualmente vigentes y aquellas que puedan ser adoptadas o enmendadas después de la publicación de este Código. Quienes deseen más información sobre las políticas y procedimientos administrativos en los que se basa este Código deberán consultarlas. Hay copias disponibles en todas las escuelas. Las secciones relacionadas con la conducta de los estudiantes son las siguientes:

Asistencia La Política de la Junta y las Normas Administrativas establecen que de cada estudiante se requerirán asistencia asidua y puntualidad. Las políticas de la Junta establecen la política de asistencia del Distrito para la obtención de créditos académicos de los estudiantes. Además, la Sección 25.087 del Código de Educación de Texas aborda las ausencias justificadas. Referencia(s) de la política de la Junta: FEC, FED, FEA

Quejas La política de la Junta establece que los estudiantes pueden presentar cualquier queja ante el Distrito, ya sea personalmente o a través de un representante, mediante los procedimientos de queja apropiados. Referencia(s) de la política de la Junta: FNG, FFH

Vestimenta y arreglo personal de los estudiantes La Política de la Junta describe la política del Distrito con respecto a la vestimenta y el arreglo personal de los estudiantes y exige el establecimiento de normas en cada escuela. Además, cada escuela puede establecer una política de uniforme escolar obligatoria de conformidad con la ley estatal y la política del Distrito. Referencia(s) de la política de la Junta: FNCA

Drogas ilegales y alcohol La política de la Junta y la ley estatal prohíben que un estudiante venda o posea una droga ilegal o alcohol en las instalaciones escolares. Referencia(s) de la política de la Junta: FNF1, FNF2, FNCF

Publicaciones estudiantiles La Política de la Junta describe las políticas del Distrito con respecto a la participación de los estudiantes en la publicación de periódicos escolares, anuarios, revistas literarias y otras publicaciones patrocinadas por la escuela; también cubre la publicación y distribución de publicaciones que no son patrocinadas por la escuela. Referencia(s) de la política de la Junta: FNAA, FMA

Fumar y/o vapear La política de la Junta establece que los estudiantes tienen prohibido poseer, fumar o consumir productos de tabaco o vapear en la propiedad escolar y en cualquier actividad relacionada con la escuela o sancionada por la escuela dentro o fuera de propiedad escolar. Referencia(s) de la política de la Junta: FNCD

Propiedad de la escuela La política de la Junta señala que la responsabilidad del estudiante por la propiedad escolar es la misma que su responsabilidad por otra propiedad pública; responsabiliza al estudiante por daños maliciosos, la desfiguración de la propiedad y el vandalismo. Referencia(s) de la política de la Junta: FNCB

Información y privacidad de los expedientes La política de la Junta detalla las políticas del Distrito con respecto al derecho a la información y la privacidad de los expedientes de los estudiantes. Además, la Ley de Información Pública de Texas, Artículo 6251.17a, y la Ley de Derechos Educativos y Privacidad de la Familia de 1974, Ley Pública 93480, describen los derechos del estudiante en este aspecto. Por otra parte, ciertos expedientes de educación especial serán destruidos al cabo de siete años después de la notificación requerida. Referencia(s) de la política de la Junta: FL, FL2, FL3

Disciplina La política de la Junta establece que el director de la escuela tendrá plena autoridad para mantener la disciplina en la escuela, y que los maestros serán responsables de la disciplina de los estudiantes. Además, establece que los estudiantes deben ser tratados de manera razonable, justa y consistente, pero no se tolerará la mala conducta grave o persistente. Por acción de la Junta, este Código de Conducta Estudiantil tiene vigor de política en asuntos disciplinarios. Referencia(s) de la política de la Junta: FOE, FOD, FOC, FOB, FO, FOF, FNC

Suspensiones y expulsiones La política de la Junta detalla las políticas referentes a las suspensiones y expulsiones. Referencia(s) de la política de la Junta: FO, FOD, FFB, FOC, FOA

Audiencias Las Normas Administrativas establecen los lineamientos para el formato de las audiencias. Referencia(s) de la política de la Junta: FOD

Fraternidades, sororidades, pandillas y organizaciones secretas. La política de la Junta y las leyes estatales prohíben las fraternidades, sororidades y organizaciones secretas en las escuelas del Distrito. Referencia(s) de políticas de la Junta Directiva: FNCC, FOC

Registro e incautación La política de la Junta detalla las políticas referentes al registro e incautación en las escuelas. Referencia(s) de la política de la Junta: FNF, FNF1, FNF2, FNCF

Castigo corporal La política de la Junta detalla la prohibición del castigo corporal por parte del Distrito. Referencia(s) de la política de la Junta: DC11

Autoridad y Jurisdicción del Distrito Escolar

Las reglas escolares y la autoridad del Distrito para administrar la disciplina se aplican siempre que el interés del Distrito esté involucrado, dentro o fuera de las instalaciones escolares, en clases y actividades patrocinadas por la escuela o independientemente de ellas.

El Distrito tiene autoridad disciplinaria sobre el estudiante:

1. durante el horario escolar regular;
2. mientras el estudiante viaja en transporte del Distrito;
3. durante el tiempo del almuerzo cuando se permite que el estudiante salga de la escuela;
4. en cualquier actividad relacionada con la escuela, independientemente de la hora o el lugar;
5. por cualquier mala conducta relacionada con la escuela, independientemente de la hora o el lugar;
6. cuando se toman represalias, o se amenaza con ellas, contra un empleado de la escuela, un miembro de la Junta o un voluntario, independientemente de la hora o el lugar;
7. cuando un estudiante comete ciberacoso; según lo dispuesto por el Código de Educación 37.0832;
8. cuando se comete un delito menor contra la propiedad dentro o fuera de propiedades escolares o en un evento relacionado con la escuela;
9. por ciertas infracciones cometidas dentro de una distancia de 300 pies de la propiedad escolar medida desde cualquier punto de la línea limítrofe de la propiedad de la escuela;
10. por ciertas infracciones cometidas estando en propiedad escolar o mientras se asiste a una actividad patrocinada por una escuela o relacionada con una escuela de otro distrito de Texas;
11. cuando el estudiante comete un delito mayor, según lo dispuesto por TEC 37.006 o 37.0081; y
12. cuando se requiere que el estudiante se registre como agresor sexual.

Derechos y responsabilidades de los estudiantes

El Título IX de la Ley de Enmiendas de la Educación es una ley federal que prohíbe la discriminación por motivos de sexo contra los estudiantes y empleados de HISD, incluida la discriminación sexual, el acoso sexual y otras conductas de índole sexual indebidas (como agresión sexual, acoso y violencia doméstica o de pareja) en un programa o actividad educativa. El Distrito tomará en serio todas las acusaciones de infracciones del Título IX y hará todos los esfuerzos razonables de manera rápida, justa, exhaustiva y equitativa para atender y responder a cada queja del Título IX presentada por estudiantes o empleados del Distrito.

Según lo requiera la ley, el Distrito observará los procedimientos siguientes ante una denuncia de acoso de índole sexual, incluido el acoso sexual, el acoso sexual basado en el género y la violencia de pareja, cuando esas acusaciones, de comprobarse, cumplirían con la definición de acoso sexual bajo el Título IX. Consulte el sitio web del Título IX de HISD para obtener más información sobre el Título IX. Además, las preguntas relacionadas con el Título IX pueden ser remitidas a:

Danielle Delone, *coordinadora de Título IX del Distrito*
Breanna Turner, *coordinadora adjunta de Título IX del Distrito*

Dirección postal de la oficina;

Hattie Mae White Educational Support Center
 4400 West 18th Street
 Houston, Texas 77092
 Teléfono: 713.556.6023

Correo electrónico: TitleIXComplaints@houstonisd.org

Equipo escolar de Evaluación de Amenazas, Seguridad y Apoyo

Los administradores de las escuelas trabajarán en estrecha colaboración con el Equipo escolar de Evaluación de Amenazas, Seguridad y Apoyo para implementar la política y los procedimientos de evaluación de amenazas del Distrito, según lo requiere la ley, y tomarán las medidas disciplinarias apropiadas de conformidad con el Código de Conducta.

Registros

Los funcionarios del Distrito pueden realizar registros de los estudiantes, sus pertenencias y sus vehículos de acuerdo con las leyes estatales y federales y la política del Distrito. Los registros de los estudiantes se llevarán a cabo de manera razonable y no discriminatoria. Consulte las políticas del Distrito en FNF (LEGAL) y FNF (LOCAL) para obtener más información sobre investigaciones y registros.

El Distrito tiene el derecho de registrar un vehículo conducido a la escuela por un estudiante y estacionado en propiedad escolar siempre que exista una sospecha razonable para creer que contiene artículos o materiales prohibidos por el Distrito.

Los escritorios, armarios personales, tecnología proporcionada por el Distrito y artículos similares son propiedad del Distrito y se proporcionan para el uso y comodidad de los estudiantes. La propiedad del Distrito está sujeta a registro o inspección en cualquier momento sin previo aviso.

Denuncia de delitos

El director y otros administradores de la escuela, según corresponda, denunciarán los delitos según lo requiere la ley y llamarán a la policía local cuando un administrador sospeche que se ha cometido un delito en la escuela.

Personal de seguridad

La Junta utiliza agentes de la Policía Escolar (SBLE) para garantizar la seguridad y protección de los estudiantes, el personal y la propiedad. De acuerdo con la ley, la Junta coordina con la administración escolar y otros empleados del Distrito para que se asigne a estas personas el trabajo de aplicar la ley. Las disposiciones relativas a los distintos tipos de personal de seguridad se pueden encontrar en la serie de políticas de CKE.

Definición de “Padre”

A lo largo del Código de Conducta y las políticas disciplinarias relacionadas, el término “padre” se refiere al padre o madre, tutor legal u otra persona con control legal sobre el estudiante.

Participación en actividades de la graduación

El Distrito tiene el derecho de limitar la participación de un estudiante en las actividades de graduación cuando este haya cometido una infracción contemplada en el Código de Conducta del Distrito. La participación podría incluir un papel de orador, según lo establecido por la política y los procedimientos del Distrito.

Los estudiantes elegibles para presentar los comentarios de apertura y cierre en la graduación recibirán notificación del director de la escuela. Independientemente de cualquier otro requisito de elegibilidad, para ser considerado elegible, el estudiante no debe haber exhibido ningún tipo de mala conducta que diera lugar a una suspensión fuera de la escuela, la remoción al DAEP o la expulsión en el semestre inmediatamente anterior a la graduación.

El estudiante valedictorian o salutatorian puede tener un rol de orador en la graduación. Ningún estudiante será elegible para ese papel de orador si incurrió en cualquier tipo de mala conducta que diera lugar a una suspensión fuera de la escuela, la remoción al DAEP o la expulsión en el semestre inmediatamente anterior a la graduación.

Solo los estudiantes que se gradúan y ocupan uno de los siguientes puestos de honor, con base en criterios neutrales, serán elegibles para usar el foro público limitado: representantes oficiales de su clase y el diez por ciento superior. Un estudiante que de otra manera tendrá un papel de orador en la ceremonia de graduación no es elegible para presentar los comentarios de apertura y cierre. Los estudiantes que sean elegibles recibirán notificación y se les dará la oportunidad de ser voluntarios. Los estudiantes no podrán ser voluntarios si fueron objeto de asignación disciplinaria en cualquier momento en el semestre de primavera. El tema de los comentarios de apertura y cierre estará relacionado con el propósito de la ceremonia de graduación y con el propósito de marcar el comienzo y la clausura del evento: honrar la ocasión, a los participantes y a los asistentes; convocar al orden; y enfocar a la audiencia en el propósito del evento. FNA(LOCAL)

Personas no autorizadas

De acuerdo con el Código de Educación 37.105, un administrador escolar o un agente de policía del Distrito tendrá autoridad para negar la entrada a una persona o expulsarla de una propiedad del Distrito si se niega a retirarse pacíficamente al solicitárselo, y la persona:

1. representa un riesgo sustancial de daño para cualquier otra persona; o
2. se comporta de manera inapropiada para un entorno escolar y persiste en ese comportamiento después de recibir una advertencia verbal de que el comportamiento es inapropiado y puede dar lugar a la denegación de entrada o expulsión.

Las apelaciones relacionadas con la denegación de entrada o la expulsión de una propiedad del Distrito se pueden presentar de acuerdo con las políticas FNG (LOCAL) o GF (LOCAL), según corresponda. No obstante, los plazos para los procedimientos de quejas del Distrito se ajustarán según sea necesario para permitir que la persona se dirija a la Junta en persona dentro de 90 días calendario, a menos que la queja se resuelva antes de una audiencia de la Junta.

Ver **DAEP: Restricciones durante la asignación** para informarse sobre estudiantes asignados al DAEP en el tiempo de la graduación.

Normas de conducta estudiantil

La expectativa es que cada estudiante:

- sea cortés, aun cuando los demás no lo sean;
- se comporte de manera responsable;
- ejerza la autodisciplina;
- asista a todas sus clases con regularidad y puntualidad;
- lleve los materiales y tareas necesarios a la clase;
- cumpla con las normas de vestimenta y arreglo personal del Distrito y la escuela y lleve su tarjeta de identificación;
- obedezca todas las reglas del aula y de la escuela;
- respete los derechos y privilegios de los estudiantes, maestros y otros empleados y voluntarios del Distrito;
- respete la propiedad de los demás, incluyendo la propiedad e instalaciones del Distrito;
- coopere o ayude al personal escolar a mantener la seguridad, el orden y la disciplina; y
- se adhiera a los requisitos del Código de Conducta Estudiantil.

Infracciones de conducta generales

Las siguientes categorías de conducta están prohibidas en la escuela, en los vehículos propiedad del Distrito u operados por él y en todas las actividades relacionadas con la escuela, pero la lista no incluye las infracciones más graves. En las secciones subsiguientes sobre **Suspensión fuera de la escuela**, **Asignación al DAEP**, **Asignación y/o expulsión por ciertas infracciones** y **Expulsión**, se enumeran las infracciones que requieren o permiten consecuencias específicas. Cualquier infracción, sin embargo, puede ser lo suficientemente grave como para dar lugar a la expulsión del entorno educativo general como se detalla en la sección correspondiente.

Menosprecio de la autoridad

Los estudiantes no deberán:

- incumplir las directivas dadas por el personal de la escuela (insubordinación);
- irse sin permiso de las instalaciones escolares o eventos patrocinados por la escuela;
- desobedecer las reglas de conducta en vehículos del Distrito;
- negarse a aceptar medidas disciplinarias asignadas por un maestro, director o administrador del Distrito.

Maltrato de los demás

Los estudiantes **no** deberán:

- usar lenguaje vulgar o blasfemias ni hacer gestos obscenos;
- pelear o luchar; (Para la agresión, ver **DAEP—Asignación y/o expulsión por ciertas infracciones**).
- participar en novatadas; (Ver el término **novatada** en el **Glosario**)
- incurrir en **acoso escolar**, **ciberacoso**, **acoso o lista de víctimas**; (Ver los cuatro términos en negrita en el **Glosario**)
- coaccionar a una persona mediante la amenaza de fuerza para que actúe de cierta manera;
- cometer extorsión o chantaje;
- amenazar a un estudiante, empleado o voluntario del Distrito, incluso fuera de propiedad escolar si la conducta causa una interrupción o interferencia sustancial en el entorno educativo;
- incurrir en contacto verbal, físico o sexual inapropiado dirigido hacia otra persona, como un estudiante, empleado o voluntario del Distrito;
- incurrir en acoso sexual o de género o abuso sexual, ya sea de palabra, gesto o cualquier otra conducta dirigida hacia otra persona, como un estudiante empleado, miembro de la Junta o voluntario del Distrito;
- incurrir en la exposición inapropiada o indecente de partes privadas del cuerpo;
- cometer actos de conducta que constituyen violencia de pareja; (Ver el término **violencia de pareja** en el **Glosario**)
- grabar la voz o la imagen de otra persona sin el consentimiento previo de la persona que se graba, o de cualquier manera que interfiera con el entorno educativo o invada la privacidad de los demás;
- divulgar o amenazar con divulgar material visual íntimo de un menor o un estudiante mayor de 18 años sin el consentimiento del estudiante.

Infracciones contra la propiedad

Los estudiantes no deberán:

- robar a los estudiantes, el personal o la escuela;
- dañar o vandalizar la propiedad de otros; (Para delitos mayores contra la propiedad, ver DAEP—Asignación y/o expulsión por ciertas infracciones).
- desfigurar o dañar con grafiti u otros medios la propiedad escolar, como libros de texto, tecnología, recursos electrónicos, armarios, muebles y otros equipos;
- cometer o ayudar a cometer un robo o hurto, incluso si no constituye un delito mayor según el Código Penal. (Para delito mayor de robo, robo con agravantes o hurto, ver DAEP—Asignación y/o expulsión por ciertas infracciones).
- ingresar, sin autorización, en instalaciones del Distrito que no estén abiertas y en funcionamiento habitual.

Posesión de artículos prohibidos

Los estudiantes no tendrán en su posesión ni usarán:

- fuegos artificiales de cualquier tipo, bombas de humo o fétidas, ni cualquier otro dispositivo pirotécnico;
- una navaja de afeitar, cortadores de caja, cadenas o cualquier otro objeto utilizado de manera amenazante o que inflija lesiones corporales a otra persona;
- un arma de imitación destinada a ser utilizada como arma o que razonablemente podría percibirse como un arma real;
- una pistola de aire comprimido o de balines;
- munición;
- un instrumento de mano diseñado para cortar o apuñalar a una persona al ser lanzado;
- un silenciador o supresor de armas de fuego;
- nudilleras;
- un cuchillo de uso restringido en el sitio:
- un garrote;
- un arma de fuego;
- una pistola paralizante;
- una navaja de bolsillo o cualquier otra navaja pequeña;
- *Mace* o aerosol de pimienta;
- material pornográfico;
- productos de tabaco, cigarrillos, cigarrillos electrónicos y cualquier componente, parte o accesorio de un dispositivo electrónico para fumar;
- fósforos o un encendedor;
- un puntero láser, a menos que sea para un uso aprobado; o
- cualquier artículo que generalmente no se considera como un arma, incluidos útiles escolares, cuando el director o la persona designada determina que existe un peligro.

*Para las armas y armas de fuego, ver **DAEP—Asignación y/o expulsión por ciertas infracciones**. En muchas circunstancias, la posesión de estos artículos se castiga con la expulsión obligatoria bajo la ley federal o estatal.

Posesión de dispositivos electrónicos o de telecomunicaciones

Ley HB 1481

Para garantizar un ambiente escolar seguro, respetuoso y con enfoque académico, el uso de teléfonos celulares y dispositivos electrónicos similares (teléfonos celulares, tabletas, relojes inteligentes o cualquier otro dispositivo electrónico capaz de comunicación digital) está estrictamente prohibido durante el día escolar en todas las escuelas de HISD.

Los estudiantes no pueden:

- Usar teléfonos celulares por cualquier motivo (llamadas, mensajes de texto, fotos, redes sociales, acceso a Internet, etc.)
- Mostrar o llevar teléfonos de manera visible
- Usar relojes inteligentes u otros dispositivos de comunicación portátiles
- Tener teléfonos visibles o audibles en cualquier momento desde la llegada hasta la salida, incluso durante los períodos de almuerzo y transición.

Nuestras expectativas son las siguientes:

- Los estudiantes deben dejar sus teléfonos en casa o guardarlos, apagados, en sus mochilas al llegar a la escuela.
- Los teléfonos deben permanecer fuera de la vista y sin usar durante todo el día escolar, incluyendo durante las transiciones y el almuerzo.
- Los teléfonos no se pueden llevar en la ropa ni se pueden mostrar de manera visible en ningún momento.

Si se ve, escucha o utiliza un teléfono durante el día escolar:

1. El personal confiscará el dispositivo.
2. El nombre del estudiante estará claramente etiquetado en el dispositivo.
3. El teléfono será entregado y almacenado en la oficina principal.

Consecuencias:

- 1ª infracción: Los padres/tutores pueden recuperar el dispositivo de comunicación personal de la oficina principal después del horario escolar y revisarán la ley estatal de Texas y la política de dispositivos de comunicación personal de HISD con la administración de la escuela o la persona designada.
- 2ª infracción: Los padres/tutores pueden recuperar el dispositivo de la oficina después de un día escolar completo y revisarán la ley estatal de Texas y la política de dispositivos de comunicación personal de HISD con la administración de la escuela o la persona designada.
- 3ª infracción: Los padres/tutores pueden recuperar el dispositivo de la oficina principal después de dos días escolares completos y revisarán la ley estatal de Texas y la política de dispositivos de comunicación personal de HISD con la administración de la escuela o la persona designada.

Las infracciones adicionales conllevarán medidas disciplinarias formales de mayor gravedad de acuerdo con el Código de Conducta Estudiantil de HISD.

Esta prohibición no se aplica al uso de los dispositivos:

1. que son necesarios para implementar un IEP, un plan creado bajo la Sección 504 o un programa o plan similar.
2. por un estudiante con una necesidad documentada basada en una directiva de un médico calificado; o
3. necesarios para cumplir con un requisito de salud o seguridad impuesto por la ley o como parte de los protocolos de seguridad del Distrito o de la escuela.

Medicamentos recetados y de venta libre y drogas ilegales

Los estudiantes no deberán:

- poseer, usar, dar o vender alcohol o una droga ilegal. (Consulte también **Asignación al DAEP y Expulsión** para ver las consecuencias obligatorias y permitidas según la ley estatal);
- poseer o vender semillas o trozos de marihuana en menos de una cantidad utilizable;
- poseer, usar, dar o vender parafernalia relacionada con cualquier sustancia prohibida; (Ver el término **parafernalia** en el **Glosario**)
- poseer, consumir, abusar o vender símiles de drogas o tratar de hacer pasar artículos como drogas o contrabando;
- abusar de un medicamento recetado propio del estudiante, dar un medicamento recetado a otro estudiante o poseer o estar bajo la influencia del medicamento recetado de otra persona en propiedad escolar o en un evento relacionado con la escuela; (Ver el término **abuso** en el **Glosario**)
- abusar de medicamentos de venta libre; (Ver el término **abuso** en el **Glosario**)
- estar bajo la influencia de medicamentos recetados o de venta libre que causan impedimento de las funciones del cuerpo o la mente; (Ver el término **bajo la influencia** en el **Glosario**)
- tener o consumir en la escuela medicamentos recetados o medicamentos de venta libre de manera contraria a la prevista en la política del Distrito.

Uso indebido de los recursos tecnológicos y la Internet

Los estudiantes no deberán:

- infringir las políticas, reglas o acuerdos firmados por el estudiante o sus padres con respecto al uso de recursos tecnológicos;
- usar la Internet u otras comunicaciones electrónicas para amenazar o acosar a los estudiantes, empleados, miembros de la Junta o voluntarios del Distrito, incluso fuera de propiedad escolar si la conducta causa una interrupción o interferencia sustancial en el entorno educativo o infringe los derechos de otro estudiante en la escuela;
- enviar, publicar, entregar o poseer mensajes electrónicos abusivos, obscenos, de orientación sexual, amenazantes, acosadores, dañinos para la reputación de otra persona o ilegales, incluido el

ciberacoso y el sexteo, ya sea dentro o fuera de propiedad escolar, si la conducta causa una interrupción o interferencia sustancial en el entorno educativo o infringe los derechos de otro estudiante en la escuela;

- tratar de acceder o eludir contraseñas u otra información relacionada con la seguridad del Distrito, los estudiantes o los empleados, o cargar o crear virus informáticos, incluso fuera de propiedad escolar si la conducta causa una interrupción o interferencia sustancial en el entorno educativo;
- tratar de alterar, destruir o deshabilitar los recursos tecnológicos del Distrito, incluidos, entre otros, computadoras y equipo relacionado, datos del Distrito, datos de otras personas u otras redes conectadas con el sistema del Distrito, incluso fuera de propiedad escolar si la conducta causa una interrupción o interferencia sustancial en el entorno educativo; o
- usar la Internet u otra comunicación electrónica para cometer o fomentar actos de conducta ilegal o amenazar la seguridad escolar, incluso fuera de propiedad escolar si la conducta causa una interrupción o interferencia sustancial en el entorno educativo o infringe los derechos de otro estudiante en la escuela.

Transgresiones de seguridad

Los estudiantes no deberán:

- arrojar objetos que puedan causar lesiones corporales o daños a la propiedad;
- descargar un extintor de incendios sin una causa válida;
- hacer acusaciones falsas o perpetrar engaños con respecto a la seguridad escolar;
- incurrir en cualquier conducta que los funcionarios escolares puedan creer razonablemente que interrumpirá sustancialmente el programa escolar o incitará a la violencia;
- incurrir en intercambios verbales (orales o escritos) que amenazan la seguridad de otro estudiante, un empleado de la escuela o la propiedad de la escuela; o
- poseer material publicado o electrónico diseñado para promover o incitar comportamiento ilegal o que podría amenazar la seguridad escolar.
- Dejar abiertas las puertas de seguridad de la escuela ni eludir los sistemas de detección de armas, incluyendo, entre otras, las puertas exteriores, las salidas de emergencia y las puertas temporales de los edificios.

Infracciones misceláneas

Los estudiantes no deberán:

- hacer apuestas;
- falsificar registros, pases u otros documentos relacionados con la escuela;
- cometer actos o demostraciones que interrumpen sustancialmente o interfieren materialmente con las actividades escolares;
- infringir las normas de vestimenta y arreglo personal como se comunica en el Manual del Estudiante y el Código de Conducta;
- infringir reiteradamente otras normas de conducta comunicadas en el aula o por la escuela; o
- cometer deshonestidad académica, que incluye hacer trampa o copiar el trabajo de otro estudiante, el plagio y la comunicación no autorizada de los estudiantes durante un examen.

El Distrito puede imponer reglas para el aula o la escuela además de las establecidas en el Código de Conducta. Estas reglas pueden publicarse en las aulas o entregarse al estudiante y pueden o no referirse a infracciones del Código de Conducta.

Técnicas de gestión de la disciplina

La gestión disciplinaria debe apuntar a mejorar la conducta y alentar a los estudiantes a ser miembros responsables de la comunidad escolar. Las medidas se basarán en el juicio profesional de los maestros y administradores y en las técnicas de la gestión de la disciplina, como las prácticas restaurativas. Las decisiones disciplinarias se tomarán en función de la gravedad de la infracción, la edad y el nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante, el efecto de la mala conducta en el entorno escolar y los requisitos legales.

Técnicas

Las siguientes técnicas disciplinarias se pueden usar solas, combinadas o como parte de intervenciones progresivas para conducta prohibida por el Código de Conducta o por reglas de la escuela o el aula.

- Corrección verbal, oral o escrita
- Tiempo para reflexionar o un breve periodo de separación (*time-out*), de acuerdo con la ley
- Cambio de asiento en el aula o en vehículos propiedad del Distrito u operados por él
- Confiscación temporal de artículos que interrumpen el proceso educativo
- Recompensas o deméritos
- Contratos de conducta
- Asesoramiento por parte de maestros, consejeros escolares o personal administrativo
- Reuniones de padres y maestros
- Prácticas restaurativas
- Reducciones de las calificaciones por trampas, plagio y en otros casos en que lo permita la política
- Detención escolar, incluso fuera del horario normal de clases (Antes de que un estudiante menor de 18 años sea asignado a detención escolar fuera del horario normal de clases, se notificará al estudiante y se debe notificar al padre o tutor para que se pueda planificar el transporte).
- Derivar al estudiante a la oficina, a otra área designada o a la ISS (suspensión en la escuela)
- Asignación de responsabilidades escolares, como limpiar o recoger basura
- Retiro de privilegios, como la participación en actividades extracurriculares, la elegibilidad para postularse y ocupar cargos honoríficos o la membresía en clubes y organizaciones patrocinados por la escuela
- Sanciones identificadas en las normas de comportamiento extracurricular de organizaciones estudiantiles
- Restricción o revocación de los privilegios de transporte del Distrito
- Período de prueba evaluado y administrado por la escuela
- Suspensión fuera de la escuela, como se especifica en la sección de **Suspensión fuera de la escuela** de este Código
- Asignación al DAEP, como se especifica en la sección del **DAEP** de este Código
- Expulsión y/o asignación a un entorno escolar alternativo, como se especifica en este Código en la sección **Asignación y/o Expulsión por Ciertas Infracciones**
- Expulsión, según se especifica en la sección de **Expulsión** de este Código
- Remisión a una agencia externa o autoridad legal para enjuiciamiento penal, además de las medidas disciplinarias impuestas por el Distrito
- Asesoramiento conductual
- Clases de manejo de la ira
- Mediación (víctima-infractor)
- Círculos en el aula
- Conferencias grupales familiares
- Otras estrategias y consecuencias según lo determinen los funcionarios escolares

Técnicas aversivas prohibidas

Está prohibido el uso de técnicas aversivas con los estudiantes. Las técnicas aversivas son métodos o intervenciones para reducir la recurrencia de un comportamiento causando malestar o dolor físico o emocional significativo de forma intencional. Las técnicas aversivas incluyen:

- emplear técnicas diseñadas para causar dolor físico o que probablemente lo causarán;
- emplear técnicas diseñadas para causar dolor físico por choque o que probablemente lo causen, o cualquier procedimiento que involucre puntos de presión o bloqueos articulares;
- dispersión dirigida de aerosoles, neblinas o sustancias nocivas, tóxicas o desagradables cerca de la cara de un estudiante;
- negación de acceso adecuado al sueño, el aire, la comida, el agua, el refugio, la ropa de cama, la comodidad física, la supervisión o el uso de un baño;
- ridiculizar o degradar a un estudiante de una manera que afecte negativamente o ponga en peligro su aprendizaje o salud mental o constituya abuso verbal;
- emplear un dispositivo, material u objeto que inmovilice las cuatro extremidades de un estudiante, incluida la sujeción en decúbito prono o supino en el piso;
- interferir con la respiración del estudiante, lo que incluye aplicar presión sobre el torso o el cuello, o colocar algo dentro, sobre o encima de la boca o la nariz del estudiante o cubrirle la cara;
- restringir la circulación del estudiante;
- sujetar al estudiante a un objeto estacionario mientras el estudiante está de pie o sentado;
- inhibir, reducir o dificultar la capacidad del estudiante para comunicarse;
- el uso de restricciones químicas;
- usar el tiempo de separación (*time-out*) de una manera que impida que el estudiante pueda participar y progresar adecuadamente en el currículo requerido o en cualquier meta de su programa educativo individualizado (IEP), incluido su aislamiento mediante el uso de barreras físicas; y
- privar al estudiante de uno o más de sus sentidos, a menos que la técnica no le cause malestar o cumpla con su IEP o plan de intervención conductual (BIP).

Listado de infracciones y consecuencias por nivel

Infracciones del Nivel I

En el Nivel I, la mala conducta incluye infracciones repetidas de los procedimientos o reglas de gestión del aula y otra mala conducta que interrumpe el proceso educativo. La siguiente es una lista de los tipos más comunes de infracciones de conducta del Nivel I:

1. Negarse a seguir las reglas del aula
2. Llegar tarde a clase
3. Negarse a participar en las actividades del aula o a cumplir con las tareas
4. No llevar los materiales necesarios a clase
5. Poseer o usar artículos que causan molestias
6. Usar dispositivos electrónicos prohibidos
7. Comer, beber o mascar chicle en un área no designada para ello
8. Interrumpir el proceso ordenado del aula
9. Correr, hacer ruido excesivo o causar otras molestias en pasillos, edificios, aulas y otros entornos supervisados
10. Infringir el código de vestimenta (incluye no usar cubierta facial adecuada o la tarjeta de identificación)
11. Recibir infracciones de estacionamiento

Opciones disciplinarias para el Nivel I

En ningún orden específico, se aplicará una de estas medidas o más en combinación:

1. Reunión maestro-estudiante, consejero-estudiante, administrador-estudiante
2. Llamada de conferencia con los padres
3. Medida disciplinaria o asignación en clase como, entre otras: corrección verbal, cambio de asiento, recompensas o deméritos, contratos de conducta o deducciones de puntos utilizando sistemas para las calificaciones de conducta
4. Retiro de privilegios del estudiante
5. Detención escolar
6. Confiscación de artículos o materiales que causan molestias
7. Confiscación de artículos prohibidos
8. Asignación de servicios supervisados en la escuela
9. Corrección requerida de la vestimenta o la apariencia personal
10. Período de prueba asignado por la escuela
11. Prácticas restaurativas

Infracciones del Nivel II

Cuando el comportamiento de un estudiante no cambia después de la aplicación de una medida del Nivel I, y el estudiante ha sido derivado por segunda vez a la oficina del director por infracciones repetidas del Nivel I, será trasladado al Nivel II a efectos disciplinarios. Los ejemplos de infracciones del Nivel II incluyen, entre otros:

1. Falta de respeto a la autoridad
2. No cumplir con las instrucciones dadas por el personal de la escuela

Opciones disciplinarias para el Nivel II

En ningún orden específico, se aplicará una de estas medidas o más en combinación:

1. Cualquier medida del Nivel I
2. Escuela de los sábados
3. Suspensión en la escuela
4. Conferencia obligatoria con los padres o tutores

Infracciones del Nivel III

Los actos de mala conducta de Nivel III incluyen infracciones que son algo más graves que las de los Niveles I y II en su efecto en el proceso ordenado del programa escolar. Los ejemplos de mala conducta incluyen, entre otros:

1. Hacer trampa o copiar el trabajo de otro estudiante
2. Salir sin permiso del aula, de terrenos e instalaciones de la escuela o de eventos patrocinados por la escuela (absentista)
3. Saltearse una clase u otra actividad programada
4. Usar, ya sea oralmente o por escrito, lenguaje o gestos profanos, obscenos, indecentes o de índole racial o étnica con la intención de ofender
5. Alterar registros o documentos escolares o falsificar un nombre en documentos escolares
6. Vandalizar o desfigurar la propiedad escolar
7. Tener ausencias o llegadas tarde excesivas
8. Incurrir en actos de familiaridad inapropiada con otros estudiantes
9. Usar, de manera reiterada, dispositivos electrónicos prohibidos
10. Arrojar o usar irresponsablemente objetos que pueden causar lesiones corporales o daños a la propiedad
11. Poseer o consumir productos de tabaco en propiedad escolar en cualquier momento o en asistencia a una actividad relacionada con la escuela fuera del plantel
12. Incurrir en cualquier contacto físico inaceptable o no deseado, más allá de que cause una lesión o no
13. Conducir un automóvil de forma imprudente
14. Hacer apuestas
15. Poseer, consumir o distribuir cerveza, vino u otros licores sin alcohol
16. Poseer una pistola de aire
17. Poseer munición real
18. Repetir cualquier infracción del Nivel II o cometer el estudiante una nueva infracción mientras está sujeto a medidas disciplinarias por una infracción del Nivel II

Opciones disciplinarias para el Nivel III

En ningún orden específico, se aplicará una de estas medidas o más en combinación:

1. Cualquier consecuencia del Nivel I o del Nivel II
2. Confiscación de artículos prohibidos
3. Sanción de las calificaciones por copiar o hacer trampa o por una tarea relacionada con la infracción
4. Exclusión de actividades extracurriculares
5. Restauración y/o restitución, según corresponda
6. Remisión al personal policial
7. Suspensión en la escuela
8. Suspensión fuera de la escuela

Infracciones graves, Nivel IV

Las infracciones del Nivel IV incluyen actos de mala conducta que interrumpen gravemente el proceso educativo, ponen en peligro o afectan gravemente a otros estudiantes, o infringen la ley. Los ejemplos incluyen, entre otros:

1. Repetir cualquier infracción del Nivel III o cometer el estudiante una nueva infracción mientras está sujeto a medidas disciplinarias por una infracción del Nivel III
2. Repetir actos de desobediencia o conducta desordenada que puedan causar una alteración en la escuela, o poner en peligro o afectar gravemente la salud y la seguridad de los demás
3. Amenazar (oralmente o por escrito) con causar daño corporal a otros o a pertenencias de otros (acoso)
4. Interferir con las autoridades o programas escolares mediante boicots, sentadas, invasión de propiedad privada, etc.
5. Pelear, que se define como un conflicto físico entre dos o más personas - **Si un estudiante que es atacado contraataca, ocurre una pelea.** Para evitar la penalización, un estudiante que está siendo atacado debe tratar de separarse de la situación y acudir al personal de la escuela.
6. Cometer robo, hurto o entrada ilícita con fines delictivos
7. Extorsión, coerción o chantaje (obtener dinero, objetos o favores de personas renuentes)
8. Dirigir lenguaje o gestos profanos, obscenos, indecentes, inmorales u ofensivos al personal escolar
9. Incumplimiento de medidas disciplinarias asignadas
10. Poseer un dispositivo, objeto o sustancia que puede causar daños corporales a las personas en cualquier entorno escolar
11. No informar al personal de la escuela de su conocimiento de un evento, dispositivo, objeto o sustancia que podría causar daño corporal a las personas en cualquier entorno escolar
12. Poseer, consumir o distribuir cualquier sustancia representada como droga o alcohol
13. Incurrir en conducta sexual inapropiada y/o acoso sexual
14. Participar en novatadas
15. Comportamiento, vestimenta o actividad relacionada con las pandillas o pertenencia a una pandilla
16. Poseer parafernalia de drogas
17. Cometer vandalismo en grado mayor contra propiedad del Distrito
18. Publicar o distribuir materiales comunicativos no autorizados en las instalaciones escolares

19. Colocar o detonar fuegos artificiales
20. Comprometerse a unirse o solicitar membresía en una fraternidad o sororidad de una escuela pública, sociedad secreta o pandilla según se define en TEC 37.121
21. Poseer o distribuir material pornográfico
22. Distribuir medicamentos de venta libre o recetados a otros estudiantes y/o ingerir ese tipo de medicamentos recibidos de otros estudiantes
23. Entrar ilícitamente en propiedad ajena
24. Continuar cometiendo actos de mala conducta grave o persistente que infringen el Código de Conducta o las reglas del aula del DAEP después de haber sido asignado a un programa escolar alternativo por razones disciplinarias (Posible expulsión)
25. Incurrir en delitos menores contra la propiedad, bajo el Código Penal 28.03, si la conducta es punible como delito mayor, ya sea que se haya cometido dentro o fuera de propiedad escolar o en una actividad relacionada con la escuela, (daño intencional o a sabiendas a la propiedad escolar que resulta en una pérdida de \$1,500 o más) (Posible expulsión)
26. Agresión simple (Agresión Clase C encontrado en la Sección F de la Política de la Junta)
27. Cualquier contacto físico no deseado que causa una lesión
28. Modificación electrónica de los registros escolares
29. Represalias contra otro estudiante
30. Alterar o falsificar un chequeo, prueba de detección de drogas o registro
31. Participar en una fraternidad o sororidad de una escuela pública o en una sociedad secreta, incluida la participación como miembro o aspirante, o solicitar a otra persona que se convierta en aspirante o miembro de una fraternidad o sororidad de una escuela pública o de una sociedad secreta o pandilla
32. Incurrir en acoso que motiva a un estudiante a intentar cometer suicidio o suicidarse
33. Incitar a la violencia contra un estudiante a través del acoso grupal
34. Divulgar o amenazar con divulgar material visual íntimo de un menor o un estudiante mayor de 18 años sin su consentimiento

Opciones disciplinarias para el Nivel IV

En ningún orden específico, se aplicará una de estas medidas o más en combinación:

1. Conferencia maestro-estudiante, administrador-estudiante o con los padres
2. Prácticas restaurativas
3. Suspensión fuera de la escuela que no exceda tres días a la vez
4. Citación por parte de personal policial
5. Suspensión en la escuela (incluye asignación para estudiantes menores de 10 años)
6. Reasignación de clases
7. Asignación al Programa Escolar Alternativo Disciplinario
8. Reunión obligatoria con los padres o tutores
9. Proyectos de servicio comunitario

Nivel V – Remoción obligatoria

Un estudiante **debe** ser asignado a un Programa Escolar Alternativo Disciplinario (DAEP) si:

- incurre en conducta relacionada con una falsa alarma o informe (incluida una amenaza de bomba) o una amenaza terrorista relacionada con una escuela pública; (Ver el **Glosario**)
- comete las siguientes infracciones en propiedad escolar o dentro de una distancia de 300 pies de la propiedad escolar medida desde cualquier punto de la línea limítrofe de la propiedad de la escuela, o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de propiedad escolar:
 - incurre en conductas punibles como delito mayor;
 - comete agresión (Ver el Glosario) tipificada en el Código Penal 22.01(a) (1);
 - vende, da o entrega a otra persona o posee, consume o está bajo la influencia de una sustancia controlada o droga peligrosa en una cantidad que no constituye un delito mayor; (Las infracciones de drogas relacionadas con la escuela que son punibles como delitos mayores se abordan en la sección de Expulsión del Código). (Ver los términos **bajo la influencia, sustancia controlada y droga peligrosa** en el **Glosario**)
 - vende, da o entrega a otra persona o posee, consume o está bajo la influencia de marihuana o THC. Un estudiante con una receta válida de cannabis con bajo contenido de THC según lo autorizado por el Capítulo 487 del Código de Salud y Seguridad no infringe esta disposición;
 - vende, da o entrega a otra persona una bebida alcohólica, comete un acto o infracción grave mientras está bajo la influencia del alcohol, o posee, consume o está bajo la influencia del alcohol;
 - incurre en conducta con elementos indicativos de una infracción relacionada con productos químicos volátiles abusables;
 - vende, da o entrega a otra persona o posee o consume cigarrillos electrónicos;
 - incurre en conducta con elementos indicativos de lascivia pública o exhibicionismo; (Ver el **Glosario**)
 - incurre en conducta con elementos indicativos de acoso contra un empleado, según el Código Penal 42.07 (a) (1), (2), (3) o (7);
 - incurre en conductas punibles con expulsión y tiene entre 6 y 9 años;
 - comete un delito federal relacionado con las armas de fuego y es menor de 6 años;
 - incurre en conducta con elementos indicativos de represalia contra cualquier empleado escolar o voluntario dentro o fuera de propiedad escolar (cometer represalias en combinación con otra infracción punible con expulsión se aborda en la sección de **Expulsión** de este Código);

- incurre en conducta punible como robo agravado o un delito mayor enumerado en el Título 5 (Ver el **Glosario**) del Código Penal cuando la conducta ocurre fuera de propiedad escolar y no en un evento patrocinado por la escuela o relacionado con la escuela, y

1. el estudiante recibe un enjuiciamiento diferido (Ver **Glosario**),
2. un tribunal o jurado determina que el estudiante ha incurrido en conducta delictiva (Ver el **Glosario**), o
3. el superintendente o la persona designada tiene una creencia razonable (Ver el **Glosario**) de que el estudiante incurrió en esa conducta.

Nota: A partir del 1 de enero de 2024, a raíz de las enmiendas al Código de Educación de Texas (HB114) y el plan del Distrito de Innovación de HISD, los estudiantes que cometan una infracción relacionada con el vapeo por primera vez ya no enfrentarán la asignación obligatoria al DAEP. En cambio, HISD se centrará en consecuencias alternativas e intervenciones tempranas para aplicar medidas disciplinarias y prevenir la superpoblación del DAEP. Todas las infracciones posteriores darán lugar a una asignación obligatoria al DAEP.

Nivel V – Expulsión obligatoria

Un estudiante **debe** ser expulsado bajo la ley federal o estatal por cualquiera de las siguientes infracciones que ocurran en propiedad escolar o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de propiedad escolar:

Llevar a la escuela o poseer en la escuela, incluyendo cualquier entorno que esté bajo el control o supervisión del Distrito a efectos de una actividad escolar, un arma de fuego, según lo define la ley federal. (Ver el **Glosario**)

Nota: *La expulsión obligatoria bajo la Ley Federal de Escuelas Libres de Armas no se aplica a un arma de fuego que está legalmente guardada dentro de un vehículo cerrado con llave o a las armas de fuego utilizadas en actividades aprobadas y autorizadas por el Distrito cuando el Distrito ha adoptado las salvaguardas correspondientes para garantizar la seguridad de los estudiantes.*

- Llevar ilegalmente consigo, o tener en su proximidad el estudiante, de manera prohibida por el Código Penal 46.02: :
 - una pistola, definida por la ley estatal como cualquier arma de fuego diseñada, fabricada o adaptada para ser disparada con una mano. (Ver el **Glosario**) Nota: Un estudiante no puede ser expulsado únicamente sobre la base de su uso, exhibición o posesión de un arma de fuego que ocurra en una instalación de campo de tiro aprobada que no está ubicada en una escuela; mientras participa o se prepara para una competencia de tiro patrocinada por la escuela o una actividad deportiva de tiro patrocinada o apoyada por el Departamento de Parques y Vida Silvestre; o una organización sancionadora de deportes de tiro en colaboración con el departamento. [Ver política FNCG(LEGAL)]; o
 - un cuchillo de uso restringido en el sitio, según lo define la ley estatal.
- Posesión, fabricación, transporte, reparación o venta de un arma prohibida, según se define en la ley estatal. (Ver el **Glosario**)

- Incurrir en una conducta con elementos indicativos de las siguientes infracciones tipificadas en el Código Penal:

- agresión con agravantes, agresión sexual o agresión sexual con agravantes;
- incendio provocado; (Ver el **Glosario**)
- asesinato, asesinato premeditado o intento criminal de cometer asesinato o asesinato premeditado;
- indecencia con un menor;
- secuestro con agravantes;
- robo con agravantes;
- homicidio involuntario;
- homicidio culposo;
- abuso sexual continuo de un niño menor o de una persona con una discapacidad;
- comportamiento punible como delito mayor que implica vender, dar o entregar a otra persona, poseer, consumir o estar bajo la influencia de una sustancia controlada o una droga peligrosa; y
- tomar represalias contra un empleado o voluntario de la escuela en combinación con una de las infracciones de expulsión obligatoria mencionadas anteriormente

Estudiantes con discapacidades

La disciplina de los estudiantes con discapacidades está sujeta a las leyes estatales y federales aplicables, además del Código de Conducta. En caso de conflicto, el Distrito cumplirá con la ley federal. Para obtener más información sobre la disciplina de los estudiantes con discapacidades, consulte la política FOF (LEGAL).

De conformidad con el Código de Educación, un estudiante que recibe servicios de educación especial no puede ser disciplinado por conducta indicativa de intimidación, ciberacoso, acoso o por hacer listas de víctimas (Ver el **Glosario**) hasta que se haya celebrado una reunión del comité de Admisión, Revisión y Retiro (ARD) para analizar la conducta.

Al decidir si ordenar la suspensión, asignación al DAEP o la expulsión, independientemente de si la acción es obligatoria o discrecional, el Distrito tomará en cuenta una discapacidad que afecte sustancialmente la capacidad del estudiante para apreciar el error de su conducta.

Para obtener información sobre los estudiantes con discapacidades, la suspensión, la expulsión y el DAEP, consulte el Aviso de Garantías Procesales, Derechos de los Padres de Estudiantes con Discapacidades en el sitio web del Distrito, www.houstonisd.org.

Notificación

Un administrador de la escuela notificará de inmediato por teléfono o en persona a los padres de un estudiante de cualquier infracción que pueda dar lugar a suspensión dentro o fuera de la escuela, asignación al DAEP o al JJAEP o expulsión. El administrador también notificará a los padres si el estudiante es detenido por un agente policial bajo las disposiciones disciplinarias del Código de Educación.

Se hará un esfuerzo de buena fe para proporcionar notificación por escrito de la medida disciplinaria del estudiante el día en que se tomó la medida, para que se la entregue a sus padres. Si no ha sido posible contactar con el padre por teléfono o en persona antes de las 5:00 p. m. del primer día hábil después del día en que se tomó la medida disciplinaria, el administrador enviará una notificación escrita por correo postal. Si el administrador no puede notificar al padre, el director o la persona designada deberá proporcionar la notificación.

Antes de que el director o el administrador apropiado asigne a un estudiante menor de 18 años a detención escolar fuera del horario normal de clases, se notificará a los padres del estudiante para informarles de la razón de la detención y los arreglos para el transporte necesario.

Apelaciones

Las preguntas de los padres con respecto a las medidas disciplinarias deben dirigirse al maestro o a la administración de la escuela, según corresponda. Las apelaciones o quejas relacionadas con el uso de técnicas específicas de gestión disciplinaria deben abordarse de acuerdo con la política FOC/FOD (LEGAL). Se puede obtener una copia de la política en la oficina del director, en la oficina de la administración central o en *Policy Online* en la siguiente dirección: www.houstonisd.org.

El Distrito no demorará una consecuencia disciplinaria mientras un estudiante o padre presenta una queja. En el caso de un estudiante acusado de una conducta que coincide con la definición de acoso sexual según lo definido por el Título IX, el Distrito cumplirá con la ley federal aplicable, incluido el proceso formal de queja de Título IX. Ver políticas FFH (LEGAL) Y (LOCAL).

Remoción del autobús escolar

Un conductor de autobús puede remitir a un estudiante a la oficina del director de transporte o a la oficina de la administración de la escuela para mantener una disciplina efectiva en el autobús. El director de transporte o la administración de la escuela deben emplear técnicas adicionales de gestión disciplinaria, según corresponda, que pueden incluir restringir o revocar el privilegio de viajar en autobús de un estudiante.

Para transportar a los estudiantes de manera segura, el operador del vehículo debe concentrarse en conducir y no distraerse con mal comportamiento de los estudiantes. Por lo tanto, cuando las técnicas apropiadas de gestión disciplinaria no logran mejorar el comportamiento, o cuando una mala conducta específica justifica la remoción inmediata, el director de transporte o el administrador de la escuela pueden restringir o revocar el privilegio de transporte de un estudiante de acuerdo con la ley.

Remoción del entorno educativo general

Además de otras técnicas de gestión de la disciplina, la mala conducta puede dar lugar a la expulsión del entorno educativo general mediante una remisión de rutina o una remoción formal.

Remisión de rutina

Una remisión de rutina ocurre cuando un maestro envía a un estudiante a la oficina del administrador de la escuela como técnica de gestión de la disciplina. El administrador empleará técnicas alternativas de gestión de la disciplina, incluyendo intervenciones progresivas. Un maestro o administrador puede retirar a un estudiante del aula por comportamiento que infrinja este Código de Conducta para mantener una disciplina efectiva en el aula.

Remoción formal

Un maestro también puede iniciar una expulsión formal del aula si:

1. el comportamiento del estudiante ha sido documentado por el maestro como interferencia repetida con su capacidad para enseñar a la clase o con la capacidad de otros estudiantes para aprender; o
2. el comportamiento es tan rebelde, perturbador o abusivo que el maestro no puede enseñar y los estudiantes del aula no pueden aprender.

Dentro de los tres días de clases posteriores a la remoción formal, el administrador de la escuela programará una conferencia con el padre del estudiante, el estudiante, el maestro que retiró al estudiante de la clase y cualquier otro administrador, si corresponde.

En la conferencia, el administrador informará al estudiante de la presunta mala conducta y las consecuencias propuestas. El estudiante tendrá la oportunidad de responder a las acusaciones.

Cuando un estudiante es retirado del aula regular por un maestro y hay una conferencia pendiente, el administrador de la escuela puede colocar al estudiante en:

- otra aula apropiada
- suspensión en la escuela
- suspensión fuera de la escuela
- DAEP

Un maestro o administrador **debe** retirar a un estudiante del aula si este exhibe un comportamiento que, según el Código de Educación, requiere o permite que el estudiante sea asignado al DAEP o expulsado. En caso de remoción por estos motivos, se seguirán los procedimientos indicados en los apartados siguientes sobre el DAEP y la expulsión.

Regreso del estudiante al aula

Un estudiante que ha sido formalmente removido del aula por un maestro por incurrir en una conducta contra el maestro con elementos indicativos de agresión, agresión con agravantes, agresión sexual o agresión sexual con agravantes no puede ser devuelto a la clase del maestro sin el consentimiento del maestro.

Un estudiante que ha sido removido formalmente por un maestro por cualquier otra conducta puede ser devuelto a la clase sin el consentimiento del maestro si el comité de revisión de asignación determina que la clase del maestro es la mejor o la única alternativa disponible.

Suspensión fuera de la escuela

Mala conducta

Los estudiantes pueden ser suspendidos por cualquier comportamiento enumerado en el Código de Conducta como infracción de conducta general, infracción con asignación al DAEP o infracción punible con expulsión.

El Distrito no utilizará la suspensión fuera de la escuela para los estudiantes del grado 2 o inferior a menos que la conducta coincida con los requisitos establecidos en la ley.

Un estudiante por debajo del grado 3 o sin vivienda no será puesto en suspensión fuera de la escuela a menos que, en propiedad escolar o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de la propiedad escolar, el estudiante:

- incurra en una conducta con elementos indicativos de una infracción de armas, según lo dispuesto en la Sección 46.02 o 46.05 del Código Penal;
- incurra en una conducta con elementos indicativos de agresión, agresión sexual, agresión con agravantes o agresión sexual con agravantes, según lo dispuesto por el Código Penal; o
- venda, dé o entregue a otra persona o posea, consuma o esté bajo la influencia de cualquier cantidad de marihuana, una bebida alcohólica o una sustancia controlada o drogas peligrosas según lo definido por la ley federal o estatal.

El Distrito utilizará un programa de comportamiento positivo como alternativa disciplinaria para estudiantes por debajo del grado 3 que cometan infracciones de conducta general en lugar de la suspensión o asignación al DAEP. El programa deberá cumplir con los requisitos de la ley.

Proceso

La ley estatal permite que un estudiante sea suspendido por un máximo de tres días de clases por cada infracción de conducta, sin límite en el número de veces que un estudiante puede ser suspendido en un semestre o ciclo escolar.

Antes de ser suspendido, un estudiante deberá tener una conferencia informal con el administrador apropiado de la escuela, quien informará al estudiante de la presunta mala conducta y le dará la oportunidad de responder a la acusación antes de que se tome una decisión.

El administrador de la escuela determinará el número de días de suspensión de un estudiante, que no excederá los tres días de clases. Al decidir si ordenar la suspensión fuera de la escuela, el administrador deberá tener en cuenta:

1. la defensa propia (Ver el **Glosario**),
2. la intención o falta de intención en el momento de la conducta del estudiante,
3. el historial disciplinario del estudiante,
4. una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar el error de su conducta,
5. el estado del estudiante en tutela del Departamento de Servicios Familiares y de Protección (cuidado de crianza), o
6. el estado del estudiante como indigente (sin vivienda).

El administrador apropiado determinará cualquier restricción sobre la participación en actividades extracurriculares y cocurriculares patrocinadas por la escuela o relacionadas con ella.

Trabajo escolar durante la suspensión

El Distrito se asegurará de que el estudiante reciba acceso al trabajo escolar del currículo básico mientras está suspendido dentro o fuera de la escuela, incluyendo al menos un método para recibir este trabajo que no requiera el uso de la Internet.

Un estudiante removido del aula regular por una suspensión en la escuela u otro entorno que no sea el DAEP, tendrá la oportunidad antes del comienzo del próximo ciclo escolar de completar cada curso en que estaba inscrito en el momento de su remoción. El Distrito puede ofrecer la oportunidad por cualquier método disponible, incluyendo un curso por correspondencia, otra opción de aprendizaje a distancia o la escuela de verano. El Distrito no le cobrará al estudiante por ningún método de finalización de cursos que le proporcione.

Asignación al Programa Escolar Alternativo Disciplinario (DAEP)

El DAEP se proporcionará en un entorno que no será el aula regular del estudiante. Un estudiante de primaria no puede ser asignado al DAEP con un estudiante que no está en la primaria.

A los efectos del DAEP, la clasificación de la primaria será de kínder a 5º grado, la clasificación de secundaria de 6º a 8º grado y la clasificación de preparatoria de 9º a 12º grado.

Un estudiante expulsado por una infracción que de otra manera habría dado lugar a su asignación al DAEP no tiene que ser asignado al DAEP además de la expulsión. Las remociones al DAEP las efectuará la Oficina de Disciplina Estudiantil.

Conferencia

Cuando un estudiante es retirado del aula por una infracción que da lugar al DAEP, el CBC (Coordinador de Comportamiento de la Escuela) o el administrador apropiado programará una conferencia dentro de los tres días de clases siguientes con el padre del estudiante, el estudiante y la escuela que lo remite. En la conferencia, el CBC o el administrador apropiado proporcionará al estudiante:

- información, verbal o por escrito, de los motivos de la remoción;
- una explicación de la razón de la remoción; y
- una oportunidad para responder a los motivos de la remoción.

Después de intentos válidos para exigir la asistencia, el Distrito puede llevar a cabo la conferencia y tomar una decisión de asignación independientemente de si el estudiante o los padres del estudiante asisten a la conferencia.

Al decidir si asignar a un estudiante al DAEP, independientemente de si la medida es obligatoria o discrecional, el CBC o el administrador apropiado deberá tener en cuenta:

1. la defensa propia (Ver el **Glosario**),
2. la intención o falta de intención en el momento de la conducta del estudiante,
3. el historial disciplinario del estudiante,
4. una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar el error de su conducta.
5. el estado del estudiante en tutela del Departamento de Servicios Familiares y de Protección (cuidado de crianza), y
6. el estado del estudiante como indigente (sin vivienda).

Asignación discrecional: mala conducta que puede dar lugar a la asignación al DAEP

Un estudiante **puede** ser asignado al DAEP por comportamientos prohibidos en la sección de Infracciones de Conducta Generales de este Código.

Mala conducta identificada en la Ley Estatal

De acuerdo con la ley estatal, un estudiante **puede** ser asignado al DAEP por cualquiera de las siguientes infracciones:

- incurrir en acoso que motiva a un estudiante a intentar cometer suicidio o suicidarse;
- incitar a la violencia contra un estudiante a través del acoso grupal;
- divulgar o amenazar con divulgar material visual íntimo de un menor o un estudiante mayor de 18 años sin su consentimiento;

- participación en una fraternidad o sororidad de una escuela pública o en una sociedad secreta, incluida la participación como miembro o aspirante, o solicitar a otra persona que se convierta en aspirante o miembro de una fraternidad o sororidad de una escuela pública o de una sociedad secreta o pandilla; (Ver el **Glosario**)
- participación en actividad de pandillas callejeras delincuentes; (Ver el **Glosario**)
- delito menor contra la propiedad no punible como delito mayor;
- agresión (sin lesiones corporales) con amenaza de lesiones corporales inminentes; y
- agresión por contacto físico ofensivo o provocativo.

De acuerdo con la ley estatal, un estudiante **puede** ser asignado al DAEP si el superintendente o la persona designada por el superintendente tiene una creencia razonable (Ver el **Glosario**) de que el estudiante ha participado en una conducta punible como delito mayor, sin ser robo con agravantes o aquellos enumerados como infracciones en el Título V (Ver **Glosario**) del Código Penal, que ocurre fuera de propiedad escolar y no en un evento patrocinado por la escuela o relacionado con ella, si la presencia del estudiante en el aula general amenaza la seguridad de otros estudiantes o maestros o si será perjudicial para el proceso educativo.

El CBC de la escuela o el administrador apropiado **puede** asignar a un estudiante al DAEP por conducta fuera de la escuela para la cual la asignación al DAEP es requerida por la ley estatal, si el administrador no tiene conocimiento de la conducta antes del primer aniversario de la fecha en que ocurrió la conducta.

Asignación obligatoria: mala conducta que requiere de asignación al DAEP

Un estudiante **debe** ser asignado al Programa Escolar Alternativo Disciplinario (DAEP) si:

- incurre en conducta relacionada con una falsa alarma o informe (incluida una amenaza de bomba) o una amenaza terrorista que involucra a una escuela pública; (Ver el **Glosario**)
- comete las siguientes infracciones en propiedad escolar o dentro de una distancia de 300 pies de la propiedad escolar medida desde cualquier punto de la línea límite de la propiedad de la escuela, o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de propiedad escolar
- incurre en conductas punibles como delito mayor
- comete agresión (Ver el **Glosario**) tipificada en el Código Penal 22.01(a) (1)
- vende, da o entrega a otra persona, o posee, consume o está **bajo la influencia** de una **sustancia controlada** o de una **droga peligrosa** en una cantidad que no constituye un delito mayor (Los delitos mayores de drogas relacionados con la escuela se abordan en la sección de Expulsión del Código). (Ver los tres términos en negrita en el **Glosario**)
- vende, da o entrega a otra persona, o posee, consume o está bajo la influencia de marihuana o THC. Un estudiante con una receta válida de cannabis con bajo contenido de THC según lo autorizado por el Capítulo 487 del Código de Salud y Seguridad no infringe esta disposición.
- vende, da o entrega a otra persona una bebida alcohólica; comete un acto o infracción grave mientras está bajo la influencia del alcohol, o posee, consume o está bajo la influencia del alcohol
- incurre en conducta con elementos indicativos de infracción relacionada con productos químicos volátiles abusables
- vende, da o entrega a otra persona o posee o consume un cigarrillo electrónico

- incurre en conducta con elementos indicativos de lascivia pública o exhibicionismo (Ver el **Glosario**)
- incurre en conducta con elementos indicativos de acoso contra un empleado según el Código Penal 42.07 (a) (1), (2), (3) o (7)
- incurre en conductas punibles con expulsión y tiene entre 6 y 9 años
- comete un delito federal relacionado con las armas de fuego y es menor de 6 años
- incurre en conducta con elementos indicativos de represalia contra cualquier empleado escolar o voluntario dentro o fuera de propiedad escolar (cometer represalias en combinación con otra infracción punible con expulsión se aborda en la sección de **Expulsión** de este Código)
- incurre en conducta punible como robo agravado o un delito mayor enumerado en el Título 5 (Ver el **Glosario**) del Código Penal cuando la conducta ocurre fuera de propiedad escolar y no en un evento patrocinado por la escuela o relacionado con la escuela y:
 1. el estudiante recibe un enjuiciamiento diferido (Ver el **Glosario**),
 2. un tribunal o jurado determina que el estudiante ha incurrido en conducta delictiva (Ver el **Glosario**), o
 3. el superintendente o la persona designada tiene una creencia razonable (Ver el **Glosario**) de que el estudiante incurrió en esa conducta.

Agresión sexual y asignación de escuela

Un estudiante será transferido a otra escuela si:

- el estudiante ha sido condenado por abuso sexual continuo de un niño menor o una persona con una discapacidad o ha sido condenado o se encuentra bajo proceso suspendido o diferido por agresión sexual o agresión sexual con agravantes contra otro estudiante en la misma escuela; y
- el padre de la víctima, u otra persona con autoridad para actuar en nombre de la víctima, solicita que la Junta transfiera al estudiante infractor a otra escuela.

Si no hay otra escuela en el Distrito que atienda el grado escolar del estudiante infractor, el estudiante infractor será transferido al DAEP.

Proceso

Las remociones al DAEP serán hechas por la Oficina de Disciplina Estudiantil.

Conferencia

Cuando un estudiante es retirado del aula por una infracción que da lugar a una asignación al DAEP, el CBC o el administrador apropiado programará una conferencia dentro de los tres días de clases siguientes con el padre del estudiante, el estudiante y la escuela que lo remite. En la conferencia, el CBC o el administrador apropiado proporcionará al estudiante:

- información, verbal o por escrito, de los motivos de la remoción;
- una explicación de la razón de la remoción; y
- una oportunidad para responder a los motivos de la remoción.

Después de intentos válidos para exigir la asistencia, el Distrito puede llevar a cabo la conferencia y tomar una decisión de asignación independientemente de si el estudiante o los padres del estudiante asisten a la conferencia.

Consideración de factores atenuantes

Al decidir si asignar a un estudiante al DAEP, independientemente de si la medida es obligatoria o discrecional, el administrador de la escuela deberá tener en cuenta:

1. la defensa propia (Ver el **Glosario**),
2. la intención o falta de intención en el momento de la conducta del estudiante,
3. el historial disciplinario del estudiante,
4. una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar el error de su conducta,
5. el estado del estudiante en tutela del Departamento de Servicios Familiares y de Protección (cuidado de crianza), y
6. el estado del estudiante como indigente (sin vivienda).

Orden de asignación

Después de la conferencia, si el estudiante es asignado al DAEP, el CBC de la escuela o el administrador apropiado escribirá una orden de asignación. Una copia de la orden de asignación al DAEP e información para el padre, o la persona que tiene relación parental con el estudiante, con respecto al proceso para solicitar una evaluación individual e inicial completa del estudiante a efectos de servicios de educación especial se enviará al estudiante y a sus padres.

A más tardar el segundo día hábil después de la conferencia, un designado de la Junta entregará al tribunal de menores una copia de la orden de asignación y toda la información requerida por la Sección 52.04 del Código de Familia.

Si el estudiante es asignado al DAEP y la duración de la asignación es inconsistente con las pautas incluidas en este Código, la orden de asignación deberá dar aviso de la inconsistencia.

DAEP sin cupos

Si el DAEP está al límite de su capacidad en el momento en que el administrador apropiado o la persona designada está decidiendo la asignación por conducta relacionada con la marihuana, el THC, un cigarrillo electrónico, alcohol o un producto químico volátil abusable, el estudiante será asignado a suspensión dentro de la escuela y luego transferido al DAEP por el resto del período si se abren cupos antes del final del período de la asignación.

Si un DAEP está al límite de su capacidad en el momento en que el administrador apropiado o la persona designada está decidiendo la asignación de un estudiante que incurrió en conducta violenta, un estudiante que haya sido asignado al DAEP por conducta relacionada con la marihuana, el THC, un cigarrillo electrónico, alcohol o un producto químico volátil abusable puede ser asignado a suspensión en la escuela a efectos de liberar un cupo en el DAEP para el estudiante que incurrió en conducta violenta. Si se abriera un cupo en el DAEP antes del final del período de la asignación del estudiante removido, el estudiante volverá al DAEP por el resto del período.

Aviso sobre el trabajo escolar

El padre o tutor de un estudiante colocado en el DAEP recibirá una notificación por escrito de la oportunidad del estudiante de completar, sin costo para él, un curso del plan de estudios básico en el que el estudiante estaba inscrito en el momento de la remoción y que es requerido para la graduación. El aviso deberá incluir información sobre todos los métodos disponibles para completar el trabajo del curso.

Duración de la asignación

El CBC de la escuela o el administrador apropiado determinará la duración de la asignación del estudiante al DAEP. La duración de la asignación de un estudiante se determinará caso por caso en función de la gravedad de la infracción, la edad y el nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante y los requisitos legales. El período máximo de asignación al DAEP será de un año calendario, excepto según lo dispuesto a continuación.

A menos que se especifique lo contrario en la orden de asignación, los días de ausencia del DAEP no contarán para cumplir con el número total de días requeridos en la orden de asignación al DAEP de un estudiante.

El Distrito administrará las evaluaciones previas y posteriores requeridas para los estudiantes asignados al DAEP para un período de 90 días o más de conformidad con los procedimientos administrativos establecidos por el Distrito para administrar otras evaluaciones de diagnóstico o referencia.

Excede un año

La asignación al DAEP puede exceder un año cuando una revisión por parte del Distrito determina que el estudiante es una amenaza para la seguridad de otros estudiantes o para los empleados del Distrito.

Las limitaciones estatutarias sobre la duración de una asignación al DAEP no se aplican a una asignación que resulta de una decisión de la Junta de asignar a un estudiante que cometió agresión sexual contra otro estudiante, para que los estudiantes no estén asignados a una misma escuela.

Excede el ciclo escolar

Es posible que se requiera que los estudiantes que están asignados al DAEP al final de un ciclo escolar continúen esa asignación al comienzo del próximo ciclo escolar para completar el período de asignación establecido.

Para que la asignación al DAEP se extienda más allá del final del ciclo escolar, el administrador apropiado o la persona designada por la Junta debe determinar que:

1. la presencia del estudiante en el aula general o en la escuela presenta un peligro de daño físico para el estudiante o para otros; o
2. el estudiante ha incurrido en mala conducta grave o persistente (Ver el Glosario) que infringe el Código de Conducta del Distrito.

Excede 60 días

Para que la asignación al DAEP se extienda más allá de los 60 días o el final del próximo período de calificación, lo que ocurra primero, se notificará a los padres del estudiante y se les dará la oportunidad de participar en un procedimiento disciplinario ante la Junta o la persona designada por la Junta.

Apelaciones

Las apelaciones de los estudiantes o padres con respecto a la asignación de un estudiante al DAEP deben seguir las pautas descritas en la política FOC (LOCAL). Todas las apelaciones del DAEP de Nivel I deben dirigirse al director ejecutivo de Disciplina Estudiantil. Las consecuencias disciplinarias no se demorarán mientras se revisa una apelación. La decisión tomada por el director ejecutivo es definitiva e inapelable. Copias de esta política están disponibles en la oficina del director, la oficina de la administración central o en línea a través de *Policy Online* en www.houstonisd.org

Restricciones durante la asignación

El Distrito no permite que un estudiante asignado al DAEP participe en ninguna actividad extracurricular o cocurricular patrocinada por la escuela o relacionada con ella, incluyendo postularse y ocupar cargos honoríficos o ser miembro de clubes y organizaciones patrocinados por la escuela.

El Distrito proporcionará transporte a los estudiantes en el DAEP de escuela primaria y secundaria. Un estudiante con una discapacidad que tiene derecho a transporte de acuerdo con su programa educativo individualizado (IEP) o su plan de la Sección 504 recibirá transporte independientemente del grado escolar.

Para los estudiantes sénior que son elegibles para graduarse y están asignados al DAEP en el momento de la graduación, la asignación al programa continuará hasta la graduación, y al estudiante no se le permitirá participar en la ceremonia de graduación ni en las actividades relacionadas con la graduación a menos que se especifique lo contrario en la orden de asignación al DAEP.

Revisión de la asignación

A los estudiantes asignados al DAEP se les proveerá una revisión de su estado, incluido su estado académico, por parte del administrador de la escuela o la persona designada por la Junta, a intervalos que no excederán los 120 días. En el caso de un estudiante de preparatoria, también se revisará su progreso hacia la graduación y su plan de graduación. En la revisión, el estudiante o sus padres tendrán la oportunidad de presentar argumentos para el regreso del estudiante a la escuela o aula regular. El estudiante no puede ser devuelto al aula de un maestro que lo retiró sin que ese maestro dé su consentimiento.

Casos de mala conducta adicionales

Si durante el período de asignación al DAEP el estudiante incurre en actos de mala conducta adicionales por los cuales se requiere o permite la asignación al DAEP o la expulsión, se pueden llevar a cabo procedimientos adicionales y el administrador apropiado o la persona designada puede emitir una orden disciplinaria adicional como resultado de esos procedimientos.

Aviso de proceso penal

Cuando un estudiante es asignado al DAEP por ciertas infracciones, la oficina del fiscal notificará al Distrito si:

1. el enjuiciamiento del caso de un estudiante fue rechazado por falta de mérito procesal o pruebas insuficientes y no habrá procedimientos formales, proceso suspendido o diferido ni enjuiciamiento diferido (Ver el **Glosario**); o
2. el tribunal o el jurado declararon no culpable a un estudiante o determinaron que el estudiante no incurrió en conducta delictiva o que indicara la necesidad de supervisión, y el caso fue resuelto con sobreseimiento definitivo.

Si un estudiante fue asignado al DAEP por tal conducta, al recibir la notificación del fiscal, el superintendente o la persona designada revisará la asignación del estudiante y programará una revisión con los padres del estudiante a más tardar el tercer día después de que el superintendente o la persona designada reciba la notificación del fiscal. El estudiante no puede regresar al aula regular mientras la revisión está pendiente.

Después de revisar el aviso y recibir información de los padres del estudiante, el superintendente o la persona designada puede continuar la asignación del estudiante si hay razones para creer que la presencia del estudiante en el aula regular amenaza la seguridad de otros estudiantes o maestros.

El estudiante no puede regresar al aula regular mientras la apelación está pendiente. En el caso de una apelación, la Junta deberá, en la próxima reunión programada, revisar la notificación del fiscal y recibir información del estudiante, el padre del estudiante y el superintendente o la persona designada, y confirmar o revertir la decisión del superintendente o la persona designada. La Junta levantará acta de las actuaciones.

Si la Junta confirma la decisión del superintendente o de la persona designada, el estudiante y sus padres pueden apelar ante el Comisionado de Educación. El estudiante no puede regresar al aula regular mientras la apelación está pendiente.

Retiro de la escuela durante el proceso

Cuando un estudiante infringe el Código de Conducta del Distrito de una manera que requiere o permite que el estudiante sea asignado al DAEP y el estudiante se retira del Distrito antes de que se complete una orden de asignación, el administrador apropiado o la persona designada puede completar los procedimientos y emitir una orden de asignación. Si el estudiante luego se vuelve a inscribir en el Distrito en el mismo ciclo escolar o un ciclo subsiguiente, el Distrito puede hacer cumplir la orden en ese momento, menos cualquier período de la asignación que el estudiante haya completado durante la inscripción en otro Distrito. Si el administrador apropiado o la Junta no emiten una orden de asignación después de que el estudiante se retira, el próximo Distrito en el que se inscriba el estudiante puede completar los procedimientos y emitir una orden de asignación.

Estudiante recién inscrito

El Distrito decidirá caso por caso si continúa la asignación de un estudiante que se inscribe en el Distrito y fue asignado al DAEP en una escuela chárter de inscripción abierta u otro distrito. El Distrito puede asignar al estudiante al DAEP del Distrito o a un aula regular.

Cuando un estudiante se inscribe en el Distrito con una asignación al DAEP de un distrito de otro estado, el Distrito tiene el derecho de asignar al estudiante al DAEP en la misma medida que cualquier otro estudiante recién inscrito si el comportamiento cometido es una razón para la asignación al DAEP en el distrito receptor.

La ley estatal requiere que el Distrito reduzca una asignación impuesta por un distrito de otro estado que exceda un año para que la asignación total no exceda un año. Sin embargo, después de una revisión, la asignación puede extenderse más de un año si el Distrito determina que el estudiante es una amenaza para la seguridad de otros estudiantes o empleados o si la asignación extendida es lo mejor para el estudiante.

Procedimiento para la asignación de emergencia

Cuando es necesaria una asignación de emergencia porque el comportamiento del estudiante es tan rebelde, perturbador o abusivo que interfiere seriamente con las operaciones del aula o de la escuela, se le notificará oralmente al estudiante la razón de la acción. A más tardar el décimo día después de la fecha de la asignación, el estudiante recibirá la conferencia apropiada requerida para la asignación al DAEP.

Servicios de transición

De acuerdo con la ley y los procedimientos del Distrito, el personal de la escuela proporcionará servicios de transición a un estudiante que regrese al aula regular después de una asignación a un programa escolar alternativo, incluido el DAEP. Consulte la política FOCA (LEGAL) para obtener más información.

Asignación y/o expulsión a causa de ciertas infracciones

Esta sección incluye dos categorías de infracciones para las cuales el Código de Educación proporciona procedimientos únicos y consecuencias específicas.

Agresores sexuales registrados

Al recibir una notificación de conformidad con la ley estatal de que un estudiante está actualmente obligado a registrarse como agresor sexual, el Distrito debe retirar al estudiante del aula regular y determinar la asignación apropiada a menos que el tribunal ordene la asignación al JJAEP.

Si el estudiante está bajo cualquier forma de supervisión judicial, incluida la libertad vigilada, supervisión comunitaria o la libertad condicional, el estudiante será asignado al DAEP durante al menos un semestre.

Si el estudiante no está bajo ningún tipo de supervisión judicial, la asignación puede ser al DAEP por un semestre o a un aula regular. El estudiante no puede ser asignado al aula regular si la Junta o su designado determina que la presencia del estudiante:

1. amenaza la seguridad de otros estudiantes o de los maestros,
2. será perjudicial para el proceso educativo, o
3. no es lo mejor para los estudiantes del Distrito.

Comité de revisión

Al final del primer semestre de la asignación de un estudiante a un entorno escolar alternativo y antes del comienzo de cada ciclo escolar para el cual el estudiante permanece en una asignación alternativa, el Distrito convocará un comité, de conformidad con la ley estatal, para revisar la asignación del estudiante. El comité recomendará si el estudiante debe regresar al aula regular o debe continuar la asignación. En ausencia de una conclusión especial, la Junta o la persona designada por ella debe seguir la recomendación del comité.

La revisión de la asignación de un estudiante con una discapacidad que recibe servicios de educación especial debe ser realizada por el comité de ARD.

Estudiante recién inscrito

Si un estudiante se inscribe en el Distrito durante una asignación obligatoria como agresor sexual registrado, el Distrito puede contar cualquier tiempo que el estudiante ya haya cumplido en una asignación o puede requerir un semestre adicional en una asignación alternativa sin realizar una revisión de la asignación.

Apelación

El estudiante o sus padres pueden apelar la asignación solicitando una conferencia entre la Junta o su designado, el estudiante y el padre del estudiante. La conferencia se limita a la cuestión fáctica de si el estudiante está obligado a registrarse como agresor sexual. Toda decisión de la Junta o de la persona designada por ella es definitiva e inapelable.

Ciertos delitos mayores

Independientemente de si se requiere o se permite la asignación al DAEP o la expulsión por una de las razones contempladas en las secciones de Asignación al DAEP o Expulsión, de conformidad con el Código de Educación 37.0081, un estudiante puede ser expulsado y asignado al DAEP o al JJAEP si la Junta o su designado llega a ciertas conclusiones y existen las siguientes circunstancias en relación con el robo con agravantes o un delito mayor bajo el Título V (Ver el **Glosario**) del Código Penal. El estudiante debe haber:

- recibido un enjuiciamiento diferido por una conducta definida como robo con agravantes o un delito mayor contemplado en el Título V;
- recibido una sentencia de un tribunal o jurado por haber incurrido en conducta delictiva definida como robo con agravantes o un delito mayor en el Título V;

- sido acusado de incurrir en conducta definida como robo con agravantes o un delito mayor contemplado en el Título V;
- sido remitido a un tribunal de menores por presuntamente incurrir en conducta delictiva definida como robo con agravantes o delito mayor contemplado en el Título V; o
- recibido libertad vigilada o proceso suspendido o diferido o ha sido arrestado, imputado o condenado por robo con agravantes o un delito mayor contemplado en el Título V.

El Distrito puede expulsar al estudiante y ordenar la asignación bajo estas circunstancias, independientemente de

1. la fecha en el que estudiante incurrió en la conducta,
2. el lugar donde incurrió en la conducta,
3. si el estudiante incurrió en la conducta estando inscrito en el Distrito, o
4. si el estudiante ha completado con éxito cualquier requisito de disposición judicial impuesto en relación con la conducta.

Audiencia y conclusiones requeridas

El estudiante primero debe tener una audiencia ante la Junta o su designado, quien debe determinar que, además de las circunstancias anteriores que permiten la expulsión, la presencia del estudiante en el aula regular:

1. amenaza la seguridad de otros estudiantes o de los maestros,
2. será perjudicial para el proceso educativo, o
3. no es lo mejor para los estudiantes del Distrito.

Toda decisión de la Junta o de la persona designada por la Junta en virtud de esta sección es definitiva e inapelable.

Duración de la asignación

El estudiante estará sujeto a la asignación hasta que:

1. se gradúe de la escuela preparatoria,
2. se desestimen los cargos o se reduzcan a delito menor, o
3. complete el término de la asignación o sea asignado a otro programa.

Revisión de la asignación

Un estudiante asignado al DAEP o al JJAEP bajo estas circunstancias tiene derecho a una revisión de su estado, incluido su estado académico, por parte del administrador de la escuela o la persona designada por la Junta, a intervalos que no excederán los 120 días. En el caso de un estudiante de preparatoria, también se revisará su progreso hacia la graduación y su plan de graduación. En la revisión, el estudiante o sus padres tendrán la oportunidad de presentar argumentos para el regreso del estudiante a la escuela o aula regular.

Estudiante recién inscrito

Un estudiante que se inscribe en el Distrito antes de completar una asignación correspondiente a esta sección en otro distrito escolar debe cumplir el término de la asignación.

Expulsión

Al decidir si ordenar la expulsión de un estudiante, independientemente de si la medida es obligatoria o discrecional, el Distrito tendrá en cuenta:

1. la defensa propia (Ver el **Glosario**),
2. la intención o falta de intención en el momento de la conducta del estudiante,
3. el historial disciplinario del estudiante,
4. una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar el error de su conducta,
5. el estado del estudiante en tutela del Departamento de Servicios Familiares y de Protección (cuidado de crianza), y
6. el estado del estudiante como indigente (sin vivienda).

Expulsión discrecional: mala conducta que puede dar lugar a la expulsión

Algunos de los siguientes tipos de mala conducta pueden dar lugar a la asignación obligatoria al DAEP, sea el estudiante expulsado o no. (Ver **Asignación al DAEP**)

En cualquier sitio

Un estudiante **puede** ser expulsado por:

- incurrir en acoso que motiva a un estudiante a intentar cometer suicidio o suicidarse;
- incitar a la violencia contra un estudiante a través del acoso grupal;
- divulgar o amenazar con divulgar material visual íntimo de un menor o un estudiante mayor de 18 años sin su consentimiento;
- incurrir en conducta con elementos indicativos de agresión bajo el Código Penal 22.01 (a) (1) en represalia contra un empleado o voluntario de la escuela;
- delito menor contra la propiedad si es punible como delito mayor;
- incurrir en conducta con elementos indicativos de una de las siguientes infracciones contra otro estudiante:
 - agresión con agravantes
 - agresión sexual
 - agresión sexual con agravantes
 - asesinato
 - asesinato premeditado
 - intento criminal de cometer asesinato o asesinato premeditado
 - robo con agravantes
- vulneración de la seguridad informática (Ver el **Glosario**)
- incurrir en conducta relacionada con una falsa alarma o informe (incluida una amenaza de bomba) o una amenaza terrorista relacionada con una escuela pública.

En la escuela, dentro de una distancia de 300 pies o en un evento escolar

Un estudiante **puede** ser expulsado por cometer cualquiera de las siguientes infracciones en propiedad escolar o dentro de una distancia de 300 pies de la propiedad escolar medida desde cualquier punto de la línea limítrofe de la propiedad de la escuela, o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de propiedad escolar:

- vende, da o entrega a otra persona o posee, consume o está bajo la influencia de cualquier cantidad de, una sustancia controlada o una droga peligrosa. Un estudiante con una receta válida de cannabis con bajo contenido de THC según lo autorizado por el Capítulo 487 del Código de Salud y Seguridad no infringe esta disposición; (Ver el término **bajo la influencia** en el **Glosario**)
- vende, da o entrega a otra persona o posee, consume o está bajo la influencia de cualquier cantidad de alcohol, o comete un acto o infracción grave mientras está bajo la influencia del alcohol;
- incurre en conducta con elementos indicativos de una infracción relacionada con productos químicos abusables;
- incurre en conducta con elementos indicativos de agresión bajo la Sección 22.01(a) (1) contra un empleado o un voluntario; o
- incurre en conducta mortal. (Ver el **Glosario**)

Dentro de una distancia de 300 pies de la escuela

Un estudiante **puede** ser expulsado por incurrir en la siguiente conducta dentro de una distancia de 300 pies de la propiedad escolar medida desde cualquier punto de la línea limítrofe de la propiedad de la escuela:

- agresión con agravantes, agresión sexual o agresión sexual con agravantes;
- incendio provocado; (Ver el **Glosario**)
- asesinato, asesinato premeditado o intento criminal de cometer asesinato o asesinato premeditado;
- indecencia con un menor;
- secuestro con agravantes;
- homicidio involuntario;
- homicidio culposo;
- robo con agravantes;
- abuso sexual continuo de un niño menor o de una persona con una discapacidad;
- delitos mayores relacionados con sustancias controladas o drogas peligrosas, sin incluir THC;
- portar ilegalmente, o tener en su proximidad el estudiante, una pistola o un cuchillo de uso restringido en el sitio, según se definen estos términos por la ley estatal; (Ver el **Glosario**)
- poseer, fabricar, transportar, reparar o vender un arma prohibida, según lo define la ley estatal; o (Ver el **Glosario**)
- posesión de un arma de fuego, según lo define la ley federal. (Ver el **Glosario**)

En propiedad de otro distrito

Un estudiante **puede** ser expulsado por cometer cualquier infracción que sea una infracción obligatoriamente punible con expulsión de acuerdo con el Estado si la infracción se comete en la propiedad de otro distrito de Texas o mientras el estudiante asiste a una actividad patrocinada por la escuela o relacionada con la escuela de otro distrito de Texas.

En el DAEP

Un estudiante **puede** ser expulsado por incurrir en mal comportamiento grave documentado que infringe el Código de Conducta del Distrito a pesar de las intervenciones conductuales documentadas mientras estaba asignado al DAEP.

A los efectos de la expulsión discrecional del DAEP, mal comportamiento grave significa:

1. comportamiento violento deliberado que representa una amenaza directa para la salud o la seguridad de los demás;
2. extorsión, es decir, la obtención de dinero u otros bienes por la fuerza o la amenaza;
3. conducta que constituya coerción, tal como se define en el Código Penal 1.07; o
4. conducta que constituya la infracción de:
 - a. lascivia pública según el Código Penal 21.07,
 - b. exhibicionismo, según el Código Penal 21.08
 - c. delito menor contra la propiedad, según el Código Penal 28.03,
 - d. novatadas, según el Código de Educación 37.152, o
 - e. acoso, según el Código Penal 42.07(a) (1), de un estudiante o empleado del Distrito

Expulsión obligatoria: mala conducta que requiere expulsión

Un estudiante **debe** ser expulsado bajo la ley federal o estatal por cometer cualquiera de las siguientes infracciones en propiedad escolar o mientras asiste a una actividad patrocinada por la escuela o relacionada con la escuela dentro o fuera de propiedad escolar:

Bajo la Ley Federal

Llevar a la escuela, o poseer en la escuela, incluyendo cualquier entorno que esté bajo el control o supervisión del Distrito para una actividad escolar, un arma de fuego, según la definición de la ley federal. (Ver el **Glosario**)

Nota: La expulsión obligatoria bajo la Ley Federal de Escuelas Libres de Armas no se aplica a un arma de fuego que está legalmente guardada dentro de un vehículo cerrado con llave o a las armas de fuego utilizadas en actividades aprobadas y autorizadas por el Distrito cuando el Distrito ha adoptado las salvaguardas correspondientes para garantizar la seguridad de los estudiantes.

Bajo el Código Penal

- Llevar ilegalmente consigo, o tener en su proximidad el estudiante, de manera prohibida por el Código Penal 46.02:
 - una pistola, definida por la ley estatal como cualquier arma de fuego diseñada, fabricada o adaptada para ser disparada con una mano. (Ver el **Glosario**) Nota: Un estudiante no puede ser expulsado únicamente sobre la base de su uso, exhibición o posesión de un arma de fuego que ocurra en una instalación de campo de tiro aprobada que no está ubicada en una escuela; mientras participa o se prepara para una competencia de tiro patrocinada por la escuela o una actividad deportiva de tiro patrocinada o apoyada por el Departamento de Parques y Vida Silvestre; o una organización sancionadora de deportes de tiro en colaboración con el departamento; [Ver política FNCG(LEGAL).]
 - un cuchillo de uso restringido en el sitio, según lo define la ley estatal. (Ver el **Glosario**)
- Posesión, fabricación, transporte, reparación o venta de un arma prohibida, según se define en la ley estatal; (Ver el **Glosario**)

• Incurrir en conducta con elementos indicativos de las siguientes infracciones bajo el Código Penal:

- agresión con agravantes, agresión sexual o agresión sexual con agravantes;
- incendio provocado; (Ver el **Glosario**)
- asesinato, asesinato premeditado o intento criminal de cometer asesinato o asesinato premeditado;
- indecencia con un menor;
- secuestro con agravantes;
- robo con agravantes;
- homicidio involuntario;
- homicidio culposo;
- abuso sexual continuo de un niño menor o de una persona con una discapacidad
- comportamiento punible como delito mayor que implica vender, dar o entregar a otra persona, poseer, consumir o estar bajo la influencia de una sustancia controlada o una droga peligrosa; y
- tomar represalias contra un empleado o voluntario de la escuela en combinación con una de las infracciones de expulsión obligatoria mencionadas anteriormente

Menor de 10 años

Cuando un estudiante menor de 10 años incurre en un comportamiento punible con expulsión, el estudiante no será expulsado, sino que será asignado al Programa Escolar Alternativo Disciplinario (DAEP). Un estudiante menor de 6 años no será asignado al DAEP a menos que el estudiante cometa un delito federal relacionado con armas de fuego.

Proceso

Si se cree que un estudiante ha cometido una infracción punible con expulsión, el administrador apropiado programará una audiencia dentro de un tiempo razonable. Se invitará por escrito a los padres del estudiante a asistir a la audiencia. Hasta que se pueda llevar a cabo una audiencia, el administrador puede colocar al estudiante en:

- otra aula apropiada
- suspensión en la escuela
- suspensión fuera de la escuela
- un Programa Disciplinario de Educación Alternativa (DAEP).

Audiencia

Un estudiante que enfrenta la expulsión tendrá una audiencia con el debido proceso correspondiente. El estudiante tiene derecho a:

1. representación por parte de los padres del estudiante u otro adulto que pueda proporcionar orientación al estudiante y que no sea un empleado del Distrito,
2. la oportunidad de testificar y presentar pruebas y testigos en su defensa, y
3. la oportunidad de interrogar a los testigos convocados por el Distrito en la audiencia.

Después de notificar al estudiante y a los padres sobre la audiencia, el Distrito puede celebrar la audiencia independientemente de si el estudiante o los padres del estudiante asisten a ella. La Junta Escolar de HISD delega en el superintendente o en su representante la autoridad para llevar a cabo audiencias y expulsar estudiantes.

Revisión de la expulsión por parte de la Junta

Después de la audiencia de debido proceso, el estudiante expulsado puede solicitar a la Junta una revisión de la decisión de expulsión. El estudiante o padre debe presentar una solicitud por escrito al superintendente de la División dentro de los siete días posteriores a la recepción de la decisión por escrito. El superintendente debe proporcionar al estudiante o padre un aviso por escrito de la fecha, hora y lugar de la reunión en la que la Junta revisará la decisión.

La Junta revisará el expediente de la audiencia de expulsión en una reunión a puerta cerrada. La Junta también puede escuchar una declaración del estudiante o padre y de la persona designada por la Junta.

La Junta considerará su decisión y se basará en las pruebas incluidas en el expediente y en las declaraciones hechas por las partes en la revisión. La Junta tomará su decisión y la comunicará oralmente al concluir la presentación. Las consecuencias no se aplazarán mientras está pendiente el resultado de la audiencia.

Orden de expulsión

Antes de ordenar la expulsión, la Junta o la persona que haya designado deberá tener en cuenta:

1. la defensa propia (Ver el **Glosario**),
2. la intención o falta de intención en el momento de la conducta del estudiante,
3. el historial disciplinario del estudiante,
4. una discapacidad que afecta sustancialmente la capacidad del estudiante para apreciar el error de su conducta,
5. el estado del estudiante en tutela del Departamento de Servicios Familiares y de Protección (cuidado de crianza), o
6. el estado del estudiante como indigente (sin vivienda).

Si el estudiante es expulsado, la Junta o su designado entregará al estudiante y a sus padres una copia de la orden de expulsión del estudiante. A más tardar el segundo día hábil después de la audiencia, el superintendente o la persona designada entregará al tribunal de menores una copia de la orden de expulsión y la información requerida por la Sección 52.04 del Código de Familia.

Si la duración de la expulsión es inconsistente con las pautas incluidas en el Código de Conducta Estudiantil, la orden de expulsión deberá incluir aviso de la inconsistencia.

Duración de la expulsión

La duración de una expulsión se basará en la gravedad de la infracción, la edad y el nivel de grado del estudiante, la frecuencia de la mala conducta, la actitud del estudiante y los requisitos legales. La duración de la expulsión de un estudiante se determinará caso por caso. El período máximo de la expulsión es de un año calendario, salvo lo dispuesto a continuación:

Una expulsión no puede exceder un año a menos que, después de una revisión, el Distrito determine que:

1. el estudiante es una amenaza para la seguridad de otros estudiantes o para los empleados del Distrito; o
2. prolongar la expulsión es lo mejor para el estudiante.

Las leyes estatales y federales requieren que un estudiante sea expulsado del aula regular por un período mínimo de un año calendario por llevar a la escuela un arma de fuego, según la definición de la ley federal. Sin embargo, el superintendente puede modificar la duración de la expulsión caso por caso.

Los estudiantes que al final de un ciclo escolar cometan infracciones que requieren expulsión pueden ser expulsados hasta en el siguiente ciclo escolar para completar el término de la expulsión.

Retiro de la escuela durante el proceso

Cuando la conducta de un estudiante requiere o permite la expulsión del Distrito y el estudiante se retira del Distrito antes de que se lleve a cabo la audiencia de expulsión, el Distrito puede llevar a cabo la audiencia después de enviar una notificación por escrito al padre y al estudiante.

Si el estudiante luego se vuelve a inscribir en el Distrito en el mismo ciclo escolar o el siguiente, el Distrito puede hacer cumplir la orden de expulsión en ese momento, menos cualquier período de expulsión que el estudiante haya cumplido durante la inscripción en otro distrito. Si la persona designada por el superintendente o la Junta no emite una orden de expulsión después de que el estudiante se retira, el próximo distrito en el que se inscriba el estudiante puede completar los procedimientos.

Casos de mala conducta adicionales

Si durante la expulsión, el estudiante incurre en actos de conducta adicionales para los cuales se requiere o permite la asignación al DAEP o la expulsión, se pueden llevar a cabo procedimientos adicionales, y la persona designada por el superintendente o la Junta puede emitir una orden disciplinaria adicional a raíz de esos procedimientos.

Restricciones durante la expulsión

Los estudiantes expulsados tienen prohibido estar en las instalaciones de la escuela o asistir a actividades patrocinadas por la escuela o relacionadas con la escuela durante el período de expulsión. No se podrá obtener ningún crédito académico del Distrito por el trabajo perdido durante el período de expulsión, a menos que el estudiante esté inscrito en un JJAEP u otro programa aprobado por el Distrito.

Estudiante recién inscrito

El Distrito decidirá caso por caso la asignación de un estudiante sujeto a una orden de expulsión de otro Distrito o de una escuela charter de inscripción abierta al momento de la inscripción en el Distrito. Si un estudiante expulsado en otro estado se inscribe en el Distrito, el Distrito puede continuar la expulsión bajo los términos de la orden de expulsión, puede asignar al estudiante al DAEP por el período especificado en la orden, o puede permitir que el estudiante asista a clases regulares si:

1. el distrito de otro estado proporciona al Distrito una copia de la orden de expulsión, y
2. la infracción que dio lugar a la expulsión también es una infracción punible con expulsión en el distrito en el que el estudiante se está inscribiendo.

Si un estudiante es expulsado por un distrito en otro estado por un período que excede un año y el Distrito continúa la expulsión o asigna al estudiante al DAEP, el Distrito reducirá el período de la expulsión o asignación al DAEP para que el período total no exceda un año, a menos que después de una revisión se determine que:

1. el estudiante es una amenaza para la seguridad de otros estudiantes o los empleados del Distrito; o
2. prolongar la asignación es lo mejor para el estudiante.

Procedimiento para la expulsión de emergencia

Cuando una expulsión de emergencia es necesaria para proteger a las personas o la propiedad contra daño inminente, el estudiante recibirá una notificación verbal de la razón de la medida adoptada. Dentro de los diez días posteriores a la fecha de la expulsión de emergencia, el estudiante recibirá el debido proceso correspondiente requerido para un estudiante que enfrenta la expulsión.

Asignación al DAEP para estudiantes expulsados

El Distrito puede proporcionar servicios educativos en el DAEP a cualquier estudiante expulsado; sin embargo, si el estudiante es menor de 10 años es obligatorio proporcionarle servicios educativos en el DAEP.

Servicios de transición

De acuerdo con la ley y los procedimientos del Distrito, el personal de la escuela proporcionará servicios de transición a un estudiante que regrese al aula regular después de una asignación a un programa escolar alternativo, incluido el DAEP o el JJAEP. Consulte la política FOCA (LEGAL) para obtener más información.

GLOSARIO

El glosario proporciona definiciones legales y definiciones establecidas localmente y su finalidad es ayudar a comprender los términos relacionados con el Código de Conducta Estudiantil.

Abuso – uso inadecuado o excesivo.

Acoso – se incluyen:

1. Conducta coincidente con la definición establecida en las políticas distritales DIA (LOCAL) y FFH (LOCAL);
2. Conducta que amenaza con causar daño o lesión corporal a otra persona, incluso a un estudiante, empleado, representante designado por la Mesa Directiva o voluntario del Distrito; es de índole sexual intimidante; causa daño físico a la propiedad de un estudiante; somete a un estudiante a confinamiento o restricción física; o daña con malicia y sustancialmente la salud física o emocional o la seguridad de un estudiante, según se define en el Art. 37.001(b)(2); o
3. Conducta punible como delito según el Art. 42.77 del Código Penal. Incluye los siguientes actos si conlleva intención de acosar, molestar, alarmar, abusar, atormentar o avergonzar:
 - a. iniciar una comunicación y, en el curso de esa comunicación, hacer un comentario, solicitud, sugerencia o propuesta obscena, según la definición de la ley;
 - b. amenazar, de manera que razonablemente podría alarmar a la persona que recibe la amenaza, con infligirle lesiones corporales o con cometer un delito grave contra la persona, un miembro de su familia o su hogar o propiedad;
 - c. transmitir información falsa de que una persona ha muerto o sufrido lesiones corporales graves, sabiendo que la información es falsa y de manera que razonablemente podría alarmar a la persona que recibe la información;
 - d. hacer que el teléfono de otra persona suene repetidamente o hacer llamadas telefónicas repetidas de forma anónima o de manera que probable y razonablemente acose, moleste, alarme, abuse, atormenta, avergüence u ofenda a otra persona;
 - e. hacer una llamada telefónica e intencionalmente no colgar o desconectar la conexión;
 - f. permitir a sabiendas que un teléfono bajo el control de la persona sea utilizado por otra persona para cometer un delito descrito bajo esta sección;
 - g. enviar comunicaciones electrónicas reiteradamente y de manera que podría acosar, molestar, alarmar, abusar, atormentar, avergonzar u ofender a otra persona;
 - h. publicar reiteradamente en un sitio de internet, incluso una plataforma de redes sociales, comunicaciones electrónicas de manera que razonablemente podría percibirse como abuso o causar angustia o tormento a otra persona, a menos que las comunicaciones se realicen en conexión con un asunto de interés público, según lo define la ley; or
 - i. hacer llamadas telefónicas obscenas, intimidatorias o amenazantes u otras comunicaciones electrónicas desde un número de teléfono temporal o desechable proporcionado por una aplicación de Internet u otros medios tecnológicos.

Acoso escolar – definido en la Sección 37.0832 del Código de Educación como un acto aislado significativo o la repetición continua de actos dirigidos contra un estudiante por un estudiante o más, que explota un desequilibrio de poder y consiste en expresión escrita o verbal, expresión por vía electrónica o conducta física que:

1. tiene o tendrá el efecto de dañar físicamente a un estudiante, dañar la propiedad del estudiante o causar que el estudiante razonablemente sienta temor de sufrir daño físico o a su propiedad;
2. es lo suficientemente grave, persistente o generalizado como para que el acto o amenaza cree un entorno educativo intimidante, amenazante o abusivo para el estudiante;
3. interfiere material y sustancialmente con el proceso educativo o el orden de un aula o escuela; o
4. infringe los derechos de la víctima en la escuela.

El acoso escolar incluye el ciberacoso (Ver a continuación). Esta ley estatal sobre la prevención del acoso escolar se aplica a:

1. acoso que ocurre en propiedad escolar o se recibe allí, o en el sitio de una actividad patrocinada por la escuela o relacionada con ella tanto en propiedad escolar como fuera de ella;
2. acoso que ocurre en un vehículo o autobús escolar de propiedad pública o privada que se usa para el transporte de estudiantes de ida y vuelta a la escuela o a una actividad patrocinada por la escuela o relacionada con ella; y
3. ciberacoso ocurrido fuera de la escuela o de una actividad patrocinada por la escuela o relacionada con ella, si el acto interfiere con las oportunidades educativas del estudiante o con el orden del aula, escuela o actividad patrocinada por la escuela o relacionada con ella.

Agresión – definida en parte en el Art. 22.01 del Código Penal como causar lesiones corporales a otra persona intencionalmente, a sabiendas o de forma imprudente; amenazar a otra persona intencionalmente o a sabiendas con lesiones corporales inminentes; o causar contacto físico con otra persona intencionalmente o a sabiendas, cuando razonablemente podría considerarse ofensivo o provocativo.

Amenaza terrorista – definida en el Art. 22.07 del Código Penal como amenaza de violencia contra cualquier persona o propiedad con la intención de:

1. provocar cualquier reacción de un organismo oficial o voluntario de respuesta a emergencias;
2. causar que alguien sienta temor de lesiones corporales graves o inminentes;
3. prevenir o interrumpir la ocupación de un edificio, sala, sitio de reunión o lugar al que tiene acceso el público; lugar de empleo u ocupación; aeronaves, automóviles y otros medios de transporte; y otros sitios públicos;
4. causar interferencia o interrupción de las comunicaciones públicas; el transporte público; el suministro público de agua, gas o electricidad u otro servicio público;
5. causar que el público o un grupo numeroso del público tema lesiones corporales graves; o
6. influir en la conducta o actividades de una rama o agencia del gobierno federal, del estado o de una subdivisión política del estado (incluido el Distrito).

Arma ametralladora – definida en el Art. 46.01 del Código Penal como cualquier arma de fuego capaz de disparar más de dos tiros automáticamente, sin recarga manual, con una sola operación del gatillo.

Arma de fuego – definida en el Art. (18 U.S.C. 921(a)) de la ley federal como:

1. cualquier arma (incluso una pistola de salva) que al ser accionada por un detonante es capaz de disparar un proyectil, por diseño o por ser fácilmente adaptable para ese fin;
2. el armazón o recámara de ese tipo de arma;
3. cualquier silenciador o supresor de sonido de arma de fuego, definido como dispositivo para silenciar, suprimir o disminuir el sonido de un arma de fuego portable; o
4. todo dispositivo destructivo, como un explosivo, bomba incendiaria o de gas venenoso o granada. El término no abarca las armas de fuego antiguas.

Arma de fuego de cañón corto – definida en el Art. 46.01 del Código Penal como un rifle con una longitud de cañón de menos de 16 pulgadas o una escopeta con una longitud de cañón de menos de 18 pulgadas, o cualquier arma fabricada a partir de un rifle o una escopeta que, modificada, tenga una longitud total de menos de 26 pulgadas.

Arma de fuego improvisada – definida en el Art. 46.01 del Código Penal como dispositivo, o combinación de dispositivos, que originalmente no constituía un arma de fuego y ha sido adaptado para expulsar un proyectil a través de un cañón de ánima lisa o de ánima estriada usando la energía generada por una explosión o sustancia ardiente.

Arma de imitación – se refiere a un objeto similar a un arma, pero cuyo propósito no es usarlo para causar lesiones corporales graves.

Arma explosiva – definida en el Art. 46.01 del Código Penal como cualquier bomba, granada, cohete o mina explosiva o incendiaria con un mecanismo diseñado, fabricado o adaptado con el propósito de infligir lesiones corporales graves, muerte o daños substanciales a la propiedad, o con el propósito principal de causar un estallido tan potente que provoque la alarma o el terror injustificados del público.

Arma prohibida - según el Art. 46.05(a) del Código Penal se refiere a:

1. los siguientes artículos a menos que estén registrados en el Bureau de Alcohol, Tabaco, Armas de Fuego y Explosivos de EE. UU., o que no estén sujetos al requisito de registro, o si los artículos están clasificados como una curiosidad o reliquia por el Departamento de Justicia de EE. UU.:
 - a. un arma ametralladora;
 - b. un arma de fuego de cañón corto;
2. las balas perforantes;
3. un dispositivo dispensador de sustancias químicas;
4. un arma de fuego improvisada (zip gun);
5. un dispositivo para desinflar neumáticos; o
6. un dispositivo explosivo improvisado.

Bajo la influencia – carecer del uso normal de las facultades mentales o físicas. La disminución de las facultades mentales o físicas de una persona puede ser evidente en el comportamiento atípico o errático exhibido, en la presencia de síntomas físicos del consumo de drogas o alcohol, o por la admisión de la persona misma. Un estudiante “bajo la influencia” no necesita estar legalmente embriagado para desencadenar una acción disciplinaria.

Bala perforante – definida en el Art. 46.01 del Código Penal como munición de armas de fuego para pistolas y revólveres diseñada principalmente para penetrar metal, o el blindaje o armadura corporal.

Ciberacoso – definido en el Art. 37.0832 del Código de Educación como acoso cometido mediante el uso de cualquier dispositivo de comunicación electrónica, incluso un teléfono celular o de otro tipo, computadora, cámara, correo electrónico, mensajería instantánea o de texto, aplicación de las redes sociales, sitio de Internet o cualquier otro instrumento de comunicación digital basado en la Internet.

Cigarrillo electrónico – se refiere a cualquier dispositivo que simula fumar mediante el uso de un elemento calefactor mecánico, pilas o un circuito electrónico para suministrar nicotina u otras sustancias a la persona que inhala el producto del dispositivo, o una solución líquida consumible u otro material en aerosol vaporizado durante el uso del cigarrillo electrónico u otro dispositivo descrito en esta disposición. El término incluye cualquier dispositivo que se fabrique, distribuya o venda como cigarrillo electrónico, cigarro electrónico, pipa electrónica o con cualquier otro nombre o descripción del producto y un componente, parte o accesorio del dispositivo, independientemente de que el componente, parte o accesorio se vendan separados del dispositivo.

Conducta delictiva – conducta que infringe leyes estatales o federales y cuyo castigo es la confinación en la cárcel o en la penitenciaría. Abarca conductas que contravienen ciertas órdenes del tribunal de menores, como la de libertad condicional, pero no incluye infracciones de las leyes de tránsito.

Conducta mortal – según el Art. 22.05 del Código Penal, ocurre cuando la conducta imprudente de una persona pone a otra persona en peligro inminente de lesión corporal grave, como al descargar intencionalmente un arma de fuego en dirección a una persona, vivienda, edificio o vehículo.

Conferencia obligatoria con los padres o tutores – Si un estudiante requiere de una conferencia obligatoria con los padres o tutores, un padre o tutor debe acompañar al estudiante a la escuela el siguiente día escolar para la conferencia. Las ausencias de los estudiantes que sean causadas por falta de comparecencia con un padre o tutor, se consideran ausencias injustificadas. Este tipo de suspensión no se considera un programa escolar alternativo disciplinario ni constituye una expulsión de la escuela. Los padres recibirán notificación por escrito cuando el estudiante requiere de una conferencia obligatoria de padres o tutores, y el departamento de transporte recibirá notificación de que el estudiante no debe viajar en autobús a la escuela.

Consumo – introducir voluntariamente en el cuerpo, por cualquier medio, una sustancia prohibida.

Creencia razonable – es lo que una persona común de inteligencia promedio y sano juicio creería. El Capítulo 37 requiere ciertas decisiones disciplinarias cuando el superintendente o su representante designado tienen la creencia razonable de que un estudiante ha cometido un acto de conducta punible como delito grave. Al formar esa creencia razonable, el superintendente o su representante designado pueden usar toda la información disponible, incluida la notificación del arresto del estudiante de conformidad con el Art. 15.27 del Código de Procedimiento Legal.

Cuchillo de uso restringido – definido en el Art. 46.01 del Código Penal como una navaja o cuchillo con una hoja de más de cinco pulgadas y media.

Defensa propia – el uso de la fuerza aplicado en la medida en que, dentro de lo razonable, alguien crea que es inmediatamente necesario para protegerse de otra persona.

Delitos mayores del Título V – delitos enumerados en el Título V del Código Penal que típicamente tienen que ver con causar lesiones a una persona, inclusive:

- asesinato, homicidio no premeditado u homicidio culposo -Secciones 19.02–.05;
- secuestro -Sección 20.03;
- trata de personas -Sección 20A.02;
- tráfico ilícito o tráfico ilícito continuo de personas -Secciones 20.05–.06;

- agresión -Sección 22.01;
- agresión con agravantes -Sección 22.02;
- agresión sexual -Sección 22.011;
- agresión sexual con agravantes -Sección 22.021;
- retención ilícita -Sección 20.02;
- abuso sexual continuo de un niño menor o de una persona con una discapacidad -Sección 21.02;
- bestialismo -Sección 21.09;
- relación inapropiada entre educador y estudiante -Sección 21.12;
- voyerismo -Sección 21.17;
- indecencia con un menor -Sección 21.11;
- grabación visual invasiva -Sección 21.15;
- divulgación o promoción de material visual íntimo -Sección 21.16;
- coerción sexual -Sección 21.18;
- lesión de un menor, una persona de edad avanzada o una persona de cualquier edad con una discapacidad -Sección 22.04;
- abandonar o poner en peligro a un menor -Sección 22.041;
- conducta mortal -Sección 22.05;
- amenaza terrorista -Sección 22.07;
- ayudar a una persona a cometer suicidio -Sección 22.08; y
- alteración de un producto de consumo -Sección 22.09, [Ver FOC (EXHIBIT)]

Demérito – es una puntuación asignada a alguien por hacer algo mal, y puede dar lugar a la pérdida de rango o privilegio.

Discrecional – significa que algo queda en manos de la persona que regula o toma las decisiones en un sitio.

Dispositivo dispensador de productos químicos – definido en el Art. 46.01 del Código Penal como dispositivo diseñado, fabricado o adaptado con el propósito de dispensar una sustancia capaz de causar un efecto psicológico o fisiológico adverso en el ser humano. Un pequeño dispensador de productos químicos vendido comercialmente para la protección personal no entra en esta categoría.

Dispositivo explosivo improvisado – definido en el Art. 46.01 del Código Penal como una bomba completa y operativa diseñada para causar lesiones corporales graves, muerte o daños sustanciales a la propiedad, fabricada de manera improvisada utilizando componentes no militares.

Dispositivo para desinflar neumáticos – definido en el Art. 46.01 del Código Penal como un dispositivo, ya sea un abrojo metálico (miguelito) o una barrera de clavos, que impide el avance de un vehículo de rueda, o lo detiene, al pinchar uno o más de los neumáticos del vehículo cuando el conductor pasa por encima del dispositivo.

Droga peligrosa – definida en el Art. 483.001 del Código de Salud y Seguridad como dispositivo o medicamento que no es seguro consumir si es automedicado y no está incluido en los Anexos I a V ni en los Grupos de Penalización 1 al 4 de la Ley de Sustancias Controladas de Texas. El término incluye los dispositivos o drogas que la ley federal prohíbe dispensar sin receta, o restringe su uso y prescripción a veterinarios licenciados.

Enjuiciamiento diferido – se le puede ofrecer a un menor como alternativa a procurar una condena judicial por conducta delictiva o conducta que indica la necesidad de supervisión.

Exhibicionismo – definido en el Art. 21.08 del Código Penal como delito que ocurre cuando una persona expone el ano o cualquier parte de sus genitales con la intención de despertar o satisfacer el deseo sexual de cualquier persona, obrando de forma imprudente sin considerar que podrían estar presentes otras personas a quienes el acto ofenderá o alarmará.

Falsa alarma o informe – según el Art. 42.06 del Código Penal, cuando una persona intencionalmente inicia, comunica o circula un informe de bomba, incendio, delito u otra emergencia presente, pasada o futura sabiendo que es falso o infundado y que normalmente podría:

1. causar la actuación de un organismo oficial o voluntario de respuesta a emergencias;
2. causar a alguien temor de lesiones corporales graves o inminentes; o
3. prevenir o interrumpir la ocupación de un edificio, sala o sitio de reunión.

Fraternidad o sororidad de escuela pública, sociedad secreta, pandilla – toda organización compuesta total o parcialmente por estudiantes que tiene el objetivo de perpetuarse reclutando miembros nuevos entre los estudiantes inscritos en la escuela basándose en una decisión de sus miembros en lugar de en la libre elección de estudiantes que reúnen las condiciones establecidas. Las organizaciones educativas enumeradas en el Art. 37.121(d) del Código de Educación están exentas de esta definición.

Garrote – definido en el Art. 46.01 del Código Penal como un instrumento especialmente diseñado, fabricado o adaptado con el propósito de infligir lesiones corporales graves o la muerte golpeando a una persona con él. El término incluye, entre otros instrumentos: cachiporras, mazas, porras y tomahawks.

Grafiti – incluye marcas hechas con pintura, bolígrafo o marcador indeleble o con un instrumento para grabar o labrar en bienes tangibles sin el consentimiento del propietario. Las marcas pueden ser inscripciones, lemas, dibujos o pinturas.

Incendio provocado – definido en parte en el Art. 28.02 del Código Penal como delito que implica:

1. Encender fuego o causar una explosión con la intención de destruir o dañar:
 - a. cualquier vegetación, valla o estructura en terreno abierto; o
 - b. cualquier edificio, residencia o vehículo:
 - i. sabiendo que está dentro de los límites de una ciudad o pueblo incorporado;
 - ii. sabiendo que está asegurado contra daños o destrucción;
 - iii. sabiendo que está sujeto a una hipoteca o garantía prendaria;
 - iv. sabiendo que está ubicado en propiedad ajena;
 - v. sabiendo que se ha ubicado allí propiedad perteneciente a otro; o
 - vi. cuando la persona que enciende el fuego es imprudente en cuanto a si la quema o explosión pondrán en peligro la vida de alguien o la seguridad de la propiedad ajena;
2. Encender fuego o causar una explosión obrando con imprudencia al elaborar, o intentar elaborar, una sustancia controlada si el fuego o la explosión dañan cualquier edificio, vivienda o vehículo; o
3. Encender fuego o causar una explosión intencionalmente y al hacerlo:
 - a. dañar o destruir imprudentemente un edificio ajeno, o
 - b. causar imprudentemente que otra persona sufra lesiones corporales o muera.

Lascivia pública – definida en el Art. 21.07 del Código Penal como delito que ocurre cuando una persona participa a sabiendas en un acto de cópula sexual, cópula sexual pervertida, o contacto sexual en un sitio público o, si no es un lugar público, cuando la persona obra de forma imprudente sin considerar que podrían estar presentes otras personas a quienes el acto ofenderá o alarmará.

Lista de víctimas – definida en el Art. 37.001(b)(3) del Código de Educación como lista que se usará para agredir a las personas nombradas en la lista con un arma de fuego, una navaja o cualquier otro objeto que les cause daño corporal.

Mala conducta grave – consiste en:

1. comportamiento violento deliberado que representa una amenaza directa a la salud y la seguridad de los demás;
2. extorsión, es decir, obtener dinero u otros bienes por la fuerza o con amenazas;
3. conducta que constituye coerción, según se define en el Art. 1.07 del Código Penal; o
4. conducta que constituye el delito de:
 - a. lascivia pública -Art. 21.07 del Código Penal;
 - b. exhibicionismo -Art. 21.08 del Código Penal;
 - c. delito menor contra la propiedad -Art. 28.03 del Código Penal;
 - d. novatadas -Art. 37.152 del Código de Educación; o
 - e. acoso de un estudiante o empleado del Distrito -Art. 42.07(a)(1) del Código Penal.

Mala conducta grave o persistente – incluye, entre otros:

- comportamiento que permite fundamentar la expulsión o asignación obligatoria al DAEP;
- comportamiento identificado por el Distrito como causa para asignación discrecional al DAEP;
- actos o demostraciones que alteran sustancialmente la actividad escolar o interfieren materialmente con ella.
- negativa a intentar hacer o completar trabajo escolar asignado;
- insubordinación;
- lenguaje obsceno o vulgar o gestos obscenos;
- retirarse de la escuela sin permiso;
- falsificación de expedientes, pases y otros documentos escolares; o
- negativa a aceptar medidas disciplinarias emitidas por el maestro o el director.

Material visual íntimo – definido en el Art. 98B.001 del Código de Prácticas y Recursos Civiles y el Art. 21.16 del Código Penal como material visual que muestra a una persona con sus partes íntimas expuestas o realizando un acto sexual. “Material visual” se refiere a cualquier película, fotografía, cinta de video, negativo o diapositiva de cualquier reproducción fotográfica o cualquier otro medio físico que permita que una imagen se muestre en una computadora o en pantalla de video y cualquier imagen transmitida a una computadora u otra pantalla de video.

Novatada – definida en el Art. 37.151 del Código de Educación como acto intencional, consciente o imprudente cometido por una persona o más dentro o fuera de una escuela, dirigido contra un estudiante para pertenecer, integrarse o afiliarse a una organización estudiantil u ocupar un cargo en ella, cuando el acto conlleva elementos definidos en el Art. 37.151 del Código de Educación, a saber:

1. cualquier tipo de brutalidad física;
2. una actividad que somete al estudiante a un riesgo irrazonable de daño o que afecta adversamente la salud mental o física del estudiante, como la privación del sueño, la exposición a los elementos, el confinamiento en espacios reducidos, la calistenia o el consumo de alimentos, líquidos, drogas u otras sustancias;
3. una actividad que induzca cause o requiera al estudiante llevar a cabo una orden o tarea que infringe el Código Penal; y
4. forzar a un estudiante a consumir una droga o bebida alcohólica en una cantidad que llevaría a una persona razonable a creer que el estudiante estaría ebrio.

Nudillera – se refiere a cualquier instrumento duro consistente en anillos que protegen los dedos y diseñado o adaptado para infligir lesiones corporales graves o la muerte a una persona asestándole puñetazos con la nudillera puesta.

Obligatorio – significa que algo es imperativo o requerido por una autoridad.

Pandilla callejera delincuente – definida en el Art. 71.01 del Código Penal como tres o más personas con un signo o símbolo distintivo común o un liderazgo identificable que habitual o continuamente se asocian en actividades para delinquir.

Parafernalia – dispositivos que se pueden usar para inhalar, ingerir, inyectar o introducir de alguna otra manera una sustancia controlada en el cuerpo humano.

Pistola – definida en el Art. 46.01 del Código Penal como cualquier arma de fuego diseñada, fabricada o adaptada para ser disparada con una mano.

Posesión – llevar un objeto consigo una persona o tenerlo en sus pertenencias, inclusive, entre otros:

1. objetos en la ropa, bolsa o mochila;
2. objetos en un vehículo particular, por ejemplo, un automóvil, camioneta, moto o bicicleta que se usa para trasladarse entre la escuela y la casa o a actividades relacionadas con la escuela;
3. dispositivos de telecomunicaciones o electrónicos; o
4. objetos en propiedad escolar usada por el estudiante, como un armario o escritorio, etc.

Proceso suspendido o diferido – es una alternativa a procurar una condena judicial que se puede ofrecer a un menor por conducta delictiva o conducta que indica la necesidad de supervisión.

Robo con agravantes – definido en parte en el Art. 29.03(a) del Código Penal como la instancia en que una persona comete un robo y:

1. causa lesiones corporales graves a otra persona;
2. usa o exhibe un arma mortal; o
3. causa lesiones corporales a otra persona o amenaza o pone a otra persona en temor de lesiones corporales o muerte inminentes, si la otra persona es:
 - a. mayor de 65 años; o
 - b. una persona con una discapacidad.

Sustancia controlada – una sustancia, incluso medicamentos, adulterantes y diluyentes, enumerados en los Anexos I a V o de los Grupos de Penalización 1, 1-A, 1-B, 2, 2-A, 3 y 4 de la Ley de Sustancias Controladas de Texas. El término incluye el peso total de cualquier mezcla, solución o sustancia que contenga una sustancia controlada. El término no incluye el cáñamo, según su definición en el Art. 121.001 del Código de Agricultura, ni el tetrahidrocannabinol (THC) presente en el cáñamo.

Violencia de pareja – ocurre cuando una persona en relación de noviazgo presente o pasado se vale del abuso físico, sexual, verbal o emocional para dañar, amenazar, intimidar o controlar a la otra persona de la relación. La violencia de pareja también ocurre cuando una persona comete estos actos contra alguien que se encuentra en una relación matrimonial o de noviazgo con la persona que está o estuvo una vez en una relación matrimonial o de noviazgo con quien comete el delito, según se define en el Art. 71.0021 del Código de la Familia.

Vulneración de la seguridad informática – implica acceder a una computadora, red informática o sistema informático a sabiendas sin el consentimiento efectivo del propietario según se define en el Art. 33.02 del Código Penal, si la conducta conlleva acceso a una computadora, red informática o sistema informático propiedad de un distrito escolar, u operado en nombre de un distrito escolar, y el estudiante a sabiendas altera, daña o elimina propiedad o información del distrito escolar o accede sin autorización a cualquier otra computadora, red informática o sistema de informática.





Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

18.

Office of the Superintendent of Schools

Office of Finance and Operations

Approval Of Vendor Awards For Purchases Which Cost \$1,000,000 Or More And Purchases Associated With A Board-Approved Cooperative Or Intergovernmental Interlocal Agreement

The purpose of this item is to authorize vendor awards for purchases which cost \$1,000,000 or more. Pursuant to School Board policy, contracts for purchases which cost \$1,000,000 or more are submitted to the Houston Independent School District (HISD) School Board for approval before purchase orders and/or agreement letters are issued. The Purchasing Services Department, authorized by board policy, enters into purchase agreements for bid projects less than \$1,000,000, subject to ratification by the School Board.

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 comply 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 and a description of the items to be purchased.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves vendor awards for purchases which cost \$1,000,000 or more and purchases associated with a board-approved cooperative or intergovernmental interlocal agreement, effective August 15, 2025.

**Approval of Project
Recommended for 8/14/2025 Board Agenda**

Project Information	23-05-02-B – RFP / Home Instruction for Parents of Preschool Youngsters – (Majano) – (CAO)
Project Description	This project was originally approved by the School Board on October 12, 2023. The purpose of this supplemental project is to award an additional vendor, with no additional increase in funding, to obtain curriculum materials, instructional supplies and materials, technical assistance, and translation services for parents and caregivers of preschool children. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through October 12, 2025, with three automatic annual renewals, not to extend beyond October 12, 2028.
Amount not to Exceed (Project Term)	Refer to 23-05-02

Recommended Vendor(s) for Approval	M/WBE Commitment
S&S Worldwide, Inc.	C-10%

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-01-06 – RFP / Uniforms, Linen, Accessories, Rentals, and Services – (Ly) – (CFOO)
Project Description	The purpose of this project is to obtain uniforms, linen, accessories, rentals, and related services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$1,750,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through June 30, 2026, with four annual renewals, not to extend beyond June 30, 2030.
Amount not to Exceed (Project Term)	\$1,750,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Action Wear Plus, Inc.	A-100%
Already Gear, LLC	B-20%
Anchorage Medical Equipment & Supplies, LLC	A-100%
Carlos Aguilar, dba Ugly Guppy Productions	A-100%
Cintas Corporation No. 2	C-D
Event Catering Houston, LLC, dba Event Catering Houston	C-D
Maxari Energy, LLC	A-100%

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-03-10 – RFP / Electronic Disposal and Recycling Services – (Chevalier) – (CFOO)
Project Description	The purpose of this project is to obtain electronic disposal and recycling services districtwide. This is a revenue generating project and will be at no cost to the district. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	Revenue Generating

Recommended Vendor(s) for Approval	M/WBE Commitment
CompuCycle, Inc.	RFP-100%
R.A.K.I. Group Inc., dba R.A.K.I. Computers	RFP-0%
Recycling Surplus, Inc., dba ABM System	RFP-100%
Technology Assets, LLC, dba Global Asset	RFP-0%
US Electronics Recycling Center, Inc.	RFP-100%
Vantage Point ITAD, LLC	RFP-0%
Yisroel Fischweicher, dba IB Tech, LLC, dba efurb	RFP-0%

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-03-11 – RFP / Overflow Printing and Related Services – (James) – (CITO)
Project Description	The purpose of this project is to obtain overflow printing and related services that will accommodate a large volume of district instructional materials districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$750,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$750,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Absolute Color Mailplex, LLC	C-D
Document Group, The	A-100%
Pamela Printing Company	A-100%
Rasch Graphic Services Corporation	C-2%
Region IV Education Service Center	NP-0%

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-03-12 – RFP / Specialty Printing Items and Related Services – (James) – (CITO)
Project Description	The purpose of this project is to obtain specialty printing items and related services for the Information Technology Department. Based on annual appropriations, the projected expenditure is not to exceed \$525,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$525,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Absolute Color Mailplex, LLC	C-D
Buffalo Specialties, Inc.	C-5%
G & G Investments, Inc., dba Gandy Ink	C-D
Pamela Printing Company	A-100%
Region IV Education Service Center	NP-0%

**Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda**

Project Information	25-03-13-23 – Cooperative/ Comprehensive Heating, Ventilation, and Air Conditioning (HVAC) Services, Equipment, and Supplies – (Bean) – (CFMO)
Project Description	The purpose of this project is to obtain comprehensive HVAC services, equipment, and supplies to include repairs, preventive maintenance, window and portable AC units and parts, building automation system supplies, direct digital control components, and troubleshooting services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$40,000,000 for the duration of the project. This is a cooperative agreement with The Interlocal Purchasing System (TIPS) utilizing cooperative project number 250105 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through March 31, 2026, with two automatic renewals, if TIPS executes its project renewal options, not to extend beyond March 31, 2028.
Amount not to Exceed (Project Term)	\$35,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Climatec, LLC	N/A
HVAC Mechanical Services of Texas, LTD., dba Hunton Services	N/A
Johnson Controls, Inc.	N/A
Unify Energy Solutions, LLC	N/A

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-01 – RFP / HVAC Leasing and Buyback – (Bean) – (CFMO)
Project Description	The purpose of this project is to obtain HVAC leasing and buyback services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$15,000,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with four automatic annual renewals, not to extend beyond August 14, 2030.
Amount not to Exceed (Project Term)	\$15,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
American Mechanical Services of Houston, LLC, dba AMS of Houston, LLC	B-20%
HVAC Mechanical Services of Texas, Ltd., dba Hunton Services	B-20%
HTI Ltd., dba Hunton Trane	B-20%
Johnson Controls, Inc.	C-D

Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-03-42 – Cooperative/Disaster Restoration and Emergency Services – (Teer) – (CFMO)
Project Description	The purpose of this project is to obtain disaster restoration and emergency services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$5,000,000 for the duration of the project. This is a cooperative agreement with the Educational Purchasing Interlocal Cooperative at Education Service Center Region 6 (EPIC6) utilizing cooperative project number 37.25 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through January 31, 2026, with two automatic renewals, if EPIC6 executes its project renewal options, not to extend beyond January 31, 2028.
Amount not to Exceed (Project Term)	\$5,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Blackmon Mooring of Houston, LLC	N/A
Separation Systems Consultants, Inc.	N/A

Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-07-04 – Cooperative / Athletics & University Interscholastic League (UIL) Supplies and Related Items – (Ly) – (CFMO)
Project Description	The purpose of this project is to obtain uniforms, athletic equipment, additional supplies and services for UIL sports and other activities districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$300,000 for the duration of the project. This is a cooperative agreement with Choice Partners utilizing cooperative project number 25/016SG in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through May 20, 2026, with two automatic renewals, if Choice Partners executes its project renewal options, not to extend beyond May 20, 2028.
Amount not to Exceed (Project Term)	\$300,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Matherne, Inc., dba Texas Swim Shop	N/A

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-08 – RFP / Vulnerability Management Solution – (James) – (CITO)
Project Description	The purpose of this project is to obtain a comprehensive vulnerability management solution to help protect students’ personal data, prevent service disruptions, and safeguard the online learning environment districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$1,200,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$1,200,000

Recommended Vendor(s) for Approval	M/WBE Commitment
CDW LLC, dba CDW Government LLC, CDW Government	C-D

**Approval of Project
Recommended for 8/14/2025 Board Agenda**

Project Information	25-04-09 – RFP / Privileged Access Management – (James) – (CITO)
Project Description	The purpose of this project is to obtain comprehensive privileged access management to enhance security, ensure regulatory accounts, and protect sensitive student and employee data districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$1,800,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$1,800,000

Recommended Vendor(s) for Approval	M/WBE Commitment
CDW LLC, dba CDW Government LLC, CDW Government	C-D

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-10 – RFP / Internet Content Filtering – (March) – (CITO)
Project Description	The purpose of this project is to obtain a high-performing cloud-based internet content filtering solution to ensure the safeguarding of students and employees districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$3,000,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$3,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
CDW, LLC dba CDW Government LLC, CDW Government	C-D

**Approval of Project
Recommended for 8/14/2025 Board Agenda**

Project Information	25-04-11 – RFP / Security Information and Event Management – (March) – (CITO)
Project Description	The purpose of this project is to obtain a comprehensive security information and event management solution to strengthen cybersecurity and ensure compliance with regulatory requirements districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$6,000,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$6,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
MGT Impact Solutions, LLC	B-25%

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-12 – RFP / Network Detection and Response Solution – (March) – (CITO)
Project Description	The purpose of this project is to obtain a comprehensive network detection and response solution to enhance the network's cybersecurity posture and protect against cyber threats districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$6,000,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$6,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
CDW, LLC, dba CDW Government LLC, CDW Government	C-D

**Approval of Project
Recommended for 8/14/2025 Board Agenda**

Project Information	25-05-01 – RFP / Substitute Teacher Recruitment Services – (Ardoin) – (CAO)
Project Description	The purpose of this project is to obtain substitute teacher recruitment services to ensure consistent and qualified substitute coverage at high-need campuses districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$950,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 15, 2028.
Amount not to Exceed (Project Term)	\$950,000

Recommended Vendor(s) for Approval	M/WBE Commitment
EDU Specialist, LLC	A-100%
Scoot Education, Inc.	C-D
Zen Educate, Inc., dba Zen Educate	C-D

Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-04-14-09 – Cooperative / Roofing Products, Services, and Job-Order-Contracting Services (JOC) – (Bean) – (CFMO)
Project Description	The purpose of this project is to obtain JOC services for roofing products and related services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$50,000,000 for the duration of the project. This is a cooperative agreement with OMNIA Partners utilizing cooperative project number R230401 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through October 14, 2025, with two automatic renewals if OMNIA Partners executes its project renewal options, not to extend beyond October 14, 2027.
Amount not to Exceed (Project Term)	\$50,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Garland/DBS, Inc.	N/A
RL National Roofing Partners, LLC, dba National Roofing Partners	N/A

**Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda**

Project Information	25-05-01-23 – Special Education Technology Solutions, Products, and Services – (Guerrero Martinez) – (COE)
Project Description	The purpose of this project is to obtain materials, goods, and supplies for students with disabilities districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$210,000 for the duration of the project. This is a cooperative agreement with The Interlocal Purchasing System (TIPS) utilizing cooperative project number 230105 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through May 31, 2026, with two automatic renewals, if TIPS executes its project renewal options, not to extend beyond May 31, 2028.
Amount not to Exceed (Project Term)	\$210,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Maxi Aids, Inc.	N/A

Approval of Project
Recommended for 8/14/2025 Board Agenda

Project Information	25-10-08 – RFP / Backflow Inspections and Fire Sprinkler Protection Systems: Inspection, Testing, and Repair Services – (James) – (CFMO)
Project Description	The purpose of this project is to obtain backflow inspections and fire sprinkler protection systems inspection, testing, and repair services districtwide. Based on annual appropriations, the projected expenditure is not to exceed \$2,400,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through August 14, 2026, with two automatic annual renewals, not to extend beyond August 14, 2028.
Amount not to Exceed (Project Term)	\$2,400,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Brigade Fire Solutions, LLC	C-D
GCS Backflow Services, Inc.	C-D
Integrated Systems Group, dba Integrated Fire Group, Inc.	C-D
Iris Group Holdings, LLC, dba Everon, LLC	B-20%
Johnson Controls US Holdings, Inc., dba Johnson Controls Fire Protection LP	C-D
RRS Plumbing Contractors, LLC	A-100%

**Approval of Cooperative Project
Recommended for 8/14/2025 Board Agenda**

Project Information	26-07-05-04 – Cooperative / Ice Cream Products – (Cortez) – (CFOO)
Project Description	The purpose of this project is to obtain ice cream and related products for the Nutrition Services Department. Based on annual appropriations, the projected expenditure is not to exceed \$3,000,000 for the duration of the project. This is a cooperative agreement with Choice Partners utilizing cooperative project number 25/027AK in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 15, 2025, through July 31, 2026, with four renewals, if Choice Partners executes its project renewal options, not to extend beyond July 31, 2030.
Amount not to Exceed (Project Term)	\$3,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Yumi Ice Cream Co., Inc.	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	24-10-01 – RFP / Safety and Security – (Hardy) – (COP) – NTE Increase
Project Description	This project was originally approved by the School Board on January 18, 2024. The purpose of this project amendment is to request an increase to the spending limit authorization to obtain armed security officers for use districtwide. Based on annual appropriations, the project expenditure is not to exceed \$12,000,000 for the duration of the project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from January 19, 2024, through January 18, 2025, with four automatic annual renewals, not to extend beyond January 18, 2029.
Amount not to Exceed (Project Term)	\$12,000,000

Recommended Vendor(s) for Approval	M/WBE Commitment
Jet Security, LLC	N/A
S&S Management Group, LLC, dba Security Solutions of America	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-17-04 - Cooperative / Spring Water Drinking and Coolers - (Bean) – (CFOO) – Term Extension
Project Description	This project was originally approved by the Board of Education on August 12, 2021. The purpose of this project amendment is to request a term extension, with no additional increase in funding, to obtain drinking water, dispenser rental, cups, and related products districtwide. This is a cooperative agreement with Choice Partners Cooperative utilizing cooperative project number 21/035TP in accordance with Chapter 44 of the Texas Education Code (TEC); Chapter 791 of the Government Code; and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 13, 2021, through June 19, 2022, with three annual renewals, if Choice Partners executes its project renewal options, not to extend beyond September 17, 2025.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
BlueTriton Brands, Inc., dba ReadyRefresh	N/A
The Master's Distribution Systems	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-04-D – RFP / Leadership, Teacher, and Staff Development – (Ho) – (CAO) – Additional Vendor(s)
Project Description	This project was originally approved by the School Board on June 12, 2025. The purpose of this supplemental project amendment is to award additional vendors, with no additional increase in funding, to obtain professional development that is interactive, research-based, and focused on supporting teachers and other district personnel with training, coaching, and classroom observation districtwide. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from June 13, 2025, through June 30, 2025, with two automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	Refer to 21-06-04

Recommended Vendor(s) for Approval	M/WBE Commitment
Children’s Literacy Initiative	NP-0%
Christina Titus dba Renewing Thoughts, PLLC, dba Collaborate with Christina	A-100%
Digithrivera, LLC	B-25%
Ensemble Learning	NP-0%
Five Starr Healthcare Staffing, LLC	A-100%
Granthropology, LLC, dba Studiously	C-10%
Harrah, LLC	A-100%
SAMs: Shaping Academic Minds, LLC, dba TagTeam Tutoring	A-100%
Tony Holmes, dba Blue Chip Works	A-100%

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	24-08-15-A – RFP / Family and Community Empowerment Services – (Hardy) – (CPAC) – Additional Vendor(s)
Project Description	This supplemental project was originally approved by the School Board on March 20, 2025. The purpose of this project amendment is to award additional vendors, with no additional increase in funding, to obtain a multifaceted network of vendors that engages students, parents, family members, caregivers, community members, and educational staff within Houston Independent School District campuses and communities. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from March 21, 2025, through November 9, 2025, with three automatic annual renewals, not to extend beyond November 9, 2028.
Amount not to Exceed (Project Term)	Refer to 24-08-15

Recommended Vendor(s) for Approval	M/WBE Commitment
Admore Behavioral Therapy, LLC	A-100%
BBH Life Care, LLC	C-D
Code2College, Inc., dba Code2College	NP-0%
DesignEDengagement, PBC	B-25%
Dr. La Price N. Sanford dba One-By-One Solutions, LLC	A-100%
Fun Da Mentals For Education, LLC	A-100%
Golding Touch Education Consulting, LLC	A-100%
Jonathan M. Alvarado dba Teach Financial Literacy, LLC	A-100%
Journey Through Life TX, LLC	A-100%
Rachel Harrah dba Harrah, LLC	A-100%
Shaquana Jackson dba Sophisticated Real-Life Publications, LLC	C-D
SpoQUEEN, Inc., dba SpoQUEEN	NP-0%
Supreme Works Incorporated	NP-0%
Victory Village, Inc.	NP-0%
Waterford Institute dba Waterford Research Institute	NP-0%

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-02 – RFP / Instructional Curriculum Materials, Supplies, and Digital Resources – (Guerrero Martinez) – (CAO) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on May 12, 2022. The purpose of this project amendment is to change the name of an awarded vendor through a contract reassignment beginning June 18, 2025, with no additional increase in funding, to obtain supplemental curriculum materials, educational/instructional software, digital resources, and related items districtwide. Ellevation, Inc. has changed its business name to Curriculum Associates, LLC. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from July 1, 2022, through June 30, 2023, with four automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Curriculum Associates, LLC	C-1%

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-02 – RFP / Instructional Curriculum Materials, Supplies, and Digital Resources – (Guerrero Martinez) – (CAO) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on May 12, 2022. The purpose of this project amendment is to change the name of an awarded vendor through a contract reassignment beginning June 17, 2025, with no additional increase in funding, to obtain supplemental curriculum materials, educational/instructional software, digital resources, and related items districtwide. Remind101, Inc. has changed its business name to ParentSquare, Inc. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from July 1, 2022, through June 30, 2023, with four automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
ParentSquare, Inc.	C-D

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-02 – RFP / Instructional Curriculum Materials, Supplies, and Digital Resources – (Guerrero Martinez) – (CAO) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on May 12, 2022. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain supplemental curriculum materials, educational/instructional software, digital resources, and related items districtwide. Nearpod, Inc., has changed its business name to RL Acquisitionco, Inc., dba Nearpod, LLC. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from July 1, 2022, through June 30, 2023, with four automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
RL Acquisitionco, Inc., dba Nearpod, LLC	C-D

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-04 – RFP / Leadership, Teacher, and Staff Development – (Ho) – (CAO) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on May 12, 2022. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain professional development that is interactive, research-based, and focused on supporting teachers and other district personnel with training, coaching, and classroom observation. LEEDS VII Engage Holdings, LLC, dba Engage! Learning, LLC has changed its business name to Engage! Learning, LLC, dba engage2learn. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from July 1, 2022, through June 30, 2023, with four automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Engage! Learning, LLC, dba engage2learn	C-D

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	21-06-05 – RFP / College and Career Readiness Materials and Services – (Chevalier) – (CAO) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on May 12, 2022. The purpose of this project amendment is to change the name of an awarded vendor through a contract reassignment beginning June 9, 2025, with no additional increase in funding, to obtain college and career readiness materials, services, software, and supplies districtwide. Mesa Cloud, Inc. has changed its business name to Panorama Education, Inc. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from July 1, 2022, through June 30, 2023, with four automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Panorama Education, Inc.	C-D

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	22-06-13-09 – Cooperative / Police Security Equipment, Supplies, and Related Items – (Hardy) – (COP) – Vendor Name Change
Project Description	This project was originally approved by the Board of Education on August 11, 2022, as project number 22-06-13-35. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain security equipment and supplies for the Houston Independent School District Police Department to respond to emergency situations districtwide. Josh Crescenzi dba CTC Gunworks, LLC has changed its business name to CTC Gunworks, LLC dba Sentinel Supply, LLC. This is a cooperative agreement with OMNIA Partners utilizing cooperative project number 12-19 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from August 12, 2022, through April 30, 2025, with two automatic renewals, if OMNIA Partners executes its project renewal options, not to extend beyond April 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
CTC Gunworks, LLC, dba Sentinel Supply, LLC	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	24-04-05-A – RFQ / Real Estate Professional Services – (March) – (CFOO) – Vendor Name Change
Project Description	This project was originally approved on June 13, 2024, and ratified by the School Board on January 16, 2025. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain qualified professional services for real estate appraisal, surveying/platting, and title, with proven experience in K-12 school facilities. Akia M. Smith dba Salem Valuation Solutions changed its business name to Salem Valuation Solutions, LLC. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from February 14, 2025, through June 30, 2025, with two automatic annual renewals, not to extend beyond June 30, 2027.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Salem Valuation Solutions, LLC	RFQ-0%

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	24-07-12-04 – Cooperative / Food Equipment, Parts, Repair, Installation, Maintenance, and Related Items – (Ly) – (CFMO) – Vendor Name Change
Project Description	This project was originally approved on September 14, 2023, and ratified by the School Board on January 16, 2025. The purpose of this project amendment is to change the name of an awarded vendor through a contract reassignment beginning August 28, 2024, with no additional increase in funding, to obtain food equipment, parts, supplies, repairs, installation, maintenance, and related items/services. Liberty Data Products, Inc., dba Liberty Office Products has changed its business name to Gateway Printing & Office Supply, Inc., dba Liberty Office Products, Daniel Office Products, Gorilla Office Supplies. This is a cooperative agreement with Choice Partners utilizing cooperative project number 23/038TP in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH (LEGAL).
Project Term	The project term is from September 15, 2023, through July 31, 2024, with four annual renewals, if Choice Partners executes its project renewal options, not to extend beyond July 31, 2028.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Gateway Printing & Office Supply, Inc., dba Liberty Office Products, Daniel Office Products, Gorilla Office Supplies	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	25-01-10-01 – Cooperative / Athletic Supplies, Equipment, and Related Services – (Ly) – (CFMO) – Vendor Name Change
Project Description	This project was originally approved by the School Board on March 20, 2025. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain athletic and physical education supplies and equipment for University Interscholastic League sports and other districtwide activities. Key Installations, LLC, has changed its business name to Keith R. Key, dba Key Installations, LLC. This is a cooperative agreement with BuyBoard utilizing cooperative project number 766-25 in accordance with Chapter 44 of the Texas Education Code (TEC), Chapter 791 of the Government Code, and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from April 1, 2025, through March 31, 2026, with two automatic renewals, if BuyBoard executes its project renewal options, not to extend beyond March 31, 2028.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Keith R. Key dba Key Installations, LLC	N/A

**Amendment to Item Approved on a Prior Agenda
Recommended for 8/14/2025 Board Agenda**

Project Information	25-09-07 – RFP / Secured Armored Car Services – (Salazar) – (CFOO) – Vendor Name Change
Project Description	This project was originally approved by the School Board on April 16, 2025. The purpose of this project amendment is to change the name of an awarded vendor, with no additional increase in funding, to obtain armored car services for scheduled pickup of currency from campuses and locations districtwide. Brink’s, Inc. is in partnership with Brink’s Capital, LLC for the duration of this project. The district applied the best value process in selecting the vendors to be awarded in accordance with Chapter 44 of the Texas Education Code (TEC) and district purchasing and acquisition policies CH(LOCAL) and CH(LEGAL).
Project Term	The project term is from June 2, 2025, through June 1, 2026, with four automatic annual renewals, not to extend beyond June 1, 2030.
Amount not to Exceed (Project Term)	N/A

Recommended Vendor(s) for Approval	M/WBE Commitment
Brink’s, Inc., in partnership with Brink’s Capital, LLC	RFP-0%

Code Legend

M/WBE - Minority and Women Business Enterprise Notations

- a. Certified M/WBE firm; if listed as A-100% indicates an M/WBE firm; if listed as A->100% the awardee will subcontract with an M/WBE firm(s).
- 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.
- c. Non-M/WBE firm; if listed as C-<%, the awardee will subcontract with an M/WBE firm(s) for a percentage less than the District's goal. If listed as, C-D, the awardee made a good faith effort.

Other Status Options

(NP-0%) - Non-profit



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

19.

Office of the Superintendent of Schools

Office of Finance and Operations

Adoption Of Resolution Approving Prevailing Wage Update

Texas Government Code Chapter 2258 requires the School Board to take formal action to adopt the prevailing wages that will govern the district's construction projects. While the law does not require updates to the prevailing wage scale at any particular intervals or frequency, the district's current wage scale is dated November 29, 2010.

Prevailing wage rates are to be set by utilizing surveys. PBK Architects, Inc., conducts formal prevailing wage surveys in compliance with Texas Government Code Chapter 2258 and makes them available for use by all Gulf Coast area school districts.

The purpose of this agenda item is to request that the board formally adopts the latest PBK Architects, Inc., survey rates dated June 2, 2025, as prevailing wages.

A copy of the resolution is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the resolution adopting the PBK Architects, Inc., June 2, 2025, survey rates as prevailing wages, effective August 15, 2025.

**RESOLUTION OF THE SCHOOL BOARD OF THE
HOUSTON INDEPENDENT SCHOOL DISTRICT**

The School Board of the Houston Independent School District (the “District”) hereby makes the following findings in connection with District facilities projects:

1. Texas Government Code Chapter 2258 requires a current analysis of Prevailing Wage Rates in connection with construction of a public building with public funds;
2. PBK Architects, Inc., on behalf of public school districts in the Gulf Coast market area, periodically conducts surveys (the “Study”) of Prevailing Wage Rates for construction trades in accordance with the requirements of Texas Government Code Chapter 2258;
3. PBK Architects, Inc. has expressly authorized the District’s use of its most recent Study, attached hereto as Exhibit “A.”

BE IT, THEREFORE, RESOLVED that the Houston Independent School District hereby adopts the Prevailing Wages reflected in the Study for use on all District facilities projects.

Passed the 14th day of August 2025.

Ric Campo
President, School Board
Houston Independent School District

Attest: _____
Paula Mendoza
Secretary, School Board
Houston Independent School District

EXHIBIT A

Prevailing Wage Rate Determination Information

The following information is from Chapter 2258 Texas Government Code:

Sec. 2258.021. Right to be Paid Prevailing Wage Rates.

- (a) A worker employed on a public work by or on behalf of the state or a political subdivision of the state shall be paid:
 - (1) not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed; and
 - (2) not less than the general prevailing rate of per diem wages for legal holiday and overtime work.
- (b) Subsection (a) does not apply to maintenance work.
- (c) A worker is employed on a public work for the purposes of this section if the worker is employed by a contractor or subcontractor in the execution of a contract for the public work with the state, a political subdivision of the state, or any officer or public body of the state or a political subdivision of the state.

Sec. 2258.023. Prevailing Wage Rates to be paid by Contractor and Subcontractor; Penalty.

- (a) The contractor who is awarded a contract by a public body or a subcontractor of the contractor shall pay not less than the rates determined under Section [2258.022](#) to a worker employed by it in the execution of the contract.
- (b) A contractor or subcontractor who violates this section shall pay to the state or a political subdivision of the state on whose behalf the contract is made, \$60 for each worker employed for each calendar day or part of the day that the worker is paid less than the wage rates stipulated in the contract. A public body awarding a contract shall specify this penalty in the contract.
- (c) A contractor or subcontractor does not violate this section if a public body awarding a contract does not determine the prevailing wage rates and specify the rates in the contract as provided by Section [2258.022](#).
- (d) The public body shall use any money collected under this section to offset the costs incurred in the administration of this chapter.
- (e) A municipality is entitled to collect a penalty under this section only if the municipality has a population of more than 10,000.

Sec. 2258.051. Duty of Public Body to Hear Complaints and Withhold Payment.

A public body awarding a contract, and an agent or officer of the public body, shall:

- (1) take cognizance of complaints of all violations of this chapter committed in the execution of the contract; and
- (2) withhold money forfeited or required to be withheld under this chapter from the payments to the contractor under the contract, except that the public body may not withhold money from other than the final payment without a determination by the public body that there is good cause to believe that the contractor has violated this chapter.

Prevailing Wage Rates – School Construction Trades

June 2, 2025

Texas Gulf Coast Area

CLASSIFICATION	2025 HOURLY RATE
ASBESTOS WORKER	\$27.20
BRICKLAYER; MASON	\$24.90
CARPENTER; CASEWORKER	\$23.13
CARPET LAYER; FLOOR INSTALLER	\$26.20
CONCRETE FINISHER	\$23.83
DATA COMM/TELE COMM	\$24.33
DRYWALL INSTALLER; CEILING INSTALLER	\$24.33
ELECTRICIAN	\$29.86
ELEVATOR MECHANIC	\$39.78
FIREPROOFING INSTALLER	\$22.99
GLAZIER	\$23.25
HEAVY EQUIPMENT OPERATOR	\$22.17
INSULATOR	\$21.95
IRONWORKER	\$26.50
LABORER, HELPER	\$19.81
LATHERER; PLASTERER	\$22.75
LIGHT EQUIPMENT OPERATOR	\$28.75
METAL BUILDING ASSEMBLER	\$24.00
PAINTER; WALL COVERING INSTALLER	\$20.17
PIPEFITTER	\$29.82
PLUMBER	\$27.98
ROOFER	\$22.50
SHEET METAL WORKER	\$29.96
SPRINKLER FITTER	\$23.00
STEEL ERECTOR	\$26.00
TERRAZZO WORKER	\$22.75
TILE SETTER	\$22.00
WATERPROOFER; CAULKER	\$24.00

This document was developed by PBK Architects, Inc., in strict accordance with Chapter 2258 of the Texas Government Code.

Prevailing Wage Rates

Worker Classification Definition Sheet

CLASSIFICATION

ASBESTOS WORKER
BRICKLAYER; MASON

CARPENTER; CASEWORKER

CARPET LAYER; FLOOR INSTALLER
CONCRETE FINISHER
DATA COMM/TELE COMM

DRYWALL; CEILING INSTALLER

ELECTRICIAN

ELEVATOR MECHANIC

FIREPROOFING INSTALLER
GLAZIER
HEAVY EQUIPMENT OPERATOR

INSULATOR
IRONWORKER

LABORER, HELPER

LATHERER; PLASTERER

LIGHT EQUIPMENT OPERATOR

METAL BUILDING ASSEMBLER
PAINTER; WALL COVERING INSTALLER

PIPEFITTER

PLUMBER

ROOFER

SHEET METAL WORKER

SPRINKLER FITTER

STEEL ERECTOR

TERRAZZO WORKER
TILE SETTER

WATERPROOFER; CAULKER

DEFINITION

Worker who removes and disposes of asbestos materials.
Craftsman who works with masonry products, stone, brick, block, or any material substituting those materials and accessories.

Worker who build wood structures or structures of any material which has replaces wood. Includes rough and finish carpentry, hardware and trim.

Worker who installs carpets and /or floor coverings, vinyl tile.

Worker who floats, trowels, and finishes concrete.

Worker who installs data/telephone and television cable and associate equipment and accessories.

Worker who installs metal framed walls and ceiling, drywall coverings, ceiling grids, and ceilings.

Skilled craftsman who installs or repairs electrical wiring and devices. Includes fire alarm systems and HVAC electrical controls.

Craftsman skilled in the installation and maintenance of elevators.

Worker who sprays or applies fire proofing materials.

Worker who installs glass, glazing, and glass framing.

Includes but not limited to: all CAT tractors, all derrick-powered, all power operated cranes, back-hoes, back-fillers, power operated shovels, winch trucks, and all trenching machines.

Worker who applies, sprays, or installs insulation.

Skilled craftsman who erects structural steel framing, and installs structural concrete Rebar.

Worker qualified for only unskilled or semi-skilled work.

Lifting, carrying materials or tools, hauling, digging, clean up.

Worker who installs metal framing and lath. Worker who applies plaster to lathing and installs associated accessories.

Includes but not limited to , air compressors, truck crane drivers, flex planes, building elevators, form graders, concrete mixers less than 14cf), conveyers.

Worker who assembles pre-made metal buildings.

Worker who prepares wall surfaces and applies paint and/or wall coverings, tape, and bedding.

Trained worker who installs piping systems, chilled water piping and hot water (boiler) piping, pneumatic tubing controls, chillers, boilers, and associated mechanical equipment.

Skilled craftsman who installs domestic hot and cold water piping, waste piping, storm system piping, water closets, sinks, urinals, and related work.

Worker who installs roofing materials, Bitumen (asphalt and coal tar) felts, flashings, all types of roofing membranes, and associated products.

Worker who installs sheet metal products, Roof metal, flashings and curbs, ductwork, mechanical equipment, and associated metals.

Worker who installs fire sprinklers systems and fire protectant equipment.

Worker who erects and dismantles structural steel frames of buildings and other structures.

Craftsman who places and finishes Terrazzo

Worker who prepares wall and/or floor surfaces and applies ceramic tiles to these surfaces.

Worker who applies water proofing material to buildings. Products include sealant, caulk, sheet membranes, and liquid membranes, sprayed, rolled or brushed.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

20.

Office of the Superintendent of Schools

Office of Finance and Operations

Delegation Of Authority To The Superintendent Of Schools To Obligate The District For Excess Revenue Contracts And Agreements

The Houston Independent School District (HISD) has been identified as a district with revenue in excess of entitlement for 2025-2026 and is required to reduce its revenue per Chapters §48.257 and §49.004 of the Texas Education Code (TEC).

Per Texas Education Agency (TEA) guidelines, the Agreement for the Purchase of Attendance Credits must be submitted through the Excess Local Revenue subsystem. To submit the contract through the Excess Local Revenue subsystem, the School Board must delegate the authority to obligate the school district under Chapter 49 and the rules adopted by the commissioner of education as authorized under TEC §11.1511(c)(4) and §49.006 to the superintendent. The superintendent must be the person that submits the contract to the TEA via the Excess Local Revenue subsystem. This delegation of authority to the superintendent must occur annually to obligate the school district. Revenue in excess of entitlement payments is due to the TEA by September 1, 2026.

COST/FUNDING SOURCE(S): Current estimate is \$0. Amount will be updated in the 2025-2026 budget as necessary.

Fund Source	Fund	Cost Center	Functional Area	General Ledger	Internal Order/ Work Breakdown Structure	Amount
General Fund	199000001	1090800003	AD91990000000000	6224000000	N/A	\$0

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board delegates the authority to obligate the school district under TEC Chapters 11, 48, and 49 to the superintendent, effective August 15, 2025.

RESOLUTION THAT THE HOUSTON INDEPENDENT SCHOOL DISTRICT SCHOOL BOARD DELEGATES CONTRACTUAL AUTHORITY TO OBLIGATE THE SCHOOL DISTRICT UNDER TEXAS EDUCATION CODE (TEC) §11.1511(C)(4) TO THE SUPERINTENDENT OF SCHOOLS, SOLELY FOR THE PURPOSE OF OBLIGATING THE DISTRICT UNDER TEC §48.257 AND TEC CHAPTER 49, SUBCHAPTERS A AND D, AND THE RULES ADOPTED BY THE COMMISSIONER OF EDUCATION AS AUTHORIZED UNDER TEC §49.006. THIS INCLUDES APPROVAL OF THE AGREEMENT FOR THE PURCHASE OF ATTENDANCE CREDITS.

WHEREAS, if a district chooses to submit its Option 3 contract via the TEC Chapter 49 subsystem, annually the district School Board must delegate the authority to obligate the school district under Chapter 49 to the superintendent;

WHEREAS, the following language is required to be recorded in the board minutes and the board minutes must be uploaded into the Chapter 49 subsystem:

For the 2024–2025 school year, we delegated contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.006. This included approval of the Agreement for the Purchase of Attendance Credit or the Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding).

WHEREAS, the School Board desires officially to designate the officers and administrators who will be authorized to act on behalf of the school district in all banking and investment matters; now

THEREFORE, BE IT RESOLVED that for the 2025–2026 school year the Houston Independent School District School Board delegates contractual authority to obligate the school district under TEC §11.1511(c)(4) to the Superintendent of Schools, solely for the purpose of obligating the district under TEC §48.257 and TEC Chapter 49, Subchapters A and D, and the rules adopted by the Commissioner of Education as authorized under TEC §49.006. This includes approval of the Agreement for the Purchase of Attendance Credits.

Date: _____

APPROVE:

President
Board

ATTEST:

Secretary
Board



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

21.

Office of the Superintendent of Schools

Office of Organizational Effectiveness

Authority To Negotiate And Execute The Region 4 Regional Day School Program For The Deaf Shared Services Arrangement Agreement With Region 4 Education Service Center; Pasadena, Deer Park, Aldine, And Spring Independent School Districts; Bloom Academy; And Draw Academy For The 2025-2026 School Year

Region 4 attorneys Thompson & Horton LLP have prepared a shared services arrangement (SSA) agreement for services to be provided in collaboration with the Region 4 Education Service Center (ESC), Houston Independent School District (HISD), Pasadena ISD, Deer Park ISD, Aldine ISD, Spring ISD, Bloom Academy, and Draw Academy. The expansion of the Region 4 Regional Day School Program for the Deaf (RDSPD) fulfills the purpose of education service centers to assist school districts in improving student performance and to enable school districts to operate more efficiently and economically (Texas Education Code Chapter 8.002).

This agenda item requests that the School Board authorizes the superintendent of schools or a designee to negotiate, execute, and amend the SSA with Region 4 ESC, Houston ISD, Pasadena ISD, Deer Park ISD, Aldine ISD, Spring ISD, Bloom Academy, and Draw Academy for the 2025-2026 school year after it has been reviewed by appropriate financial, legal, and special education staff members.

Upon approval, the 2025-2026 Region 4 SSA will be on file in the Office of Special Education Services.

COST/FUNDING SOURCE(S):

The operating budget for this program amounts to \$8,199,804.70 and will be funded by Individuals with Disabilities Act-B (IDEA-B) formula grants.

Fund Source	Fund	Cost Center	Functional Area	General Ledger	Internal Order/ Work Breakdown Structure	Amount
Special Revenue	2240000000000	1060924000	PS11230000000000	6119000000	N/A	\$3,750,449.59
Special Revenue	2240000000000	1060924000	PS11230000000000	6129000000	N/A	\$815,213.07
Special Revenue	2240000000000	1060924000	PS11230000000000	6119040000	N/A	\$118,112.49
Special Revenue	2240000000000	1060924000	PS11230000000000	6121000000	N/A	\$94,194.50
Special Revenue	2240000000000	1060924000	PS11230000000000		N/A	\$57,920.00
Special Revenue	2240000000000	1060924000	PS11230000000000	9219000000	N/A	\$3,005,550.00

Special Revenue	2240000000000	1060924000	PS11230000000000	6399000000	N/A	\$144,369.06
Special Revenue	2240000000000	1060924000	PS11230000000000	64110100000	N/A	\$21,400.00
Special Revenue	2240000000000	1060924000	PS11230000000000	6411000000	N/A	\$33,496.00
Special Revenue	2240000000000	1060924000	PS61230000000000	6499000000	N/A	\$2,550.00
Special Revenue	2240000000000	1060924000	PS13230000000000	6499000000	N/A	\$82,800.00
Special Revenue	2240000000000	1060924000	PS11230000000000	6499000000	N/A	\$6,000.00
Special Revenue	2240000000000	1060924000	PS11230000000000	66000000000000	N/A	\$67,750.00

STAFFING IMPLICATIONS:

Staff funding is contingent upon Region 4 RDSPD management board vote and approval per annual fiscal school year. This fluctuates per legislation or changes to the teacher salary schedule within HISD.

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

RECOMMENDED: That the School Board authorizes the superintendent of schools or a designee to negotiate and execute the Region 4 RDSPD SSA with Region 4 ESC, Pasadena ISD, Deer Park ISD, Aldine ISD, Spring ISD, Bloom Academy, and Draw Academy for the 2025-2026 school year, effective August 15, 2025.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

22.

Office of the Superintendent of Schools

Office of Public Affairs and Communications

Approval Of Proposed Revisions To Board Policy CW(LOCAL), *Naming Facilities*
-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy CW(LOCAL), *Naming Facilities*.

The proposed revisions include updating the structure of the document and the process for selecting the names of schools.

A copy of Board Policy CW(LOCAL), *Naming Facilities*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy CW (LOCAL), *Naming Facilities*, on second reading, effective August 15, 2025.

NAMING FACILITIES

CW
(LOCAL)

Naming and Renaming of District FacilitiesBoard Approval Definitions

~~The Board shall have final authority and responsibility~~ approval is required for the naming or renaming of District facilities and specific areas of facilities.

For the purpose of this policy, the term District facility shall apply to new and existing schools, including schools scheduled for consolidation through redirection or closure, sport complexes, athletic facilities, and other ~~office~~ buildings and facilities. A specific area or portion of a facility shall refer to a wing, annex, library, media center, auditorium, performing arts center, gymnasium, athletic field, or common area. A specific area or portion of a school shall not apply to classrooms, school offices, and cafeterias.

Criteria for Naming or Renaming FacilitiesSuggesting Names

~~Citizens and~~ Residents of the District, District employees, and staff members, as well as Trustees, District board members may submit names to be added to a ~~historical~~ list of suggested names for possible selection. Such list shall be a cumulative resource to be considered when naming or renaming a new or existing facility, shall be maintained in the ~~office of the chief student support officer~~ Office of Public Affairs and Communications, and shall be provided to the ~~chairperson~~ co-chairs of the each naming committee. ~~In all cases, the name of a school, specific area of a school, or other District facility must respect cultural differences and values.~~

~~The Board, through a resolution that deems the renaming to be in the best interest of the District, may initiate the process for changing the name. [See Process for Selecting Name of School]~~

SchoolsCriteria for Names Facilities

Schools or other facilities may be named for persons, communities (e.g., neighborhoods), locations (e.g., landmarks), or functions (e.g., District programs). Names of persons to be considered shall be of deceased individuals who have made a significant contribution to the local community, the state, or the nation. In all cases, the name of a school, specific area of a school, or other District facility must respect cultural differences and values. ~~In naming any facility for the first time, any waiver of this policy shall require a two-thirds vote of the membership of the Board. In renaming a facility after a living person, any waiver of this policy shall require a unanimous vote of the membership of the Board. In renaming a facility after a deceased person, a simple majority vote of the membership of the Board is required.~~

~~In the cases of consolidations, closures, and the like, consideration should be given at the onset as to how the naming shall be handled. The name selection committee may consider a new name, an existing name, or a combination of school names.~~

NAMING FACILITIES

CW
(LOCAL)

~~Specific Areas of Schools and Facilities~~

Specific areas of schools and facilities may be named for persons, communities, locations, or functions. If the area is named after a person, the following criteria shall apply:

- The individual may be living or deceased;
- The individual must have made a significant contribution to the local community, state, or nation; and
- The individual must be widely respected by the community and the general public.

Exceptions

In naming any facility for the first time, any waiver of this policy shall require a two-thirds vote of the membership of the Board. In renaming a facility after a living person, any waiver of this policy shall require a unanimous vote of the membership of the Board.

Acceptance of Funds for Naming Rights of a Facility or a Specific Portion of a Facility

The Superintendent shall develop regulations for the acceptance of funds to support the construction, renovation, or acquisition of District facilities and specific areas or portions of facilities.

The Board may agree to name a District facility for an individual, family, group, organization, or business entity when a major capital donation has been made to the District for the facility by or on behalf of the nominated individual, family, group, organization, or business entity. The determination of what constitutes a major capital donation shall be made at the discretion of the Board in accordance with District regulations.

The Board may agree to name a specific area or portion of a District facility for an individual, family, group, organization, or business entity when a significant capital contribution has been made to the District for the specific area or portion of a District facility by or on behalf of the nominated individual, family, group, organization, or business entity. The determination of what constitutes a significant capital contribution shall be made at the discretion of the Board in accordance with District regulations.

The acceptance of funds and the approval of the name shall require a two-thirds majority vote of the membership of the Board. Funds accepted for the naming of a school or specific area of a school shall be reserved for capital expenditures exclusively for that school.

Process for Selecting Name of School

1. The Board, through a resolution that deems the renaming to be in the best interest of the District, may initiate the process for changing the name. In addition, the Superintendent may determine that naming or renaming is needed and initiate the process without a board resolution.

NAMING FACILITIES

CW
(LOCAL)

2. For selecting the name of a school, the Superintendent or designee shall appoint a school naming committee. The school naming committee appointed to consider the renaming of a school shall largely be composed of individuals currently connected to the school in their representative capacities, and the local civic leader shall be a person actively involved in serving that school's geographic area and school community.

The committee ~~shall~~ may include the following individuals ~~of the school to be named~~:

- A designee from The chief school officer the Office of the Chief of Schools and a designee from the Office of Public Affairs and Communications as ~~chairperson~~ co-chairs,
- ~~The~~ A current or former principal of the school, if any,
- A current or former student from the school,
- A current or former teacher from the school,
- A local civic leader,
- An alumni representative from the school, and
- A parent of a current or former student from the school.

The ~~chief school officer~~ committee co-chairs may also solicit input from other constituents affected by the naming of the school.

3. The ~~chief school officer~~ committee co-chairs shall report the consensus of the committee to the Superintendent.

4. Prior to the preparation of an agenda item for Board consideration, the Superintendent ~~shall~~ may discuss the recommendation with the Trustee of the area of the school to be named.

5. The Superintendent shall present the recommendation to the Board for approval.

~~Acceptance of
Funds for Naming
Rights of a School
or a Specific
Portion of a Facility~~

~~The Superintendent shall develop regulations for the acceptance of funds to support the construction, renovation, or acquisition of District facilities and specific areas or portions of facilities.~~

~~The Board may agree to name a District facility for an individual, family, group, organization, or business entity when a major capital donation has been made to the District for the facility by or on behalf of the nominated individual, family, group, organization, or business entity. A major capital donation is defined as either a monetary gift of, or land with a fair market value of, at least~~

NAMING FACILITIES

CW
(LOCAL)

~~\$7,500,000 toward the construction, renovation, or acquisition of the District facility.~~

~~The Board may agree to name a specific area or portion of a District facility for an individual, family, group, organization, or business entity when a significant capital contribution has been made to the District for the specific area or portion of a District facility by or on behalf of the nominated individual, family, group, organization, or business entity. A significant capital contribution is defined as a monetary gift of at least \$1,000,000 toward the construction, renovation, or acquisition of the specific area or portion of the District facility.~~

~~The acceptance of funds and the approval of the name shall require a two-thirds majority vote of the membership of the Board. Funds accepted for the naming of a school or specific area of a school shall be reserved for capital expenditures exclusively for that school.~~

**Process for
Selecting Name of
Specific Areas and
Facilities other than
Schools**

For selecting the name of specific areas of schools and facilities, sports complexes, athletic facilities, and any other facilities that are not schools, the Superintendent or designee shall appoint a committee of appropriate individuals and shall present the committee's recommendation to the Board for approval. No athletic facilities in the District shall be given more than two ~~(dual)~~ names.

School Symbols

All mascots, nicknames, and descriptors—including symbols, banners, flags, pennants, or similar identifiers—used by a school's sports teams, extracurricular clubs, curricular clubs, or organizations shall respect cultural differences and values. The Board prohibits the use of any race or ethnic group as a mascot or nickname. [See DIA(LOCAL)]

Effective Date

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



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

23.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*. The changes are recommended to update information.

A copy of Board Policy DCD(LOCAL), *Employment Practices: At-Will Employment*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy DCD (LOCAL), *Employment Practices: At-Will Employment*, on second reading, effective August 15, 2025.

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

Personnel not hired under a contract shall be employed on an at-will basis. [For information regarding contractual employment, see DCA, DCB, DCC, and DCE, as appropriate]

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

Probationary

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

Nonprobationary

~~A noncontract employee who has completed 12 months of full-time employment shall be considered nonprobationary.~~

**Reassignment of
Noncontract
Employees**

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

**Discipline / Other
Employment
Decisions**

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

~~Suspension,
Demotion, Return
to Probation~~

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

Termination

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

Reduction in Force

A reduction in force may take place when the Board determines that financial exigency exists or the Superintendent determines that a reorganization or program change is required.

Procedures for the reduction in force of noncontract employees shall be developed and maintained by the chief ~~talent~~ human re-
sources officer. These procedures shall provide criteria to determine the mechanics of reduction, reassignment, termination, and recall. Any termination will be made in accordance with established current procedures on termination of noncontract employees set forth by the chief ~~talent~~ human resources officer. Subject to approval by the chief human resources~~talent~~ officer or designee, assignments to new jobs will be based on matching of skill sets.

Reorganization

Reorganization is defined as a change in positions due to:

1. A change, elimination, or addition of a function within a department or school; or

EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

DCD
(LOCAL)

2. A change in the role, responsibility, qualifications, or skill level of a significant number of employees within a department, school, or within a category of employees.

A reorganization shall be approved by the Superintendent. If during a reorganization it becomes necessary to terminate an employee, such personnel action shall be taken in accordance with applicable Board policy, state and federal law, and District procedures.

Procedures for a reorganization shall be developed. These procedures shall provide criteria to determine the mechanics of reduction, reassignment, and termination of staff, if necessary. Assignments to new jobs shall be based on matching of skill sets.

Appeal

A noncontract employee who has been notified of a ~~suspension without pay, demotion,~~ or termination may appeal the action in accordance with DGBA(LOCAL).

Resignation

A noncontract employee intending to resign shall give a minimum of two weeks' notice. If such notice is not given, the resigning employee shall not be eligible for reemployment with the District.

An employee who resigns or retires to avoid District-initiated termination shall not be eligible for reemployment with the District.

Suspension Without Pay for Criminal Charges

~~In the event an at-will employee is charged with a felony crime or charged with any crime involving moral turpitude and ordered to stand trial in any court of competent jurisdiction, the Superintendent may suspend the employee without pay pending the final determination and/or the District's decision regarding administrative action.~~

Termination for Criminal Charges or Conviction

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

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

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

~~If the employee is convicted of a felony crime or any crime involving moral turpitude, the employee will be dismissed. Any plea of~~

~~guilty by an employee, or the court's acceptance of nolo contendere under the Deferred Adjudication Act, shall constitute a conviction for purposes of this policy.~~

**Conflict of Interest
Violations**

Upon completion of an individualized assessment conducted by the Conflict of Interest Review Committee, an at-will employee with a substantiated finding in violation of this policy that has affected the employee's ability, capacity, or fitness to perform the duties of the assignment will be dismissed.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

24.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Deletion Of Board Policy EF(LOCAL), *Instructional Resources*
-Second Reading

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

The information from EF(LOCAL), *Instructional Resources*, is being moved into two new policies, EFA(LOCAL) and EFB(LOCAL), because of the differences in requirements for instructional materials and library materials, and in alignment with changes already made to the legal policies.

A copy of Board Policy EF(LOCAL), *Instructional Resources*, is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES DELETE BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed deletion of Board Policy EF(LOCAL), *Instructional Resources*, on second reading, effective August 15, 2025.

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

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

Objectives

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

~~In this policy, "instructional resources" includes both instructional materials and library materials.~~

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

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

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

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

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

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

Selection

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

Instructional Resources

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

- ~~1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.~~
- ~~2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.~~
- ~~3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.~~
- ~~4. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also EMB regarding instruction about controversial issues.]~~
- ~~5. Promote literacy.~~

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

Additional Instructional Materials

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

Library Materials

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

- ~~1. Develop a balanced collection presenting multiple viewpoints related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis [see EMB regarding instruction about controversial issues];~~
- ~~2. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community;~~
- ~~3. Provide a wide range of background information that will enable students to make intelligent decisions in their daily lives;~~
- ~~4. Demonstrate literary merit, quality, value, and significance;~~

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

- ~~5. Have received favorable professional library reviews from state and nationally recognized review publications;~~
- ~~6. Have received state or national awards or are included on recommended reading lists developed by library professionals and educators;~~
- ~~7. Cover topics, authors, series, or genres that fill gaps in the school library collection;~~
- ~~8. For nonfiction resources, include accurate and authentic factual content from authoritative sources;~~
- ~~9. Have a high degree of potential user appeal and interest;~~
- ~~10. Offer a global perspective that promotes equity of access, including print and nonprint materials such as electronic and multimedia, to meet the needs of individual learners;~~
- ~~11. Are requested or recommended by students and teachers;~~
- ~~12. Mirror selections found in neighboring districts or libraries in the region; and~~
- ~~13. Represent diverse viewpoints and cultures appropriate to each campus to ensure the collection embodies the unique background of its student population.~~

**Protection from
Inappropriate
Material**

Library materials shall not include “harmful material” as defined by Penal Code 43.24(a)(2) or “obscene” material as defined by Penal Code 43.21(a)(1).

~~Library materials shall comply with the Children's Internet Protection Act (CIPA), including technology protection measures. [See CQ]~~

Gifts

~~Gifts of instructional resources shall be evaluated according to the provisions above and accepted or rejected in accordance with CDC(LOCAL).~~

Parent Consideration

~~In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the library program. District staff may assist a student in selecting library material; however, the ultimate determination of appropriateness remains with the student and parent. Parents are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student. In accordance with state law and administrative regulations, parents may select alternative library materials~~

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

	<p>for their student. [For information on parental rights regarding instructional materials and other instructional resources see EF(LOCAL).]</p>
Challenged Resources	<p>A parent of a District student, a student who is 18 years of age or older, an individual employee, or any District resident may challenge an instructional resource used in the District's educational program on the basis that the instructional material fails to meet the standards set forth in this policy.</p>
Guiding Principles	<p>The following principles shall guide the Board and staff in responding to challenges of instructional resources:</p> <ol style="list-style-type: none">1. A complainant may raise an objection to an instructional resource used in a school's educational program, despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.2. A parent's ability to exercise control over instruction extends only to his or her own child as set forth in Education Code Chapter 26.3. Access to a challenged resource shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent. <p>The major criterion for the final decision on challenged resources is the appropriateness of the resource for its intended educational use. No challenged instructional resource shall be removed solely because of the ideas expressed therein.</p>
Informal Reconsideration	<p>When the District or a campus receives an objection about the appropriateness of an instructional resource, the appropriate administrator shall try to resolve the matter informally. The administrator shall explain the selection process and discuss the intended educational purpose for the instructional resource. If appropriate, the administrator may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged material.</p> <p>If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the instructional resource.</p>
Formal Reconsideration	<p>A complainant shall make any formal objection to an instructional resource on the form provided by the District and shall submit the</p>

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

	<p>completed and signed form to director of library services. Upon receipt of the form, the director of library services shall appoint a reconsideration committee.</p> <p>The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged resource with students or is familiar with the challenged resource's content. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and any other appropriate individuals.</p> <p>All members of the committee shall review the challenged instructional resource in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged resource conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the educational program. The committee shall prepare a written report of its findings. The Superintendent, other appropriate administrators, and the complainant shall receive copies of the report.</p>
<i>Frequency of Review</i>	<p>After an instructional resource has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection or maintenance process, as applicable.</p>
Appeal	<p>The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at Level Two. [See DGBA, FNG, and GF]</p>



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

25.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Establishment Of Board Policy EFA(LOCAL), *Instructional Resources: Instructional Materials*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves the adoption of Board Policy EFA(LOCAL), *Instructional Resources: Instructional Materials*.

The proposed policy aligns with changes to legal policy, recommendations from the Texas Association of School Boards, and key updates from the Office of Academics, which are summarized below.

- Replaces parts of EF(LOCAL), which addressed instructional materials and library materials in a single policy, with a new policy exclusively for instructional materials.
- Establishes a process for reconsideration of instructional materials.
 - Informal reconsideration shall be handled by a campus administrator.
 - Formal reconsideration requests shall be initiated when a parent submits a formal reconsideration form which will trigger the formation of a review committee organized by the Office of Academics.

After first reading of the policy revisions on June 12, 2025, Senate Bill 13 was signed into law, leading to further revision of EFA(LOCAL) in the section *Formal Request for Consideration*.

A copy of the proposed Board Policy EFA(LOCAL), *Instructional Resources: Instructional Materials*, is attached. The changes made after first reading are highlighted.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None. Existing district staff and campus staff support this initiative during the scope of their current district roles.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed establishment of Board Policy EFA(LOCAL), *Instructional Resources: Instructional Materials*, on second reading, effective August 15, 2025.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

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

For information related to the selection process of library materials, see EFB.

The District shall provide instructional materials designed to teach the Texas Essential Knowledge and Skills and further the District's educational mission. Although the Superintendent shall ensure that professional staff select instructional materials in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

Objectives

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

Selection

Instructional materials that are textbooks and related supplemental materials, which may include items from the list of resources adopted by the State Board of Education, shall be chosen in accordance with administrative regulations and the objectives above.

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

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

DATE ISSUED:

Adopted:

1 of 3

EFA(LOCAL)-A

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

District professional staff may select additional instructional materials in accordance with administrative regulations and the criteria above.

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

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

Reconsideration of Instructional Materials

A District employee or a parent or guardian of a District student may request reconsideration of instructional material used in the District's educational program on the basis that the instructional material fails to meet the standards set forth in this policy.

Guiding Principles

The following principles shall guide the Board and staff in responding to a request for reconsideration of instructional materials:

1. A complainant may raise an objection to an instructional material used in a school's educational program, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and adhered to the objectives for instructional materials set out in this policy.
2. A parent's ability to exercise control over instruction extends only to their own child as set forth in Education Code Chapter 26.
3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

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

Informal Reconsideration

When the District or a campus receives an objection to the appropriateness of an instructional material, the appropriate administrator shall try to resolve the matter informally. The administrator shall explain the selection process and discuss the intended educational purpose for the instructional material. If appropriate, the adminis-

DATE ISSUED:

Adopted:

2 of 3

EFA(LOCAL)-A

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

trator may offer a concerned parent an alternative instructional material to be used by that parent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the instructional material.

Formal Request for
Reconsideration

A complainant shall make ~~a~~any formal request to reconsider ~~an~~ instructional material on the form provided by the District and shall submit the completed and signed form to the ~~District curriculum office~~ principal. Upon receipt of the form, the ~~District~~ principal shall ~~initiate the District's review process~~ appoint a reconsideration committee.

The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged material with students or is familiar with the challenged material's content. Other members of the committee may include District-level staff, secondary-level students, parents, and any other appropriate individuals.

All members of the committee shall review the challenged instructional material in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged material conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the educational program. The committee shall prepare a written report of its findings. The Superintendent, other appropriate administrators, and the complainant shall receive copies of the report.

Frequency of
Review

After an instructional material has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection process.

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the appropriate level. [See DGBA, FNG, and GF]



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

26.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Establishment Of Board Policy EFB(LOCAL), *Instructional Resources: Library Materials*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves the adoption of Board Policy EFB(LOCAL), *Instructional Resources: Library Materials*.

The proposed policy aligns with changes to legal policy, recommendations from the Texas Association of School Boards, and key updates from the Office of Academics, which are summarized below.

- Replaces parts of EF(LOCAL), which addressed instructional materials and library materials in a single policy, with a new policy exclusively for library materials.
- Library materials shall be selected and acquired in accordance with guidelines adopted by the Texas State Library and Archives Commission and district standards as required by EFB(LEGAL).
- Updates the formal reconsideration process as required by EFB(LEGAL).
 - A reconsideration committee may include district-level staff, secondary-level students, parents or guardians, and any other appropriate individuals.
 - Provides a timeline for completion of the formal reconsideration process.

After first reading of the policy revisions on June 12, 2025, Senate Bill 13 was signed into law, leading to further revision of EFB(LOCAL).

A copy of the proposed Board Policy EFB(LOCAL), *Instructional Resources: Library Materials*, is attached. The changes made after first reading are highlighted.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None. Existing district staff and campus staff support this initiative in the scope of their current roles.

THIS ITEM DOES ESTABLISH BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed establishment of Board Policy EFB(LOCAL), *Instructional Resources: Library Materials*, on second reading, effective August 15, 2025.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

EFB
(LOCAL)

Note: For information related to the selection of instructional materials, see EFA.

The purpose of this policy is to ensure that the District provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. This policy also provides standards for collection development and the selection and evaluation of library materials.

Collection
Development Policy

In this policy, “library materials” is defined by law and may include printed and electronic library acquisitions, including online catalogs, and other ancillary or supplementary materials maintained in a campus library. [See EFB(LEGAL)]

The library collection development standards shall apply to all library materials available for use or display, including material contained in school libraries, classroom libraries, and online catalogs, library mobile applications used in the District, and any other library catalog a student may access.

In developing library collections, the District shall consider the age groups, grade levels, and access to library material by all students on a campus.

Responsibility

The District shall ensure librarians, professional library staff, and other designated professional staff are trained or receive information on the proper collection development standards ~~select and acquire library materials in accordance with state law and rules, this collection development policy, and administrative procedures.~~

The Superintendent shall develop administrative procedures to ensure that library collections comply with applicable law, library standards, and the District’s collection development purpose and goals.

Collection
Development Goals

In addition to the requirements in state law and rules, the District’s library collections shall:

1. Present multiple viewpoints related to controversial issues [see EMB regarding instruction about controversial issues].
2. Provide a wide range of background information that will enable students to make intelligent decisions in their daily lives.
3. Include accurate and authentic factual content from authoritative sources.
4. Have a high degree of potential user appeal and interest.

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5. Offer a global perspective that promotes equity of access, including print and nonprint materials such as electronic and multimedia, to meet the needs of individual learners.
6. Represent diverse viewpoints and ~~cultures~~ cultural groups ~~appropriate to each campus~~ of the state and their contributions to the state, the nation, and the world, to ensure the collection embodies the ~~unique~~ background of ~~its student population~~ all students.

Selection and
Evaluation of
Materials

Library materials shall be ~~selected and acquired~~ recommended and procured in accordance with guidelines adopted by the Texas State Library and Archives Commission and the District standards and priorities expressed in this policy.

~~When selecting, acquiring, and evaluating library materials, librarians and other professional staff shall~~ develop recommendations to be presented to the Board. The librarians and other professional staff shall ensure that the materials:

1. Enrich and support the TEKS and the state and local curriculum, taking into consideration students' varied interests, maturity levels, abilities, and learning styles.
2. Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.
3. Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.
4. Represent ethnic, religious, and cultural groups of the state and their contributions to the state, the nation, and the world.

The Superintendent shall ensure that administrative procedures regarding the ~~selection~~ development of recommendations of library materials consider at least two of the following factors:

1. Recommendations from students, parents or guardians, teachers, and District ~~community members~~ residents.
2. Consultation with District teachers and library staff.
3. Consultation with library staff from other districts.
4. Extensive review of the library material.
5. Context of the library material, including overall fit within the existing collection and support of District curriculum.
6. Reviews of the library material from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and

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state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

7. Coverage of topics, authors, series, or genres that fill gaps in the school library collection.

The Board shall consider the list of library materials that have been donated or proposed by the administration for procurement. Each Board member may propose changes before the Board takes action on the list of donated or proposed library materials.

The Board shall either approve or reject the library materials that have been donated or proposed for procurement.

Donated and
Proposed
Procurement List

At least 30 days prior to the Board's vote to accept donated library materials or approve procurement of library materials, the Superintendent shall make accessible to the public the list of library materials in accordance with law.

Access Plan

The District shall allow efficient parental access to the District's library and any available online catalogs.

Online catalogs shall be publicly available. The District shall publish information about library material titles, including how and where material can be accessed.

Each campus shall communicate the following to parents and guardians:

- Access to policies relating to school libraries and library materials;
- Consistent access to library materials and resources; and
- Opportunities for students, parents and guardians, educators, and community members to provide feedback on library materials and services.

Parental
Involvement

Parents and guardians are the primary decision makers regarding their student's access to library material. In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the library program. District staff may assist a student in selecting library material; however, the ultimate determination of appropriateness remains with the student and parent or guardian. Parents and guardians are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student.

In accordance with state law and administrative procedures, parents or guardians may submit to the principal or a staff member

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designated by the principal a list of library materials that the parent's or guardian's child shall not be allowed to check out or access for use outside of the school library. The Superintendent shall develop procedures that permit a parent or guardian to submit the request in at least one of the methods permitted by law.

The parent or guardian may select alternative library materials for their student child. [For information on parental rights regarding instructional materials and other instructional resources, see EFA(LEGAL).]

The District shall focus on maximizing transparency with parents while meeting student needs and providing enrichment opportunities with library materials. Parental involvement in library acquisition, maintenance, and campus activities is encouraged.

Access
Procedures

School Library

A parent or guardian who wishes to access a school's library shall first submit a request to the principal. The principal or a staff member designated by the principal shall work with the parent or guardian to determine a time to access the library that will not interfere with the delivery of instruction or disrupt student use of library services.

Online Library
Catalog

A parent or guardian who wishes to access an online the catalog of library materials for any school in the District shall submit a written request to the school's principal. The principal or a staff member designated by the principal shall respond to the request in accordance with administrative procedures.

Protection from
Inappropriate
Material

In accordance with law and guidance from the Texas State Library and Archives Commission, library materials shall not include "harmful material" as defined by Penal Code 43.24(a)(2); "obscene" material as defined by Penal Code 43.21(a)(1); any library material that is pervasively vulgar or educationally unsuitable as referenced in *Board of Education v. Pico*; any library material containing indecent or profane content; any library material that refers a person to a website, including by use of a link or QR code, containing content legally prohibited under law; or any other material legally prohibited from inclusion in a public school library. [See EFB(LEGAL)]

Obscene material is not protected by the First Amendment to the United States Constitution.

Library materials shall comply with the Children's Internet Protection Act (CIPA), including technology protection measures. [See CQ]

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Reconsideration
Challenge of Library
Material

Guiding Principles

A District employee, ~~or~~ a parent or guardian of a District student, ~~or~~ a District resident may ~~request the reconsideration of a challenge~~ library material maintained in the District's library program.

The following principles shall guide the review of a ~~request to re-~~
~~consider a challenge of~~ library material:

1. An individual may ~~raise an objection to a challenge~~ library material used in the District's library program, despite the fact that the professional staff ~~and the Board selecting the materials were qualified to make the selection,~~ followed the proper procedure, and adhered to the objectives and criteria for ~~recommending and procuring~~ library materials set out in this policy.
2. ~~Access to challenged material shall be restricted during the challenge process. A parent's or guardian's ability to exercise control over instruction and instructional resources, including library materials, extends only to their own child as set forth in Education Code Chapter 26.~~
3. ~~Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a student if requested by the student's parent or guardian.~~

In addition to compliance with state law and this policy, a criterion for the final decision on challenged library materials is the appropriateness of the material for its intended use. No challenged library material shall be removed solely because of the ideas expressed in the library material or the personal background of the library material's author or the personal background of the characters in the material.

Informal
Reconsideration
Challenge

When the District or a campus receives an objection to the appropriateness of a library material, the appropriate librarian or administrator shall try to resolve the matter informally. The librarian or administrator shall explain the selection process and discuss the intended purpose for the library material.

The librarian or administrator shall offer a concerned parent or guardian an alternative library material to be used by the child in place of the material and, if requested, shall restrict the child's access to the material objected to by the parent or guardian.

If the individual wishes to make a formal challenge, the administrator shall make available to the individual a copy of this policy and ~~a~~ the form to request a formal ~~reconsideration challenge~~ of the library material.

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LIBRARY MATERIALS

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Formal Request for
Reconsideration
Challenge

The District shall make a the Texas Education Agency form to re-
quest reconsideration of challenge library material available in on
the District's administrative office website.

If an a District employee, or a parent or guardian of a District stu-
dent, or a District resident wishes to request reconsideration of
challenge a library material, they shall follow the procedures to
complete and submit the request for reconsideration challenge
form.

After a request for reconsideration challenge form is submitted, the
form shall be provided to the Superintendent. Copies of the form
shall be provided to the school librarian, the Board, and any other
staff designated in administrative procedures.

Reconsideration
Challenge
Committee

For purposes of this policy, "days" shall mean District business
days, unless otherwise noted.

The Office of Academics-Superintendent shall appoint a reconsid-
eration challenge committee and notify committee members within
10 days of receiving the request for reconsideration form in accord-
ance with administrative procedures.

The reconsideration challenge committee shall include the librarian
and at least one member of the instructional staff who is familiar
with the material's content. Other members of the committee may
include District-level staff, secondary-level students, parents or
guardians, and any other appropriate individuals.

Within 10 days of appointment of the committee the The District
shall provide members of the committee the relevant materials to
review in accordance with the deadlines established in administra-
tive procedures and in accordance with law. If additional time is re-
quired to obtain and distribute the materials for review, all members
of the committee shall be informed that a reasonable extension of
time is needed.

Any meeting of the committee must comply with the meeting re-
quirements under Education Code 33.025(g) and (h), including re-
quired notices, meeting minutes, audio or video recordings, and
submission of minutes and audio or video recordings of the meet-
ing to the District.

All members of the committee shall review the challenged library
material in its entirety and determine whether the material con-
forms to this policy and whether the material will continue to be
available in the library. The committee shall prepare a written report
of its findings.

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~~Absent extenuating circumstances, the written report shall be provided to the administration within 60 days of the District providing the material to the committee members. In calculating timelines under this policy, the day the committee is provided the materials is "day zero." The following business day is "day one."~~

~~Extensions of time due to extenuating circumstances shall take into consideration the time necessary to convene the committee members, the amount of material being reviewed, and any other pending reconsideration requests being handled by the committee.~~

~~An extension of any deadline shall be promptly communicated to the individual who submitted the request for reconsideration.~~

The Superintendent, the school librarian, the individual submitting the ~~request for reconsideration challenge~~, and any other appropriate ~~administrators~~ staff shall receive a copy of the committee's report.

Appeal

An individual who submitted a ~~request for reconsideration challenge~~ may appeal the decision ~~of the reconsideration committee in accordance with appropriate complaint policies, starting at the level immediately preceding Board consideration of a complaint. [See DGBA and FNG]~~ to the Board. The individual must provide the notice of appeal in accordance with administrative procedures.

The Board shall hear the appeal and render a decision in accordance with the timelines established in law.

When considering the appeal, the Board shall consider the factors in Education Code 33.027(f). The Board shall consider appeals in accordance with timelines set out in law.

Frequency of Review

After a library material has been ~~reviewed through the reconsideration process~~ challenged and the Board determines not to remove the library material from a school library catalog, it ~~shall~~ may not be ~~reviewed challenged again within two calendar years of the reconsideration committee's final decision~~ before the second anniversary of the Board's final decision not to remove the material.

Removal of Library Materials

If a challenge to a library material results in the removal of the library material from the school library catalog, each teacher assigned as the classroom teacher at the grade level for which the library material was removed shall be notified and instructed to remove any copy of the library material from the teacher's classroom library, if applicable.

Maintenance of Library Materials

In accordance with state guidelines and District administrative procedures, collections shall be evaluated and updated regularly based on the collections' age, relevance, diversity, and variety. The

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LIBRARY MATERIALS

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Superintendent shall ensure administrative procedures are established for regular maintenance of the library collection on each campus. Standard maintenance procedures for any library collection include repair, replacement, and removal of materials as necessary. Regular maintenance shall also include scheduled inventories of the collection. Disposal of any District-owned library materials shall be in accordance with District policy and procedures. [See CI]

Gifts and Donations

The District shall accept gifts and donations of library materials with the understanding that the use and disposition of the materials and monies will be in accordance with District policy and the selection criteria noted above. [See CDC]

Policy Review

This policy shall be reviewed at least every three years and revised as necessary.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

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27.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Revisions To Board Policy EHBB(LOCAL), *Special Programs: Gifted And Talented Students*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy EHBB(LOCAL), *Special Programs: Gifted And Talented Students*, to align with changes to legal policy and recommendations from the Texas Association of School Boards and the HISD Office of Academics. A summary of key updates is provided below.

- State law specifies that 100 percent of state funds allocated for gifted and talented (G/T) education are used to provide G/T services to students. Proposed changes to the local policy reflect this language.
- Procedures regarding G/T furloughs were clarified. Previously, students could request a furlough, or year off, from G/T if the work was too difficult for them. Proposed changes to the policy state that campuses should work with families so this does not happen. If the coursework is difficult, the campus will support the student rather than remove the student from G/T. Furloughs should only occur if the student is leaving the state or other special situations.

A copy of Board Policy EHBB(LOCAL), *Special Programs: Gifted And Talented Students*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy EHBB (LOCAL), *Special Programs: Gifted And Talented Students*, on second reading, effective August 15, 2025.

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

**Advanced
Academics (Gifted /
Talented) Program**

The District believes that every student deserves a stimulating curriculum and the opportunity to excel; therefore, a comprehensive advanced academics program shall be provided to any student in kindergarten–grade 12 who meets the statutory definition of “gifted and talented student.” [See EHBB(LEGAL)]

Referral

Any District-enrolled student may be referred ~~at any time~~ for the District’s gifted and talented (GT) program by the following persons: teachers, school counselors, students (self-referral), parents of children in kindergarten–grade 12, and other interested persons.

**Student ~~Assessment~~
and Identification**

The District believes that application and ~~assessment~~identification procedures should be consistent, credible, and uniformly applied to all students. Instruments and procedures used to assess students for program services shall measure diverse abilities and intelligences and provide students with an opportunity to demonstrate their talents and strengths.

The District shall provide ~~assessment~~ opportunities to complete the screening and identification process for referred students at least once per school year.

Written procedures include provisions regarding the appeals of District decisions on program placement, furlough, and transfer of students.

Written documentation shall be disseminated to all parents and shall include the following:

- Procedures on student identification for GT programs; and
- Additional provisions regarding furloughs, transfer students, and appeals of District decisions regarding program placement.

Assessments

Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Instruments and procedures used to assess students for program services shall measure diverse abilities and intelligences and provide students with an opportunity to demonstrate their talents and strengths. Assessment tools may include, but are not limited to, the following: achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.

Parental Consent

The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an

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GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

educational record, subject to the protections set out in policies at FL(LEGAL) and (LOCAL).

Identification

A ~~selection~~[placement](#) committee shall evaluate each referred student according to the established criteria and shall identify those students for whom placement in the GT program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law.

The Board-approved program for GT shall establish criteria to identify GT students. The criteria shall be specific to the state definition of GT and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.

Definition

Gifted Education
Plan

The term “gifted education plan” (GEP) means a written statement for each student who qualifies for gifted education that includes:

- A statement of the student’s present levels of academic achievement;
- A description of how the student’s education shall be differentiated based on GT identification results and past academic performance; and
- A statement of the curricular modifications or supports for school personnel that shall be provided for the student.

GT Committee

Responsibilities

A campus shall have a GT committee for the purpose of implementing the District’s GT programs in accordance with ~~19 Texas Administrative Code 89.4~~[state rules](#) and Board policy. The responsibilities of the campus GT committee include:

- Determination of eligibility for GT services based on District-established criteria; and
- Development of the student’s GEP.

Appeals of District decisions regarding program placement shall be in accordance with FNG(LOCAL) as well as the Elementary and Secondary School Guidelines.

Committee
Members

A campus shall ensure that each GT committee shall be composed of at least three local-campus certified educators who have received training in the nature and needs of gifted students, as required by law.

Committee
Meetings

A campus shall initiate and conduct GT committee meetings for the purposes of developing, reviewing, and revising the GEP of a student who qualifies for gifted education. The committee shall review

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

each student's GEP, and, if appropriate, revise it. A meeting must be held for this purpose at least once a year.

A "meeting" does not include informal or unscheduled conversations involving District personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provisions if those issues are not addressed in the student's GEP.

Notification

Parents and students shall be notified in writing of selection or rejection for the gifted program. Participation in any program or services provided for gifted students is voluntary. ~~The District shall obtain written permission from a parent before a student is placed in a gifted program.~~

Reassessments

~~The District shall not perform routine reassessments unless requested by a parent or guardian.~~ If the District reassesses students in the GT program, the reassessment shall be based on a student's performance in response to services and shall occur no more than once in elementary grades, once in middle-school grades, and once in high-school grades. The District shall not perform routine reassessments unless requested by a parent or guardian.

Transfer Students

Interdistrict

When a student identified as gifted by a previous school district transfers into the District, the GT Office shall review the student's records, and conduct assessment procedures when necessary, to determine if placement in the District's program for GT students is appropriate. The GT Office shall make a recommendation to the campus.

The GT Committee shall make its determination within 30 days of receiving GT transfer records and shall base its decision on the recommendation of the GT office and the collection of additional screening criteria as needed. The parent shall be notified in writing of the placement decision.

[See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children.]

Intradistrict

Intradistrict transfer students who have been identified as GT according to established District criteria shall continue in the program on the campus to which they transfer.

Furloughs

~~The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the GT program. A furlough may be initiated by the District, the parent, or the student.~~

In accordance with the Board-approved program, a furlough shall be granted for specified reasons and for a specified period of time

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GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

up to one year. At the end of a furlough, the student may reenter the GT program, ~~be placed on another furlough~~, or be exited from the program.

The following guidelines regarding furloughs shall apply:

~~Furloughs may be granted on an "as-needed" basis.~~ Furloughs are considered on a case-by-case basis and may include, but are not limited to, the following: custody issues, divorce, parent/guardian sabbatical leave, foreign exchange programs, medical problems, and the like. Students struggling with the work load is not a reason for a furlough, and campuses should use intervention resources to support students.

A request with a specific timeline for a furlough must be submitted in writing to the campus ~~Vanguard~~ Gifted and Talented coordinator. Campus will follow the procedures outlined by the G/T Department.

- If a furlough is granted by the campus G/T committee, space shall be reserved for the student with a one-school-year maximum.

~~Furloughs are considered on a case-by-case basis and may include, but are not limited to, the following: custody issues, divorce, parent/guardian sabbatical leave, foreign exchange programs, medical problems, and the like.~~

**Exiting of Students
from Program
Services**

The District shall monitor student performance in response to GT program services. If at any time the ~~selection~~placement committee or a parent determines ~~it is in the best interest of the student to exit~~ the program is not meeting the student's educational needs, the committee shall meet with the parent and student before finalizing an exit decision.

Appeals

A parent, student, or educator may appeal any final decision of the ~~selection~~placement committee regarding ~~selection for or exit from-~~ services in the GT program. Appeals shall be made first to the ~~se-~~ lectionplacement committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.

**Magnet / Vanguard
Transfers**

See current provisions on transfers to Vanguard programs in policy FDB(LOCAL).

Program Design

The District believes that GT programs are important and necessary in order to meet the special educational needs of GT students. A flexible system of viable program options that provides a learning continuum and reinforces the strengths, needs, and interests of GT students shall be established to:

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

- Provide an array of learning opportunities commensurate with the abilities of GT students and emphasize content in the core academic areas, as well as the areas of creativity, the arts, and leadership;
- Provide services during the school day as well as the entire school year; and
- Provide program options enabling GT students to work together as a group, work with other students, and work independently during the school day.

Curriculum and Instruction

Every student deserves a stimulating curriculum and the opportunity to excel; therefore, curriculum and instruction for GT students shall be modified in the depth, complexity, and pacing from the general school program and shall provide:

- An array of appropriately challenging learning experiences for GT students in kindergarten–grade 12 that emphasize content from the four core academic areas; and
- A continuum of learning experiences that lead to the development of advanced-level products and/or performances.

Professional Development
[Learnin](#)
[g](#)

All personnel involved in the planning, developing, and delivering of services to GT students shall meet the statutorily mandated staff-development requirements.

District teachers who provide instruction and services for GT students must receive annually six hours of professional development in gifted education, as required by law. [See EHBB(LEGAL)]

Family-Community Involvement

The District shall ensure that information about the District's GT program is available to parents and community members. The District shall schedule a GT program awareness session for parents that provides an overview of the ~~assessment~~[identification](#) procedures and services for the program prior to beginning the screening and identification process.

The District shall continue to encourage community and family participation in services designed for GT students through:

- Written policies on student identification and curriculum that are disseminated to parents;
- Programs that are evaluated annually with the data used to modify and update District plans; and
- Access to exemplar curriculum, as well as real-time access.

Program Evaluation

The District shall annually evaluate the effectiveness of its GT program, and the results of the evaluation shall be used to modify and update the District and campus ~~improvement~~ action plans. The District shall include parents in the evaluation process and shall share the information with Board members, administrators, teachers, school counselors, students in the GT program, and the community.

Use of Funds

~~The District's GT program shall address effective use of funds for programs and services consistent with the standards in the state plan for GT students.~~ The Superintendent shall develop administrative procedures to ensure that 100 percent of the state funds allocated for the GT program are spent providing and enhancing the District's program and that a method accounting for expenditures related to the GT program is established and aligns with the Texas Education Agency's financial compliance guidance.



8/14/2025

28.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Revisions to Board Policy FFAC(LOCAL), *Wellness And Health Services: Medical Treatment*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy FFAC(LOCAL), *Wellness And Health Services: Medical Treatment*.

The proposed revisions align with changes to legal policy and recommendations from the district administration as well as the Texas Association of School Boards (TASB). A summary of key updates is provided below.

- Expanded district-administered medications to include:
 - Unassigned epinephrine
 - Unassigned respiratory distress medications
 - Opioid antagonists were already included but some of that information is being moved into an updated regulation
- Expanded superintendent duties to include developing regulations for:
 - Acquisition, maintenance, expiration, disposal of unassigned medications
 - Reporting, employee training, and emergency notification procedures for all covered medications. These regulations are in progress.

After first reading of the policy revisions on June 12, 2025, TASB issued a new revision of FFAC (LEGAL) to reflect new Department of State Health Services rules. This led to further revision of FFAC(LOCAL), largely by requiring that information be included in the policy that previously was in a regulation or other document.

A copy of Board Policy FFAC(LOCAL), *Wellness and Health Services: Medical Treatment*, showing the proposed changes is attached. The changes made after first reading are highlighted.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None. Existing health and medical staff and campus staff support this initiative in the scope of their current roles.

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy FFAC (LOCAL), *Wellness And Health Services: Medical Treatment*, on second reading, effective August 15, 2025.

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

**Medication Provided
by Parent**

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, with a physician's order. Nonprescription medication must be properly and clearly labeled, include the manufacturer label, and be provided in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

**Medication Provided
by District**

Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student. Medications provided by the District include unassigned epinephrine, unassigned respiratory distress medications, and opioid antagonists.

The Superintendent shall develop administrative regulations addressing acquisition, maintenance, administration, and disposal of these medications in the District, as well as reporting, employee training, and emergency notification requirements. [See FFAC1(REGULATION)]

Epinephrine

This provision shall be applicable to each campus that serves students.

The District authorizes school personnel who have been adequately trained to administer epinephrine in accordance with law and this policy. Administration of epinephrine shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing anaphylaxis. **Authorized and trained individuals may administer unassigned epinephrine on campus and while in transit to and from a school event.**

Each applicable campus shall have at least one individual who is authorized and trained to administer epinephrine present during all hours a campus is open. "All hours the campus is open" is defined as, at a minimum, during regular on-campus school hours, and

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

	<p><u>when school personnel are physically on site for school-sponsored activities.</u></p> <p><u>The supply of unassigned epinephrine shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer unassigned epinephrine. The supply of unassigned epinephrine while in transit to and from school events will be stored in the possession of the event coordinator.</u></p>
<p><u>Unassigned Respiratory Distress Medications</u></p>	<p><u>This provision shall be applicable to each campus that serves students.</u></p> <p><u>The District authorizes school personnel who have been adequately trained to administer unassigned respiratory distress medications in accordance with law and this policy. Administration of unassigned respiratory distress medications shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing severe respiratory distress.</u></p> <p><u>Each applicable campus shall have at least one individual who is authorized and trained to administer unassigned respiratory distress medications present during regular school hours as defined by 25 Texas Administrative Code 40.42(5).</u></p>
<p><u>Coordinators for Respiratory Distress Medication</u></p>	<p><u>The Superintendent has designated the director, Health Systems and Compliance, as the district coordinator for respiratory distress medication, and the school nurse, if available, or other employee at each campus as the campus coordinator for respiratory distress medication. A detailed list of campus coordinators for respiratory distress medication is maintained in the Office of Health and Medical Services.</u></p> <p><u>The responsibilities of campus coordinators include checking the inventory of unassigned medication for respiratory distress monthly for expiration and replacement and documenting the findings. The district coordinator trains the campus coordinators for this and ensures the process is completed.</u></p>
<p><u>Trained and Authorized School Personnel</u></p>	<p><u>A list of trained and authorized school personnel available to administer unassigned medication for respiratory distress is maintained as indicated in FFAC1(REGULATION).</u></p>
<p><u>Campus Storage</u></p>	<p><u>The supply of unassigned medication for respiratory distress will be stored in the school health office. While in transit to and from school events, the supply of unassigned respiratory distress medication will be stored in the possession of the event coordinator.</u></p>

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

Notification
Procedures

If an individual administers medication for respiratory distress to a student, the school will promptly notify the student's parent, guardian, or emergency contact of the administration.

If the student's parent or guardian has not notified the District that the student has been diagnosed with asthma, the school nurse will refer the student to the student's primary care provider on the day the medication for respiratory distress is administered and inform the student's parent or guardian regarding the referral. The referral must include the following:

- The symptoms of respiratory distress observed;
- The name of the medication for respiratory distress administered to the student; and
- Any patient care instructions given to the student.

If the student does not have a primary care provider, the school nurse will give the student's parent or guardian information to assist the parent or guardian in selecting a primary care provider for the student.

Within five business days after an individual has administered medication for respiratory distress, the individual will meet with the District coordinator for respiratory distress medication to document needed information for the DSHS electronic submission form.

Within 10 business days of the administration of medication for respiratory distress, the District coordinator for respiratory distress will notify the physician or other person who prescribed the medication for respiratory distress, the student's primary healthcare provider, and the commissioner of state health services and report the information required by law. The electronic submission of the *Required Reporting of Unassigned Administered Asthma Medication to DSHS* meets the requirement of reporting to the commissioner of state health services and may be used to notify other individuals as required by law.

Opioid Antagonist

This provision shall be applicable to each campus that serves students.

~~On-Campus~~

The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related [drug](#) overdose.

WELLNESS AND HEALTH SERVICES
MEDICAL TREATMENT

FFAC
(LOCAL)

Campus
Inventory and
Storage
~~Maintena
nce, Availability,
Training, and
Reporting~~

Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours.

Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available to use at the campus during regular school hours.

All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist.

~~The Superintendent shall develop administrative regulations addressing acquisition, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and emergency notification requirements.~~

Psychotropics

Except as permitted by law, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

Medical Treatment

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

The District shall seek appropriate emergency care for a student as required or deemed necessary and in accordance with the *Emergency Preparedness Handbook*.

Health Inventory

Each school shall have on file a health inventory of each student, which provides the history of the student's physical, mental, and emotional health up to the time of the student's enrollment in the District.



Consent Agenda

4400 WEST 18TH STREET
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8/14/2025

29.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Revisions To Board Policy FFAF(LOCAL), *Wellness and Health Services: Care Plans*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy FFAF(LOCAL), *Wellness and Health Services: Care Plans*.

The proposed revisions are recommended by the HISD administration to update a policy cross-reference and to address student self-administration of anaphylaxis medication as provided by law.

A copy of Board Policy FFAF(LOCAL), *Wellness and Health Services: Care Plans*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy FFAF(LOCAL), *Wellness And Health Services: Care Plans*, on second reading, effective August 15, 2025.

**Food Allergy
Management Plan**

The District shall develop and implement a student food allergy management plan that includes the components below.

General Procedures

Procedures to limit the risk posed to students with food allergies shall include:

1. Specialized training for employees responsible for the development, implementation, and monitoring of the District's food allergy management plan.
2. Awareness training for employees regarding signs and symptoms of food allergies and emergency response in the event of an anaphylactic reaction.
3. General strategies to reduce the risk of exposure to common food allergens.
4. Methods for requesting specific food allergy information from a parent of a student with a diagnosed food allergy. [See [the FD series](#)]
5. Annual review of the District's food allergy management plan.

Students at Risk for
Anaphylaxis

Procedures regarding the care of students with diagnosed food allergies who are at risk for anaphylaxis shall include:

1. Development and implementation of food allergy action plans, emergency action plans, individualized ~~health-care~~ [healthcare](#) plans, and Section 504 plans, as appropriate.
2. Training, as necessary, for employees and others to implement each student's care plan, including strategies to reduce the student's risk of exposure to the diagnosed allergen.
3. Review of individual care plans and procedures periodically and after an anaphylactic reaction at school or at a school-related activity.

Self-
Administration

Certain students with diagnosed food allergies who are at risk for anaphylaxis may possess and self-administer anaphylaxis medication while on school property or at a school-related event or activity if the medicine has been prescribed for that student; the student has demonstrated to the student's physician or other licensed healthcare provider and the school nurse, if available, the skill necessary to self-administer the prescription medication, including the use of any device required to administer the medication; the self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed healthcare provider; and a parent of the student provides to the school signed, written authorization for the student to self-administer the prescription while on school property or at a school-related

event or activity and a signed, written statement by the student's physician or other licensed healthcare provider that contains specific student prescription information required by law. [See FFAC(LEGAL)]

Distribution

Information regarding this policy and the District's food allergy management plan shall be distributed annually in the student handbook and made available at each campus.



Consent Agenda

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30.

Office of the Superintendent of Schools

Office of the Chief of Police

Approval Of Proposed Revisions To Board Policy GKA(LOCAL), *Community Relations: Conduct On School Premises*-Second Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy GKA(LOCAL), *Community Relations: Conduct on School Premises*.

The proposed revisions include adding vaporizing devices and other nicotine delivery methods to the *Prohibitions* section. Some of the changes were suggested by the Texas Association of School Boards and others by the HISD administration.

A copy of Board Policy GKA(LOCAL), *Community Relations: Conduct on School Premises*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy GKA (LOCAL), *Community Relations: Conduct on School Premises*, on second reading, effective August 15, 2025.

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

GKA
(LOCAL)

**Access to District
Property**

Authorized District officials, including school administrators, school resource officers, and/or District police officers, may refuse to allow a person access to property under the District's control in accordance with law.

District officials may request assistance from law enforcement in an emergency or when a person is engaging in behavior that poses a substantial risk of harm to any person, that is disruptive and inappropriate for a school setting and/or that rises to the level of criminal conduct; and the person refuses to comply with a verbal warning and/or request to leave peaceably issued by a school administrator, school resource officer, and/or District police officer.

**Ejection or
Exclusion under
Education Code
37.105**

In accordance with Education Code 37.105, a District official shall provide a person refused entry to or ejected from property under the District's control written information explaining the right to appeal such refusal of entry or ejection under the District's grievance process.

A person appealing denial of entry or ejection from property under the District's control under the District's grievance process shall be permitted to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See FNG and GF]

**Off-Campus
Activities**

Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.

Prohibitions

Tobacco and
E-Cigarettes

The District prohibits smoking, ~~and~~ the use of tobacco products, ~~and e-cigarettes,~~ electronic vaporizing devices, nicotine delivery devices, and any substance for consumption that contains nicotine on District property, in District vehicles, or at school-related activities.

Weapons

The District prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all District property at all times.

Exception

No violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Effective Date

~~This policy shall be effective as of the adoption date, November 12, 2021.~~



Consent Agenda

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8/14/2025

31.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DBAA(LOCAL), Employment Requirements And Restrictions: Pre-Employment Reviews-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DBAA(LOCAL), *Employment Requirements and Restrictions: Pre-Employment Reviews*. The changes are recommended to update information.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DBAA (LOCAL), *Employment Requirements and Restrictions: Pre-Employment Reviews*, on first reading, effective August 15, 2025.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
PRE-EMPLOYMENT REVIEWS

DBAA
(LOCAL)

**Disqualifying
Offenses**

The District shall obtain criminal history record information on final candidates for employment and all current employees by notification from Department of Public Safety, Federal Bureau of Investigations, self-disclosures, and/or from the public ~~on an annual basis~~. All District positions have the potential for contact with students. The District shall disqualify from employment a person whose criminal history indicates that the person poses a threat to students or employees. Consistent with business necessity, the District shall also disqualify from employment a person whose criminal history is otherwise inconsistent with the job duties of the position for which the person is being considered.

**Individualized
Assessment**

The District shall perform an individualized assessment of criminal history record information when determining a person's eligibility for employment or continued employment in a specific position. The District shall take into account a variety of factors, including the following:

- The nature of the offense;
- The age of the person when the crime was committed;
- The date of the offense and how much time has elapsed;
- The adjudication of the offense (e.g., whether the person was found guilty by a trier of fact, pled guilty, entered a no contest plea, or received deferred adjudication);
- The nature and responsibilities of the job sought;
- The accuracy of the person's disclosure of ~~his or her~~ their criminal history during the selection process;
- The effect of the conduct on the overall educational environment;
- Whether the offense under the current penal code would be the same degree of offense;
- Any further information provided by the person concerning ~~his or her~~ their criminal history record; and
- Any other information obtained by the District regarding the applicant's/employee's criminal history record.

Arrests

The fact of an arrest alone does not establish that criminal conduct has occurred, and the District shall not disqualify a person based solely on an arrest. The District may make an employment decision based on the conduct underlying the arrest if the conduct makes the person unfit for the position in question.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
PRE-EMPLOYMENT REVIEWS

DBAA
(LOCAL)

Credit History

The District shall obtain credit history information on a candidate for employment only when the credit history is related to the position for which the person is being considered. The District shall comply with the Fair Credit Reporting Act before obtaining a job-related credit history. [See DBAA(LEGAL)]

**Offenses for Which
Exclusion Is Likely**

A record of certain offenses carries a high likelihood that the District will exclude the individual from employment.

Title V, Texas Penal
Code

Persons whose criminal history record shows convictions or pleas of guilty or nolo contendere for offenses under Title V, Texas Penal Code, and specifically offenses requiring registration as a sex offender, (or equivalent offenses under the laws of other states and federal law), and at the time the offenses occurred, the victim of the offense was under 18 years of age or was enrolled in a public school, are presumptively disqualified from employment with the District. Subject to an individualized assessment, the following offenses will likely preclude employment with the District. These offenses include but are not limited to:

- Murder;
- Capital murder;
- Manslaughter;
- Criminally negligent homicide;
- Kidnapping;
- Aggravated kidnapping;
- Smuggling of persons;
- Trafficking of persons;
- Continuous trafficking of persons;
- Continuous sexual abuse of young child or children;
- Indecency with a child;
- Improper relationship between educator and student;
- Sexual assault;
- Aggravated assault;
- Injury to a child, elderly individual, or disabled individual; and
- Abandoning or endangering a child.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
PRE-EMPLOYMENT REVIEWS

DBAA
(LOCAL)

Non-Title V, Texas
Penal Code

Subject to an individualized assessment, the following non-Title V, Texas Penal Code offenses are also presumptively disqualifying [for persons whose criminal history record shows convictions or pleas of guilty or nolo contendere](#):

- Aggravated robbery;
- Any felony where a deadly weapon was used or exhibited; and
- Any felony related to the manufacture, delivery, or possession of marijuana, a controlled substance, or a dangerous drug, except that any person charged and convicted of felony possession of marijuana, which under current law would be a misdemeanor, shall be considered to have a misdemeanor conviction under this policy.



Consent Agenda

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32.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DC(LOCAL), *Employment Practices*
-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DC(LOCAL), *Employment Practices*. The changes are recommended to update information.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DC (LOCAL), *Employment Practices*, on first reading, effective August 15, 2025.

EMPLOYMENT PRACTICES

DC
(LOCAL)

Personnel Duties	The Superintendent or designee shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
Posting Vacancies	The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.
Employment of All Personnel	The Board delegates to the Superintendent final authority to hire contractual and noncontractual personnel. [See also BJA(LOCAL)]
Preference for Veterans	<p>When applicants are equally qualified for a position, veterans who are discharged from active duty under an honorable discharge shall be extended an interview and, if equally qualified, will receive a hiring preference.</p> <p>[For information related to the evaluation of criminal history records, see the DBAA series.]</p>
Employment Requirements	All employees shall meet the requirements specified by the District for the positions for which they are hired. Exceptions to this provision may be made only by the Superintendent.
Polygraph Tests	Applicants for certain positions may be requested to take a polygraph examination after a tentative offer of employment is made by the District.
Unauthorized Persons on District Premises	No person independently hired by a District employee shall be allowed to perform any tasks or volunteer any duties on District premises without prior approval of the principal, work location supervisor, and/or the Human Resources Department. [See also DH(LOCAL), GKG(LOCAL)]
Exit Interviews	Employees resigning or retiring from the District may be asked to participate in exit interviews.
Resignation or Retirement in Lieu of Termination	An employee who retired or resigned in order to avoid termination shall not be eligible for reemployment with the District. [See also DFE(LOCAL)]
Employment Assistance Prohibited	No District employee shall assist another employee of the District or of any school district in obtaining a new job if the employee knows, or has probable cause to believe, that the other employee engaged in sexual misconduct regarding a minor or student in violation of the law. Routine transmission of an administrative or personnel file does not violate this prohibition. [See the CJ series for

prohibitions relating to contractors and agents and DH(EXHIBIT)
for the Educators' Code of Ethics.]



Consent Agenda

4400 WEST 18TH STREET
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8/14/2025

33.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DEC(LOCAL), *Compensation And Benefits: Leaves And Absences*

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DEC(LOCAL), *Compensation and Benefits: Leaves and Absences*. The changes are recommended to update information.

A copy of Board Policy DEC(LOCAL), *Compensation and Benefits: Leaves and Absences*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy DEC (LOCAL), *Compensation and Benefits: Leaves and Absences*, effective August 15, 2025.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son, or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

~~Catastrophic Illness
or Injury~~

~~A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or a member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave
Proration**

If an employee separates from employment with the District before their last duty day of the school year or begins employment after the first duty day of the school year, ~~state-all~~ personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for ~~state-any~~ personal leave the employee used beyond their pro rata entitlement for the school year.

Medical Certification

~~An employee shall submit medical certification of the need for leave if:~~

- ~~1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;~~
- ~~2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or~~
- ~~3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.~~

~~In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]~~

**State Personal Leave
and Local Leave**

~~The Board requires employees to differentiate the manner in which state personal leave and local leave is used.~~

**Nondiscretionary
Use**

~~Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave. [See DEC(LEGAL)]~~

~~Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.~~

Discretionary Use

~~Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.~~

**Request for
Leave**

~~In deciding whether to approve or deny a request for discretionary use of state personal leave and/or local leave, the supervisor shall~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

~~not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.~~

~~Discretionary use of state personal leave and/or local leave shall not exceed two consecutive workdays.~~

~~Schedule
Limitations~~

~~Discretionary use of leave shall not be permitted during or on:~~

- ~~1. The first week of a new semester;~~
- ~~2. The day before or after a school holiday;~~
- ~~3. Days scheduled for end of semester or end of year exams;~~
- ~~4. Days scheduled for state mandated assessments; or~~
- ~~5. Professional or staff development days.~~

State Leave

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

Local Leave

Each employee shall earn five, six, or seven paid local leave days per school year based on months of service and in accordance with administrative regulations.

Local leave shall be used for personal illness, illness of an immediate family member, death in the immediate family, or family emergency. Up to three days of paid leave per year may be used for personal business.

An employee may contribute local leave to the Supplemental Sick Leave Bank in accordance with this policy.

Local leave shall accumulate without limit.

Use of Leave

The Board requires employees to differentiate the manner in which state personal leave and local leave is used.

Nondiscretionary
Use

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave. [See DEC(LEGAL)]

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Request for Leave

In deciding whether to approve or deny a request for discretionary use of state personal leave and/or local leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.

Discretionary use of state personal leave and/or local leave shall not exceed two consecutive workdays.

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent three or more consecutive workdays because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

Funeral
Bereavement Leave

Each full-time, benefits-eligible employee ~~who is eligible for the comprehensive leave program~~ shall be granted three days of bereavement leave, per occurrence, upon the death of a spouse, ~~child~~, parent, current parent-in-law, child, sibling, grandparent, grandchild, or any other person residing in the employee's home at the time of death. Such leave shall be taken with no loss of pay or other paid leave.

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

For benefits-eligible, hourly employees, the hours granted for each day of bereavement leave will be based on the employee's planned working time. ~~A regular hourly employee shall not be eligible for funeral leave and may use accrued leave for a death in the employee's immediate family.~~

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Peace Officers

Quarantine Leave

Notwithstanding the above, a District peace officer shall be granted 5 days of quarantine leave when ordered by the local health authority or supervisor to quarantine or isolate due to possible known exposure to a communicable disease while on duty.

Mental Health Leave

A District peace officer or a full-time licensed telecommunicator (e.g., a police dispatcher) who experiences a traumatic event in the scope of employment will be granted a maximum of five days of mental health leave per traumatic event. The amount of leave time necessary is determined by the chief of police or designee.

Extended Leave for Illness or Injury

For a District peace officer who experiences an illness or injury related to their line of duty and who, following the required leave of absence with full pay for a period commensurate with the nature of the illness or injury as required by law, is unable to return to work, the District shall extend the leave of absence, not to exceed two years, with no loss of pay.

Supplemental Sick Leave Bank (SSLB)

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

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

Note: For implementation procedures for the SSLB, see DEC9(REGULATION).

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

Professional Business

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

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

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

~~Board Meeting/
Professional
Consultation~~

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

~~Employment Dispute
Resolution Meetings~~

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

Unpaid Leave

Political Leave

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

Developmental
Leave

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

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

**Family and Medical
Leave**

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

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

Twelve-Month
Period

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

Combined Leave for
Spouses

When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 18 weeks.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Intermittent or Reduced Schedule Leave	The District shall permit use of intermittent or reduced schedule FMLA leave for the <u>employee's own serious health condition or for the care of a family member with a serious health condition. The District shall not permit use of intermittent or reduced schedule FMLA leave for the</u> care of a newborn child or for the adoption or placement of a child with the employee.
Certification of Leave	When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.
Fitness-for-Duty Certification	In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.
Leave at the End of Semester	When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.
Temporary Disability Leave	Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]
Certified Employees	
All Other Employees	All other employees shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave.] Re-instatement to regular employment shall be on a position available basis only.
Notification	An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent, <u>or designee</u> , as a request for temporary disability leave.
Concurrent Use of Paid Leave	The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.
Workers' Compensation	<hr/> Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. <hr/> An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Paid Leave Offset	The District shall permit the option for paid leave offset in conjunction with workers' compensation income benefits.
<u>Professional Business</u>	<p><u>Short leaves with full pay may be granted to employees for visiting schools, for attending important professional meetings, or for carrying out some special assignments on recommendation of the department head and the Superintendent. An employee may be asked to file a written report. Each administrator may be allowed professional leave without salary deduction for attending national and state professional meetings, visiting schools, and attending other professional meetings, at their own expense, upon approval of the immediate supervisor and department head.</u></p> <p><u>Procedures for authorization and reimbursement for a professional trip are outlined in the <i>Finance Procedures Manual</i>.</u></p>
<u>Board Meeting / Professional Consultation</u>	<p><u>When meetings between the Board or designee and the representative organization are scheduled during normal working hours of a school day, the members shall be relieved, as necessary, from all regular duties without loss of pay in order to permit their attendance at such meetings.</u></p>
<u>Employment Dispute Resolution Meetings</u>	<p><u>When it is necessary for any party of interest to attend an employment dispute resolution meeting, they shall, upon notice, be released without loss of pay in order to permit participation in the foregoing activities. Any employee who appears as a witness in such investigation or meetings shall be accorded the same right. [See DGBA(LOCAL) and appropriate regulations]</u></p>
Court Appearances	<p>Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.</p> <p>Absences for court appearances related to an employee's personal business shall be deducted from the employee's accrued leave or, at the employee's option, be taken as leave without pay.</p>
Payment for Unused Leave	An employee hired before October 10, 1972, who leaves employment with the District shall be eligible to receive payment for accumulated, unused paid leave if they:
The 1972 Plan	<ol style="list-style-type: none">1. Have been continuously employed by the District since initial employment; and2. Have become eligible for retirement in accordance with the provisions of TRS. <p>An employee who meets all criteria shall receive payment for the unused portion of any accumulated, unused paid leave at their current daily rate of pay, not to exceed one-half of the contract year or</p>

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
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the number of days available as of August 31, 1986, whichever is less.

If an employee dies while under contract, any accumulated personal leave benefits, not to exceed one-half of the contract year or the number of days available as of August 31, 1986, shall be paid to the estate of the deceased.

Exception

Unless otherwise approved by the Board, an employee is not eligible for buy-back of unused state sick leave, state personal leave, and local leave if they:

1. Are terminated from employment with the District;
2. Resign or retire in lieu of termination or nonrenewal;
3. Are under investigation for a terminable offense (while the investigation continues); or
4. Are found guilty in an investigation for a terminable offense.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

34.

Office of the Superintendent of Schools

Office of Legal Services

Approval Of Proposed Revisions To Board Policy DFD(LOCAL), *Termination Of Employment: Hearings Before Hearing Examiner*-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DFD(LOCAL), *Termination of Employment: Hearings Before Hearing Examiner*, to include information about rescheduling a hearing.

A copy of Board Policy DFD(LOCAL), *Termination of Employment: Hearings Before Hearing Examiner*, showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DFD (LOCAL), *Termination of Employment: Hearings Before Hearing Examiner*, on first reading, effective August 15, 2025.

TERMINATION OF EMPLOYMENT
HEARINGS BEFORE HEARING EXAMINER

DFD
(LOCAL)

~~Time Limits for Oral
Argument~~

The Board shall consider the hearing examiner's record and recommendation ~~at the first Board meeting for which notice can be posted in compliance with the open meetings laws~~ in accordance with the law. [See DFD(LEGAL)]

Time Limits for Oral
Argument

The Board shall allow ten minutes per party for oral argument. Administration shall be offered the opportunity to present argument first and may use a portion of the designated time for rebuttal after the other party has presented argument.

The Board reserves the right to grant additional time in equal amount to both parties, depending on the complexity of the issues and solely at the Board's discretion.

Requests to
Reschedule
Confirmed Texas
Education Agency
Appeal Dates

All requests to reschedule a confirmed Level Three Texas Education Agency (TEA) appeal date must be submitted to the District's Office of Board Services. The request will be granted only if approved by the District's Office of Legal Services.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

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35.

Office of the Superintendent of Schools

Office of Legal Services

Approval Of Proposed Revisions To Board Policy DGB(LOCAL), Employee Rights And Privileges: Personnel-Management Relations

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DGB(LOCAL), *Employee Rights and Privileges: Personnel-Management Relations*. The changes are recommended by the HISD administration to streamline the consultation process.

A copy of Board Policy DGB(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy DGB (LOCAL), *Employee Rights and Privileges: Personnel-Management Relations*, effective August 15, 2025.

Consultation

The Board and its administrative personnel may consult with employees with respect to matters of educational policy and conditions of employment. The district has several avenues for receiving employee input and continues to welcome employee participation. ~~The Superintendent or designee may adopt and make reasonable rules, regulations, and agreements to provide for such consultation, but they shall not limit or affect the power of the Board to govern and oversee the management of District schools. As such, no rules, regulations, or agreements shall be made to require employees to report their consultation with the Board.~~

Consultation Guidelines

~~A method of consultation shall be provided to all employees, whether members of large or small organizations or of no organizations at all. Additionally, Meetings between the District superintendent shall meet with and employee organizations at least four times per year to receive input and feedback will be at the superintendent's discretion.~~

~~The District views consultation and communication as an effective way to achieve the goals and objectives of the District. The following provisions shall govern consultation and employee communications processes:~~

- ~~1. The definition of "consultation" shall be: advice, counsel, and exchange of information.~~
- ~~2. The process of consultation shall be continuous throughout the school year and shall be as comprehensive as is administratively feasible.~~
- ~~3. The Superintendent or designee shall keep the Board advised of the progress and effectiveness of the District's consultation procedures.~~
- ~~4. The Superintendent or designee shall develop and implement such procedures as necessary, provided they are designed on standard school practices.~~
- ~~5. Consultation privileges shall be afforded to all employees consistent with procedures developed and implemented by the Superintendent or designee.~~
- ~~6. Consultation with individual local building members before or after school hours or during employees' duty-free lunch period may be held in District facilities upon approval of the principal/supervisor.~~
- ~~7. The Superintendent or designee shall keep the Board advised of the progress and effectiveness of the District's consultation procedures.~~



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

36.

Office of the Superintendent of Schools

Office of Legal Services

Approval Of Proposed Revisions To Board Policy DGBA(LOCAL),
Personnel-Management Relations: Employee Complaints/Grievances-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DGBA(LOCAL), *Personnel-Management Relations: Employee Complaints/Grievances*.

The proposed revisions are to update cross-references to other policies, to clarify how days are counted in the dispute resolution and complaint processes, and to update the processes. Some of the changes were suggested by the Texas Association of School Boards and others by the HISD administration.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DGBA (LOCAL) on first reading, effective August 15, 2025.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

**Direct
Communication with
Board Members**

Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.

**Dispute Resolution
Process**

The dispute resolution process provides employees an orderly process for the prompt and equitable resolution of disputes when a concern has not been resolved. The Board intends that, whenever feasible, disputes be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law.

Definitions

For purposes of this policy, "days" shall mean ~~calendar~~ District business days unless otherwise noted in this policy. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

For the purposes of this policy, "Superintendent" shall mean the Superintendent or designee.

For the purposes of this policy, "employee" shall mean a current or former employee of the District.

The terms "dispute," "complaint," and "grievance" shall have the same meaning. A dispute under this policy may include, but shall not be limited to, any of the following:

1. Grievances concerning an employee's wages, hours, or conditions of work, including employment status.
2. Specific allegations of discrimination or harassment in employment on the basis of marital status, sexual orientation, gender identity, and/or gender expression.
3. Specific allegations of unlawful discrimination, such as discrimination based on veteran status or retaliation on the basis of the employee's exercise of constitutional rights, including but not limited to, political affiliation.
4. Whistleblower complaints.

**Other Complaint
Processes**

Employee complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process:

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with the DIA series.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with [the](#) DIA [series](#).
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with [the](#) DIA [series](#).
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with [the](#) CKE [series](#).
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

Notice to Employees

The principal shall inform employees of this policy through appropriate publications.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint. [See DG(LEGAL)]

Whistleblower Complaints

Employees who allege adverse employment action in retaliation for reporting a violation of law to an appropriate authority shall initiate a dispute resolution process under this policy within the time specified by law. [See DG(LEGAL)]

The complaint shall first be filed in accordance with the alternative entry into the dispute resolution process, provided below. Timelines for the employee and the District set out in this policy may be shortened to enable the Board to make a final decision within 60 [calendar](#) days of the initiation of the complaint. [See DG]

Complaints Against Supervisors

Complaints alleging a supervisor's violation of law may be made to the next line supervisor who is in vertical alignment with the supervisor against whom the complaint is brought. A complaint alleging a violation of law by the Superintendent may be made to the chief human resources officer under the alternative entry process specified in this policy.

PERSONNEL-MANAGEMENT RELATIONS
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(LOCAL)

**General
Requirements**

The dispute resolution form, [which is available in English and Spanish on the Employee Relations Department's website](#), must specify the individual harm alleged. An employee is prohibited from bringing separate or serial grievances regarding the same event or action. All time limits shall be strictly complied with unless modified by mutual consent. Costs of any dispute shall be paid by the party incurring them.

Consolidation

When the Superintendent determines that two or more individual concerns are sufficiently similar in nature and remedy to permit their resolution through one proceeding, ~~he or she~~ [the Superintendent](#) may consolidate the disputes.

Representation at
Dispute Resolution
Conferences

An employee shall be entitled to representation at any and all meetings that directly relate to the issues that are being addressed in the dispute resolution process. An employee may represent ~~himself or herself~~ [themselves](#) or be represented by an individual of ~~his or her~~ [their](#) choosing. The representative may participate in person, ~~or~~ by telephone conference call, [or virtually if available](#). An employee may not designate a representative who claims the right to strike.

Time Frames

The primary purpose of the dispute resolution process is the resolution of concerns in an expeditious manner. The time frames set forth at each level of the process are maximums and, whenever possible, the decision-maker should render a decision or resolution within a shorter period of time.

All time frames shall be counted in ~~calendar~~ [business](#) days, the first day commencing on the next ~~calendar~~ [business](#) day after the event triggering the time frame. Time frames shall not include days that are Districtwide designated holidays.

Although the employee may not file a separate grievance for failure of the administration to comply with established time frames under this policy, upon notification by the grievant or ~~his or her~~ [the grievant's](#) representative, if it is found that an administrator has failed to meet a designated timeline, the Superintendent or designee shall issue written administrative directives to a responsible party. The grievant may seek the relief for the lack of compliance with the time frames as set forth below for each step of the process.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date

PERSONNEL-MANAGEMENT RELATIONS
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	<p>of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint may be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One or Level Two conferences.</p> <p>A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing. However, no complaint form that has a completed Statement of Concern section and a Remedy Requested section of the form shall be dismissed for failure to submit relevant documentation.</p>
Scheduling Conferences	<p>All conferences shall take place during normal District business hours. All participants, including witnesses, shall be released from regular duties and shall suffer no loss of pay or other benefits if, and only if, they receive prior approval from their immediate supervisor. To minimize disruption in the workplace, the supervisor shall work with the hearing officer, the grievant, and the administration, as necessary, to manage the release of employees who are participants in the conference.</p>
Audio Recording	<p>As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place. If the grievant records the conference, then the supervisor or administrator may also record the conference.</p>
Mutual Agreement of the Parties	<p>The parties involved may mutually consent to modify the procedures as may be necessary to accomplish the goal of resolving disputes in the most efficient and expeditious manner possible.</p>
Withdrawal	<p>An employee may withdraw a dispute at any time. Once withdrawn, a dispute may not be reopened.</p> <p>Unless modified by written mutual consent, a dispute shall be deemed withdrawn if an employee fails to pursue the dispute or is otherwise deemed to be unreasonably protracting the process, including failure to attend a scheduled Level One or Level Two conference and/or Level Three hearing.</p>

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(LOCAL)

It is expected that an employee will participate in each phase of the dispute resolution process. Therefore, if the employee is unable to attend any phase of the dispute resolution process, the employee must provide written notification of the employee's intent not to attend the conference or hearing. In the case of a Level One or Level Two conference, such notice shall be given to the hearing officer and the District's representative at least 48 hours prior to the start of the conference. In the case of a Level Three hearing, such notice shall be given to the Board President and the District's representative at least 48 hours prior to the start of the hearing.

~~Each side shall be allowed a maximum of two resets of a Level One or Level Two conference or Level Three hearing twice. If the Level One or Level Two conference or Level Three hearing does not take place after a second reset requested by the grievant, the grievance will be deemed withdrawn, and the dispute may not be reopened.~~

~~If the employee desires a representative to appear on the employee's behalf, either in person or via telephone, the notice shall contain a statement indicating that the representative is authorized to proceed with the conference or hearing in the employee's absence. Failure to attend a hearing without the prior notification described above will be deemed a withdrawal of the grievance. Once withdrawn, a dispute cannot be reopened.~~

**Informal Resolution
of Concerns**

Whenever feasible, the Board encourages employees to present and discuss their concerns and complaints through informal conferences with their supervisor, principal, other appropriate campus administrator, and/or department manager or supervisor.

When informal discussions are not feasible and/or fail to resolve the concern or dispute, the employee may obtain a dispute resolution form from the school department or chief schools office, as appropriate, from the Office of Human Resources or by accessing the District's website. The employee may file a request for the formal process described below.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

The formal process shall consist of Levels One and Two, which are closed to the public. No members of the public may attend except the designated representative. A Level Three presentation to the Board shall be held during a properly posted Board meeting. The determination of whether the hearing shall be opened to the public or held in closed session is within the discretion of the Board, except that the hearing shall be held in closed session upon request

PERSONNEL-MANAGEMENT RELATIONS
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by the employee who is the grievant in the dispute. The only exception to the grievant's election to hold the hearing in closed session shall be when the employee against whom the complaint or a charge is brought makes a written request for an open hearing, in which case the hearing shall be opened to the public.

Level One

An individual who has been unable to informally resolve a concern/dispute about a wage, hour, or condition of work may initiate a formal dispute. The individual shall file a formal dispute by submitting a completed dispute resolution form within 30 ~~calendar~~ days from the date of the alleged action/decision that forms the basis of the concern/dispute and in accordance with the calculation of time frames as set forth above. If the employee did not learn of the action until a later date, the time shall be counted from the date a reasonable person should have learned of the action/decision through reasonable diligence and in accordance with the calculation of time frames as set forth above.

The completed form must clearly state the dispute regarding an issue of wages, hours, or conditions of work. The form must also clearly state a valid remedy that a supervisor may lawfully grant. A form may be rejected on the grounds that it is not a valid dispute of wages, hours, or conditions of work or that no valid remedy has been stated or may be granted for the alleged act/decision.

The completed dispute resolution form shall be filed with the principal/department head/work location supervisor who has direct supervision of that particular employee.

The immediate supervisor, or other appropriate administrator or designated supervisor assigned to hold the Level One conference, shall schedule a conference with the employee within ~~ten~~ ~~seven~~ ~~calendar~~ days ~~after~~ ~~of~~ receipt of the completed dispute resolution form in accordance with the calculation of time frames as set forth above. If the employee is represented by an attorney, the Level One hearing officer shall initiate the scheduling process within ten days of the date of receipt of the dispute resolution form in accordance with the calculation of time frames as set forth above. The duty to initiate scheduling of the Level One conference, for purposes of following prescribed timelines, is fulfilled by the District's Office of Legal Services contacting the employee's attorney, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time, with mutual effort to convene the conference within a prescribed time frame.

The conference is not an evidentiary or due process hearing. The conference is an informal conference for the sole purpose of discussing and resolving concerns or disputes of an employee with respect to wages, hours, or conditions of work.

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There shall be no cross-examination of any witnesses, nor shall this conference in any way resemble an evidentiary hearing. Each side shall simply make presentations to the supervisor or the person assigned to hold the Level One conference within the time restrictions set by that person.

After considering the matters presented at the conference and any other information ~~he or she~~ the supervisor or other person assigned to conduct the Level One conference believes to be relevant to the dispute, ~~the supervisor or other~~ that person ~~assigned to conduct the Level One conference~~ shall issue a decision or resolution with respect to the dispute held by the employee. The decision/resolution shall be rendered within ~~no later than ten seven calendar~~ days from the date of the conference in accordance with the calculation of time frames as set out above. The decision/resolution shall be provided to the employee on the original dispute resolution form filed by the employee, with attachments, as appropriate.

Level Two

In the event the employee is not satisfied with the decision/resolution of the Level One hearing officer, or if the administration fails to meet the designated time frame for either scheduling a conference or rendering a decision within the allotted time frame, the employee may appeal the dispute to Level Two of the dispute resolution process. If the employee does not have the original dispute resolution form, ~~he or she~~ the employee may substitute a true and correct copy of the same for filing at Level Two.

An employee must file the appeal within ten ~~seven calendar~~ days of receipt of the decision/resolution. If the administration's timeline to issue the decision/resolution passes, an employee shall have ten ~~seven calendar~~ days from the date the decision/resolution was due to file ~~his or her~~ an appeal. The appeal must be filed with the next line supervisor who is in vertical alignment with the supervisor hearing the dispute at Level One, and a copy must be sent to the Superintendent's designee.

The timelines at Level Two shall run from the date the appeal request is received by the Superintendent's designee. The Superintendent's designee, in consultation with the Superintendent's appropriate direct report, shall identify the Level Two hearing officer, who may or may not be a current District employee. The Level Two hearing officer shall initiate the ~~schedule a~~ conference scheduling process within ten ~~calendar~~ days of the date of receipt of the dispute resolution form in accordance with the calculation of time frames as set forth above. The Level Two hearing officer shall have satisfied ~~his or her~~ their duty to ~~scheduling~~ schedule the conference, for purposes of following prescribed timelines, by contacting or having the appropriate Employee Relations personnel contact

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the employee or ~~his or her~~ their representative, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time, with mutual effort to convene the conference within a prescribed time frame. If the employee's representative is an attorney, the Level Two hearing officer duty to schedule the conference shall be satisfied, for purposes of following prescribed timelines, by the assigned District attorney contacting the employee's attorney, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time.

If the employee who filed the dispute is unable to attend or cannot secure the representation of choice for the scheduled conference date and time, the Level Two hearing officer shall convene the conference at a mutually agreed-upon date and time.

The conference is not an evidentiary or due process hearing; it is an informal conference for the sole purpose of resolving concerns or disputes brought up by an employee with respect to wages, hours, or conditions of work. The conference shall be recorded by a court reporter paid for by the District. The employee shall be allotted a specific amount of time to present ~~his or her~~ concerns. The employee may also present witnesses and may submit any available documentation. The administration shall be allotted the same amount of time to present its position and shall be allowed to present witnesses and submit any documentation on the issues addressed at the conference.

There shall be no cross-examination of witnesses, nor shall this conference in any way resemble an evidentiary hearing. Each side shall simply make presentations to the Level Two hearing officer within the time restrictions set by the Level Two hearing officer.

The Level Two hearing officer, after considering the matters presented at the conference and any other information ~~he or she~~ the officer may have, shall arrive at a decision or resolution regarding the dispute. The decision/resolution shall be rendered no later than ~~ten seven calendar~~ days from the date on which the Level Two hearing officer receives the transcript of the conference in accordance with the calculation of time frames as set forth above. The decision shall be provided to the employee and the administration and/or their representatives on the original dispute resolution form filed by the grievant or as an affixed attachment to that document. The decision shall be deemed rendered upon confirmation of delivery via facsimile or electronic transmission, with the original to follow, or by proof of mailing of the original document.

Level Three

If either the administration or the employee is not satisfied with the decision/resolution of the Level Two hearing officer, either party may appeal the dispute to Level Three of the dispute resolution

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process. Additionally, if a decision/resolution is not rendered within the allotted time frame following receipt of the transcript of the conference by the Level Two hearing officer, the employee may appeal to Level Three. No appeal to Level Three may be initiated by the administration without consulting with the Office of [Legal Services](#) ~~the General Counsel~~.

The Board shall not conduct a Level Three hearing until after a Level Two hearing has been convened and a transcript of the hearing is available for the Board's review.

The appeal to the Board shall be filed within ~~ten~~ [seven](#) calendar days of the decision/resolution. If the Level Two hearing officer's timeline to issue the decision/resolution passes, an employee shall have ~~ten~~ [seven](#) calendar days from the day the decision/resolution was due to file ~~his or her~~ [an](#) appeal. An appeal shall be filed by forwarding the original dispute resolution form or a true and correct copy, including all attachments and decisions rendered, to the Board Services Office, Level One of the Houston ISD's Hattie Mae White Education Support Center. A Level Three hearing request form or a cover letter addressed to the Board President containing a clear request for a hearing must accompany the dispute form, attachments, and decisions rendered to date.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

~~The Board shall attempt to hear the dispute within 30 calendar days of its receipt, but the Board is not required to hear the dispute within that time frame.~~ Board Services will make a reasonable effort to schedule complaints in the order they are submitted, in a timely manner. Rescheduling requests must be submitted in writing by the attorney or representative at least 48 hours in advance. A representative may appear on behalf of the grievant, but the grievant must appear in person. If the grievant fails to appear in person, the matter will not proceed. Both parties, the employee, and the administration representative shall make oral arguments before the Board within time restrictions set by the Board. An appeal to the Board shall be based on the record developed at Level Two. No new documents may be submitted by the employee or the administration as part of the proceedings before the Board. In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of any Level Three presentation it allows. Any Level Three presentation, including the presentation by

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

the employee or the employee's representative, any presentation from the administration or its representative, and questions from the Board with responses shall be recorded by audio recording, video/audio recording, or court reporter, at the discretion of the District.

After hearing and considering the concern of the employee or the administration and the response by the other party, the Board may choose to issue a disposition of the dispute or not to act on it. If the Board chooses to issue a disposition, it shall be done in writing, no later than at the next regularly scheduled Board meeting. The disposition shall be addressed to the employee and to the administration or its representative.

**Alternative Entry into
the Formal Dispute
Resolution Process**

An alternative method for entry into the formal dispute resolution process shall be used to address:

1. Concerns that are not under the authority of an employee's immediate supervisor;
2. If an employee is dissatisfied with the result of an investigation concerning specific good-faith allegations of unlawful discrimination on the basis of race, color, religion, sex (including allegations of sexual harassment), national origin, age, disability, ancestry, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression; or
3. The employee exercising ~~his or her~~ constitutional rights.

Concerns of this nature shall specify the individual harm being alleged.

If the employee believes that the alternative entry into the dispute resolution process is appropriate for issues other than those stated in the previous paragraph, the employee shall transmit the dispute resolution form directly to the chief human resources officer, and a copy shall be sent to the employee's immediate supervisor. The chief human resources officer or designee shall determine whether the dispute presented should enter at Level One or Level Two of the dispute resolution process, as well as the appropriate administrator to hear and resolve the dispute. The chief human resources officer or designee shall have five business days from the date the dispute is received to inform both the employee and the hearing officer identified to hear and resolve the dispute, in writing, the procedural entry level for that dispute and the hearing officer for that level, in accordance with the calculation of time frames as set forth above.

PERSONNEL-MANAGEMENT RELATIONS
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Notification from the chief human resources officer or designee to the named hearing officer shall include the original dispute resolution form or a true and correct copy of the same.

Receipt of notification by the hearing officer shall trigger time frames for the designated level of the grievance process in accordance with the calculation of time frames as set forth above, except that the time frame to contact the employee or ~~his or her~~ the employee's representative to schedule a hearing shall not exceed 14 ~~calendar~~ days from the date that the dispute was filed with the chief human resources officer. The dispute shall proceed using the timelines and procedures for the relevant level as outlined above.



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

37.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DH(LOCAL), *Employee Standards Of Conduct*-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DH(LOCAL), *Employee Standards of Conduct*. The changes are recommended to update information.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DH (LOCAL), *Employee Standards of Conduct*, on first reading, effective August 15, 2025.

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 (email), and internet and social media. Electronic media also includes all forms of telecommunications, such as landlines, cell phones, and web-based applications.
- “Electronic communication” means any communication facilitated by the use of any wired or wireless technology via the internet or any other electronic media. The term includes communication facilitated by the use of a telephone, email, instant messaging, videoconferencing, or webcam.
- “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 websites (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, email, chat

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(LOCAL)

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.

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)]

All District employees shall attend ethics training at least once every two years. The Office of Ethics and Compliance shall monitor participation in the training and maintain certification of successful completion for all employees in accordance with the District's records retention policy.

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

EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

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, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD and DF series]

**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 [to the Texas Department of Family and Protective Services \(TDFPS\)/Child Protective Services \(CPS\) and law enforcement within 24 hours](#). [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;

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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).

Relationships with Students

An employee 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]

As required by law, the District shall notify the parent(s)/guardian(s) of a student with whom an educator is alleged to have engaged in certain misconduct. [See FFF]

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 their 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.

Electronic Communication

The District recognizes the powerful impact that electronic communication and 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.

Use with Students

In accordance with administrative regulations, a certified or licensed employee, or any other employee designated in writing by

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(LOCAL)

the Superintendent or designee, may use electronic communication with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. For specific procedures on the following, see the administrative regulation [see DH5(REGULATION)]:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. 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.

Each employee shall continue to comply with the applicable state and federal laws, local policies, administrative regulations, 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]

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

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An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to the extent those requirements apply to electronic communication. [See CPC]

Personal Use

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

Reporting Improper Communication

In accordance with administrative regulations, an employee shall notify their supervisor when a student engages in improper electronic communication with the employee.

Disclosing Personal Information

An employee shall not be required to disclose their personal email address or personal phone number to a student.

Safety Requirements

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

Weapons Prohibited

The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

Exceptions

No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action. [See [the CKE series](#)]
2. A District employee who holds a Texas handgun license stores a handgun, or other firearm, or ammunition in a locked, privately owned or leased motor vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun, or other firearm, or ammunition is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

Tobacco [and Nicotine Products](#) and E-Cigarettes

An employee ~~shall not smoke or use tobacco products or e-cigarettes on District property, in District vehicles, or at school-related activities. [See also GKA]~~ [is prohibited from possessing or using any type of tobacco product, e-cigarette, or any other electronic vaporizing device while on school property, in a District vehicle, or](#)

EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

while attending an off-campus school-related activity. An employee is also prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on District property, in a District vehicle, or while attending an off-campus school-related activity.

An employee's supervisor is authorized to approve an exception to this policy for a smoking cessation product.

**Alcohol and Drugs /
Notice of Drug-Free
Workplace**

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing within ten days if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Responsibility to Report Charges below.

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on District property 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.
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 drug.

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

Exceptions

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or
3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

Sanctions

An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:

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DH
(LOCAL)

1. Referral to drug and alcohol counseling or rehabilitation programs;
2. Referral to employee assistance programs;
3. Termination from employment with the District; and
4. Referral to appropriate law enforcement officials for prosecution.

Notice

Employees shall ~~receive a copy of~~ have access to this policy via the District's website.

Drug Testing

All employees are subject to reasonable suspicion testing for alcohol and/or drug use. [See DHE(LOCAL)]

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 their 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

An employee's dress and grooming shall be clean, neat, in a manner appropriate for their assignment, and in accordance with any additional standards established by their supervisor 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 Meeting
Committee**

A review ~~committee~~ meeting will assess the records of employees found to have criminal records that may bar them from continued employment in the District. The ~~committee~~ meeting shall use the standards for reviewing employees and applicants as set out in DC16(REGULATION).

EMPLOYEE STANDARDS OF CONDUCT

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(LOCAL)

**Criminal History
Record Check ~~Prior
to Promotion or
Transfer~~**

~~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.~~

Employees shall disclose a prior record when requested to do so at the time of employment. Failure to do so ~~shall~~ may result in termination of employment.

**Responsibility to
Report Charges**

Employees are required to notify the District within ten days should they be charged with, convicted of, granted deferred adjudication for, or entered ~~ed~~ 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~~ Background Department. Failure to do so ~~could~~ may result in termination of employment.

**Reassignment
Pending Final
Disposition**

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~~ in accordance with relevant District policies and protocols.

**Determination Upon
Final Disposition**

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 ~~during to the senior manager, Human Resources (HR) Operations, by the criminal history review committee meeting~~. In the case of an employee, the 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.

**Reports of
Misconduct**

~~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.

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

EMPLOYEE STANDARDS OF CONDUCT

DH
(LOCAL)

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~~ Employee Relations, District Police, and Internal Affairs Departments, as well as other appropriate law enforcement authorities. The Board has ~~designated~~ appointed the designee in the senior manager, HR Employee Relations Department, as the clearinghouse for all reports of wrongdoing and for the coordination of resolutions.

Effective Date

~~This policy shall be effective as of the adoption date, October 15, 2021.~~



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

38.

Office of the Superintendent of Schools

Office of Human Resources

Approval Of Proposed Revisions To Board Policy DN(LOCAL), *Performance Appraisal*
-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DN(LOCAL), *Performance Appraisal*. The changes are recommended to align with updated implementation of evaluation systems for staff.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DN (LOCAL), *Performance Appraisal*, on first reading, effective August 15, 2025.

PERFORMANCE APPRAISAL

DN
(LOCAL)

General Principles	All non-teachers and other professional employees who work 20 standard hours or more per week shall be annually appraised in the performance of their duties and shall be provided assistance to improve job performance. The appraisal policies and regulations, annual Board-approved appraisal calendars, and District manuals shall govern the employee evaluation and appraisal system consistent with the general principles set out below.
Definition—Other Professional Employees	Other professional employees shall include school counselors, nurses, librarians, magnet coordinators, social workers, central office professionals, and other campus employees who are not appraised in the Texas Teacher Evaluation and Support System (T-TESS), Principal Supervisor Appraisal System (PSAS), or the School Leader Appraisal System (SLAS) <u>Teacher Excellence System (TES), Leader Excellence and Development (LEAD), or the Executive Director Appraisal System (EDAS)</u> .
Criteria	The employee's performance of assigned duties and other job-related criteria shall provide the basis for the employee's appraisal. Employees shall be informed of the criteria on which they will be appraised at the beginning of the appraisal year.
Annual Appraisal Training	All appraisers of non-teacher employees and all non-teacher employees shall participate in initial appraisal training and in an annual update appraisal training if available thereafter.
Goal-Setting and Beginning-of-Year Conference	Employees shall participate in a goal-setting conference at the beginning of the appraisal year with their assigned appraiser. Each employee shall develop an individual professional development plan that focuses on professional growth targets.
Performance Review	Appraisal ratings shall be based on the appraisal instrument and cumulative performance data gathered by supervisors throughout the year. Employees participating in the annual appraisal process shall have an end-of-year conference to discuss the written appraisal and may have as many conferences about performance of duties as the appraiser deems necessary or as requested by the employee.
New Hires to the District	An employee who was hired within 90 days of the end of the appraisal period shall not have an annual appraisal. [Refer to the annual Board-approved appraisal calendar.]
Missed Deadlines	In the event an appraisal deadline is missed by either the employee or appraiser, the appraiser shall document the reason in a memorandum to the employee and a copy shall be sent to the appraiser's manager. The appraisal process shall continue. A missed deadline shall not invalidate an appraisal document.

PERFORMANCE APPRAISAL

DN
(LOCAL)

Standard Hours Change	An employee whose standard hours increase to 20 hours or more per week prior to 90 days until the end of the appraisal period shall be appraised. An employee whose standard hours increase to 20 hours or more per week within the 90 days until the end of the appraisal period shall not be appraised.
Employee Position Change	An employee whose position changes to a non-teacher position any time before the end of the appraisal period shall be appraised on the Non-Teacher Appraisal System.
Documentation and Records	Official appraisal records shall be maintained throughout a person's employment with the District as outlined in the District's Records Management Manuals.
Confidentiality	A document evaluating the performance of a teacher or administrator shall be confidential.
Employee Copy	All employees shall receive a copy of their annual appraisal.
Individual Professional Development Plan	Every non-teacher employee shall have an Individual Professional Development Plan (IPDP) that sets a path for professional growth. The plan shall be developed collaboratively with the non-teacher employee and their appraiser near the beginning of the appraisal period and revisited as necessary throughout the year.
Prescriptive Plan for Assistance	An appraiser may place an employee on a Prescriptive Plan for Assistance (PPA) at any time when performance or behavior becomes a concern as evidenced by observations, work products, and behavior aligned to the appraisal expectations. The PPA shall outline the areas for improvement identified by the appraiser, and specific developmental activities within the employee's plan shall be monitored.
Third-Party Input	The appraiser shall verify and document third-party information that the appraiser and/or employee want to use as cumulative data. Any documentation that will influence the employee's annual appraisal ratings must be shared in writing with the employee within ten working days of the appraiser's knowledge of the occurrence. A parent or legal guardian must sign if the initiating party is under 18 years of age.
Employee Response	Employees may submit a written response or rebuttal to their appraiser within ten working days of receipt of a written document. The appraiser will attach the employee's written response to the appraisal document.
Application of Assessment Systems	All aspects of the appraisal systems shall be applied consistently and fairly to all employees. When an employee feels that any one of these procedures has been misapplied, a dispute may be filed in

PERFORMANCE APPRAISAL

DN
(LOCAL)

accordance with the Dispute Resolution Process at DGBA(LOCAL). However, unless the procedure in question was maliciously misapplied, applied in bad faith, or not applied by an appraiser, such misapplication or failure to follow the procedures shall not prevent or be any impediment to the Board or the Superintendent changing any employee's employment status under the terms of the employment contracts, if applicable, and state and federal laws.

Complaints

Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's Dispute Resolution Process. [See DGBA(LOCAL)]

Effective Date

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



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

39.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Revisions To Board Policy DNA(LOCAL), Performance Appraisal: Evaluation Of Teachers-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DNA(LOCAL), *Performance Appraisal: Evaluation of Teachers*. The changes are recommended to align with updated implementation of evaluation systems for teachers and campus administrators.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DNA (LOCAL), *Performance Appraisal: Evaluation of Teachers*, on first reading, effective August 15, 2025.

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

**Appraisal System
and Process**

The formal appraisal of District teachers shall be in accordance with a local appraisal system developed in compliance with statutory provisions and state rules.

**General
Requirements**

District teachers shall be appraised annually as specified by the District evaluation system established by the Superintendent and administration. The Superintendent will specify how the evaluation system will be implemented and the timeline for appraisals in an evaluation manual and DNA(REGULATION) prior to the start of each evaluation period.

Components of the appraisal system shall ensure that teachers receive appropriate guidance and feedback and, in addition to the components described in the remainder of this policy, may include, but are not limited to, a written self-assessment, formal and informal observations, classroom walk-throughs, student learning indicators, and conferences. The appraisal process shall produce a summative performance report for the teacher, signed-acknowledged electronically by the teacher ~~and appraiser~~, and maintained as specified in the District's Records Management manual.

Appraisers

~~All teachers shall be assigned a primary appraiser.~~ Appraisers shall be school-based administrators or other individuals who meet eligibility requirements, as specified in DNA(REGULATION), and who have undergone the requisite appraiser training and certification provided by the District.

Certification

Before conducting an appraisal, an appraiser shall be certified by the District. Periodic appraiser recertification and training shall be required.

Annual Training

Teachers shall participate in initial or update appraisal training annually as specified in the evaluation manual.

It is the teacher's responsibility to complete appraisal training annually. Failure to complete the appraisal training shall not impede the appraisal process.

Missed Deadlines

In the event an appraisal deadline is missed by either the teacher or the appraiser, the appraiser shall document the reason in a memorandum to the teacher and a copy shall be sent to the building principal. The appraisal process shall continue. A missed deadline shall not invalidate an appraisal document.

**Application of
Assessment
Systems**

All aspects of the appraisal systems shall be applied consistently and fairly to all employees. When an employee feels that any one of these procedures has been misapplied to them, a dispute may be filed in accordance with the Dispute Resolution Process at DGBA(LOCAL). However, unless the procedure in question was maliciously misapplied, applied in bad faith, or not applied by an

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

DNA
(LOCAL)

appraiser, such misapplication or failure to follow the procedures shall not prevent or be any impediment to the Board or the Superintendent changing any employee's employment status under the terms of the employment contracts, if applicable, and state and federal laws.

Complaints

Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's Dispute Resolution Process. [See DGBA(LOCAL)]



Consent Agenda

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40.

Office of the Superintendent of Schools

Office of Academics

Approval Of Proposed Revisions To Board Policy DNB(LOCAL), Performance Appraisal: Evaluation Of Campus Administrators-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy DNB(LOCAL), *Performance Appraisal: Evaluation of Campus Administrators*. The changes are recommended to align with updated implementation of evaluation systems for teachers and campus administrators.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy DNB (LOCAL), *Performance Appraisal: Evaluation of Campus Administrators*, on first reading, effective August 15, 2025.

PERFORMANCE APPRAISAL
EVALUATION OF CAMPUS ADMINISTRATORS

DNB
(LOCAL)

General Principles	School leaders and other professional employees shall participate in the appraisal process on an annual basis as specified by the District evaluation system established by the Superintendent and administration. The Superintendent will specify how the evaluation system will be implemented and the timeline for appraisals in the evaluation manual and DNB(REGULATION) prior to the start of each evaluation period.
Employment Decisions	When relevant to the decision, written evaluations of a professional employee's performance, as documented to date, and any other information the administration determines to be appropriate shall be considered in decisions affecting contract status.
Exception	Written evaluations and other evaluative information need not be considered prior to a decision to terminate a probationary contract or a certified administrative performance contract at the end of the contract term.
Definition	<p>Other professional employees are defined as:</p> <ul style="list-style-type: none">• School Leaders, <u>including</u>— principals <u>and</u>, assistant principals, and deans;• School counselors;• Nurses;• Librarians;• Magnet coordinators;• Social workers; and• Other professional employees who are not serving as a teachers of record.
School Leader Appraisal Criteria	<p>School leader appraisals shall include, but not be limited to, the following criteria:</p> <ul style="list-style-type: none">• Student performance;• School performance; and• Teacher <u>Leader</u> effectiveness.
Performance Review of School Leaders	The following requirements shall be followed for the School Leader Appraisal System.
Training	School leaders shall complete initial or update training regarding the appraisal process and procedures annually.

PERFORMANCE APPRAISAL
EVALUATION OF CAMPUS ADMINISTRATORS

DNB
(LOCAL)

It is the school leader's responsibility to complete appraisal training annually. Failure to complete the appraisal training shall not impede the appraisal process.

~~Appraiser
Certification~~

~~School leader appraisers shall complete standardized appraiser certification training prior to conducting appraisals.~~

Missed Deadlines

In the event an appraisal deadline is missed by either the school leader or the appraiser, the appraiser shall document the reason in a memorandum to the school leader and a copy shall be sent to the school leader's supervisor. The appraisal process shall continue. A missed deadline shall not invalidate an appraisal document.

**Documentation and
Records**

Official appraisal records shall be maintained throughout a person's employment with the District as outlined in the District's Records Management Manuals.

**Application of
Assessment
Systems**

All aspects of the appraisal systems shall be applied consistently and fairly to all employees. When an employee feels that any one of these procedures has been misapplied to them, a dispute may be filed in accordance with the Dispute Resolution Process at DGBA(LOCAL). However, unless the procedure in question was maliciously misapplied, applied in bad faith, or not applied by an appraiser, such misapplication or failure to follow the procedures shall not prevent or be any impediment to the Board or the Superintendent changing any employee's employment status under the terms of the employment contracts, if applicable, and state and federal laws.

Complaints

Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's Dispute Resolution Process. [See DGBA(LOCAL)]



Consent Agenda

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41.

Office of the Superintendent of Schools

Office of Organizational Effectiveness

Approval Of Proposed Revisions To Board Policy EHB(LOCAL), *Curriculum Design: Special Programs*-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy EHB(LOCAL), *Curriculum Design: Special Programs*. The changes are recommended to align with the *Texas Dyslexia Handbook*.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy EHB (LOCAL), *Curriculum Design: Special Programs*, on first reading, effective August 15, 2025.

Dyslexia and Related Disorders

The District shall comply with all applicable state rules ~~and standards adopted by the State Board of Education and guidance published by the commissioner of education to implement the program to test~~ regarding students ~~for~~ with dyslexia and related disorders, including the "Dyslexia Handbook" and the provision of dyslexia instruction for students with dyslexia or a related disorder as determined by the student's admission, review, and dismissal committee.

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



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42.

Office of the Superintendent of Schools

Office of Finance and Operations

Approval Of Proposed Revisions To Board Policy FD(LOCAL), *Admissions*

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy FD(LOCAL), *Admissions*. The changes are recommended to update information in response to Senate Bill 401 of the 89th Legislative Session. This law requires school districts to allow homeschool participation in University Interscholastic League (UIL) activities unless the school board adopts a policy to opt out of allowing it. To accommodate the new law, the UIL set the date for opting out as September 1, 2025. In subsequent years, the deadline will be August 1 for any change in status a school board votes to take.

A copy of Board Policy FD(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy FD (LOCAL), *Admissions*, effective August 15, 2025.

**Persons Age 21
and Over**

An approved dropout recovery program in the District shall admit a person who is at least age 21 and under age 26 for the purpose of completing the requirements for a high school diploma provided that:

1. The student is a District resident;
2. The student may reasonably be expected to complete all requirements for high school graduation prior to his or her 26th birthday; and
3. Space is available in the program.

Registration Forms

Before a student may officially be admitted to District schools, the student's parent, legal guardian, or other person having lawful control shall annually complete and sign registration forms. A student who has reached age 18 shall be permitted to complete and sign these forms.

Proof of Residency

In accordance with administrative regulations, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residence in the District in the form of one or more of the following:

1. A recently paid rent receipt.
2. A current lease agreement.
3. The most recent tax receipt indicating home ownership.
4. A current utility bill indicating the address and the adult's name.

For a student living separate and apart from his or her parent, guardian, or other person having lawful control under a court order, the adult District resident with whom the student resides must provide proof of residence in the same manner as described in this policy.

For a nonresident student whose resident grandparent provides a substantial amount of after-school care, the grandparent must provide proof of residence in the same manner as a parent and as described in this policy.

**Verification of
Residence
Information**

District staff in charge of enrollment procedures may require additional documentation when a student's residence status is in question. The Superintendent or designee may verify a student's residence information by:

1. Requiring additional mail addressed to the person enrolling the student;

ADMISSIONS

FD
(LOCAL)

2. Visually inspecting the residence for evidence that the student indeed lives there; or
3. Applying the criteria outlined in the UIL Constitution and Contest Rules.

Exceptions

Proof of a student's residency shall be waived when the student is homeless as defined by law.

Minor Living Apart

Person Standing in
Parental Relation

A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.

Misconduct

A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.

Exceptions

Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.

Extracurricular
Activities

The Superintendent or designee shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.

**Students Not
Enrolled**

A student enrolled in a private school, including a homeschool, shall not be eligible for concurrent enrollment in the District nor for participation in curricular or extracurricular activities. [See EEL and FM]

**Nonresident Student
in Grandparent's
After-School Care**

The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.

The Superintendent shall have authority to approve or deny such admissions requests in accordance with this policy.

Substantial After-
School Care

For purposes of this policy, a substantial amount of after-school care shall consist of at least:

1. Two hours after the regular school day; and
2. Four days during the regular school week.

The age of the student and any special needs or circumstances shall also be considered. The student may continue in enrollment as long as the grandparent provides this level of care.

Placement

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner.

**Nonaccredited
Schools**

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

Transfer Credit

Before granting course credit, the District shall validate, by testing or other evidence, that any course taken by a student at a nonaccredited public, private, or parochial school meets State Board requirements. [See EHDB]

Foreign Students

A student from a foreign country whose transcripts cannot be accurately evaluated or for whom no transcript can be obtained shall be referred immediately for grade placement testing to determine in which grade level he or she shall be enrolled. The student may be assigned to the grade level he or she has requested until the student's test results are available.

**Transition
Assistance**

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student's available records and other relevant information

to ensure credit, including proportionate credit, is awarded appropriately for all subjects and courses taken prior to enrollment.

[See EI]

Withdrawal

A parent or guardian wishing to withdraw a minor student shall present a signed request stating the reason for the withdrawal. A student who is 18 or older may request withdrawal without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL)]



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43.

Office of the Superintendent of Schools

Office of the Chief of Schools

Approval Of Proposed Revisions To Board Policy FNCE(LOCAL), *Student Conduct: Personal Communication Devices/Electronic Devices*

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy FNCE(LOCAL), *Student Conduct: Personal Communication Devices/Electronic Devices*. The changes are recommended to update information in response to House Bill 1481 of the 89th Legislative Session. This law requires school districts to prohibit student use of personal communication devices at school during the school day, with limited exceptions.

A copy of Board Policy FNCE(LOCAL) showing the proposed changes is attached.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board approves the proposed revisions to Board Policy FNCE (LOCAL), *Student Conduct: Personal Communication Devices/Electronic Devices*, effective August 15, 2025.

STUDENT CONDUCT
PERSONAL ~~TELECOMMUNICATIONS~~ COMMUNICATION DEVICES/
ELECTRONIC DEVICES

FNCE
(LOCAL)

Note: For searches of personal ~~tele~~communications devices or other personal electronic devices, see FNF.

**Personal
Communication
Devices Use**

~~Telecommunica-
tions Devices~~

A student is prohibited from possessing or using a personal communication device on school property during the instructional day, which for the purposes of this policy is defined as from when a student arrives at school until the end of the final period. A student does not violate this policy if a personal communication device is powered off and stored in his/her backpack. A student who violates this policy or any regulations shall be subject to discipline in accordance with FNCE(REGULATION) and the Board-adopted Student Code of Conduct.

An authorized District employee ~~may~~ shall confiscate a student's personal ~~telecommunications~~ device, ~~including a mobile telephone, used that is possessed~~ in violation of this policy or any applicable regulations ~~campus rules~~.

~~In addition to any disciplinary consequences, a confiscated personal telecommunications device shall be released for a fee determined by the Board as specified in the Code of Student Conduct. In accordance with the student handbook, the student or the student's parents may retrieve the device after paying the fee.~~

A student's confiscated communication device may be retrieved by the student's parent or guardian in accordance with FNCE(REGULATION). If a personal telecommunications device is not retrieved, the District shall dispose of the device after providing the notice required by law.

Exceptions

A student shall be authorized to possess and use a personal communication device on school property during the school day only under the following circumstances:

1. The student's possession and use is necessary for implementation of the student's individualized education program, a 504 plan, or a similar program or plan;
2. The student's possession or use is required due to a documented need based on a directive from a qualified physician; or
3. The student's possession or use is necessary to comply with a health or safety requirement imposed by law or as part of the District or campus safety protocols.

Implementation

The Superintendent shall develop regulations to implement this policy.

STUDENT CONDUCT
PERSONAL ~~TELECOMMUNICATIONS~~ COMMUNICATION DEVICES
ELECTRONIC DEVICES

FNCE
(LOCAL)

Compliance

Annually, the Superintendent shall report to the Board on the implementation and compliance of this policy.

~~Other Electronic
Devices~~

~~Guidelines regarding other personal electronic devices shall be addressed in the student handbook.~~

~~Instructional Use~~

~~A student shall obtain prior approval before using personal telecommunications or other personal electronic devices for on-campus instructional purposes. The student shall also acknowledge receipt and understanding of applicable regulations and shall sign the appropriate user agreements. [See CQ]~~



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44.

Office of the Superintendent of Schools

Office of Legal Services

Approval Of Proposed Revisions To Board Policy FNG(LOCAL), *Student Rights And Responsibilities: Student And Parent Complaints/Grievances*-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy FNG(LOCAL), *Student Rights and Responsibilities: Student and Parent Complaints/Grievances*.

The proposed revisions are to update cross-references to other policies, to clarify how days are counted in the dispute resolution and complaint processes, and to update the processes in compliance with Senate Bill 12. Some of the changes were suggested by the Texas Association of School Boards, others by the HISD administration.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy FNG (LOCAL) on first reading, effective August 15, 2025.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Definitions

Days

For purposes of this policy, “days” shall mean District business days unless otherwise noted in this policy. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business ~~calendar~~ day is “day one.”

Hearings
Committee

The School Board may delegate the authority to hear and decide a grievance to a committee of three or more Board members in accordance with Education Code 26A.001(d).

Superintendent

For the purposes of this policy, “Superintendent” shall mean the Superintendent or designee.

Complaints/
Grievances

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint
Processes

Student, ~~or parent,~~ or person standing in parental relation to a student ~~complaints-grievances~~ shall be filed in accordance with this policy, except as required by the policies listed below. A board member who is a parent or standing in parental relation to a student may file a grievance in accordance with this policy but shall not vote on matters relating to that grievance. Some of these policies require appeals to be submitted in accordance with FNG after the relevant ~~complaint-grievance~~ process:

- ~~Complaints-Grievances~~ alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, disability, ancestry, marital status, veteran status, political affiliation, sexual orientation, gender identity, and/or gender expression, or any other basis prohibited by law, that adversely affects the student [see the FFH series] shall be submitted in accordance with the FFH series.
- ~~Complaints-Grievances~~ concerning dating violence shall be submitted in accordance with the FFH series.
- ~~Complaints-Grievances~~ concerning retaliation related to discrimination and harassment shall be submitted in accordance with the FFH series.
- ~~Complaints-Grievances~~ concerning cyberbullying, bullying, or retaliation related to bullying shall be submitted in accordance with FFI.
- ~~Complaints-Grievances~~ concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
- ~~Complaints-Grievances~~ concerning removal to a disciplinary alternative education program (DAEP) shall be submitted in

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

accordance with FOC and the Student Code of ~~Student~~ Conduct.

- ~~Complaints~~ Grievances concerning expulsion shall be submitted in accordance with FOD and the Student Code of ~~Student~~ Conduct.
- ~~Complaints~~ Grievances concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
- ~~Complaints~~ Grievances within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
- ~~Complaints~~ Grievances within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability, shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of or persons standing in parental relation to all students referred to special education.
- ~~Complaints~~ Grievances concerning instructional resources shall be submitted in accordance with the EF series.
- ~~Complaints~~ Grievances concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
- ~~Complaints~~ Grievances concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
- ~~Complaints~~ Grievances concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
- ~~Complaints~~ Grievances concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.

**Refusal of Entry to
or Ejection from
District Property**

~~Complaints~~ Grievances to appeal refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the ~~complainant~~ grievant to ad-

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

dress the Board in person within 90 days of filing the initial ~~com-~~
~~plaint-grievance~~, unless the ~~complaint-grievance~~ is resolved before
the Board considers it. [See GKA(LEGAL)]

**Notice to Students,
~~and Parents, and~~
Persons Standing in
Parental Relation to
a Student**

The District shall inform students, ~~and~~ parents, and persons stand-
ing in parental relation to a student of this policy through appropri-
ate District publications.

Guiding Principles

Informal Process

The Board encourages students, ~~and~~ parents, and persons stand-
ing in parental relation to a student to discuss their concerns with
the appropriate teacher, principal, or other campus administrator
who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early
resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any
deadlines in this policy, except by mutual written consent.

Formal Process

A student, ~~and~~ parent, or person standing in parental relation to a
student may initiate the formal process described below by timely
filing a written ~~complaint-grievance~~ form. [See FNG(EXHIBIT)]

Even after initiating the formal ~~complaint-grievance~~ process, ~~stu-~~
~~dents-and-parents-grievants~~ are encouraged to seek informal reso-
lution of their concerns. A ~~student-or-parent-grievant~~ whose con-
cerns are resolved may withdraw a formal ~~complaint-grievance~~ at
any time.

The process described in this policy shall not be construed to cre-
ate new or additional rights beyond those granted by law or Board
policy, nor to require a full evidentiary hearing or “mini-trial” at any
level.

Conflict of Interest

A person who is the subject of a grievance shall not be involved in
reviewing that grievance. In such a case, the grievance shall be re-
viewed at a higher level.

Remand

At Level II or Level III, the grievance may be remanded to a lower
level of review to develop a record at any time.

**Freedom from
Retaliation**

Neither the Board nor any District employee shall unlawfully retali-
ate against any ~~student-or-parent-grievant~~ for bringing a concern or
~~complaint-grievance~~.

General Provisions

Filing

~~Complaint-Grievance~~ forms and appeal notices may be filed by
hand-delivery, by electronic communication, including email and
fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if re-
ceived by the appropriate administrator or designee by the close of

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

business on the deadline. However, if a grievance is filed with an incorrect administrator but is otherwise timely, the grievance shall be directed to the appropriate administrator and considered timely. Filings submitted by electronic communication shall be timely filed if they are received on or before the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. The ~~student or parent~~ grievant is expected to participate in each phase of the ~~complaint~~ grievance process. If the ~~student and parent~~ grievants are unable to attend a conference, they must seek prior written approval from the hearing officer to allow a representative to appear at the conference in their place or to seek a postponement of the hearing. Failure to obtain prior written approval shall result in dismissal of the dispute.

Withdrawal

A grievant may withdraw a dispute at any time. Once withdrawn, a dispute may not be reopened.

Unless modified by written mutual consent, a dispute shall be deemed withdrawn if a grievant fails to pursue the dispute or otherwise is deemed to be unreasonably protracting the process, including failure to attend a scheduled Level One or Level Two conference or Level Three hearing. Once withdrawn, a dispute cannot be reopened.

It is expected that a grievant will participate in each phase of the dispute resolution process.

If the grievant desires a representative to appear on the grievant's behalf, either in person or via telephone, the notice shall contain a statement indicating that the representative is authorized to proceed with the conference or hearing in the grievant's absence. Failure to attend a hearing without the prior notification described above will result in dismissal of the grievance. Once withdrawn, a dispute cannot be reopened.

Response

At Levels One and Two, "response" shall mean a written communication to the ~~student or parent~~ grievant from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the ~~student's or parent's~~ grievant's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Representative

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

“Representative” shall mean any person who or organization that is designated by the ~~student or parent~~ grievant to represent the ~~student or parent~~ grievant in the ~~complaint~~ grievance process. A student may be represented by an adult at any level of the ~~complaint~~ grievance.

The ~~student or parent~~ grievant may designate a representative through written notice to the District at any level of this process. If the ~~student or parent~~ grievant designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.

Consolidating
~~Complaints~~
Grievances

~~Complaints-Grievances~~ arising out of an event or a series of related events shall be addressed in one ~~complaint~~ grievance. A ~~student or parent~~ grievant shall not bring separate or serial ~~complaints~~ grievances arising from any event or series of events that have been or could have been addressed in a previous ~~complaint~~ grievance.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a ~~complaint~~ grievance form or appeal notice is not timely filed, the ~~complaint~~ grievance may be dismissed, on written notice to the ~~student or parent~~ grievant, at any point during the ~~complaint~~ grievance process. The ~~student or parent~~ grievant may appeal the dismissal by seeking review in writing within ~~40-20~~ days from the date of the written dismissal notice, starting at the level at which the ~~complaint~~ grievance was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the ~~complaint~~ grievance.

~~Complaint~~
Grievance and
Appeal Forms

~~Complaints-Grievances~~ and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the ~~complaint~~ grievance should be attached to the ~~complaint~~ grievance form. If the ~~student or parent~~ grievant does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the ~~student or parent~~ grievant unless the ~~student or parent~~ grievant did not know the documents existed before the Level One conference.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

A ~~complaint-grievance~~ or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

~~Complaint-Grievance~~ forms must be filed:

- Within ~~15-60~~ days of the date the ~~student or parent-grievant~~ first knew, or ~~with reasonable diligence should have known,~~ had reason to know of the decision or action giving rise to the ~~complaint or grievance,~~ or, if the grievant sought an informal resolution, the later of:
 - 90 days from the date the grievant first knew or had reason to know of the decision or action giving rise to the grievance; or
 - 30 days from the date on which the district provided information to the grievant regarding how to file the grievance. ~~;-and~~
- With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, ~~students and parents-grievants~~ shall file Level One ~~complaints-grievances~~ with the campus principal or designee.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the ~~complaint-grievance~~ may begin at Level Two following the procedure, including deadlines, for filing the ~~complaint-grievance~~ form at Level One.

If the ~~complaint-grievance~~ is not filed with the appropriate administrator, the receiving administrator must note the date and time the ~~complaint-grievance~~ form was received and immediately forward the ~~complaint-grievance~~ form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the ~~student or parent-grievant~~ within 10 days ~~after receipt of~~ when the ~~written complaint-grievance was~~ filed. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the ~~student or parent-grievant~~ a written response within ~~10-20~~ days following the conference. The written response shall set forth the basis of the decision and include information regarding filing an appeal, including the timeline to appeal under Education Code 26A.002 and Section 7.057, if applicable. In reaching a decision,

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the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the ~~complaint~~grievance.

Level Two

If the ~~student or parent~~grievant did not receive the relief requested at Level One or if the time for a response has expired, the ~~student or parent~~grievant may request a Level Two conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ~~10-20~~ days of the date of the written Level One response or, if no response was received, within ~~10-20~~ days of the Level One response deadline. The grievant may supplement the record with additional documents or add additional claims.

~~After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.~~

~~The Level One record shall include:~~

- ~~• The original complaint form and any attachments.~~
- ~~• All other documents submitted by the student or parent at Level One.~~
- ~~• The written response issued at Level One and any attachments.~~
- ~~• All other documents relied upon by the Level One administrator in reaching the Level One decision.~~

~~The Superintendent or designee shall initiate the Level Two hearing scheduling process by contacting both parties within 10 days after the appeal notice is filed to determine availability and a mutually agreed upon date and time for the hearing. The timelines at Level Two shall run from the date the appeal request is received. The Superintendent or designee, in consultation with the Superintendent's appropriate direct report, shall identify the Level Two hearing officer, who may or may not be a current District employee.~~

~~The conference shall be limited to the issues raised in the FNG Dispute Resolution Form and documents presented at the Level One conference. At the conference, the student or parent grievant may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.~~

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The conference is not an evidentiary or due process hearing. There shall be no cross-examination of witnesses. The ~~student or parent~~ grievant shall be allotted a specific amount of time to present their concerns. The ~~student or parent~~ grievant may also present witnesses and may submit any available documentation. The administration shall be allotted the same amount of time to present its position and shall be allowed to present witnesses and submit any documentation on the issues addressed at the conference.

The Superintendent or designee shall provide the ~~student or parent~~ grievant a written response within ~~10-20~~ days following ~~the Superintendent or designee's receipt of the court reporter's transcript of~~ the Level Two hearing, unless otherwise mutually agreed upon between the parties and the hearing officer. The written response shall set forth the basis of the decision and include information regarding filing an appeal, including the timeline to appeal under Education Code 26A.002 and Section 7.057, if applicable. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the ~~complaint~~ grievance. In the event the Level Two hearing officer's decision is adverse to the administration, the administration may appeal the decision to Level Three.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

It is expected for the grievant to participate in each phase of the dispute resolution process. Therefore, if the grievant is unable to attend a conference, the grievant must seek prior written approval from the hearing officer to allow a representative to appear at the conference in the grievant's place or to seek a postponement of the hearing. Failure to obtain prior written approval will result in dismissal of the dispute.

Level Three

If the ~~student or parent~~ grievant did not receive the relief requested at Level Two or if the time for a response has expired, the ~~student or parent~~ grievant may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ~~10-20~~ days of the date of the written Level Two response or, if no response was received, within ~~10-20~~ days of the Level Two response deadline. The grievant may supplement the record with additional documents or add additional claims.

The Board shall not conduct a Level Three hearing until after a Level Two hearing has been convened, and a transcript of the hearing is available for the Board's review. However, the Board

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shall conduct the Level III hearing within 60 days of the Level II decision.

The Superintendent or designee shall inform the ~~student or parent~~ grievant of the date, time, and place of the Board meeting at which the ~~complaint~~ grievance will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The ~~student or parent~~ grievant may request a copy of the Level Two record.

The Level Two record shall include:

- The Level One record.
- The notice of appeal from Level One to Level Two.
- The written response issued at Level Two and any attachments.
- All other documents relied upon by the administration in reaching the Level Two decision.

~~The appeal shall be limited to the issues and documents considered at Level Two, except that if~~ if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the ~~student or parent~~ grievant notice of the nature of the evidence at least ~~three~~ five days before the hearing.

The District shall determine whether the ~~complaint~~ grievance will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the ~~student or parent~~ grievant and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the ~~complaint~~ grievance and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the ~~student or parent~~ grievant or the ~~student's~~ grievant's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

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The Board shall then consider the ~~complaint~~grievance. ~~It may~~ The Board shall give notice of its decision within 30 days following the Level Three hearing ~~orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.~~



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

45.

Office of the Superintendent of Schools

Office of Legal Services

Approval Of Proposed Revisions To Board Policy GF(LOCAL), *Public Complaints*-First Reading

The purpose of this agenda item is to request that the Houston Independent School District (HISD) School Board approves revisions to Board Policy GF(LOCAL), *Public Complaints*.

The proposed revisions are to update cross-references to other policies, to clarify how days are counted in the dispute resolution and complaint processes, and to update the processes. Some of the changes were suggested by the Texas Association of School Boards and others by the HISD administration.

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

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

THIS ITEM DOES MODIFY BOARD POLICY.

RECOMMENDED: That the School Board accepts the proposed revisions to Board Policy GF (LOCAL) on first reading, effective August 15, 2025.

PUBLIC COMPLAINTS

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Definitions

Days

For purposes of this policy, “days” shall mean District business days unless otherwise noted in this policy. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business ~~calendar~~ day is “day one.”

Superintendent

For the purposes of this policy, “Superintendent” shall mean the Superintendent or designee.

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint Processes

Complaints by members of the public shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process.

1. Complaints concerning instructional resources shall be filed in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with the CKE series.

Refusal of Entry to or Ejection from District Property

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Guiding Principles

Informal Process

The Board encourages the public to discuss concerns and complaints with the appropriate administrator who has the authority to address the concerns.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Formal Process

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

An individual may initiate the formal process described below by timely filing a written complaint form. [See GF(EXHIBIT)]

Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board

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policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

**Freedom From
Retaliation**

Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Filings submitted by electronic communication shall be timely filed if they are received on or before the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. The grievant is expected to participate in each phase of the complaint process. If the grievant is unable to attend a conference, they must seek prior written approval from the hearing officer to allow a representative to appear at the conference in their place or to seek a postponement of the hearing. Failure to obtain prior written approval shall result in dismissal of the dispute.

Withdrawal

A grievant may withdraw a dispute at any time. Once withdrawn, a dispute may not be reopened.

Unless modified by written mutual consent, a dispute shall be deemed withdrawn if a grievant fails to pursue the dispute or otherwise is deemed to be unreasonably protracting the process, including failure to attend a scheduled Level One or Level Two conference or Level Three hearing. Once withdrawn, a dispute cannot be reopened.

It is expected that a grievant will participate in each phase of the dispute resolution process. Therefore, if the grievant is unable to attend any phase of the dispute resolution process, the grievant must provide written notification of the grievant's intent not to attend the conference or hearing. In the case of a Level One or Level Two conference, such notice shall be given to the hearing officer and the District's representative at least 48 hours prior to the start of the conference. In the case of a Level Three hearing, such notice shall be given to the Board President and the District's representative at least 48 hours prior to the start of the hearing.

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Response	At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.
Representative	<p>“Representative” shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.</p> <p>The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Costs Incurred	Each party shall pay its own costs incurred in the course of the complaint.
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.</p>

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing .

Level One

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the individual within ten days after receipt of the written complaint. If the grievant is represented by an attorney, the Level One hearing officer shall initiate the scheduling process within ten days of the date of receipt of the dispute resolution form in accordance with the calculation of time frames as set forth above. The duty to initiate scheduling of the Level One conference, for purposes of following prescribed timelines, is fulfilled by the District's Office of Legal Services contacting the grievant's attorney, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time, with mutual effort to convene the conference within a prescribed time frame. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the individual did not receive the relief requested at Level One or if the time for a response has expired, they may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

~~After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.~~

~~The Level One record shall include:~~

- ~~1. The original complaint form and any attachments.~~
- ~~2. All other documents submitted by the individual at Level One.~~
- ~~3. The written response issued at Level One and any attachments.~~
- ~~4. All other documents relied upon by the Level One administrator in reaching the Level One decision.~~

~~The Superintendent or designee shall initiate the Level Two hearing scheduling process by contacting both parties within ten days after the appeal notice is filed to determine availability and a mutually agreed upon date and time for the hearing. The timelines at Level Two shall run from the date the appeal request is received by the Superintendent or designee. The Superintendent or designee, in consultation with the Superintendent's appropriate direct report, shall identify the Level Two hearing officer, who may or may not be a current District employee. The Level Two hearing officer shall initiate the conference scheduling process within ten days of the date of receipt of the dispute resolution form in accordance with the calculation of time frames as set forth above. The Level Two hearing officer shall have satisfied their duty to schedule the Level Two conference, for purposes of following prescribed timelines, by contacting or having the appropriate Employee Relations personnel contact the grievant or their representative, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time, with mutual effort to convene the conference within a prescribed time frame. If the grievant's representative is an attorney, the Level Two hearing officer's duty shall be satisfied, for purposes of following prescribed timelines, by the assigned District attorney contacting the employee's attorney, offering available dates and times for the hearing that shall occur at a mutually agreed-upon time.~~

The conference shall be limited to the issues raised in the GF Dispute Resolution form and documents presented at the Level One

conference. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The conference is not an evidentiary or due process hearing. There shall be no cross-examination of witnesses. The individual shall be allotted a specific amount of time to present their concerns. The individual may also present witnesses and may submit any available documentation. The administration shall be allotted the same amount of time to present its position and shall be allowed to present witnesses and submit any documentation on the issues addressed at the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the Superintendent or designee's receipt of the court reporter's transcript of the Level Two hearing, unless otherwise mutually agreed upon between the parties and the hearing officer. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint. In the event the Level Two hearing officer's decision is adverse to the administration, the administration may appeal the decision to Level Three.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

The grievant is expected to participate in each phase of the dispute resolution process. Therefore, if the grievant fails to attend a conference or hearing, the District will deem the failure to appear a withdrawal of the grievance.

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, they may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Board shall not conduct a Level Three hearing until after a Level Two hearing has been convened, and a transcript of the hearing is available for the Board's review.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or their representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Effective Date

~~This policy shall be effective as of the adoption date, December 10, 2021.~~



Consent Agenda

4400 WEST 18TH STREET
HOUSTON, TEXAS 77092

8/14/2025

46.

Office of the School Board

Consideration And Approval Of Minutes From Previous Meetings

The Houston Independent School District School Board is asked to approve the minutes of its meetings on June 12, 2025.

The minutes will be published after they are approved.

COST/FUNDING SOURCE(S): None

STAFFING IMPLICATIONS: None

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

RECOMMENDED: That the School Board approves the minutes of its meetings on June 12, 2025, effective August 15, 2025.