

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

Notice is hereby given that a meeting of the Board of Trustees of the Hays Consolidated Independent School District will be held on August 21, 2023 beginning at 5:00 PM at the Kunkel Room at the Historic Buda Upper Campus, 300 San Marcos St., Buda, TX 78610.

If during the course of the meeting, discussion of any item on the agenda should be held in a closed session, the Board will adjourn to a closed session in accordance with the Texas Open Meetings Act, Texas Government Code Section 551, Subchapters D and E or Texas Government Code Section 418.183(f). Before any closed session is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions or decisions will be taken in open meeting. Policy BEC Legal attached.

The subjects to be discussed, considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

- A. CALL TO ORDER: Establish a quorum
- B. CLOSED SESSION
 - 1. Deliberation regarding safety and security, including safety personnel, systems, infrastructure, and/or devices, pursuant to Tx. Gov't Code Section 551.076
- C. RECONVENE IN OPEN SESSION - immediately following Closed Session
- D. PLEDGE OF ALLEGIANCE TO UNITED STATES AND TEXAS FLAGS

United States Flag Pledge:

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Texas Flag Pledge:

Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible.

- E. MISSION STATEMENT
The mission of Hays CISD is to educate, value, and nurture students through innovative and personalized educational experiences while celebrating our diversity.
- F. SOCIAL CONTRACT

The Board will:

- Serve as District Ambassadors
- Assume Positive and Noble Intentions
- Collaborate as a Team and Respect the Body Corporate
- Promote Discussion and Respect Each Other's Perspectives
- Be Professional

- G. SUPERINTENDENT & SAFETY REPORT

- 1. Superintendent Report
- 2. Safety and Security Report

- H. PUBLIC FORUM

It is the policy of the Board that, if members of the public wish to address the Board in Public Forum, they must complete and submit the Request to Address the Board of Trustees form (green sheet). This form may be obtained at the entrance to the Board room and must be submitted to Tim Savoy, Chief Information Officer, at the entrance prior to reconvening in open session. Public participation in Board meetings is limited to the Public Forum portion of the meeting agenda, as is provided in Board policy.

Please be aware that the audio and video of Public Forum is recorded as part of the recording of the entire meeting and is published on the District's website without alteration. A person who chooses to speak in Public Forum consents to the online publication of their comments.

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September 18, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM	
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<i>** May 13, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM</i>	
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<i>** June 24, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM</i>	
<i>** July 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 PM</i>	
 <i>** Meeting location may be moved to the newly constructed Hays CISD Academic Support Center</i>	
<i>Official Board of Trustees information may be obtained at www.hayscisd.net</i>	
O. ADJOURN	

This notice was posted in compliance with the Texas Open Meetings act on: Friday, August 18, 2023 at 2:30 PM

EXCEPTIONS FOR CLOSED MEETINGS	The Board may conduct a closed meeting for the purpose described in the following provisions.	
ATTORNEY CONSULTATION	1.	The Board may conduct a private consultation with its attorney only when it seeks the attorney's advice about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the requirement for open meetings. <i>Gov't Code 551.071</i> [See BE for permissible methods of communication for attorney consultations.
REAL PROPERTY	2.	The Board may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. <i>Gov't Code 551.072</i>
PROSPECTIVE GIFT	3.	The Board may conduct a closed meeting to deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the Board's position in negotiations with a third person. <i>Gov't Code 551.073</i>
PERSONNEL MATTERS	4.	The Board is not required to conduct an open meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee. However, the Board may not conduct a closed meeting for these purposes if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. <i>Gov't Code 551.074</i> The closed meeting exception for personnel matters does not apply when the Board discusses an independent contractor who is not a school employee, such as an engineering, architectural, or consultant firm, or when the Board discusses a class or group of employees, not a particular employee. <i>Atty. Gen. Op. MW-129 (1980), Atty. Gen. Op. H-496 (1975)</i>
EMPLOYEE- EMPLOYEE COMPLAINTS		The Board is not required to conduct an open meeting to deliberate in a case in which a complaint or charge is brought against a District employee by another employee and the complaint or charge directly results in the need for a hearing. However, the Board may not conduct a closed meeting for this purpose if the employee against whom the complaint or charge is brought makes a written request for an open hearing. <i>Gov't Code 551.082</i>
STUDENT DISCIPLINE	5.	The Board is not required to conduct an open meeting to deliberate in a case involving discipline of a public school child. However, the Board may not conduct a closed meeting for this purpose if the child's parent or guardian makes a written request for an open hearing. <i>Gov't Code 551.082</i>
PERSONALLY IDENTIFIABLE STUDENT INFORMATION	6.	The Board is not required to conduct an open meeting to deliberate a matter regarding a student if personally identifiable information about the student will necessarily be revealed by the deliberation. Directory information about a public school student is considered to be personally identifiable information about the student for this purpose only if a parent or guardian of the student, or the student if the student has attained 18 years of age, has informed the District that the directory information should not be released without prior consent. [See FL] This exception does not apply if an open meeting about the matter is requested in writing by a parent or guardian of the student or by the student if the student has attained 18 years of age. <i>Gov't Code 551.0821</i>
MEDICAL OR PSYCHIATRIC RECORDS	7.	A board that administers a public insurance, health, or retirement plan is not required to conduct an open meeting to deliberate: - The medical records or psychiatric records of an individual applicant for a benefit from the plan; or - A matter that includes a consideration of information in the medical or psychiatric records of an individual applicant for a benefit from the plan. <i>Gov't Code 551.0785</i>
SECURITY	8.	The Board is not required to conduct an open meeting to deliberate: - The deployment, or specific occasions for implementation, of security personnel or devices; or - A security audit. <i>Gov't Code 551.076</i>

ASSESSMENT INSTRUMENTS	9.	The Board shall conduct a closed meeting to discuss or adopt individual assessment instruments or assessment instrument items. <i>Education Code 39.030(a)</i>
EMERGENCY MANAGEMENT	10.	The Board is not required to conduct an open meeting to deliberate information confidential under Government Code 418.175–418.182, relating to Homeland Security. However, the Board must make a tape recording of the proceedings of a closed meeting held to deliberate the information. <i>Gov’t Code 418.183(f)</i>
ECONOMIC DEVELOPMENT NEGOTIATIONS	11.	The Board is not required to conduct an open meeting: a. To discuss or deliberate regarding commercial or financial information that the Board has received from a business prospect that the Board seeks to have locate, stay, or expand in or near the District and with which the Board is conducting economic development negotiations; or b. To deliberate the offer of a financial or other incentive to such a business prospect. <i>Gov’t Code 551.087</i>
PROCEDURES FOR CLOSED MEETINGS		If a closed meeting is allowed, the Board shall not conduct the closed meeting unless a quorum of the Board first convenes in an open meeting for which proper notice has been given [see BE] and the presiding officer has publicly announced that a closed meeting will be held and has identified the section or sections of the Open Meetings Act or other applicable law under which the closed meeting is held. <i>Gov’t Code 551.101</i>
VOTE OR FINAL ACTION		A final action, decision, or vote on a matter deliberated in a closed meeting shall be made only in an open meeting for which proper notice has been given. <i>Gov’t Code 551.102</i> [See BE]
CERTIFIED AGENDA OR TAPE RECORDING		The Board shall either keep a certified agenda or make a recording of the proceedings of each closed meeting, except for private consultation with the District’s attorney. The certified agenda must include a statement of the subject matter of each deliberation, a record of any further action taken, and an announcement by the presiding officer at the beginning and end of the closed meeting indicating the date and time. A presiding officer shall certify that a certified agenda is a true and correct record of the proceedings. If a recording is made, it must include announcements by the presiding officer at the beginning and end of the meeting indicating the date and time. <i>Gov’t Code 551.103</i> “Recording” means a tangible medium on which audio or a combination of audio and video is recorded, including a disc, tape, wire, film, electronic storage drive, or other medium now existing or later developed. <i>Gov’t Code 551.001(7)</i> Closed meetings may not be recorded by an individual trustee against the wishes of a majority of the Board. <i>Zamora v. Edgewood ISD, 592 S.W.2d 649 (Tex. App.—San Antonio, 1979, writ ref’d n.r.e.)</i>
PRESERVATION		The Board shall preserve the certified agenda or recording of a closed meeting for at least two years after the date of the meeting. If a legal action involving the meeting is brought within that period, the Board shall preserve the certified agenda or recording while the action is pending. <i>Gov’t Code 551.104(a)</i>
PUBLIC ACCESS		A certified agenda or recording of a closed meeting is available for public inspection and copying only under a court order issued as a result of litigation involving an alleged violation of the Open Meetings Act. <i>Gov’t Code 551.104(b), (c)</i>
PROHIBITIONS		No Board member shall participate in a closed meeting knowing that neither a certified agenda nor a recording of the closed meeting is being made. <i>Gov’t Code 551.145</i> No individual, corporation, or partnership shall without lawful authority disclose to a member of the public the certified agenda or recording of a meeting that was lawfully closed to the public. <i>Gov’t Code 551.146</i> No Board member shall knowingly call or aid in calling or organizing a closed meeting that is not permitted under the Open Meetings Act, close or aid in closing a regular meeting to the public except as permitted under the Open Meetings Act, or participate in a closed meeting that is not permitted under the Open Meetings Act. <i>Gov’t Code 551.144(a)</i>
AFFIRMATIVE DEFENSE		It is an affirmative defense to prosecution under Government Code 551.144(a) that a Board member acted in reasonable reliance on a court order or a written interpretation of the open meetings law contained in an opinion of a court of record, the attorney general, or the Board’s attorney. <i>Gov’t Code 551.144(c)</i>

DATE ISSUED: 10/25/2013
UPDATE 98
BEC (LEGAL)-P

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 21, 2023

Agenda Item: G.1

Board Goal: Board/Staff/Community Relations

Subject: Superintendent's Report

Administrator Responsible/Position: Dr. Eric Wright, Superintendent of Schools

A. Purpose of Agenda Item:

☐ Action Needed

☒ Information Only

☐ Receive Input

B. Authority for This Action

☐ Local Policy

☐ Law or Rule

☒ N/A

C. Goal or Need Addressed:

Share with Board and Community information regarding current events in the district.

D. Administrative Recommendation: N/A

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 21, 2023

Agenda Item: G.2

Board Goal: Safety and Security

Subject: Superintendent's Report

Administrator Responsible/Position: Jeri Skrocki, Chief Safety and Security Officer

A. Purpose of Agenda Item:

☐ Action Needed

☒ Information Only

☐ Receive Input

B. Authority for This Action

☐ Local Policy

☐ Law or Rule

☒ N/A

C. Goal or Need Addressed:

Share with Board and Community information regarding safety and security in the district.

D. Administrative Recommendation: N/A

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 21, 2023

Agenda Item: H

Board Goal: Board/Staff/Community Relations

Subject: Public Forum

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item

☐ Action needed

☐ Information only

☒ Receive input

B. Authority for This Action:

☒ Local Policy BED

☒ Law or Rule

☐ N/A

The Board encourages comments from citizens of the District and from District employees.

Policy BED local states that audience participation at a Board Meeting is limited to the public comment portion of the meeting designated for that purpose. At all other times during a Board Meeting, the audience shall not enter into discussion or debate on matters being considered by the Board, unless requested by the presiding officer. An open forum will be conducted at each meeting. The Board shall allot approximately 30 minutes for comments from members of the public about school district concerns.

Any member of the public who wishes to address the Board in Public Forum must complete and submit the Request to Address the Board of Trustees form (green sheet). This form may be obtained and at the entrance to the Board room and must be submitted to Tim Savoy, Chief Information Officer, at the entrance prior to reconvening in open session. Public participation in Board meetings is limited to the Public Forum portion of the meeting agenda, as is provided in Board policy.

Board Policy DEC (LOCAL) sets the maximum time for any individual presentation as 5 minutes, unless decreased by the Board President prior to the start of public comment. In order to ensure efficiency in all meetings, our standard practice is to afford 3 minutes for speakers covering current agenda items and 2 minutes for speakers covering non-agenda items. Speakers with comments on posted agenda items will be called to speak first. Speakers with comments on items not posted for tonight's agenda will then be called to speak, if time permits.

Please be aware that the audio and video of Public Forum is recorded as part of the recording of the entire meeting and is published on the District's website without alteration. A person who chooses to speak in Public Forum consents to the online publication of their comments.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I

Board Goal: Board/Staff/Community Relations

Subject: Consideration and Possible Approval of Consent Agenda

Administrator Responsible/Position: Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy BE

☐ Law or Rule

☐ N/A

Board Policy BE states that the consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote

C. Goal or Need Addressed:

As listed on attached pages

D. Summary:

☒ Previous board action relating to this item - Ongoing

☒ Future action anticipated - Monthly

☒ Background information – The following items are presented for approval

1. Board Meeting Minutes
2. Procurements
3. Contracts/MOUs
4. SHAC Committee Members 23/24 SY
5. Certified Teacher Appraisers and Future Certified Administrators for 23/24 SY
6. Property, School Liability, Automobile, and Workers' Compensation Insurance
7. Investment Officers
8. Budget Amendments

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

F. Administrative Recommendation:

The Superintendent recommends the Board approve consent agenda items as presented.

G. Fiscal Impact and Cost: Amount: Per individual items attached

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the consent agenda, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: August 28, 2023

Agenda Item: I.1

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Procurements

Administrator Responsible/Position: Cabinet Members

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☒ Local Policy - BE ☐ Law or Rule ☐ Other

C. Goal or Need Addressed:

Procurement of necessary items for the district.

D. Summary:

- ☒ Previous board action relating to this item - Ongoing
- ☒ Future action anticipated - Monthly
- ☒ Background information – The following procurements will be presented for approval
 - a. Cybersecurity Filtering, Threat Detection, and Prevention for Mobile Devices – Managed Methods
 - b. Software Renewals, Microsoft Enterprise License, and KnowBe4 – SHI International
 - c. Single Sign-on Instruction and Business Applications - ClassLink

E. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other

All agenda items have been reviewed by the Superintendent's Cabinet.

F. Administrative Recommendation:

The Administration recommends approval of the listed procurement items.

G. Fiscal Impact and Cost: Amount: as set forth in the procurement item.

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the procurement items, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.1a

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the procurement of Cloud Security for Mobile Devices – ManagedMethods

Administrator Responsible/Position: Dianne Borreson, Chief Technology Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

The purpose of this agenda item is to secure a cloud security platform subscription for 2 additional years. This software provides security for mobile devices, primarily Google and Office 365. Additional details provided in a board memo.

D. Summary:

☐ Previous board action relating to this item –

☐ Future action anticipated –

☒ Background information

E. Scope of Options Reviewed:

TIPS/TAPS Cooperative Contract #230105

Length of Contract: This is a one-year contract with four (4) options to renew through 05/31/2028

Reasons for rejecting alternatives: N/A

F. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other: Technology

G. Administrative Recommendation:

The administration recommends approval of the Managed Methods procurement.

H. Fiscal Impact and Cost: Total Amount: \$85,048.80

☒ Budget – General Operating Fund

☐ Bond

☐ Grant/Special Funds

☐ Other

Prior Year Spending – \$66,624.40

Future/Ongoing – This service will be a recurring cost annually (\$42,524 per year).

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Dianne Borreson, Chief Technology Officer

Evaluation method and time line – Managed Methods has been installed and has been evaluated for past 6 months.

Next report to the board -

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the purchase of cloud security for mobile devices from Managed Methods, in an amount not to exceed \$85,048.80, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.1b

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the procurement of Software Renewals, Microsoft Enterprise License, and KnowBe4 - SHI International

Administrator Responsible/Position: Dianne Borreson, Chief Technology Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

The purpose of this agenda item is to authorize the procurement of various software programs, renew support licenses for existing applications and purchase of miscellaneous ancillary software and equipment. Software can include anti-virus, backup, network support, network security, VPN/cloud solutions and Microsoft Enterprise agreement. Our Microsoft Enterprise Agreement covers the entire district for all Microsoft applications. This agreement also allows for teachers and students to utilize Office 365 cloud applications.

D. Summary:

☒ **Previous board action relating to this item** – Previous board action relating to this item – Board has previously approved the purchase of supplies/materials, supplies & software from SHI on 9/22.

☐ **Future action anticipated** –

☒ **Background information** - Software includes backup, network support, network security, VPN/cloud solutions and Microsoft Enterprise agreement.

E. Scope of Options Reviewed:

DIR-CPO-4875 (exp. 1/25/2028)

DIR-CPO-4938 (exp. 5/26/2026)

DIR-CPO-5091 (exp. 3/16/2028)

DIR-CPO-5094 (exp. 1/30/2028)

DIR-CPO-5188 (exp. 5/8/2028)

DIR-TSO-4092 (exp 2/21/2024)

DIR-TSO-4181 (exp. 5/21/2024)

DIR-TSO-4246 (exp. 9/17/2023)

DIR-TSO-4317 (exp. 4/27/2024)

F. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other: Technology

G. Administrative Recommendation:

The administration recommends approval of purchasing supplies/materials, supplies & software from SHI.

- H. Fiscal Impact and Cost: Total Amount: \$250,000**
☒ **Budget – General Operating Fund** ☐ **Bond** ☐ **Grant/Special Funds** ☐ **Other**
Prior Year Spending – \$234,507.48
Future/Ongoing – The requested procurement is an estimated annual reoccurring expense of \$250,000.
- I. Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Dianne Borreson, Chief Technology Officer
Evaluation method and time line –
Next report to the board -
- J. Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the purchase of Software Renewals, Microsoft Enterprise License, and KnowBe4 from SHI International, for an amount not to exceed \$250,000, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.1c

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the procurement of Single Sign-on (SSO) Solutions for Instruction and Business Applications - ClassLink

Administrator Responsible/Position: Dianne Borreson, Chief Technology Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

The purpose of this agenda item is to procure SSO licenses from ClassLink.

D. Summary:

☒ Previous board action relating to this item – Board approved ClassLink 08/2022

☐ Future action anticipated –

☒ Background information – This platform will allow students and teachers to access all of their apps under a single sign-on. This application also allows rostering which will allow rosters to be programmatically generated by importing class data from the Student Information Systems (SIS).

E. Scope of Options Reviewed:

DIR Cooperative Contract #DIR-CPO—4493 – Education Information Technology Products & Related Services

This is a one-year contract with two (2) options to renew through 6/12/25

Reasons for rejecting alternatives: n/a

F. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other: Technology

G. Administrative Recommendation:

The administration recommends approval of purchasing SSO licenses from ClassLink.

H. Fiscal Impact and Cost: Total Amount: \$70,535.96

☒ Budget – General Operating Fund

☐ Bond

☐ Grant/Special Funds

☐ Other

Prior Year Spending – \$61,495.00

Future/Ongoing – This procurement will be an annual cost.

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Dianne Borreson, Chief Technology Officer

Evaluation method and time line –

Next report to the board -

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the purchase of Single Sign-On (SSO) Solutions from ClassLink, for an amount not to exceed \$70,535.96, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.2a

Board Goal: Student Achievement

Subject: Consideration and possible approval of the Memorandum of Understanding (MOU) for the 2023-2024 school year between Hays CISD and Communities in Schools (CIS)

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent/Chief Academic Officer

A. Purpose of Agenda Item:

☒ Action Needed

☐ Information Only

☐ Receive Input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ NA

C. Goal or Need Addressed:

Student Goal: Hays CISD believes in the achievement of every student. Community in Schools will service 11 campuses. Consideration and possible approval of the contract and MOU agreement between Hays Consolidated ISD (HCISD) and Communities in Schools of Central Texas (CIS) to render certain social services within the HCISD

D. Summary:

☐ **Previous board action relating to this item** – The Community in Schools and Hays CISD has entered into this MOU contract since 2007.

☐ **Future action anticipated** – Approve the Contract MOU agreement for the school year 2023-24.

☒ **Background information** – CIS will provide an array of social services to assist students who have high absenteeism, poor academic performance, or who demonstrate delinquent conduct and social service needs. The services will be provided at 11 campuses:

- Camino Real Elementary
- Hemphill Elementary School,
- Tom Green Elementary School
- Uhland Elementary School
- Chapa Middle School
- Wallace Middle School
- McCormick Middle School
- Simon Middle School
- Hays High School
- Lehman High School
- Live Oak Academy

E. Scope of Options Reviewed:

Although the district hires counselors and a social worker at each comprehensive high school, CIS manages the top tier of the at-risk students. They collaborate with the district and campus counseling staff for services, needs and professional development. They train along-side our counselors plus further professional development through Community in Schools. This HCISD relationship with CIS has helped the highest risk students on these campuses in our district improve attendance, academic scores and grades, help reduce discipline referrals and receive counseling for school and family situations. They not only provide tutoring and counseling, but they make home visits and provide basic services like clothes, food, water and electric services if their families need it. In our high schools an X-Y Zone social worker works with male students and is a part of contract.

CIS, at every campus on which they serve, provide the Pebble Project at elementary campuses, AmeriCorps volunteers and social work interns to assist in their work with students and their families. They serve approximately 95-100 students per campus. But have served more if requested. The CIS staff work closely with the district Counseling Director to provide some social services across the district for all of our students. They serve on the District Counseling Crisis team and are on call as are all of our counselors if needed. They are assigned to 11 campuses, all of whom are either Title 1 or have low-socioeconomic family needs.

Reasons for Rejecting Alternatives: The relationship and services provided by the Community in Schools of Central Texas is valuable and helps students succeed.

F. Comments Received:

☒ **Cabinet** ☐ **DLT** ☐ **FBOC** ☐ **Teacher Org. Reps.** ☒ **Other:** The principals and counselors on the CIS campuses are pleased with their relationship and think they are important in the success of high needs students. The families of whom CIS serve, feel they are needed. This information is provided in the yearly report to the Board of Trustees in August/September.

G. Administrative Recommendation:

The administration recommends the approval of this contract (MOU).

Advantages/benefits of this contract approval: CIS meets the social, emotional, basic, academic, and counseling needs of our highest risk families on 11 campuses in the district.

Expected results in terms of student benefit/achievement: Based on the report provided to the Board each year, the at-risk students served by CIS are successful in school and have basic needs met through an agency that provides services and life skills. The students they serve are academically and emotionally successful.

Consequences of not approving the Communities in Schools MOU would mean that the counselors or additional district staff would provide the additional services for their students that are not currently provided. It would take time, staff, and money to mirror their services.

H. Fiscal Impact and Cost: \$522,500

☒ **Budget – General Operating Fund** ☐ **Bond** ☐ **Grant/Special Funds** ☐ **Other**

\$522,500 for 11 campuses in two equal payments of \$261,250. The final payment due on February 1, 2024.

Prior Year Spending – \$600,000 for the school year 2022-2023.

Future/Ongoing- Each year this contract is reviewed, and a report is presented to the Board of Trustees by August/September.

I. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action – The District Director of Counseling collaborates with CIS.

Evaluation method and timeline – A report will be presented to the Board in the fall.

Next report to the board – Fall 2023

J. Suggested Motion

I move that the Hays CISD Board of Trustees approve the Memorandum of Understanding (MOU) for the 2023-2024 school year between Hays CISD and Communities in Schools (CIS), as presented.

AGREEMENT BETWEEN
HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT &
COMMUNITIES IN SCHOOLS of CENTRAL TEXAS

This AGREEMENT for services is entered into this 27th day of July, 2023, by and between Hays Consolidated ISD and Communities In Schools of Central Texas, a non-profit corporation.

Hays Consolidated ISD desires to engage Communities In Schools of Central Texas (CIS) to render certain social services within the ISD and CIS desires to perform certain social services within the ISD.

I. Scope of Services

CIS will provide to the ISD during the term of the contract the following:

1. Campus Staff. CIS will provide each designated campus with a full-time social service professional (i.e., Program Manager). CIS may provide, as available, additional staff, such as, AmeriCorps members, caseworkers, university interns, and volunteer tutors and mentors. CIS will assign a Program Manager chosen with the input of the appropriate school principal (or designee) to the following (11) ISD campuses: Camino Real Elementary, Hemphill Elementary School, Tom Green Elementary School, Uhland Elementary School, Chapa Middle School, Wallace Middle School, McCormick Middle School, Simon Middle School, Lehman High School, Hays High School, and Live Oak Academy.
2. Supervision of Campus Staff. CIS administrative staff will be responsible for the supervision of CIS staff, interns and volunteers serving each campus. Issues regarding the performance of CIS staff, interns and volunteers will be handled by the CIS administration with input from campus principal.
3. Campus Service Delivery Plans. The CIS Program Manager and ISD campus staff will jointly develop a program plan that describes the needs of students, services and school to be provided by CIS on each campus. This program plan will be updated each year and can be included as part of the Campus Improvement Plan.
4. CIS Services. As outlined in the campus service plans, CIS will provide an array of social services to assist students who have high absenteeism, poor academic performance, or who demonstrate delinquent conduct and social service needs. CIS services may include:
 - assistance in identifying students who need support services to improve their attendance, achievement or behavior;
 - involvement in campus student assistance programs, work groups, etc. as assigned by the appropriate school administrator;
 - assistance in developing and monitoring student support service plans;
 - individual, group and family counseling;
 - crisis intervention, mediation, de-escalation services
 - case management, monitoring, and related support and follow-up services;
 - parental involvement activities, such as: parent training sessions, home visits, student/parent activities, parent conferences;
 - referrals to other agencies and assistance in connecting the school with services provided by other community resources;
 - enrichment activities, such as, field trips, after school clubs, attendance incentives;
 - pre-employment skills training, such as, career days and school-to-career activities;
 - student advocacy;
 - support of school-wide activities
 - summer programming
 - special programs on select campus, (e.g. ¹⁷XY Zone, Pebble Project, AmeriCorps);

- other program or services as deemed appropriate and jointly agreed upon by CIS and ISD.
5. Reporting to ISD. CIS will provide campus and district wide reports within sixty (60) days of the end of the summer semester. These reports will indicate the number of students receiving services described in each campus program plan, demographic information of students served, and information about the behavior, attendance, and academic achievement of the students served.
 6. CIS will abide by all applicable federal, state and local laws and regulations.
 7. CIS may request to move or leave a specific ISD campus due to a significant loss of funding from ISD or non-ISD sources, a significant change in demographics or decline in the percentage of students considered at-risk on a specific ISD campus, or other persistent factors that negatively impact CIS' ability to effectively deliver services.

The ISD will provide to CIS at each service location during the term of the contract the following:

1. Adequate confidential space to house the CIS staff and program. 784 minimum Elementary School square feet and 1024 minimum secondary school square feet.
2. CIS staff will be considered to be performing an institutional service or function of the ISD for which it would otherwise use ISD employees at all times CIS is performing its duties under this Agreement. CIS will be permitted access to personally identifiable information subject to FERPA (20 U.S.C. § 1232g). CIS agrees to be under the direct control of the ISD and to be bound by the requirements of 34 C.F.R. 99.33 in reviewing and disclosing any personally identifiable student information.
3. Use of campus copier
4. Phone line and internet access
5. Input regarding CIS personnel who are stationed on the campus(s)
6. Assistance to CIS in collecting data on student attendance, behavior and achievement as necessary to complete reports required in this Agreement. Attached Exhibit A Data Collection Elements
7. Inclusion of CIS in the District Improvement Plan and Campus Improvement Plan(s)

II. Time of Performance

This AGREEMENT shall be for a term of twelve months, commencing on September 1, 2023 and continuing through August 31, 2024.

III. Compensation and Method of Payment

For consideration for the services to be performed by CIS under this AGREEMENT, the ISD shall pay to CIS \$ 522,500. Payment of \$261,250 shall be due and payable upon the execution of this Agreement. Balance of \$261,250 shall be due and payable on February 1, 2024.

IV. Additional Terms

1. Termination for Cause. Either party may terminate this Agreement if the other party is in breach of this Agreement. If a party ("First Party") believes the other party ("Second Party") is in breach of this Agreement, the First Party shall notify the Second Party in writing of the breach and the Second Party shall have thirty (30) days to cure the breach. If the breach is not cured within the thirty (30) day period, the First Party may terminate this Agreement after providing five (5) days written notice. Provided, however, that nothing herein shall preclude either party from immediately terminating this Agreement to avoid an immediate threat to public health or safety, or for grounds otherwise permitted in this Agreement.

2. Termination for Convenience. ISD may terminate this Agreement without cause by giving thirty (30) days notice of termination to CIS. CIS shall continue to provide services during such thirty-day period unless a shorter period is agreed to by both parties. CIS shall be paid for all services performed until the earlier of the date of termination or the date upon which CIS ceases performance of the contract by mutual agreement. Compensation for services shall be at a daily rate of 1/365th of the total compensation listed in Article III. In the event CIS has been paid for services not performed, CIS shall return such unearned payments at a daily rate of 1/365th of the total compensation listed in Article III within 30 days following the date of termination.

3. ISD Not Liable. ISD shall not be liable to CIS or its employees, agents, invitees, licensees or visitors, or to any other person for injury to person or damage to property on or about ISD premises caused by any act or omission of CIS, its agents, servants or employees, or of any other person entering upon ISD premises under express or implied invitation by CIS.

4. CIS Not Liable. CIS shall not be liable to ISD or its employees, agents, invitees, licenses or visitors, or to any other person for injury to person or damage to property on or about ISD premises caused by any act or omission of ISD, its agents, servants or employees, or of any other person entering upon ISD premises under express or implied invitation by ISD.

5. Access. CIS may be issued keys to buildings as required for CIS to carry out the terms of this Agreement. If CIS is not issued keys, then ISD personnel must be present to open and close buildings for CIS.

6. CIS's Indemnity. To the extent permitted by law, CIS agrees to indemnify, defend and hold ISD harmless from and against any claims by CIS, its clients, employees, or agents, or causes of action for death or injury to persons, or loss or damage to property arising out of or caused by CIS's maintenance, use, or operation of ISD premises. Such duty to indemnify shall apply without regard to whether the claim shall arise from the negligence of CIS, ISD, or any combination thereof.

7. Representations and Warranties. CIS represents that is a non-profit corporation organized, validly existing, and in good standing under the laws of the State of Texas, and has the power and authority to enter into this Agreement and to fulfill the duties of this Agreement. CIS has obtained all necessary approvals to execute this Agreement and to fulfill the duties specified. This Agreement, as of the Effective Date, will constitute a valid and binding Agreement of CIS, enforceable against CIS in accordance with the terms of this Agreement.

8. Assignment. Neither party shall assign its rights under this Agreement, without the prior written consent of the other party.

9. Notices. Any payment, notice or document required or permitted to be delivered under this Agreement shall be in writing and shall be deemed to be delivered (whether or not actually received) when deposited in the United States mail, with postage prepaid, by certified or registered mail, return receipt requested, addressed to the parties at the respective addresses set out below, or to any other address within the United States as any party may hereafter specify by written notice delivered to the other parties hereto:

To: Hays Consolidated Independent School District
Division of Business & Operations Financial Svcs
21003 Interstate 35
Kyle, TX 78640

Attn: Randall Rau, Chief Financial Officer

To: Communities In Schools of Central Texas
3000 S. IH-35. Ste 200
Austin, TX 78704

Attn: Sharon Vigil, Chief Executive Officer

10. Invalid Provisions. If any provision of the Agreement is held to be illegal, invalid, or unenforceable under present or future laws, that provision shall be fully severable, and this Agreement shall be construed as if the illegal, invalid, or unenforceable provision had never comprised a part of this Agreement, and the remaining provisions of this Agreement shall remain in full force and effect.

11. Entire Agreement. This Agreement, together with any Program and Space Use Plans, embodies the entire agreement and understanding between the parties relating to the After-school Program Services and may not be amended, waived or discharged except by an instrument in writing executed by both ISD and CIS. All prior statements, representations, and negotiations regarding the subject matter of this Agreement are deemed to have been integrated herein.

12. Governing Law and Venue. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Texas. This Agreement shall not be construed more or less favorably with respect to either party.

13. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, representatives, successors, and permitted assigns.

14. No Third Party Beneficiaries. There are no third party beneficiaries to this Agreement, and only ISD and CIS have the right and standing to bring suit to enforce this Agreement.

15. Waiver. The provisions of this Agreement may be waived only by the written agreement of the parties. Delay or omission by either party to exercise any remedy or right accruing on default or breach of the other party does not alter or impair any remedy or right under this Agreement.

16. Relationship of Parties. ISD and CIS agree that this agreement shall create an independent contractor relationship only, and that nothing herein may be construed as creating any general or limited partnership, corporation, joint venture, or other jointly owned or operated business entity of any description.

17. Employees of Parties. Each party shall be solely responsible for hiring, training, supervising, and compensating their respective employees. No employee of either party shall, by reason on this contract, be considered an employee of the other party, as jointly employed, or otherwise eligible for any benefits of employment by the other party.

.1 The parties recognize that employees of CIS may, from time to time, be required to comply with directives from ISD's campus Principal or other administrative personnel. ISD and CIS expressly agree that neither will assert that an employee of the other was at any time acting as a borrowed servant, except pursuant to a separate, written agreement granting to a party a general right of control over an employee of the other party.

.2 Nothing herein may be construed as an attempt by either party to waive or in any restrict the application of any common law or statutory immunity available to CIS's employees as professional school employees or school district volunteers.

18. Information Regarding Children with Disabilities. CIS agrees that it will, to the maximum extent permitted by law, share information with ISD regarding children who are eligible or potentially eligible for ISD services pursuant to the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400, et seq.) and/or Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794). Such information will be used by ISD solely for purposes of assessing and providing educational services to the student, and all such information will be maintained in confidence in accordance with ISD policies.

19. Employee Conduct. CIS agrees that it will establish standards of employee and/or volunteer conduct in the workplace addressing conduct towards other CIS employees, volunteers, ISD employees, students and members of the public. Such policies shall not be less stringent than those established by the ISD board of trustees in its published policies. CIS may satisfy its obligations under this paragraph by adopting ISD's policies by reference, but shall not thereby be entitled to confer upon CIS's employees any rights as an employee of ISD.

Dr. Eric Wright, Superintendent of Schools

Sharon Vigil, Chief Executive Officer

Date of Acceptance

Date of Acceptance

EXHIBIT A: DATA COLLECTION ELEMENTS

Hays Consolidated ISD (ISD) agrees to provide student data access to the authorized staff of Communities In Schools for the purpose of ongoing monitoring of academic progress of the ISD students enrolled in Communities In Schools programs. The terms of this agreement are in effect as long as the contract for services between ISD and Communities In Schools is in effect or until terminated by one or both parties.

Communities In Schools will be able to generate standard reports of participants' aggregated student information (e.g., average attendance, discipline and academic achievement). ISD will provide Communities In Schools access to the following individual student level data during the term of this agreement at campuses served by Communities In Schools.

- Data Fields - Student First, Middle and Last Name, Student DOB, Student State ID, Guardian Name, Guardian address, Guardian Telephone Number, Campus Name
- Demographics – 11-digit TEA identification number, date of birth, age, gender, ethnicity, grade level, ISD enrollment dates, and types of services received, English Language Learner (ELL) flag, free/reduced lunch status, Special Education Plan, 504 Plan, retained flag, homeless flag, and unaccompanied youth flag.
- Attendance (current and previous school year) – days enrolled, date absent, absence reason and dates tardy.
- At-Risk Status and Identifier
- Grades (current and previous school year) – teacher's names, courses, grades, teacher comments, personal development scores, missing assignments, HS graduation date, HS endorsement track, credits attempted (HS only), credits earned (HS only), class rank (HS only) and cumulative GPA (HS only).
- Discipline (all the years enrolled in the ISD) – dates, reasons, actions and incident location.
- Standardized Test Scores – District, State and National standardized tests (For example – STAAR, American College Testing (ACT) etc.), Student Benchmark Assessment Scores, ISIP, ACT, SAT, TSI, PSAT, and AP Scores and Participation
- Interventions and Services.

Communities In Schools assures that individual student data made available under this agreement is strictly utilized for student tracking, program delivery and reporting to Texas Education Agency. Communities In Schools assures that in all reports and communications, electronic or otherwise, derived from information made available under this agreement, all data shall be de-identified or aggregated in such a way no individual will be identified directly or by deduction. Communities In Schools assures that individual student data will not be released to a third party without a parental consent

Communities In Schools agrees to follow guidelines contained in the Texas Family Code (Chapter 58) and the Family Educational Records Privacy Act, (FERPA) (20 USC § 1232g, et seq.) governing the sharing of student information. Any unauthorized disclosure of confidential student information is a violation of FERPA and shall not be permitted to occur.

Communities In Schools shall provide ISD with a sworn affidavit that saved data in any form, whether physically or electronically saved, have been destroyed at the end of the contract term.

Authorized Signatures:

Sharon Vigil, Chief Executive Officer
Communities In Schools

Date

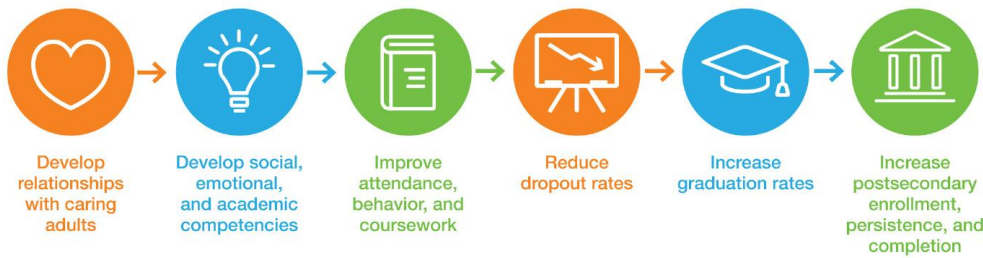
Dr. Eric Wright, Superintendent of Schools
Hays Consolidated Independent School District

Date

ABOUT COMMUNITIES IN SCHOOLS OF CENTRAL TEXAS

Established in 1985, Communities In Schools of Central Texas (CIS) is an affiliate of Communities In Schools, the nation's largest and most effective provider of integrated student supports. The mission of CIS is to surround students with a community of support, empowering them to stay in school and achieve in life. Through the powerful combination of supportive adult relationships and evidence-based approaches, CIS empowers students to overcome the immediate and systemic barriers that stand between them and their goals.

CIS is a qualified and experienced provider of academic support services to youth and families with a demonstrated track record of improving academic and other outcomes for students. The evidenced-based service model, student impact, and exemplary fiscal stewardship of grants and contracts has made CIS a valued and trusted community partner among school districts, foundations, universities, city and county agencies, corporations, and community-based organizations. As a result, CIS has grown and sustained services through a diversified funding base consisting of public funds and private support from family foundations, corporations, and individual donors.



The CIS model is research-based and proven effective at reducing dropout rates and increasing graduation rates



Hays CISD Preliminary Report

Note: This report is limited to data available as of May 18, 2023, and does not yet include all services provided or student outcomes. Full report will be available in



**13 Schools
served**



**11,171 students
received Tier 1
support**



**1,005 students
case managed**



**\$20,500 in direct
assistance to students
& families**

SERVICES

CIS case managed 1,005 students this school year. An additional 10,166 students were served through whole-school, short term, basic needs, and/or crisis services.

Over 18,500 hours of service across five service areas



WHO WE SERVE



67% qualify for free or reduced lunch



19% emergent bilingual (ELL/LEP)



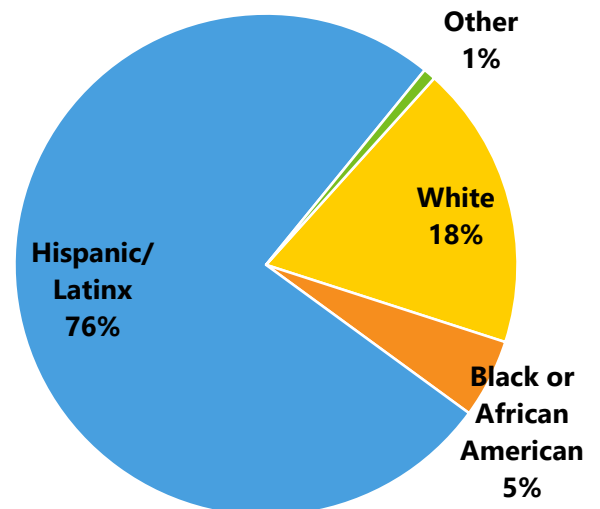
9% failed two or more courses in previous school year



28% were experiencing family conflict or crisis

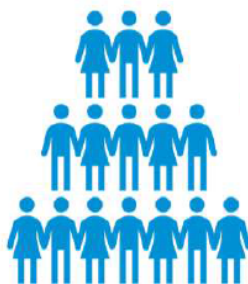


2% previously retained a grade level



Whole school Supports and Partnerships

CIS Provided over 3,000 school-wide and/or group services in 2022-23, serving 11,171 Hays CISD students.



85%
of Student Body
received whole school,
basic needs, or crisis
support

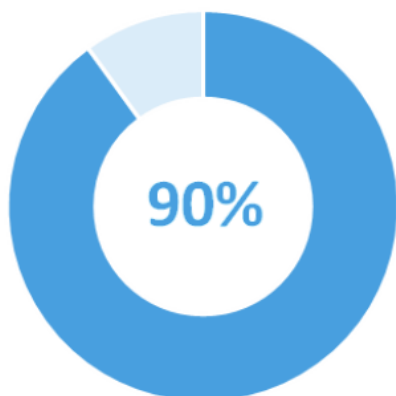
Student Outcomes

CIS utilizes three main outcomes metrics, the percentages of students who improve in academics, attendance, and behavior.

- Students targeted for an attendance need were considered chronically absent (ADA <90%) at the time of assessment, increases in the ADA rate constitutes an improvement in attendance.
- Students targeted for academic needs meet one of TEA's academic related at-risk criteria (failing two or more core classes, not meeting a readiness test standard, or failure on a standardized test). Increases in core course grades and increasing performance level in a standardized test constitutes an improvement in academics.
- Improvements in behavior are determined by increases in scores on CIS's pre/post behavioral assessment and number of disciplinary incidents

2021-22 Outcomes (Outcomes for 2022-23 school year will be available in August).

Students with an
academic need who
showed improvement



Attendance

Hays CIS students
improved or maintained to

90.5% ADA



99%
of CIS students
graduated or
were promoted
to the next grade

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.3

Board Goal: Student Achievement

Subject: Consideration and possible approval of appointments to the Hays CISD School Health Advisory Council (SHAC) for the 2023-2024 school year

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent/Chief Academic Officer
Megan Benthall, Director of Student Health Services

A. Purpose of Agenda Item:

☒ Action Needed

☐ Information Only

☐ Receive Input

B. Authority for This Action:

☐ Local Policy

☒ Law or Rule

☐ NA

C. Goal or Need Addressed:

Approval of appointments to the Hays CISD SHAC for the 2023-2024 school year.

D. Summary:

☐ Previous board action relating to this item –

☐ Future action anticipated –

☒ Background information –

Each school district in Texas is required in Chapter 28.004 of the Texas Education Code to establish and maintain a district-level School Health Advisory Council. Policy BDF [LEGAL] and the Hays CISD SHAC Bylaws require that the Board of Trustees appoint at least 5 voting members to the local membership. The Hays SHAC executive committee submits the following parent non-employees, community members, and district employees for appointment by the board based on consideration of applications received. The membership for the SY 23/24 Hays CISD SHAC consists of 14 non-employee parents, representing 16 schools; 10 district employees, representing 9 departments; and 3 community members, representing medical, faith, and development organizations.

F. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other: C&I and SHAC

G. Administrative Recommendation:

The administration recommends the Board approve the 2023-2024 Hays CISD School Health Advisory Council (SHAC) appointments for membership, as presented.

H. Fiscal Impact and Cost: Amount: None

I. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action – Megan Benthall, Marivel Sedillo

Evaluation method and timeline –

Next report to the board – September 2023

J. Suggested Motion

I move that the Hays CISD Board of Trustees approve appointments to the Hays CISD School Health Advisory Council (SHAC) for the 2023-2024 school year, as presented.

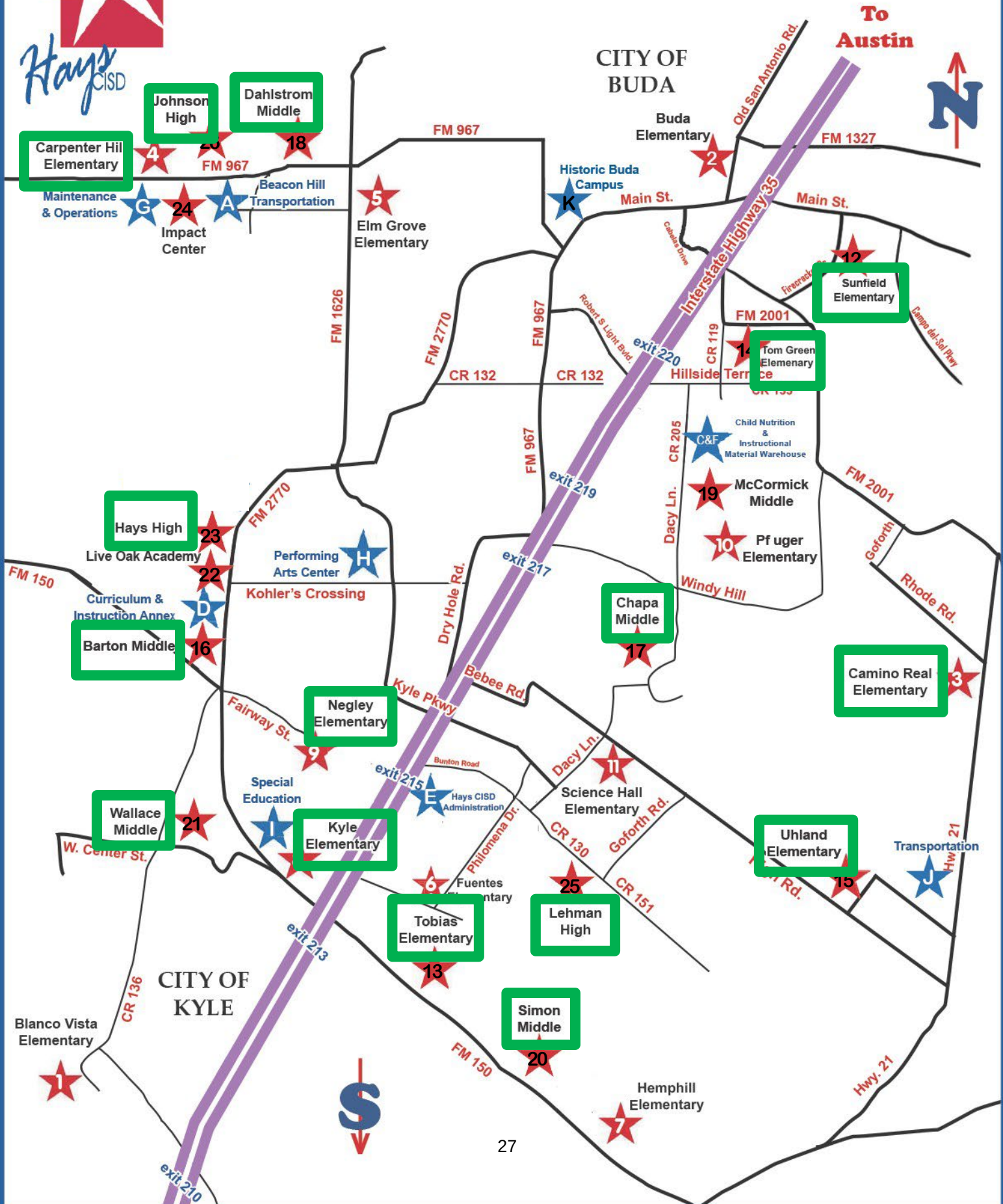


HAYS CISD SCHOOL HEALTH ADVISORY COUNCIL MEMBERSHIP ROSTER 2023-2024

SHAC Co-Chairs				
Last	First	Parent/District Staff	Term	
Benthall	Megan	District Co-Chair	2022-2024	
Zavala	Alex	Parent Co-Chair	2023-2025	
Parents				
Last	First	Campus	Term	Term #
Cearbaugh	Kristen	Kyle Elementary School	2023-2025	New
Deshayes	Krista	Sunfield Elementary School	2022-2024	1
Edwards	LaToya	Tobias Elementary School/Simon Middle School	2023-2025	New
Gallardo	Erica	Barton Middle School	2023-2025	New
Goffena	Robin	Carpenter Hill Elementary School	2022-2024	1
Horton	Tia	Kyle Elementary School	2023-2025	New
Margiotta	Jaime	Dahlstrom Middle School/Johnson High School	2022-2024	1
Martinez	Kathy	Wallace Middle School	2022-2024	2
Mijares	Adriana	Uhland Elementary School/Simon Middle School/Lehman High School	2023-2025	New
Robinson	Tiffany	Tom Green Elementary School	2023-2025	New
Sosa	Brenda	Camino Real Elementary School/Dahlstrom Middle School	2023-2025	New
Tobias	Teresa	Chapa Middle School/Lehman High School	2023-2025	New
Valdez	Ali	Barton Middle School	2023-2025	New
Zavala	Alex	Negley Elementary School/Hays High School	2023-2025	2
Community Members				
Last	First	Community Organization	Term	Term #
Alcantar	Priscilla	Texas Health Steps	2022-2024	New
Hartman	Nicole	Pediatrician	2022-2024	2
Woods	Diana	Buda United Methodist Church – Community Outreach	2023-2025	New
District Staff				
Last	First	District Role	Term	Term #
Benthall	Megan	HCISD Director of Student Health Services	2022-2024	1
Brodine	Liz	HCISD Child Nutrition	2022-2024	New
Gonzalez	Maritza	HCISD Director of Guidance and Counseling	2023-2025	2
Lorentzen	Whitney	HCISD Lead Elementary PE/Health Teacher, Camino Real Elementary	2023-2025	4
Pierce	David	HCISD Deputy Academic Officer	2022-2024	1
White-Jackson	Gloria	HCISD PEP Coordinator	2022-2024	1
Corona	Melissa	HCISD Director of Special Education (non-voting)	2023-2025	New
Johnson	LindaRae	HCISD Mental Health Professional (non-voting)	2023-2025	New
Moffett	Lance	HCISD Director of Athletics (non-voting)	2023-2025	New
Skrocki	Jeri	HCISD Chief Safety/Security (non-voting)	2023-2025	2



Campuses Represented on Hays CISD SHAC (outlined in green)



Bylaws

Hays CISD School Health Advisory Council

Article I—Name

The official name of this organization shall be the Hays CISD School Health Advisory Council. The organization shall also be known as the Hays CISD SHAC.

Article II—Mission Statement

The Hays CISD SHAC will endeavor to create school environment that nurtures physical, mental, emotional, and social health so that all students are able to learn at their highest potential.

Article III—Responsibilities

According to Chapter 28.004 of the Texas Education Code, District policy, and the direction of the Board of Trustees and District administration, the SHAC shall have the following responsibilities:

1. To hold regular meetings
2. To meet the requirements of Chapter 38.013 of the Texas Education Code and District policy EHAA (LEGAL), including:
 - a. Provide advice and counsel prior to decisions pertaining to the areas of health education curriculum appropriate for specific grade levels, that may include a coordinated school health program designed to prevent obesity, cardiovascular disease, and Type II diabetes through coordination of health education, physical education, nutritional services, parental involvement, staff wellness, environmental health, mental/emotional wellness, and health services.
 - b. Approve the District coordinated school health program, subject to adoption by the Board of Trustees.
 - c. To advise and consult with the District in the development of a comprehensive health education curriculum.
 - d. To recommend the District grade levels and curriculum for human sexuality instruction.
3. To meet the requirements of FFA (LEGAL) including:
 - a. Development of nutrition guidelines and wellness goals in collaboration with District administration for FFA (LOCAL).
 - b. Development of the Wellness Plan.
4. To research and review available data related to health instruction, healthy school environment, health services, physical education, school counseling, food service, school site health promotion for faculty and staff and make appropriate recommendations to the school board based on data and discussion.
5. To provide a written annual report in September of each school year and present the report in a meeting of the Board of Trustees if requested.

Article IV—Membership

Membership shall include no fewer than 10 nor more than 30 members, with the following mandates:

1. A majority of the members shall be parents of students enrolled in the District and must not be employed by the District
2. One or more may be public school teachers, public school administrators, students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, or representatives of another group.
3. Membership may include non-voting advisory members.

Eligibility. Non-employee members must be residents of Hays County or work in Hays County. Non-voting advisory members may live in surrounding areas. According to District policy membership categories are as follows:

1. Parent of student enrolled in the District (not employed by the District)
2. Teacher
3. Administrator
4. Student
5. Health care professional
6. Business community
7. Law enforcement
8. Senior citizens
9. Clergy
10. Nonprofit health organizations
11. Other

Appointments. The Executive Committee (Article VII) shall annually develop a SHAC membership roster, based on consideration of applications received, referrals from campuses and SHAC members, and other appropriate sources including recommendations from the Board of Trustees.

The SHAC Standard Membership Selection Considerations shall be applied (see below). The annual membership roster shall be provided each June to the Board of Trustees for approval and appointment.

SHAC Membership Selection Considerations:

Considerations for Selecting New Members:

- Extent to which candidate would help achieve membership diversity
- Extent to which candidate has previous district, campus, or community service
- Extent to which candidate is known to have a positive attitude and work well with others
- Extent to which candidate is known to possess certain subject matter expertise
- Extent to which candidate is known to advocate for the interests of all children

Considerations for Selecting Existing Members for Additional Terms:

- Extent to which incumbent would help maintain membership diversity
- Extent to which incumbent has maintained reasonably regular attendance
- Extent to which incumbent has maintained a positive attitude, has worked well with others, and has contributed to the committee
- Extent to which incumbent would provide leadership and experience to the committee
- Extent to which continued service by incumbent would prohibit other interested and capable candidates from serving

Terms. The term of service for an appointment shall be two years, normally beginning the first SHAC meeting of the year in ~~September.~~August. Members may serve 2 consecutive terms.~~multiple terms~~. In filling vacancies, members may serve partial terms. In developing the SHAC membership roster for the Board of Trustees, the Executive Committee will take into consideration the terms of members to ensure overlapping of terms. Members may serve an additional year after 2 consecutive terms if another member cannot be found from the campus and/or district area.

Vacancies. The Board of Trustees delegates to the SHAC Executive Committee the responsibility to fill any vacancies that may occur after the Board has annually appointed the SHAC membership.

Resignation. If a member chooses to resign before his/her term ends, a letter or email to one of the Co-chairs of the SHAC will serve as appropriate documentation.

Attendance. SHAC ~~strives to meet 8-10 times a year on a monthly basis~~ will meet a minimum of 4 times per year unless otherwise determined by the SHAC. Members are encouraged to attend all meetings ~~and are required to attend at least 6 meetings a year~~. If a member misses three consecutive meetings and does not communicate with SHAC via email for three months, he/she will be asked to submit a resignation letter by the SHAC executive committee.

Code of Conduct. The District welcomes freedom of expression and debate. However, SHAC members shall conduct themselves, in meetings and at all other times, with courtesy and respect to fellow members, District parents and students, District staff and Trustees, and members of other District advisory committees. In meetings, members must be recognized by the Chair before speaking, and otherwise respect the order maintained by the Chair. Unless otherwise authorized by the SHAC, members shall not speak for the SHAC; and, unless otherwise authorized by the administration, members shall not speak for the District. Members, by their comments and/or actions, shall not reflect poorly on the SHAC. Violation of this code of conduct may result in reprimand or dismissal by the Executive Committee.

Undue Advantage. SHAC members shall not use their position to gain or attempt to gain an undue advantage for themselves or anyone else. Violation of this requirement may result in dismissal by the Executive Committee. (As examples, it would be considered an undue advantage if a person included his or her membership in the SHAC in the reasoning for allowing a student transfer or for allowing a student entry into a particular program; however it would not be considered an undue advantage for a person to include SHAC membership on his or her resume.)

Article V— Parent Co-Chair

The parent co-chair of the SHAC shall be a parent of student(s) enrolled in the District, who is not employed by the District. SHAC members elect a parent co-chair, who serves a term of two years. The Parent Co-Chair shall assist the District Co-Chair in their duties to facilitate meetings, keep records, maintain membership, and other matters which may arise.

Article VI—District Co-Chair

The District Co-chair of SHAC will be the Director of Student Health Services. The District Co-chair shall maintain:

1. Agendas
2. Minutes
3. Working drafts and master copies of SHAC recommendations
4. Membership and subcommittee lists
5. SHAC website postings
6. Communication via email with SHAC members about upcoming meetings
7. Other matters

Article VII--Executive Committee

The Executive Committee shall consist of the Co-Chairs and a parent appointed by the members of the full SHAC. The responsibilities of the Executive Committee shall be to: determine the schedules for all meetings of the full SHAC, set the agendas for all meetings of the full SHAC, establish or alter subcommittees, receive recommendations from subcommittees for forwarding to the full SHAC, serve as the Membership Committee of the SHAC.

Article VIII—Meetings

SHAC is required to meet at least four times a year; ~~the Hays CISD SHAC will meet monthly with the exception of September, December, and March unless otherwise determined by the SHAC.~~

Agendas will be established through consultation with the Executive Committee considering recommendations from committee members. The Co-Chairs shall ensure that minutes are kept for all regular SHAC meetings. Minutes for regular meetings shall be posted on the SHAC website.

An audio or video recording will be made of each SHAC meeting. Recordings of all SHAC meetings will be posted on the SHAC website.

Article IX—Decision Making

Members shall attempt to reach decision by consensus. However, if a consensus cannot be obtained, members shall reach a decision by majority vote. Quorum for voting in a meeting requires one quarter of voting membership to be present. Voting may occur electronically or in meetings.

Article X—Communications

Hays SHAC will maintain a page on the District website, and may utilize other media as an avenue of communication. Minutes of the SHAC meetings (as well as supporting documentation, including drafts and final versions of recommendations) will be posted on the SHAC link of the District website. An annual report, as required by state mandate, will be given to the Board of Trustees. SHAC reports to the School Board during regular meetings will take place as needed or requested by the School Board.

An orientation for new SHAC members will be conducted by the Co-Chairs every year prior to the August meeting and as new members join.

Article XI—Amendments

Amendments to the bylaws will be proposed by a subcommittee of the SHAC and approved by the full SHAC during a meeting or via email.

DRAFT

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.4

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Certified Teacher Appraisers and Future Certified Administrators for the 2023-2024 School Year

Administrator Responsible/Position: Christina Courson, Chief Human Resources Officer

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☒ Local Policy (DNA Legal/Local) ☐ Law or Rule ☐ N/A

C. Goal or Need Addressed:

Request for approval of the list of Certified Appraisers for teachers.

D. Summary:

☐ Previous board action relating to this item
☐ Future action anticipated -
☒ Background information – In accordance with the 19 TAC §150.1005, the teacher appraisal process requires at least one certified appraiser. An appraiser must be the teacher's supervisor or a person approved by the board.

E. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other

F. Administrative Recommendation:

Expected results in terms of student benefit/achievement - Our teachers will be evaluated and coached by trained appraiser to improve instruction.

G. Fiscal Impact and Cost: None

☐ Budget ☐ Bond ☐ Grant/Special Funds ☐ Other

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Christina Courson, CHRO
Evaluation method and time line – Human Resources will ensure that teachers are evaluated only by certified T-TESS appraisers using the appraisal calendar.

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve teacher appraisers and any future certified administrators for the 2023-2024 school year, as presented.

2023-24 Hays CISD Certified Appraiser List

Location	Position	Name
Blanco Vista ES	Principal	Fox, Sean
	Assistant Principal	Salinas-Rodriguez, Lizette
Buda ES	Principal	Zembik, Megan
	Assistant Principal	Nerio, Lucia
Camino Real ES	Principal	Soliz, Yvette
	Assistant Principal	TBA
	Assistant Principal	DeLaPaz, Alberta
Carpenter Hill ES	Principal	Bordeau, Ginger
	Assistant Principal	Brown, Lynsey
Elm Grove ES	Principal	Faulks, Kathy
	Assistant Principal	Manco, Patty
Fuentes ES	Principal	Howard, Shea
	Assistant Principal	Crawford, Kristy
Hemphill ES	Principal	Dr. Salas-Truhill, Monica
	Assistant Principal	Herring, Rebecca
Kyle ES	Principal	Maxwell, Shawn

	Assistant Principal	Seibel, Kristin
Negley ES	Principal	Crowther, Melody
	Assistant Principal	Lumbreras, Lindsay
	Assistant Principal	Lape, Dominic
Pfluger ES	Principal	Lara, Elizabeth
	Assistant Principal	Snead, Michael
Science Hall ES	Principal	Ramos, Iric
	Assistant Principal	Valdez, Alejandra
Sunfield ES	Principal	MacRoberts, David
	Assistant Principal	Adamson, Hilary
Tobias ES	Principal	DiPalma, Alisa
	Assistant Principal	English, Melissa
Tom Green ES	Principal	Hanna, Jennifer
	Assistant Principal	Ibarra, Elsa
Uhland ES	Principal	Muro, Amanda
	Assistant Principal	Gonzalez, Javier
	Assistant Principal	Klima, Randy
Barton MS	Principal	Loyd, Aaron
	Assistant Principal	Lucita, Karen

	Assistant Principal	Mize, Cody
	Assistant Principal	Trevino, Ginger
Chapa MS	Principal	Walls, Lisa
	Assistant Principal	Miranda, Christina
	Assistant Principal	Limerick, Amber
	Assistant Principal	Vela, Julio
Dahlstrom MS	Principal	Ginn, Dedrah
	Assistant Principal	Koehler, Stacie
	Assistant Principal	Gatzert, Bridgette
	Assistant Principal	TBA
McCormick MS	Principal	Cruz, James
	Assistant Principal	Richason, Amanda
	Assistant Principal	Garcia, Helen
	Assistant Principal	Gerner, Casey
Simon MS	Principal	Vega, Salvador
	Assistant Principal	Reyes, Adrian
	Assistant Principal	Castillo, Michele

	Assistant Principal	TBA
Wallace MS	Principal	Carlisle, JoAnne
	Assistant Principal	Hernandez, Victor
	Assistant Principal	Tison, Ali
	Assistant Principal	Gonzalez, Petra
Impact Center	Principal	Zapata, Cynthia
	Assistant Principal	Whitis, Tiffany
Live Oak Academy	Principal	Agnew, Doug
	Assistant Principal	DeChick, Jim
Hays HS	Principal	Salazar, Tina
	Academic Dean	Hensarling, Rob
	Assistant Principal	Kallfelz, Tonya
	Assistant Principal	Mitchell, Joe
	Assistant Principal	Vasquez, Claudia
	Assistant Principal	Stigall, Earrick
	Assistant Principal	Jacobson, Tim
Johnson HS	Principal	Miksch, Brett
	Academic Dean	Lazare, Jennifer

	Assistant Principal	Solis, Javier
	Assistant Principal	Avila, Kathy
	Assistant Principal	Creek, Nicole
	Assistant Principal	Medulla, Cory
	Assistant Principal	Sandoval, Danielle
Lehman HS	Principal	Zuniga, Karen
	Academic Dean	Fuentes, Patty
	Assistant Principal	Seitz, Chad
	Assistant Principal	Longoria, Adriana
	Assistant Principal	Bearden, Carisa
	Assistant Principal	Foster, Steve
	Assistant Principal	Gonzalez, Homero
Central Administration	Chief Academic Officer/Deputy Superintendent	Marivel Sedillo
	Deputy Academic Officer	Mary Noble

	Deputy Academic Officer	Jesus Gomez
	Deputy Academic Officer	Michael Watson
	Deputy Academic Officer	David Pierce
	Deputy Human Resources Officer	Tim Robinson
<i>Hays CISD will ensure that all campus administrators maintain their T-TESS Appraiser Certification. Updated 8/8/23</i>		



2023-2024 EMPLOYEE APPRAISAL CALENDAR & TIMELINE

Date	Appraisal Activity
August 9, 2023	Annual T-TESS orientation for <i>New to District ONLY</i>
September 5, 2023 to September 29, 2023	No Formal Observations Allowed
September 22, 2023	T-TESS Goal Setting and Professional Development due to appraiser <i>(for existing and new teachers)</i>
October 2, 2023 to April 26, 2024	Formal Teacher Observation Period
October 2, 2023	*T-TESS Non-Evaluative Year Agreements must be submitted by a teacher in Records.
October 6, 2023	*T-TESS Non-Evaluative Year Agreements must be approved or denied by principal in Records
October 6, 2023	Student Learning Objective (SLO) Complete
October 10, 2023	No observations allowed
October 27, 2023	No observations allowed
October 30-November 1, 2023	No observations allowed
November 17, 2023	No observations allowed
November 27, 2023	No observations allowed
Prior to Thanksgiving Break, November 17, 2023	Formal Observations for <i>New/Novice Teachers</i> Complete
December 11, 2023 – December 15, 2023	No observations allowed
Prior to Winter Break, December 15, 2023	Formal Observations for Teachers <i>New to Hays CISD</i> Complete
January 4, 2024 – January 5, 2024	No observations allowed
January 12, 2024	No observations allowed
January 16, 2024	No observations allowed
January 26, 2024	T-TESS Formal Observations for teachers who may be considered for nonrenewal/termination at the end of the school year should be complete
February 16, 2024	No observations allowed

February 20, 2024	No observations allowed
February 23, 2024	Administrator Contract Recommendations due to HR
March 6, 2024	TNLC Contract Recommendations due to HR Retire-Rehire Contracts, TNLC Contracts issued after January 1, 2024, and Contracts for Teachers with Pending Certifications
March 8, 2024	No observations allowed
March 18, 2024	No observations allowed
March 25, 2024	Administrator Contracts and Nonrenewals or Terminations Presented to the Board
March 28, 2024	No observations allowed
April 1, 2024	No observations allowed
April 5, 2024	TNLC Contracts Presented to the Superintendent, Retire-Rehire Contracts, TNLC Contracts issued after January 1, 2024, and Contracts for Teachers with Pending Certifications Presented to Superintendent
April 22, 2024	TNLC Contract Nonrenewals or Terminations Presented to Board
April 29, 2024	Nurse, Librarian, and Counselor Appraisals Due
April 29, 2024	Last Day to Conduct Formal Observations
May 3, 2024	Last Day for Summative Conferences (<i>Teachers ONLY</i>)
May 6, 2024	Letters of Reasonable Assurance (LORA) issued in Records
May 17, 2024	Paraprofessional/ Auxiliary Appraisals Due
May 24, 2024	Last Day of School
May 31, 2024	T-TESS Summative Conferences Complete in Perform
June 28, 2024	T-PESS/Non-Campus Administrator/ Professional Appraisals Due

***Teachers in the following assignments may not waive their 2023-2024 T-TESS Evaluation.**
Elementary: Grades PK-3 and 4-8 Grade (Reading & Math)
Secondary: EOC English I & II and Algebra I

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.5

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Property, School Liability, Automobile, and Workers' Compensation Insurance Coverages from the Texas Association of School Boards (TASB) Risk Management Fund

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

To protect the District's investments in real and personal property and to protect the board, District, and District employees from claims asserted against them.

D. Summary:

☐ Previous board action relating to this item: August 29, 2022

☐ Future action anticipated -

☒ Background information: See table below for cost impact:

Coverage	Expiring Premium 2022-2023	Proposed Premium 2023-2024	Cost Increase
Property and Equipment Breakdown	\$897,063	\$973,403	\$76,340
School Liability and Privacy & Information Security	\$88,756	\$107,884	\$19,128
Auto Liability, Comprehensive and Collison	\$131,571	\$147,509	\$15,938
Workers' Compensation	\$532,448	\$671,499	\$139,051
TOTAL	\$1,649,838	\$1,900,295	\$250,457

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

F. Administrative Recommendation:

The administration recommends the board approve the property, school liability, automobile and workers' compensation insurance coverages from the Texas Association of School Boards (TASB) Risk Management Fund in the amount of \$1,900,295, as presented.

G. Fiscal Impact and Cost: \$1,900,295

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

Prior Year Spending: \$1,649,838

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Randy Rau, Chief Financial Officer

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the property, school liability, automobile and workers' compensation insurance coverages from the Texas Association of School Boards (TASB) Risk Management Fund in the amount of \$1,900,295, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: I.6

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Investment Officers for Hays CISD

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☒ Local Policy (CDA Legal/Local) ☐ Law or Rule ☐ N/A

C. Goal or Need Addressed:

A district shall designate by rule, order, ordinance, or resolution, as appropriate, one or more officers or employees as investment officer(s) to be responsible for the investment of its funds consistent with the investment policy adopted by the board. *Gov't Code 2256.005(f)*

D. Summary:

- ☐ Previous board action relating to this item: Approved August 29, 2022
☐ Future action anticipated -
☒ Background information: The Superintendent or other person designated by Board resolution shall serve as the investment officer of the District and shall invest District funds as directed by the Board and in accordance with the District's written investment policy and generally accepted accounting procedures.
In accordance with the Public Funds Investment Act, Texas Government Code 2256.005(f), the Board of Trustees must approve the person(s) that shall serve as investment officer(s) for the District.
The following individuals are recommended for approval as investment officers for the District:

Randy Rau – Chief Financial Officer

Rafael De Avila – Senior Accountant

E. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other

F. Administrative Recommendation:

The administration recommends approval of investment officers, as presented.

G. Fiscal Impact and Cost: None

☐ Budget ☐ Bond ☐ Grant/Special Funds ☐ Other

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Randy Rau, Chief Financial Officer
Evaluation method and time line –

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the investment officers, as presented.

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: August 28, 2023

Agenda Item: I.7

Board Goal: Board/Staff/Community Relations

Subject: Budget Amendments

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☐ Local Policy ☒ Law or Rule ☐ N/A

C. Summary:

- ☒ Previous board action relating to this item - Monthly
- ☒ Background information – The 2022-2023 budget has been approved by the Board of Trustees. Amendments to the budget must also be approved by the Board.

D. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other

E. Administrative Recommendation:

The administration recommends approval of the retro-active budget amendment to Child Nutrition, as presented.

F. Fiscal Impact and Cost: Amount:

☒ Budget (See attached detail) ☐ Bond ☐ Grant/Special Funds ☐ Other

G. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision: Randy Rau

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the budget amendment, as presented.

BUDGET AMENDMENT 11(FYE 2023) – August 28, 2023

RECOMMENDATION:

The Administration recommends the listed budget amendments and transfers be approved.

BACKGROUND INFORMATION:

In accordance with the TEA budget and accounting procedures and guidelines, the District's official budget includes the General Fund, Food Service Fund, and the Debt Service Fund. The Board of Trustees should approve the adoption of the budgets associated with these funds, and subsequent amendments, at the *Fund Function* level. Other funds such as Special Revenue Funds for grants and capital projects are approved on a *Project Basis*; and consequently, *are* not required to be approved with the same level of detail.

The administration routinely allows transfers of existing budgeted funds within the same fund function in order to accommodate the necessary operations of the requesting department or campus. These transfers usually become necessary due to account coding requirements. Requests for transfers of existing funds between functions are reviewed by the administration to ensure that the related expenditures will not exceed the overall approved budget at the function level. These requests allowed at the administrative level are subject to final approval by the Board of Trustees.

In addition to the transfers of existing budget funds outlined above, the Board of Trustees must approve requests for new appropriations prior to expenditure. These requests include appropriations from fund balance, and reappropriation of designated fund balances.

ADMINISTRATIVE CONSIDERATIONS:

Transfers: The Administration has reviewed the following transfers and determined that there will be **no impact to the budget.**

Cross Function Transfer Summary

Description	Increase (Decrease)
11 - Instruction	\$ 0
12 - Instructional Resources and Media Services	\$ 0
13 - Instructional Staff Development	\$ 0
21 - Instructional Administration	\$ 0
23 - Campus Administration	\$ 0
31 - Guidance and Counseling Services	\$ 0
32 - Social Work Services	\$ 0
33 - Health Services	\$ 0
34 - Transportation	\$ 0
36 - Co curricular / Extracurricular	\$ 0
41 - General Administration	\$ 0
51 - Maintenance	\$ 0
52 - Security	\$ 0
53 - Data Services	\$ 0
61 - Community Services	\$ 0
71 - Debt Service	\$ 0
81 - Facilities Acquisition & Construction	\$ 0
91 - Chapter 41 Payments	\$ 0
93 - Payments to Fiscal Agents	\$ 0
95 - Payments to JJAEP	\$ 0
99 - Other Intergovernmental Charges	\$ 0
Total Net Transfers	\$ \$0

REQUESTS for Re-APPROPRIATIONS:

Child Nutrition Fund:

New appropriations requested:

In order to post audit adjustments, the Child Nutrition budget for fiscal year ending June 30 2023 needs to be retroactively adjusted as follows:

- Add allocation for TRS On-Behalf for estimated audit adjustment.
- Add allocation to account for USDA commodities received under the new Food Service Agreement Contract, as credits, to show as income / expense in the fiscal year the credit was received.

Child Nutrition Operating Fund Re-Appropriations Summary			
Description	Official Budget	Increase/ (Decrease)	Amended Budget
<u>Revenues:</u>			
240-00-5831-00-000-00-0	\$ 0	\$ 210,000	\$ 210,000
240-00-5923-00-000-00-0	\$ 0	\$ 735,000	\$ 735,000
Total	\$ 0	\$ 945,000	\$ 945,000
<u>Expenditures:</u>			
240-35-6144-00-895-99-2-0	\$ 0	\$ 210,000	\$ 210,000
240-35-6344-00-895-99-0-0	\$ 0	\$ 735,000	\$ 735,000
Total	\$ 0	\$ 945,000	\$ 945,000
Total Net Appropriations (Revenues minus Expenditures)		\$ 0	

ACTION REQUIRED

Board Approval

SUPPORT INFORMATION

Additional information provided upon request.
Contact: Randall Rau – Chief Financial Officer

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.1a

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the Superintendent's recommendations to contractually employ
Administrative Personnel

Administrator Responsible/Position: Dr. Eric Wright, Superintendent
Christina Courson, Chief Human Resources Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

DP and DC (Legal & Local)

C. Goal or Need Addressed:

Request approval of the following administrator position(s):

- Dahlstrom Middle School – Assistant Principal

D. Summary:

☐ Previous board action relating to this item

☐ Future action anticipated -

☒ Background information - In accordance with policy DC (Local), the Superintendent has sole authority to recommend the employment of contractual personnel who serve as administrators and the Board of Trustees retains final authority to approve such personnel.

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other -Campus-Level Interview

Committee and District-Level Committee

F. Administrative Recommendation:

Administration recommends the Board of Trustees approve the Superintendent's recommendations regarding the employment of administrative professional personnel.

☒ Consequences of not approving recommendation – Supervising and supporting campus-level and district-level operations will be adversely affected without administrative leadership.

G. Fiscal Impact and Cost: Amount:

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

H. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action — Christina Courson, CHRO

Evaluation method and timeline – The contractual personnel who serve as administrators undergo an annual performance appraisal.

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Superintendent's recommendation to contractually employ an Assistant Principal at Dahlstrom Middle School, as discussed.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.2

Board Goal: Safety and Security

Subject: Consideration and possible selection of an option in response to 88th Texas Legislative House Bill 3 requirements

Administrator Responsible/Position: Jeri Skrocki, Chief Safety and Security Officer

A. Purpose of Agenda Item:

☒ Action Needed

☐ Information Only

☐ Receive Input

B. Authority for This Action

☐ Local Policy

☒ Law or Rule

☐ N/A

C. Goal or Need Addressed:

The goal of this agenda item is to seek approval of the adoption of a resolution regarding the 88th Texas Legislature House Bill 3 requirements regarding Safety and Security.

D. Summary:

☐ Previous board action relating to this item -

☐ Future action anticipated -

☒ **Background information** – Pursuant to the 88th legislature, specifically HB3 - Relating to measures for ensuring public school safety, including the development and implementation of purchases relating to and funding for public school safety and security requirements and the provision of safety-related resources, during closed session the Board will discuss and develop an action plan for the specific mandate cited in Texas Education Code 37.0814 - Armed security officer required; at least one per campus during school hours.

E. Suggested Motion

I move that the Hays CISD Board of Trustees select an option in response to the 88th Texas Legislative House Bill 3 requirements, as discussed.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.3

Board Goal: Student Achievement

Subject: Consideration and possible approval of the Denial of Participation of Non-Enrolled Students in Hays CISD Extracurricular or UIL Activities

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent/Chief Academic Officer
Lance Moffett, Director of Athletics
Patty Moreno, Director of Fine Arts

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy (FM and FO Legal and Local)

☐ Law or Rule

☐ N/A

C. Summary:

☐ Previous board action relating to this item –

☐ Future action anticipated –

☒ **Background information** – Non-enrolled home school students residing in the district are allowed to participate in extracurricular or UIL activities according to policy. A public school that participates in an activity sponsored by UIL may provide a non-enrolled student, who otherwise meets UIL eligibility standards to represent that school in a UIL activity, with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides the opportunity to participate to students enrolled in the school.

"Non-enrolled student" means a student who receives instruction as a homeschooled student as described by Education Code 29.916(a)(1) from a nonpublic school [see EK].

Relevance

A non-enrolled student who seeks to participate or participates in a UIL activity on behalf of a school is subject to the following relevant policies that apply to students enrolled in the school:

- Registration for UIL activities
- Age eligibility
- Fees
- Insurance
- Transportation
- Physical condition
- Qualifications
- Responsibilities
- Event schedules
- Standards of behavior
- Performance

Residency

A non-enrolled student may only participate in a UIL activity for the school in the district that the student would be eligible to attend based on the student's residential address. A non-enrolled student who seeks to participate in a UIL activity on behalf of a school shall be required to establish minimum proof of residency acceptable to the district in the same manner as an applicant to attend a school in the district under Education Code 25.001 [see FD].

Academic

The parent or person standing in parental relation to a non-enrolled student is responsible for oversight of academic standards relating to the student's participation in a UIL activity. As a condition of eligibility to participate in a UIL activity during the first six weeks of a school year, a non-enrolled student must demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills. A non-enrolled student demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. A district shall accept assessment results administered or reported by a third party.

A non-enrolled student's demonstration of academic proficiency is sufficient for the school year in which the student achieves the required score and the subsequent school year.

After the first six weeks of a school year, the parent or person standing in parental relation to a non-enrolled student participating in a UIL activity on behalf of a public school must periodically, in accordance with the school's grading calendar, provide written verification to the school indicating that the student is receiving a passing grade in each course or subject being taught.

D. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☒ Teacher Org. Reps. ☒ Other: Surveyed other districts, Athletic Coaches, and Fine Arts Teachers

E. Administrative Recommendation:

The administration recommends denial of non-enrolled students Hays CISD extracurricular and UIL activities.

☒ **Advantages/benefits of this proposal** – Non-enrolled students participate in extracurricular or UIL activities through the district.

F. Fiscal Impact and Cost: Total Amount: \$0

☐ Budget – General Operating Fund ☐ 2017 Bond ☐ Grant/Special Funds ☐ Other
Prior Year Spending – NA
Future/Ongoing – NA

G. Monitoring and Reporting Timeline:

Person responsible for evaluating this decision or action— Marivel Sedillo

Evaluation method and timeline – Monitor extracurricular and UIL participation throughout the year.

Next report to the board -

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the recommendation to deny the participation of non-enrolled students in Hays CISD Extracurricular or UIL Activities, as presented and discussed.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.4

Board Goal: Student Achievement

Subject: Consideration of possible adoption of the 2023-2024 Student Code of Conduct

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Jesus Gomez Deputy Academic Officer Area 3
Dr. Brian Dawson Director of Student Services

A. Purpose of Agenda Item:

☒ Action needed ☐ Information only ☐ Receive input

B. Authority for This Action:

☒ Local Policy FO (Legal (Local) ☐ Law or Rule ☐ N/A

C. Goal or Need Addressed:

Student Goal—Hays CISD believes in the achievement of every student. The District will evaluate and address the individual needs of each student. Student performance will be evaluated in academics, college, career, and military readiness. Our staff believes in the education of the whole child and believes that success is based on more than the results of a single test, including social and emotional learning, strong interpersonal skills, and the development of positive members of society.

D. Summary:

☐ Previous board action relating to this item: Adopted annually
☐ Future action anticipated – Adopted annually
☒ Background information – Texas Education Code 37.001 and FO (Legal) require that the board of trustees of an independent school district adopt a student code of conduct.

Annually, the school district law firm reviews the current changes in law and advises our district on recommended updates and revisions. In addition, the Texas Association of School Boards (TASB) makes recommendations via the 2023-2024 Model Student Handbook.

Edits and changes made to the existing Student Code of Conduct are attached in addition to the draft of the entire 2023-2024 document presented for adoption.

Everything else is the Student Code of Conduct remains unchanged.

E. Comments Received:

☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other:

F. Administrative Recommendation:

The administration recommends the Board adopt the 2023-2024 Student Code of Conduct, as presented.

G. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action—Jesus Gomez, Dr. Brian Dawson

H. Suggested Motion:

I move that the Hays CISD Board of Trustees adopt the 2023-2024 Student Code of Conduct, as presented.

**Changes to the
Student Code of Conduct
2023-2024**

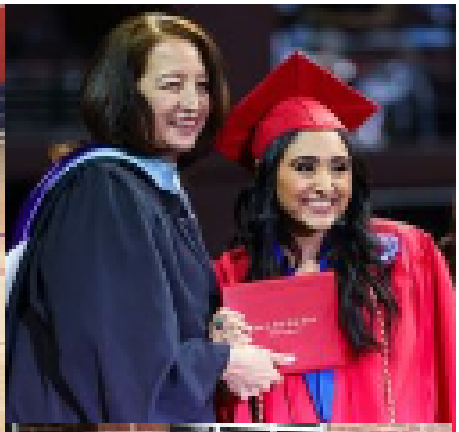
Any print in blue represents new text added. Any changes in our handbook were recommended by TASB – except for our updated student dress code. *The updates to the student dress code were updated through a collaborative effort with our campus principals.* Most changes are directly linked to our legislative updates. Legislative bills from the 88th Legislative Session that affect the Student Code of Conduct:

- **House Bill (HB) 114** amends Chapter 37 to make clear that conference, hearing, and review provisions in 37.009(a) apply to all removals for mandatory placement in a Disciplinary Alternative Education Program (DAEP) and mandatory expulsions. This bill requires a student to be placed in the DAEP if the student possesses, uses, or is under the influence of, or sells, gives, or delivers marijuana, THC, *or an e-cigarette* to another person within 300 feet of school property or at a school-related event. *The requirement for mandatory expulsion for felony marijuana, THC, and alcohol-related conduct has been removed.* In addition, the bill allows a program of educational and support services to be provided to a student and parents for an offense involving e-cigarettes.

If a DAEP is at capacity, a student who commits an offense related to marijuana, THC, e-cigarettes, alcohol, or abusable volatile chemicals shall be placed in in-school suspension (ISS) until a place in a DAEP becomes available or the period of the student's placement ends. If a DAEP is at capacity when a student who engaged in violent conduct needs to be placed, a district may move a student placed in DAEP for conduct related to marijuana, THC, an e-cigarette, alcohol, or an abusable volatile chemical to ISS to make room for the student who engaged in violent conduct. If a district removes a student from a DAEP to ISS, the student must be returned to a DAEP if a place becomes available before the end of the period of placement.

- **House Bill (HB) 3928** amends Chapter 37 to require the district to *provide information to a student's parent or person standing in parental relation to the student about the process for requesting a full individual and initial evaluation of the student for purposes of special education services both when a student is placed in the DAEP* under Section 37.006 and as part of the student's personalized transition plan developed by the campus administrator.
- **Senate Bill (SB) 37** amends Chapter 37 to *remove the requirement for a report of hazing or planned hazing to be submitted in writing.* The bill allows a report to be made to a peace officer or law enforcement agency, in addition to a dean of students or other institutional official. The bill also *provides immunity from liability for any person, including an entity organized to support an organization, who reports a specific hazing incident to certain people, including a peace officer or law enforcement agency, if the person makes the report before being contacted by the educational institution or law enforcement agency* and cooperates in good faith with the investigation conducted by the institution or law enforcement agency.
- **House Bill (HB) 1427** *expands the offense of harassment under Penal Code 42.07 to include 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.*

Note: This is not an inclusive list of all Legislative bills passed.



Hayes
CISD
2023-2024

**Student
Code of Conduct**

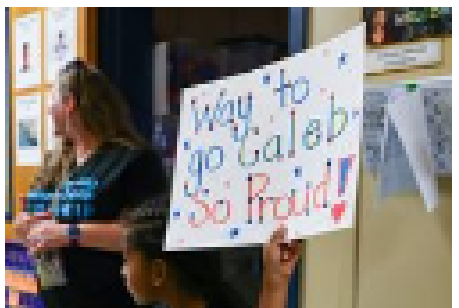
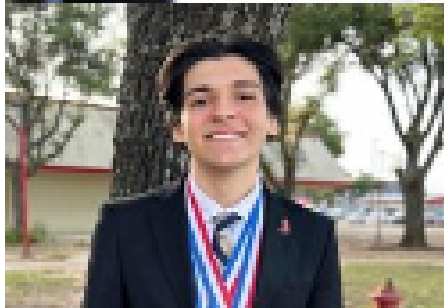


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Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact the Office of Student Services at 512-268-2141.

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 *Hays Consolidated Independent School District* board of trustees and developed with the advice of the district-level planning and decision-making committee. It provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. This Code of Conduct remains in effect during summer school and at all school-related events and activities outside the school year until the board adopts an updated version for the next school year.

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

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; including any remote instruction activity regardless of location and while the student is going to and from school or a school-sponsored or school related activity on district transportation.
2. While the student is traveling on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. At any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;
6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as defined by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;

9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by Education Code 37.006 or 37.0081; and
12. When the student is required to register as a sex offender.

Campus Behavior Coordinator

As required by law, a person at each campus must be designated to serve as the campus behavior coordinator (CBC). The designated person may be the principal or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. The district shall post on its website and in the Student Handbook, for each campus, the email address and telephone number of the person serving as CBC. Contact information may be found at and at <https://www.hayscisd.net/contacts>

Threat Assessment and Safe and Supportive School Team

The CBC or other appropriate administrator will work closely with the campus threat assessment and safe and supportive school team to implement the district's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

Searches

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

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

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

Reporting Crimes

The principal *or* CBC and other school administrators as appropriate shall report crimes as required by law and shall call local law enforcement when an administrator suspects that a crime has been committed on campus.

Security Personnel

The board utilizes Texas Peace Officers through the Hays County Sheriff's Office as School Resource Officers (SROs) and security personnel [to ensure the security and protection of students, staff, and property](#). In accordance with law, the board has coordinated with the CBC 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. The law enforcement duties of district peace officers are listed in policy CKE (LOCAL).

"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.

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

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

The valedictorian and salutatorian may also have speaking roles at graduation. No student shall be eligible to have such a speaking role if he or she engaged in any misconduct that resulted in an out-of-school suspension, removal to a DAEP, or expulsion during the semester immediately preceding graduation.

Unauthorized Persons

In accordance with Education Code 37.105, a school administrator, school resource officer (SRO), or district police officer shall have the authority to refuse entry to or eject a person from district property if the person refuses to leave peaceably on request and:

1. The person poses a substantial risk of harm to any person; or
2. The person behaves in a manner that is inappropriate for a school setting and persists in the behavior after being given a verbal warning that the behavior is inappropriate and may result in refusal of entry or ejection.

Appeals regarding refusal of entry or ejection from district property may be filed in accordance with policies FNG(LOCAL) or GF(LOCAL), as appropriate. However, the timelines for the district's grievance procedures shall be adjusted as necessary to permit the person to address the board in person within 90 calendar days, unless the complaint is resolved before a board hearing.

See **DAEP—Restrictions During Placement** on page 19 for information regarding a student assigned to DAEP at the time of graduation.

Standards for Student Conduct

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner.
- Exercise self-discipline.
- Attend all classes regularly and on time.
- Bring appropriate materials and assignments to class.
- Meet district and campus standards of grooming and dress.
- Obey all campus and classroom rules.
- Respect the rights and privileges of students, teachers, and other district staff and volunteers.
- Respect the property of others, including district property and facilities.
- Cooperate with and assist the school staff in maintaining safety, order, and discipline.
- Adhere to the requirements of the Student Code of Conduct.

Because of significant variations in student conduct, it is not always possible for the SCC to address each and every act of student misbehavior. To that end, the district retains discretion to address student misconduct that is inconsistent with these nine standards even though the conduct may not be specifically included in the SCC.

General Conduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on **Out-of-School Suspension** on page 13, **DAEP Placement** on page 15, **Placement and/or Expulsion for Certain Offenses** on page 21, and **Expulsion** on page 21, those offenses that require or permit specific consequences are listed.

Any offense, however, may be severe enough to result in **Removal from the Regular Educational Setting** as detailed on page 13.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel.
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct in district vehicles.
- Refuse to accept discipline or consequence assigned by a teacher or principal.

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 15.)
- Horseplay, roughhousing, and other playful behavior that, though not intended to harm, presents a reasonable risk of harm and threatens the safety of others.
- Name-calling, ethnic or racial slurs, derogatory statements, or other language prohibited by law or policy that school employees reasonably believe could substantially disrupt the school environment or incite violence.
- Threaten a district student, employee, or volunteer, whether on or off school property or by electronic means, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making “hit lists”. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student’s consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Consensual hugging, touching, or other displays of affection that interfere with, detract from, or disrupt the school environment.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.
- Retaliating against a student for (1) reporting either a violation of the SCC or bullying, or (2) participating in an investigation of a violation of the SCC or bullying.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page 15.)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Attempting to start or starting a fire on or in any property owned, used, or controlled by a student, the district, or district employees, officials, or volunteers.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP—**

Placement and/or Expulsion for Certain Offenses on page 15.)

- 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;
- *A location-restricted knife;
- *A club;
- *A firearm;
- A firearm silencer or suppressor;
- A stun gun;
- Knuckles;
- 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 (*HB 114 requires mandatory placement in a DAEP for any offenses related to e-cigarettes*);
- 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 that a danger exists.

*For weapons and firearms, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page 15. In many circumstances, possession of these items is punishable by mandatory expulsion under federal or state law.

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Use a telecommunications device, including a cell phone, or other electronic device in violation of district and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or any prohibited substance/illegal drug. (Also see **DAEP Placement** on page 15 and **Expulsion** on page 21 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.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

- Possess published or electronic material that is designed to promote or encourage illegal behavior or that could threaten school safety.
- Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
- Make false accusations or perpetrate hoaxes regarding school safety.
- Engage in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
- Throw objects that can cause bodily injury or property damage.
- Discharge a fire extinguisher without valid cause.

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook. The district prohibits any clothing, grooming, or display of images that cause, or in the principal or designee's judgment may reasonably be predicted to cause, disruption of or interference with school activities. The district also prohibits the wearing or display of pictures, writings, images or symbols that 1) are lewd, vulgar, sexually-explicit, or obscene; 2) seek to demonstrate or recruit gang membership; 3) are discriminatory, harassing, or threatening towards others on the basis of their race, sex, disability, ethnicity, religion, or gender (including, but not limited to, display of the confederate flag); or 4) advertise or promote tobacco products, alcoholic beverages, drugs, or any other substance prohibited by policy.
- Display of the confederate flag while on district property and while at district or school sponsored events.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Inappropriate exposure of a student's private body parts which are ordinarily covered by clothing,

including through such acts as mooning, streaking, or flashing.

- Refusing to cooperate with an investigation or questioning of a district employee, including but not limited to any attempt to evade, avoid, or delay said investigation or questioning.
- Failing to wear and/or provide proper identification upon request of a district employee.
- Failing to immediately report to a school employee knowledge of a device, object, substance, or event that the student suspects could cause harm to self or others.
- Violating District policies or rules for computer use, Internet access, technology, or other electronic communications or imaging devices.
- Failing to comply with guidelines applicable to student speakers who are speaking at school-sponsored or school-related events. (See FNA (Local)).
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code of Conduct.

These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code of Conduct.

Additional Rules

Students may be subject to campus, classroom, transportation, extracurricular, and/or organization rules in addition to those found in the SCC. Students may face consequences under these additional rules as well as possible disciplinary action under the SCC. Further, to the extent a student engages in misconduct that is not specifically addressed in the SCC, the student may still be disciplined if the misconduct disrupts or interferes with the educational process, learning environment, or school safety.

Discipline Management Techniques

Discipline shall be designed to improve conduct and encourage students to be responsible members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques, including restorative practices. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the 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 shall take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Code of Conduct or by campus or classroom rules:

- Verbal correction, oral or written.
- Cooling-off time or a brief “time-out” period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office, another assigned area, or to in-school suspension.
- 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 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 **Out-of-School Suspension** on page 16.
- Placement in a DAEP, as specified in **DAEP** on page 15.
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page 21.
- Expulsion, as specified in **Expulsion** on page 21.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

Aversive techniques are prohibited for use with students and are defined as techniques or interventions intended to reduce the reoccurrence of a behavior by intentionally inflicting significant physical or emotional discomfort or pain. Aversive techniques include:

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- St, 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 using physical barriers.
- Depriving the student of one or more of the student’s senses, unless the technique does

not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The CBC shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The CBC 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 CBC shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

Before the principal or appropriate administrator assigns a student under age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or CBC, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed in accordance with policy FNG(LOCAL). A copy of the policy may be obtained from the principal's office, the CBC's office, or the central administration office or through Policy On Line at the following address: <https://www.hayscisd.net/Page/327>

The district shall not delay a disciplinary consequence while a student or parent pursues a grievance. In the instance of a student who is accused of conduct that meets the definition of sexual harassment as defined by Title IX, the district will comply with applicable federal law, including the Title IX formal complaint process. See policies FFH(LEGAL) and (LOCAL).

Removal from the School Bus

A bus driver may refer a student to the principal's office or the CBC's office to maintain effective discipline on the bus. The principal or CBC must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges.

Since the district's primary responsibility in transporting students in district vehicles is to do so as safely as possible, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the CBC may restrict or revoke a student's transportation privileges, in accordance with law.

In addition to compliance with the SCC, students are expected to comply with the following transportation rules:

- Enter and exit transportation in an orderly manner at the designated stop
- Remain seated in designated seats facing forward
- Keep aisles clear of books, bags, instruments, feet, or other obstructions
- Comply with lawful directives issued by the driver
- Follow the driver's rules for food or beverages
- Do not extend any body part, clothing, or other article outside of the transportation
- Keep hands, feet, other body parts, or objects to yourself
- Refrain from making loud or distracting noises
- Do not obstruct the driver's view

- Do not throw objects inside the transportation or out of the windows or doors
- Do not mark, deface, destruct, or tamper with seats, window, emergency doors, or other equipment

Removal from the Regular Educational Setting

In addition to other discipline management techniques, misconduct may result in removal from the regular educational setting in the form of a routine referral or a formal removal.

Routine Referral

A routine referral occurs when a teacher sends a student to the CBC's office as a discipline management technique. The CBC 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 initiate a formal removal from class if:

1. A student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach the class or with another 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 CBC or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

At the conference, the CBC or appropriate administrator shall inform the student of the alleged misconduct and the proposed consequences. The student shall have an opportunity to respond to the allegations.

When a student is removed from the regular classroom by a teacher and a conference is pending, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- Out-of-school suspension.
- DAEP.

A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the 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, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder may not be returned to the teacher's class without the teacher's consent.

A student who has been formally removed by a teacher for any other conduct may be returned to the teacher's class without the teacher's consent if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

Students may be suspended for behavior listed in the Code of Conduct as a general conduct violation, DAEP offense, or expellable offense.

The district shall not use out-of-school suspension for students in grade 2 or below unless the

conduct meets the requirements established in law.

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

- Conduct that contains the elements of a weapons offense, as provided in Penal Code sections 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault, as provided by the Penal Code; or
- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

Process

State law allows a student to be suspended for no more than three school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being suspended a student shall have an informal conference with the CBC or appropriate administrator, who shall inform the student of the alleged misconduct and give the student an opportunity to respond to the allegation before the administrator makes a decision.

The CBC 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 CBC 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 *ISS* 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.

In School Suspension (ISS)

Reasons for ISS

Students may be placed in ISS for any misconduct listed in any category of the SCC.

Procedure for ISS

The student will be informed of the reason for placement in ISS and be given an opportunity to respond before the administrator's decision is final.⁷⁰ While in ISS the student will complete assignments from his or her teacher.

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 who is not an elementary school student.

For purposes of DAEP, elementary classification shall be kindergarten–grade 5 and secondary classification shall be grades 6–12.

Summer programs provided by the district shall serve students assigned to a DAEP in conjunction with other students.

A student who is expelled for an offense that otherwise would have resulted in a DAEP placement does not have to be placed in a DAEP in addition to the expulsion.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the CBC 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 the following conduct violations:

- Possessing, giving, buying, or selling less than a usable amount of stems, seeds, or other pieces of marijuana
- Possessing, using, selling, buying, or giving paraphernalia (see **glossary**) related to any prohibited substance, including but not limited to marijuana, a controlled substance (see **glossary**), a dangerous drug (see **glossary**), or an alcoholic beverage (see **glossary**)
- Abusing the student's own prescription drug or using it in a way other than prescribed; giving, buying, or selling a prescription drug; possessing, using, or being under the influence of another person's prescription drug
- Offering to sell or buy any amount of marijuana, a controlled substance (see **glossary**), a dangerous drug (see **glossary**), an abusable volatile chemical (see **glossary**), a prescription drug, or an alcoholic beverage (see **glossary**)
- Preparing a hit list (see **glossary**)
- Committing any offense included in the list of General Conduct Violations in this SCC
- Engaging in persistent (see **glossary**) misbehavior that violates this SCC

Misconduct Identified in State Law

In accordance with state law, a student **may** be placed in a DAEP for any 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, or gang including participating as a member or pledge, or soliciting another person to become a pledge or member of a public-school fraternity, sorority, secret society, or gang. (See **glossary**.)
- Involvement in criminal street gang activity. (See **glossary**.)
- Any criminal mischief, including a felony.
- Assault (no bodily injury) with threat of imminent bodily injury.

- Assault by offensive or provocative physical contact.

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 engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see **glossary**) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The CBC **may** place a student in a DAEP for off-campus conduct for which DAEP placement is required by state law if the administrator does not have knowledge of the conduct before the first anniversary of the date the conduct occurred.

Mandatory Placement: Misconduct That Requires DAEP Placement

A student **must** be placed in a DAEP if the student:

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (*See **glossary**.*)
- Commits the following offenses on school property, 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 a dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in Expulsion on page 56.) (See glossary for "under the influence", "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - 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.
 - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page 28.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 1. The student receives deferred prosecution (see **glossary**),
 2. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
 3. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments 72

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's designee transfer the offending student to another campus.

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

Process

Removals to a DAEP shall be made by the CBC.

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

DAEP at Capacity

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

available before the expiration of the period of the placement.

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

Coursework Notice

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

Length of Placement

The CBC shall determine the duration of a student's placement in a DAEP.

The duration of a student's placement shall be determined case by case based on the seriousness of the offense, the student's age and grade level, the frequency of misconduct, the student's attitude, and statutory requirements.

The maximum period of DAEP placement shall be one calendar year, except as provided below.

Unless otherwise specified in the placement order, days absent from a DAEP shall not count toward fulfilling the total number of days required in a student's DAEP placement order.

The district shall administer the required pre- and post-assessments for students assigned to DAEP for a period of 90 days or longer in accordance with established district administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year

Placement in a DAEP may exceed one year when a review by the district determines that the student is a threat to the safety of other students or to district employees.

The statutory limitations on the length of a DAEP placement do not apply to a placement resulting from the board's decision to place a student who engaged in the sexual assault of another student so that the students are not assigned to the same campus.

Exceeds School Year

Students who are in a DAEP 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 CBC 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.

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

Questions from parents regarding disciplinary measures should be addressed to the campus administration.

Student or parent appeals regarding a student's placement in a DAEP should be addressed in accordance with policy FNG(LOCAL). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the central administration office, or through Policy on Line at the following address: <https://www.hayscisd.net/Page/327>.

Appeals shall begin at level one with the CBC or other administrator.

The district shall not delay disciplinary consequences pending the outcome of an appeal. The decision to place a student in a DAEP cannot be appealed beyond the board.

The district will provide transportation to and from DAEP. This transportation privilege may be revoked if the student does not follow the transportation rules, refuses to cooperate with the driver or other district personnel involved in providing transportation or violates any provision of the SCC during transport. 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 activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

Restrictions During Placement in DAEP

Students placed in DAEP for any mandatory or discretionary reasons are not allowed to attend or participate in school-sponsored or school-related extracurricular or co-curricular activities during the period of DAEP placement. This restriction applies until the student fulfills the DAEP assignment at this or another school district.

Other DAEP Related Information

The district will provide transportation to and from DAEP. This transportation privilege may be revoked if the student does not follow the transportation rules, refuses to cooperate with the driver or other district personnel involved in providing transportation or violates any provision of the SCC during transport.

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the campus behavior coordinator or the board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

Additional Misconduct

If during the term of placement in a DAEP the student engages in additional misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the campus behavior coordinator may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

When a student is placed in a DAEP for certain offenses, the office of the prosecuting attorney shall notify the district if:

1. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient

evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated; or

2. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

If a student was placed in a DAEP for such conduct, on receiving the notice from the prosecutor, the superintendent or designee shall review the student's placement and schedule a review with the student's parent not later than the third day after the superintendent or designee receives notice from the prosecutor. The student may not be returned to the regular classroom pending the review.

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers.

The student or the student's parent may appeal the superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board shall make a record of the proceedings.

If the board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the district's Code of Conduct in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the district before a placement order is completed, the CBC 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 shall enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the CBC or the board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The district shall continue the DAEP placement of a student who enrolls in the district and was assigned to a DAEP in an open-enrollment charter school or another district including a district in another state.

When a student enrolls in the district with a DAEP placement from a district in another state, the district has the right to place the student in DAEP to the same extent as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

State law requires the district to reduce a placement imposed by a district in another state that exceeds one year so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the district determines that the student is a threat to the safety of other students or employees or the extended placement is in the best interest of the student.

Emergency Placement Procedure

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. ~~Not~~ 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 either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the student may be placed in DAEP or JJAEP 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 interests of the district's students.

Review Committee

At the end of the first semester of a student's placement in an alternative educational setting and before the beginning of each school year for which the student remains in an alternative placement, the district shall convene a committee, in accordance with state law, to review the student's placement. The committee shall recommend whether the student should return to the regular classroom or remain in the placement. Absent a special finding, the board or its designee must follow the committee's recommendation.

The placement review of a student with a disability who receives special education services must be made by the ARD committee.

Newly Enrolled Students

If a student enrolls in the district during a mandatory placement as a registered sex offender, the district may count any time already spent by the student in a placement or may require an additional semester in an alternative placement without conducting a review of the placement.

Appeal

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee under this section is final and may not be appealed.

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or CBC 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 have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

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

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under this section is entitled to a review of his or her status, including academic status, by the campus behavior coordinator or board's designee at intervals not to exceed 120 days. In the case of a high school student, the student's progress toward graduation and the student's graduation plan shall also be reviewed. At the review, the student or the student's parent shall have the opportunity to present arguments for the student's return to the regular classroom or campus.

Newly Enrolled Students

A student who enrolls in the district before completing a placement under this section from another school district must complete the term of the placement.

Expulsion

In deciding whether to order expulsion, regardless of whether the action is mandatory or discretionary, the CBC shall take into consideration:

1. Self-defense (see **glossary**),
2. Intent or lack of intent at the time the student engaged in the conduct,
3. The student's disciplinary history,
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
5. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
6. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

Some of the following types of misconduct may result in mandatory placement in a DAEP, whether or not a student is expelled. (See **DAEP Placement** on page 15.)

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 of 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 any conduct containing the elements of 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 another person, or possessing, using, or being under the influence 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.

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 a 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; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

A student **must** be expelled under federal or state law for any of the following offenses that occur on school property or while attending a school-sponsored or school-related activity on or off school property:

Under Federal Law

- Bringing to school or possessing at school, including any setting that is under the district's control or supervision for the purpose of a school activity, a firearm, as defined by federal law. (See **glossary**.)

Note: Mandatory expulsion under the federal Gun Free Schools Act does not apply to a firearm that is lawfully stored inside a locked vehicle or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety.

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in the manner prohibited by Penal Code 46.02:
 - A handgun, defined by state law as any firearm designed, made, or adapted to be used with one hand. (See **glossary**.) *Note:* A student may not be expelled solely on the basis of the student's use, exhibition, or possession of a firearm that occurs at an approved target range facility that is not located on a school campus; while participating in or preparing for a school-sponsored, shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department; or a shooting sports sanctioning organization working with the department. [See policy FNCG(LEGAL).]
 - A location-restricted knife, as defined by state law. (See **glossary**.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined in state law. (See **glossary**.)
- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.

- Aggravated robbery.
- Manslaughter.
- Criminally negligent homicide.
- Continuous sexual abuse of a young child or disabled individual.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of 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 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 CBC or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parents shall be invited in writing to attend the hearing.

Until a hearing can be held, the CBC or other administrator may place the student in:

- Another appropriate classroom.
- ISS.
- Out-of-school suspension.
- DAEP.

Hearing

A student facing expulsion shall be given a hearing with appropriate due process. The student is entitled to:

1. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
2. An opportunity to testify and to present evidence and witnesses in the student's defense, and
3. An opportunity to question the witnesses called by the district at the hearing.

After providing notice to the student and parent of the hearing, the district may hold the hearing regardless of whether the student or the student's parent attends.

The board of trustee's delegates to the principal or district designee authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the board review the expulsion decisions. The student or parent must submit a written request to the superintendent within seven days after receipt of the written decision. The superintendent must provide the student or parent written notice of the date, time, and place of the meeting at which the board will review the decision.

The board shall review the record of the expulsion hearing in a closed meeting unless the parent requests in writing that the matter be held in an open meeting. The board may also hear a statement from the student or parent and from the board's designee.

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing. (see Policy FOD (LOCAL) for further detail at <https://pol.tasb.org/Policy/Code/621?filter=FOD>). 81

Expulsion Order

Before ordering the expulsion, the principal or district 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 principal or district 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 principal or district 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 campus behavior coordinator or the board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.

Additional Misconduct

If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the CBC or the board's designee may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored

or school-related activities during the period of expulsion.

No district academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.

Newly Enrolled Students

The district shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed.

If a student expelled in another state enrolls in the district, the district may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

1. The out-of-state district provides the district with a copy of the expulsion order, and
2. The offense resulting in the expulsion is also an expellable offense in the district in which the student is enrolling.

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district 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

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 it 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.
2. 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
3. Intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damaging or destroying a building belonging to another, or
 - b. 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 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 damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

Bullying includes cyberbullying. (See below.) This state law on bullying prevention applies to:

1. Bullying that occurs on or is delivered to school property or to the site of a school- sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately-owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Chemical dispensing device is defined by Penal Code 46.01 as a device designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. A small chemical dispenser sold commercially for personal protection is not in this category.

Club is defined by Penal Code 46.01 as an instrument, specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, and includes but is not limited to a blackjack, nightstick, mace, and tomahawk.

Controlled substance means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 1-B, 2, 2-A, 3, or 4 of the Texas Controlled Substances Act. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include hemp, as defined by Agriculture Code 121.001, or the tetrahydrocannabinols (THC) in hemp.

Criminal street gang is defined by Penal Code 71.01 as three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

Cyberbullying is defined by Education Code 37.0832 as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an internet website, or any other internet-based communication tool.

Dangerous drug is defined by Health and Safety Code 483.001 as a device or a drug that is unsafe for self-medication and that is not included in Schedules I through V or Penalty Groups 1 through 4 of the Texas Controlled Substances Act. The term includes a device or drug that federal law prohibits dispensing without prescription or restricts to use by or on the order of a licensed veterinarian.

Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense, as defined by Section 71.0021 of the Family Code.

Deadly conduct under Penal Code 22.05 occurs when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, such as knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

Deferred adjudication is an alternative to seeking a conviction in court that may be offered to a juvenile for delinquent conduct or conduct indicating a need for supervision.

Deferred prosecution may be offered to a juvenile as an alternative to seeking a conviction in court for delinquent conduct or conduct indicating a need for supervision.

Delinquent conduct is conduct that violates either state or federal law and is punishable by imprisonment or confinement in jail. It includes conduct that violates certain juvenile court orders, including probation orders, but does not include violations of traffic laws.

Discretionary means that something is left to or regulated by a local decision maker.

E-cigarette means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this provision. The term includes any device that is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description and a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Explosive weapon is defined by Penal Code 46.01 as any explosive or incendiary bomb, grenade, rocket, or mine and its delivery mechanism that is designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror.

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

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

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

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

Such term does not include an antique firearm.

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

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

Harassment includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
2. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in 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, a

- false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
- d. Causing the telephone of another to ring repeatedly or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
 - e. Making a telephone call and intentionally failing to hang up or disengage the connection;
 - f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
 - g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
 - i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

Look-alike weapon means an item that resembles a weapon but is not intended to be used to

cause serious bodily injury.

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

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

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

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

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

Prohibited weapon under Penal Code 46.05(a) means:

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

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

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

Reasonable belief is that which an ordinary person of average intelligence and sound mind would believe. Chapter 37 requires certain disciplinary decisions when the superintendent or designee has a reasonable belief that a student engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee may use all available information, and must consider the information furnished in the notice of a student's arrest under Code of Criminal Procedure Article 15.27.

Self-defense is the use of force against another to the degree a person reasonably believes is immediately necessary to protect himself or herself.

Serious misbehavior means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;

- d. Hazing under 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 by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;
4. Cause impairment or interruption of public communications; public transportation; public water, gas, or power supply; or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the district).

Tire deflation device is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more 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 Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;

- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

Under the influence means lacking the normal use of mental or physical faculties. Impairment of a person's physical or mental faculties may be evidenced by a pattern of abnormal or erratic behavior, the presence of physical symptoms of drug or alcohol use, or by admission. A student "under the in-fluence" need not be legally intoxicated to trigger disciplinary action.

Use means voluntarily introducing into one's body, by any means, a prohibited substance.

Zip gun is defined by Penal Code 46.01 as a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.5

Board Goal: Student Achievement

Subject: Second reading and possible adoption of proposed revisions to TASB Policy FEA (LOCAL)

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent/Chief Academic Officer
Brian Dawson, Director of Student Services
Dana Braun, Director of Student Information Systems (SIS)

- A. Purpose of Agenda Item:
☒ Action needed ☐ Information only ☐ Receive input
- B. Authority for This Action:
☒ Local Policy (FEA) ☐ Law or Rule ☐ N/A
- C. Goal or Need Addressed:
The goal of this agenda item is to seek approval of the proposed revisions to Policy FEA (LOCAL) policy regarding student attendance.
- D. Summary:
☒ Previous board action relating to this item – First Reading held July 2023
☐ Future action anticipated –
☒ Background information – Due to our decreased average daily attendance (ADA) rates in the last few years, the district would like to decrease the number of consecutive days a student can be absent without notice from ten to five days. The district will continue to contact parents if the student has been absent 5 days prior to withdrawal.
- E. Comments Received:
☒ Cabinet ☐ DLT ☐ FBOC ☐ Teacher Org. Reps. ☐ Other:
- F. Administrative Recommendation:
The administration recommends approval of this policy change to improve our average daily attendance.
- G. Fiscal Impact and Cost: Total Amount: None
☐ Budget – General Operating Fund ☐ 2017 Bond ☐ Grant/Special Funds ☐ Other
Prior Year Spending – NA
Future/Ongoing – NA
- H. Monitoring and Reporting Timeline:
Person responsible for evaluating this decision or action— Marivel Sedillo, DS/CAO
Evaluation method and timeline – Daily monitoring of our average daily attendance (ADA) by campus
Next report to the board -
- I. Suggested Motion:
I move that the Hays CISD Board of Trustees adopt the proposed revisions to Policy FEA (Local), as presented..

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

Students in violation of the compulsory attendance law shall be reported to the District attendance officer, who may institute court action as provided by law.

Truancy

Students absent from school without permission of a parent or guardian, or absent from class without the principal's permission, shall be considered truant and shall be subject to disciplinary action.

Excused Absences

In addition to excused absences required by law, the District shall excuse absences for the following purposes. A student shall be required to submit verification of these absences in accordance with administrative regulations.

Higher Education
Visits

The District shall excuse a student for up to two days during the student's sophomore year, up to two days during the student's junior year, and up to two days during the student's senior year to visit an accredited institution of higher education.

Armed Services
Enlistment

The District shall excuse a student 17 years of age or older for up to four days during his or her enrollment in high school for activities related to pursuing enlistment in a branch of the U.S. Armed Services or Texas National Guard.

Early Voting or
Election Clerk

The District shall excuse a student for up to two days per school year to serve as an early voting or election clerk.

Learner or Driver's
License

The District shall excuse a student 15 years of age or older for one day during his or her enrollment in high school for each of the following:

- Visiting a driver's license office to obtain a learner license; or
- Visiting a driver's license office to obtain a driver's license.

[For extracurricular activity absences, see FM.]

**Withdrawal for
Nonattendance**

The District may initiate withdrawal of a student under the age of 19 for nonattendance under the following conditions:

1. The student has been absent ~~ten~~ ^{five} consecutive school days; and
2. ~~Repeated efforts~~ ^{Efforts} by the attendance officer and/or principal to locate the student have been unsuccessful.

[For District-initiated withdrawal of students 19 or older, see FEA(LEGAL).]

**Students Attending
Homeschools**

Students who are homeschooled are exempt from the compulsory attendance law to the same extent as students enrolled in other private schools.

ATTENDANCE
COMPULSORY ATTENDANCE

FEA
(LOCAL)

Adequate documentation of homeschooling for withdrawal shall consist of either a statement of withdrawal in accordance with FD(LOCAL) indicating the date homeschooling began, or a signed and dated letter from a parent or guardian indicating that his or her child is being homeschooled and the date the homeschooling began.

The District may request from a parent or guardian a letter of assurance that a child is being educated using a curriculum designed to meet basic education goals of reading, spelling, grammar, mathematics, and a study of good citizenship.

Enforcing
Compulsory
Attendance

If a parent or guardian refuses to submit a requested statement or letter, or if the District has evidence that a school-aged child is not being homeschooled within legal requirements, the District may investigate further and, if warranted, shall pursue legal action to enforce the compulsory attendance law.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.6

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the Disposal and Destruction of Obsolete Voting Machines

Administrator Responsible/Position: Tim Savoy, Chief Communication Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy: CI (Local)

☒ Law or Rule: SB 598 (87th Texas Legislature/2021)

C. Summary:

☐ Previous board action relating to this item – Purchase of equipment in 2012

☐ Future action anticipated –

☒ **Background information** – In 2012, in order for Hays CISD to continue to hold elections in May, Hays County required the that school district purchase enough election equipment to hold the school district elections. The law changed that year moving the Texas March primary dates in even-numbered years, which tied up the equipment the county owned through the May election season (run-offs for primaries, mandatory hold times prior to erasing machines, etc.) The district purchased the needed equipment (inventoried in the attachment).

Several years ago, pre-pandemic, Hays County opted to move to vote centers and purchase new equipment that would meet anticipated new legal requirements for Texas voting machines. With the purchase of the new equipment batch, the county bought enough so that the school district no longer needed to own its own equipment.

In 2021, the state did pass legislation requiring all voting systems to produce an auditable paper ballot. The 2012 Hays CISD equipment does not have the capability. Legally, when Hays County adopted its new equipment pre-pandemic, the Hays CISD equipment became obsolete for elections in Hays County. With the 2021 law, it is now obsolete in the entire state, and thus has no value.

Policy CI (Local) requires the Board to approve the disposal of equipment deemed “unnecessary” with a value greater than \$10,000. Though the equipment is conceivably currently valued at \$0.00, it did cost approximately \$100,000 to purchase a decade ago. Using the widest latitude in policy interpretation regarding value (original as opposed to current), to keep the Board informed about a unique equipment situation, and to ensure the proper disposal of the election equipment, this item is before the Board for consideration.

Because of security sensitivities regarding software and design, election equipment cannot be disposed of at auction or sold. If approved for disposal by the Board, the manufacturer would retrieve the equipment for destruction. Once destroyed, the district would be provided a certificate of destruction from the manufacturer – Hart InterCivic.

The obsolete election equipment is currently being securely stored on site at the district’s central office in a location that is scheduled to be demolished upon completion of the new Academic Support Center.

D. Suggested Motion:

I move that the Hays CISD Board of Trustees approval the disposal and destruction of the district’s obsolete election equipment, as presented.

HAYS CISD
VOTING EQUIPMENT

	A	B	C	D	E	F
1	ITEM	HAYS FIXED ASSET			PURCHASED	
2		TAG # S			5/9/2012	
3						
4	6-JBC Storage & Transport					
5	Padded Foam Boxes					
6		162966				
7		162967				
8		162968				
9		162969				
10		162970				
11		162971				
12						
13						
14	28-Hart Intercivic MBB					
15	Audio Card	162972	162987 void			
16		162973	162988			
17		162974	162989			
18		162975	162990			
19		162976	162991			
20		162977	162992			
21		162978	162993			
22		162979	162994			
23		162980	162995			
24		162981	162996			
25		162982	162997			
26		162983	162998			
27		162984	162999			
28		162985	163000			
29		162986				
30						
31	6-JBC Booth Controller					
32						
33	Serial Numbers					
34	C05B9D	163001				
35	C05B7B	163002				
36	C05AF5	163003				
37	C05B74	163004				
38	C05AE7	163005				
39	C05B48	163006				
40						
41	1-eSlate Storage Caddy					
42	Metal Rack-DAU's	Tag #				
43	black square & round metal	163015				
44						
45						

HAYS CISD
VOTING EQUIPMENT

	A	B	C	D	E	F
1	ITEM	HAYS FIXED ASSET			PURCHASED	
2		TAG # S			5/9/2012	
46						
47						
48	5-eSlate, DAU				5 Booths for	
49	with Headphones				DAU	
50	& Interactive MBB Audio Card					
51						
52	Serial Numbers	eSlates, DAU	Audio Card		LOT #	Tag #
53	A0FE1B	163009	163010		TS313XN30234	163042
54	A0FFDF	163011	163012		TS313XN30215	163043
55	A0FDD6	163013	163014		TS313XN30233	163044
56	A0FD2D	163016	163017		TS313XN30082	163045
57	A0FD9E	163018	163019		TS313XN30216	163046
58						
59						
60	6-E Slate for Voting Booth				6 Booths for	
61					E-Slates	
62	Serial Numbers	Tag #'s			Lot #	Tag # 's
63	SN # A11167	163030			STH 11510091	163036
64	SN # A11144	163031			STH 11510058	163037
65	SN # A11158	163032			STH 11510153	163038
66	SN # A11126	163033			STH 11510064	163039
67	SN # A1115E	163034			STH 11510080	163040
68	SN # A0FDB9	163035			STH 11510093	163041
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VOTING EQUIPMENT

12/6/12

	A	B	C	D	E	F	G
1	ITEM	HAYS FIXED ASSET		PURCHASED			
2		TAG # S		12/6/2012			
3							
4	1-JBC Storage & Transport	157847					
5	Padded Foam Boxes						
6							
7	4-Hart Intercivic MBB	157842					
8	Audio Card	157843					
9	L/N 1005-73526	157844					
10	D/C 3812	157845					
11	P/N AMP 99B53						
12							
13							
14	1-JBC Booth Controller	157846					
15	JBC 1000						
16	1001-900-DG						
17	SN C05BB6						
18							
19	1-eSlate, DAU	105841					
20	with Headphones						
21	SN # A1126E						
22	1001-767-DG						
23							
24	1-Voting Booth for DAU	157839					
25	(DAU 1001-673)						
26							
27	1-Esplate	157840					
28	SN # A 1122A						
29	1001-800-DG						
30							
31	1-Voting Booth for Esplate	157838					
32	(Esplate 1001-670)						

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.7

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Demographic Services - Population and Survey Analysts (PASA)

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☐ Law or Rule

☒ N/A

C. Goal or Need Addressed:

Develop accurate and reliable student projections

D. Summary:

☒ **Previous board action relating to this item:** On August 29, 2022 the Board approved PASA for a one-year contract with the option for four one-year extensions

☐ **Future action anticipated -**

☒ **Background information** – PASA's demographic services include geocoding all students, projecting student population, providing grade-level projections, providing a long-range plan, and site selection assistance.

In completing their work, they commit to spending an extensive amount of time in the District gathering information in person.

E. Scope of Options Reviewed:

Contract Information: RFP: 25-032205AS

Length of Contract: This is a one-year contract with options for three additional one-year renewals.

Reasons for rejecting alternatives:

F. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other: Campus Staff

G. Administrative Recommendation:

Consideration and approval of demographic services.

H. Fiscal Impact and Cost: Amount: Estimated at \$100,000

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

The base cost of the service is \$81,600. Additional services for meetings and other tasks are available per the proposal rates, not to exceed \$100,000.

Prior Year Spending – \$80,000

Future/Ongoing -

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver

Evaluation method and time line:

Next report to the board:

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve Population and Survey Analysts (PASA) to provide Demographic Services, for an amount not to exceed \$100,000, as presented.

**Statement of Work for Demographic Study
Hays CISD
2023-24**



PASA WORK PRODUCT

BACKGROUND DATA COLLECTION

- Create and maintain GIS map database, including, but not limited to, the following data layers: appraisal district's parcel ownership, floodplain, municipal zoning and future land use plans, annexation and annexation plans, city and regional thoroughfare plans, subdivision and apartment layers, oil and gas pipelines, aerial imagery, street files.
- Gather background data on economic trends, major employers and changes in workforce, unemployment rates, recent real estate market trends, recent new housing trends, etc.

CURRENT AND PAST STUDENT POPULATION

- Geo-code current students and historical dataset(s).
- Study recent gains and losses in student population by development.
- Determine the ratio of students per household for every major subdivision and apartment.
- Analyze the impact of private and charter schools on enrollment.

FUTURE STUDENT POPULATION

- Conduct extensive interviews to gather data regarding current and future land use. This allows PASA to determine the potential for future residential development on all large, undeveloped tracts of land.
- Prepare projections of new housing for each subdivision, apartment and large undeveloped parcel.
- Build a District-specific model to estimate the number of students by Planning Unit each year for 10 years.
- Develop Low Growth, Moderate Growth, and High Growth Scenarios for the number of students Districtwide per grade, per year, for 10 years forward.
- Estimate the number of students per grade per school for one year forward. This in-depth study accounts for transfers, special programs, and school-specific characteristics, and can be used for staffing decisions.

LONG-RANGE PLANNING

- Relate 10-year student population projections to school capacities.
- Develop a Long-Range Facilities Plan, including siting and timing of new facilities.

REPORTING

- Prepare comprehensive report summarizing the Demographic Study.
- Present at one Board or Administration meeting.

COST of DEMOGRAPHIC STUDY:

\$81,600

**Statement of Work for Demographic Study
Hays CISD
2023-24**



ATTENDANCE ZONE PLANNING – As Needed

- Develop three “starter options” for potential attendance zone configurations.
- Work with administrators and/or a committee to develop further options for potential attendance zones utilizing one of the following approaches.
- Billed above and beyond the Demographic Study as needed at the rates below, based on tasks requested by HCISD.

ADDITIONAL SERVICES – As Needed

Tasks requested by the School District beyond the scope of this Statement of Work will be billed at the following rates. These additional costs are typically associated with long-range planning, attendance zone planning, bond planning or additional presentations.

In-person meetings	\$2,500/mtg
Remote presentations (via Zoom, Teams, etc.)	\$1,000/mtg
Professional tasks	\$340/hr
GIS-related tasks	\$150/hr

TIMELINE

PASA plans to begin data-gathering work for the Demographic Study in September 2023, finalize the data in December 2023, and present the final report to the Administration or Board of Trustees in December 2023 or January 2024.

DELIVERABLES

- Ten hard copies and PDF of the Demographic Study report
- Ten hard copies and PDF of the large Development Overview map
- Slide deck presented to Administration/Board of Trustees
- Excel versions of any tables in the Demographic Study, as requested

NOTES

- The Projections Model is the proprietary property of PASA and will not be released to the District.
- The costs listed in this Statement of Work are valid so long as a contract is signed by Aug 31, 2023. After this date, timeline and costs are subject to change.
- If any of PASA’s GIS deliverables are reproduced, PASA will receive attribution credit. Any maps which use the GIS data must have PASA’s name and company logo printed on the maps.

**Statement of Work for Demographic Study
Hays CISD
2023-24**



DISTRICT REQUIREMENTS

PASA requests the following data for use in the Demographic Study:

District Facilities Capacity Information

- Capacity information for each facility
- Anything else that needs to be updated since the previous study, including changes to existing facilities, construction of new facilities, and/or land purchases

Residential Development and Land Use

- Any current information the District has available on plats, and names/contacts of any developers, builders, or real estate experts whom PASA should contact for the study.

District Enrollment

- Enrollment counts from October 2023 PEIMS submission (Disaggregation Report with grade disaggregation showing the number of currently enrolled students for each grade)

Student Address Files

Student address file containing all students enrolled on the PEIMS Snapshot Date in Oct 2023.

These data files must include as many fields as possible from those listed below. PASA will protect and preserve the confidentiality of all educational records and personally identifiable information in compliance with FERPA and District Policy and shall fully indemnify the District for any breach of such security. **It is imperative that the current student data file be updated with all deletions/additions of students for the current school year.**

Campus Number	Free/Reduced Lunch Code
Student ID Number	Bilingual Code
Street Address (PHYSICAL RESIDENCE)	Magnet program participation, if applicable
City	Code Indicating Transfer from Another School
Zip Code	District (if available)
Grade Level	Primary Home Language Code
Race	Immigration Status Code
Ethnicity	

Please be sure that the data has been fully updated for this school year. It is important that all addresses have been updated, as well as accurate flags for special programs, including Free/Reduced Lunch, Bilingual program, etc.

**Statement of Work for Demographic Study
Hays CISD
2023-24**



ACKNOWLEDGEMENTS

This confirms the agreement by which Hays CISD, ("School District"), is engaging Population and Survey Analysts ("PASA") to perform a Demographic Study. The attached documentation outlines specific tasks and associated costs included in the Demographic Study.

As compensation for services rendered, the School District will pay PASA \$81,600 plus any additional services requested by the District (for additional presentations, attendance zone planning, etc.), not to exceed \$100,000.

PASA will invoice the School District over 4 months, scheduled as follows:

- 20% at the end of month 1
- 20% at the end of month 2
- 20% at the end of month 3
- 40% at the end of month 4, or upon completion of the Deliverables

PASA expects to conduct the Demographic Study between September 1, 2023 and December 31, 2023, but this can be modified to meet the needs of the School District.

Stacey Tepera, President
Population and Survey Analysts
signed electronically

Dr. Eric Wright, Superintendent
Hays CISD

Dated: 7-31-2023

Dated: _____

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.8

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of District Real Estate Brokerage Services

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Summary:

☒ **Previous board action relating to this item** – The Board hired the Staubach Company to perform a school site search which resulted in the purchase of multiple properties from around 1998 to 2010.

☐ **Future action anticipated** –

☒ **Background information** – The District's Long-Range Facility Plan will require the acquisition of additional school sites to build-out the District. Likewise, as the District grows, there may be cause to sell, lease, or partner-up on real assets.

The purpose of this agenda item is to identify the party or parties that will assist staff and the demographer developing and executing the strategy for the purchase of new school sites to support the Long-Range Facility Plan.

The selected broker(s) may also assist with lease cost analysis in support of our facility rental program.

Three Brokers responded to this RFQ, but one was deemed unresponsive. The two remaining firms are:

- CBRE
- John B. Sanford Real Estate

Both firms have public school district experience. Staff recommends creating a pool of brokers and authorizing the Superintendent to select the most qualified broker for each acquisition or task, as required

D. Scope of Options Reviewed:

Length of Contract RFP #25-052301AS Real Estate Broker Services: The is a one-year contract with four (4) options to renew through 8/2028

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

The administration recommends approval of Land Brokerage services as presented.

- G. Fiscal Impact and Cost:** **Total Amount:** Fee to be determined per transaction or task
☐ Budget – General Operating Fund ☒ Bond ☐ Grant/Special Funds ☐ Other
Prior Year Spending – 0
Future/Ongoing – This service will be a recurring cost (annually).
- H. Monitoring and Reporting Time Line:**
Person responsible for evaluating this decision or action – Max Cleaver
Evaluation method and time line -
Next report to the board -
- I. Suggested Motion:**
I move that the Hays CISD Board of Trustees approve the pool of Real Estate Broker Services listed herein, and authorize the Superintendent to select the most qualified broker for each acquisition or task, and negotiate and execute the terms of each agreement, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.9

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of 2021 Bond Stage Lighting Equipment and Electrical Infrastructure for Dahlstrom Middle School

Administrator Responsible/Position: Max Cleaver – Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide Safe, Clean Facilities

D. Summary:

☐ Previous board action relating to this item

☐ Future action anticipated

☒ **Background information:** In the 2021 Bond Improvement Project, the cafeteria was renovated, but the project did not include provisions for new stage lighting.

This turn-key purchase will provide new stage lighting equipment and electrical infrastructure for performances and assemblies for \$125,394 plus a 5% contingency for a do not exceed price of \$131,664.

E. Scope of Options Reviewed:

Contract: CTPA Round Rock ISD 22-017

F. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☒ Other: Fine Arts

G. Administrative Recommendation:

The administration recommends that the Board approve the request as presented.

H. Fiscal Impact and Cost: Total Amount: \$131,664

☐ Budget – General Operating Fund

☒ Bond 2021

☐ Grant/Special Funds

☐ Other

Prior Year Spending – \$106,541.90

Future/Ongoing – This procurement will be a one-time purchase.

I. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Max Cleaver, COO;

Nate Wensowitch, Dir of Planning and Construction

Patty Moreno, Fine Arts Director

J. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the purchase of the 2021 Bond stage lighting equipment and electrical infrastructure for Dahlstrom Middle School from Olden Lighting for an amount not to exceed \$131,664, as presented.



Olden Lighting
9503 Brown Ln
#2-101
Austin, TX 78754
Phone: (512) 416-8080
www.oldenlighting.com

Sales Quote

Number: SQ14837



SQ14837

HAYS ISD - Dahlstrom Middle School Update

Client	Primary Contact	Ship To
HAYS CONSOLIDATED ISD BUSINESS OFFICE 21003 IH 35 KYLE, TX 78640 Phone: 5122682147 Fax: 5122682147	HAYS CONSOLIDATED ISD BUSINESS OFFICE 21003 IH 35 KYLE, TX 78640 Phone: 5122682147 Fax: 5122682147	

Sales Person	Quote Status	Customer PO	Terms
Scott Kinnebrew	Tentative		Upon Receipt

Quote Start Date	Valid Until	Shipping Method	Discount	Sales Tax
7/6/2023	9/1/2023	BEST ECONOMICAL METHOD		Tax Exempt

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
Note		CTPA Round Rock ISD 22-017			
Note		Budget Estimate for Hays CISD Dahlstrom Middle School based on site walks and requested solutions by Adam Jones (7/5)			

Stage Lighting Fixtures and Control

Note
This section covers transitioning the stage lighting to LED, power /and data to accommodate LED fixture control, replacing the architectural controls for the stage lights, and providing show-time control console.
Note:
Final quantities for cable and fixtures subject to change based on final lighting design

Job Supply	1	Stage Lighting Power and Controls System	Retail	21,060.00	21,060.00
Note		System includes: - 1 DRd12 enclosure - 2 20A reverse-phase dimming modules - 10 20A relay modules - Paradigm architectural processor - 3 architectural control stations with 4-buttons and a fader - 3 DMX out with 20A Edison outlet wall plate - 1 DMX opto-splitter - 2 DMX in wall plate - 3 DMX out wall plate			
Misc	5	ETC 1064A1023 - Single gang backbox	Retail	63.00	315.00
Misc	3	ETC 1064A1024 - 2 Gang Backbox	Retail	63.00	189.00
Misc	6	ETC 2100A1302 - U-Bolt Kit for ECPB Plug-in station	Retail	25.20	151.20
Sales Item	1	ELEMENT 2 6K	Retail	9,630.00	9,630.00
Sales Item	2	MONITOR -TOUCH SCREEN	Retail	300.00	600.00
Sales Item	2	IEC power cable	Retail	0.00	0.00
Sales Item	2	USB A to B	Retail	0.00	0.00
Sales Item	1	MONITOR CASE	Retail	0.00	0.00

Note
The Lighting Fixture package was designed to accommodate University Interscholastic League requirements for stage lighting for 9 zones.
108

7/11/2023 8:53 AM

Resource Type	Qty.	Description	Price	Price Each	Price Ext.
Sales Item	9	COLORSOURCE LED PAR DEEP BLUE	Retail	905.00	8,145.00
Misc	12	ColorSource Spot V	Retail	1,595.70	19,148.40
Sales Item	10	SOURCE4 26* EDLT LENS	Retail	326.25	3,262.50
Sales Item	4	SOURCE4 36* EDLT LENS	Retail	326.25	1,305.00
Sales Item	21	MEGA CLAMP - MAB	Retail	18.97	398.37
Sales Item	21	SAFETY CABLES-BLACK	Retail	3.75	78.75
Sales Item	5	POWERCON - EXTENSION 12GA -5'	Retail	40.00	200.00
Sales Item	5	DMX 5PIN - PRO CABLE - 5'	Retail	62.50	312.50
Sales Item	15	POWERCON - EXTENSION 12GA -10'	Retail	37.50	562.50
Sales Item	15	DMX 5PIN - PRO CABLE - 10'	Retail	89.50	1,342.50
Sales Item	2	POWERCON - EXTENSION 12GA -25'	Retail	88.00	176.00
Sales Item	2	DMX 5PIN - PRO CABLE - 25'	Retail	108.00	216.00
Sales Item	2	POWERCON - (BLUE) TO EDISON CABLE -25'	Retail	65.00	130.00
Misc	1	Lift Rental	Retail	450.00	450.00
Labor	40	Crew Lead	Hourly Rate	90.00	3,600.00
Labor	40	ETC Technician	Hourly Rate	125.00	5,000.00
Labor	40	General Labor	Hourly Rate	75.00	3,000.00
Labor	4	Training	Hourly Rate	90.00	360.00
Note		Budgeted cost to provide a turnkey solution and include the Electrician is estimated below. Please note that a site survey will be required to provide a more accurate timeline and price.			
Misc	1	Electrical Contractor	Retail	29,000.00	29,000.00
Stage Lighting Fixtures and Control Total:					\$108,632.72

Stage Lighting Rigging

Note		This section covers the replacement of the existing rigging hardware for the curtain track with modern, safe rigging hardware and the installation of two 40' lighting battens over-stage and two 40' lighting battens over the cafeteria floor. These will serve as the four locations for the stage lighting fixtures mentioned above.			
Sales Item	8	21' 1-1/2" SCH40 PIPE	Retail	125.00	1,000.00
Misc	2	Pipe Splice	Retail	45.00	90.00
Misc	35	Rigging Point	Retail	75.00	2,625.00
Misc	1	Lift Rental	Retail	450.00	450.00
Labor	40	Crew Lead	Hourly Rate	90.00	3,600.00
Labor	40	Rigging Labor	Hourly Rate	150.00	6,000.00
Labor	40	General Labor	Hourly Rate	75.00	3,000.00
Stage Lighting Rigging Total:					\$16,765.00

Notes:
No line voltage wiring provided
No line voltage terminations provided
No conduit provided
No wire pulls - this needs to be provided by others
No sheetrock, concrete, or plaster work.
Decking will need to be provided to any school a lift is needed in.
Dumpsters must be provided for any old equipment being removed.
No removal of previously installed electrical fixtures

Subtotal:	\$125,397.72
Sales Tax:	\$0.00
Shipping:	\$0.00
Total:	\$125,397.72
Applied Payment:	\$0.00
Balance Due:	\$125,397.72

X _____ Authorized Signature	_____ Date
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HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.10

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond installation of Artificial Turf at Softball and Baseball Fields at Hays High School and Johnson High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☐ Law or Rule

☒ N/A

C. Goal or Need Addressed:

Maintain clean, safe facilities.

D. Summary:

☒ Previous board action relating to this item

On June 26, 2023, the Board approved CEI for design services for high school baseball and softball artificial turf installation projects. On July 24, 2023, the Board approved the design intent for all three high schools.

☐ Future action anticipated -

☒ Background information – The 2023 Bond contains provisions for Athletic improvements at three high schools including the installation of artificial turf on three baseball and three softball fields, improvements to LHS baseball and softball venues, track and retaining wall, and sports lighting improvements at Hays HS (tennis) and Barton MS (tennis and stadium) with an estimated total project budget of \$15,147,210, referred to as Bid Package 11.

In an attempt to complete the baseball and softball projects by January 15, 2024, staff recommends the following schedule and project packaging:

June 2023	Board Assigns Engineer
June-July 2023	Begin design process for JHS and HHS
	Begin design process for LHS (additional site requirements and water line coordination)
	Begin design process for Sports Lighting
July 2023	Seek Design Intent Approval for all High Schools
August 2023	Seek Approval of Construction Contract for JHS and HHS
September 2023	Seek Approval of Construction Contract for LHS and Sports Lighting
October 2023	Start construction
January 15, 2023	Substantial Completion

Due to the compressed schedule, the proposal opening is scheduled for Monday, August 21, 2023 which is the same day as the Board Workshop. Staff will open the proposals, develop a draft tabulation, and provide it to the BOT at the time of the meeting.

E. Scope of Options Reviewed:

Contract Information: to be determined based on final selection

Length of Contract: to be determined based on final selection

Reasons for rejecting alternatives

F. Comments Received:
☒ Cabinet ☐ DLT ☒ FBOC ☐ Teacher Org. Reps. ☒ Other: Coaching Staff

G. Administrative Recommendation:
Staff recommends approval of the construction contracts, as presented

H. Fiscal Impact and Cost: Amount: TBD
☐ Budget ☒ Bond 2023 ☐ Grant/Special Funds ☐ Other
Staff will provide cost information at the time of the meeting.
Future/Ongoing -

I. Monitoring and Reporting Time Line:
Person responsible for evaluating this decision or action: Max Cleaver, COO
Nate Wensowitch, Dir. Planning & Const.
Evaluation method and time line:
Next report to the board

J. Suggested Motion:
I move that the Hays CISD Board of Trustees approve the construction contract with the vendor selected in the amount determined at the time of selection for the installation of artificial turf on the Hays HS and Johnson HS baseball and softball fields, as presented.

Note: Motion will be edited prior to the August 28, 2023 Board Meeting to reflect final outcome.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.11

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond Adaptive Playground Improvements at Buda Elementary School – T. F. Harper & Associates LP

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

☐ Previous board action relating to this item –

☐ Future action anticipated –

☒ Background information – The 2023 Bond contains provisions for the installation of adaptive playground elements at each elementary school in the amount of \$2,453,530. Each campus budget is approximately \$125,000. Staff recommends utilizing T.F. Harper and Associates for the work, beginning at Buda Elementary School.

The rationale to begin the work at that location is because staff previously installed a temporary access pathway at Buda ES that needs improvement.

We plan to present the remaining campus playground improvement to the Board for consideration as a package in the coming months.

E. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

Staff recommends approval of the playground improvements at BES.

G. Fiscal Impact and Cost: Amount: See Below

☐ Budget

☒ Bond 2023

☐ Grant/Special Funds

☐ Other

Prior Year Spending – Not applicable

Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver and Nate Wensowitch

Evaluation method and time line:

Next report to the board: August 2023 for Board consideration of approval

I. Suggested Motion:

I move the Hays CISD Board of Trustees approve the 2023 Bond Adaptive Playground Improvements at Buda Elementary School, provided by T.F. Harper and Associates LP, for an amount not to exceed \$124,974, as presented.



1685 FM 1626
Buda, Texas
78610

TO: Hays CISD
Attn: Nathan Wensowitch
Address: Buda Elementary School
Ship To: 1060 Old San Antonio Rd, Buda, TX 78610
Phone: 512-268-2141 x45063
Email: nathan.wensowitch@hayscisd.net

PROPOSAL #: 08092023-101-ku

BUYBOARD CONTRACT # 581-19 DATE: August 9, 2023
BUDA ELEM SCHOOL
PLAYGROUND #2
IMPROVEMENTS

T.F. HARPER & ASSOCIATES IS A CERTIFIED HUB BUSINESS. WOMEN OWNED CERT# 1830413712000

Western Playground with 2 shade covers

TASKS	DESCRIPTION OF CONSTRUCTION	TOTAL COST
	Provide all labor, materials, freight and equipment needed to:	
1	Gametime Inclusive Whirl spinner.	\$ 28,733.89
2	PIP with concrete subbase. The PIP would go around new Whirl spinner and existing playscape under large shade. It would be a 50/50 mix of standard color with black at the proper fall height depth.	\$ 97,503.08
	SUBTOTAL	\$126,236.97
	BuyBoard Discount	(\$1,262.37)
	TOTAL	\$124,974.60

PROPOSAL IS VALID FOR 30 DAYS FROM DATE OF PROPOSAL OR FROM DATE OF LAST REVISION

NOT INCLUDED: Sales Tax, Permit Fees, Bond Cost

Payment Terms: 100% due upon delivery & receipt of invoice (progress payment acceptable).

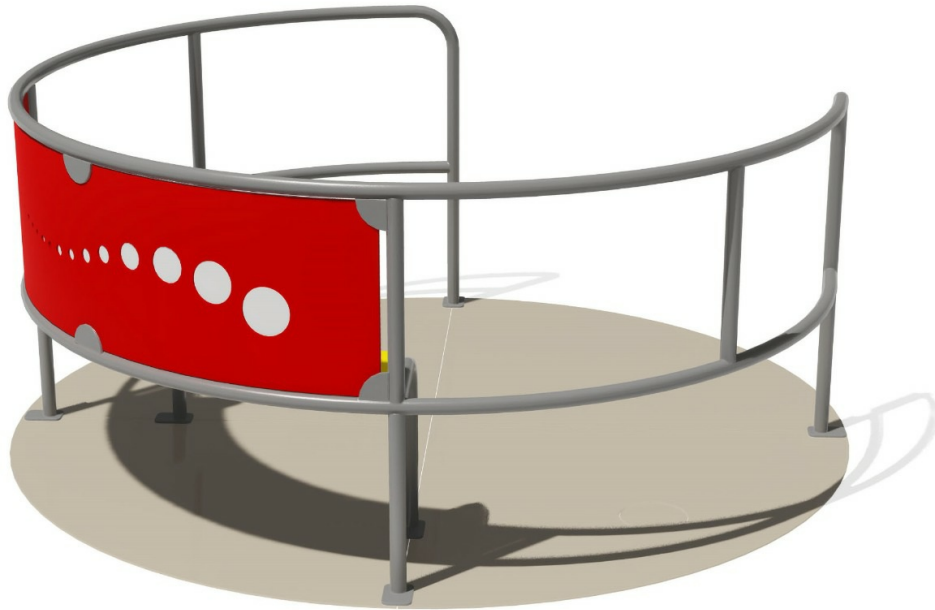
Current material and installation lead time for this project is 8 -12 weeks. Schedules are subject to change

Accepted by: _____

Date: _____ P.O. # (if applicable): _____

PLEASE ISSUE PURCHASE ORDER IN VENDOR NAME OF T.F. HARPER & ASSOCIATES, LP

Thank you for giving us the opportunity to present this Proposal.
Kerry Urbanowicz - VP of Construction



Inclusive Whirl

The Inclusive Whirl provides ease of access for people of all abilities with its zero entry design. The whirl surface platform is at ground level with no need for ramps or transfer mechanisms. It features bench seating (at transfer height), a large platform surface that exceeds the ADA requirement for turn-around space and handrails for users to grasp while spinning. **Must be installed with poured-in-place surfacing**

FEATURES AND BENEFITS:

- ❑ Zero entry universal design provides easy access for all users
- ❑ Fully compliant with ADA/DOJ guidelines for accessibility
- ❑ Available in three color combinations: Basic (#6262), Natural (#6263) and Playful (#6264)
- ❑ Must be installed with poured-in-place surfacing

SPECIFICATIONS

Model 6262
Number:

Fall Height: 4' (1.22 m)

Use Zone: 18'-6" x 18'-6"
 (5.64m x 5.64m)

Age Group: 2 to 5 Years, 5 to
 12 Years, 2 to 5
 or 5 to 12 Years

GameTime offers a limited lifetime warranty on uprights, hardware, and connections. Visit gametime.com/warranty for full warranty information.



HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.12

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond Schematic Design Package for 2023 Bond Elementary School 17

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

☒ Previous board action relating to this item – In April 2023, the Board assigned this project to Huckabee Architects.

☐ Future action anticipated –

☒ Background information – The 2023 Bond contains provisions for the construction of Elementary School 17 which will be located on Gristmill Road in the southeast portion of the District.
The school will be a prototype based on the Sunfield Elementary School (ES 15) design.

Huckabee and Bartlett-Cocke have provided SD documentation and a schematic design construction estimate for your review.

E. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

Staff recommends approval of the SD package.

G. Fiscal Impact and Cost: Amount: See Below

☐ Budget

☒ Bond 2023

☐ Grant/Special Funds

☐ Other

	Original Budget	SD Estimate
Construction	\$60,789,949	\$51,993,783
Architect	\$4,255,296	\$3,639,565
FFE	\$4,255,296	\$4,255,296
Infr and Fees	\$2,279,623	\$2,279,623
Contingency	\$4,407,271	\$13,819,169
Total	\$75,987,436	\$75,987,436

Prior Year Spending – Not applicable
Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Schematic Design Package for 2023 Bond Elementary School 17, for an amount not to exceed \$75,987,436, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.13

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the Schematic Design Package for 2023 Bond Improvements for Lehman High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

☒ Previous board action relating to this item – In April 2023 the Board assigned this project to Huckabee Architects.

☐ Future action anticipated –

☒ Background information – The 2023 Bond contains provisions for Lehman High School Improvements including an 800-seat auditorium with a scene shop and classrooms, mariachi and orchestra areas, CTE classrooms, driveway improvements, drainage improvements, and master planning for future expansion to 2,800 students. This is a separate project from the baseball and softball field improvements.

Huckabee and Bartlett-Cocke are providing SD documentation and a schematic design construction estimate for your review.

E. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

Staff recommends approval of the SD package.

G. Fiscal Impact and Cost: Amount: See Table

☐ Budget

☒ Bond 2023

☐ Grant/Special Funds

☐ Other

	Original Budget	SD Estimate
Construction	\$55,407,662	\$53,717,521
Architect	\$3,878,536	\$3,760,226
FFE	\$3,878,536	\$3,878,536
Infr and Fees	\$2,077,787	\$2,077,787
Contingency	\$4,017,055	\$5,825,507
Total	\$69,259,577	\$69,259,577

Prior Year Spending – Not applicable

Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver and Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Schematic Design Package for 2023 Bond Improvements for Lehman High School, for an amount not to exceed \$69,259,577, as presented.



August 15, 2023

Mr. Max Cleaver
Hays Consolidated Independent School District
21003 Interstate 35
Kyle, Texas 78640

Re: Schematic Design Budget for the Lehman High School Addition & Renovation

Dear Mr. Cleaver:

Bartlett Cocke General Contractors solicited and received Subcontractor and Supplier budgets for the Schematic Design Documents set for the above-referenced project. Based on the receipt of those budgets and subsequent analysis, we have assembled the Schematic Design Preconstruction Report for the work included in this proposal package. We are pleased to offer for approval the following overall Schematic Design Budget update:

**Fifty-One Million Nine Hundred Ninety-Three Thousand, Seven Hundred and Eighty-Three Dollars
(\$53,717,521.00)**

Included in this SD Budget:

• Owner Contingency.....	\$1,074,350
• CM Contingency	\$1,074,350
• CM Estimate Contingency	\$3,223,051
• Escalation Allowance (Thru April 2024 NTP).....	\$2,417,289

Alternates Included in this SD Budget:

- None

Cost Value Options Items Included in this SD Budget:

- None

Items Included in this SD Budget:

- Payment and Performance Bond.
- Construction Manager Fee.
- General Conditions Costs.
- Cost-of-Work Items.
- Payroll Taxes, Insurance, and other Costs.
- Insurance, and other Costs.
- Prevailing Wages and Benefits per Documents.
- All construction work per Plans and Specifications, unless specifically noted or excluded below.

BARTLETT COCKE GENERAL CONTRACTORS

Building Better Lives

3330 CASEYBRIDGE COURT, AUSTIN, TEXAS 78704 ▼ TEL (512) 326-4223 • FAX (512) 326-3990 ▼ website: www.bartlettcocke.com

Items Excluded from this SD Budget:

- Sales tax.
- Testing and inspections.
- Impact / Use / Development / Consultant / Jurisdictional / Agency fees.
- Environmental surveys and hazardous material identification, handling and/or removal.
- Sub-surface investigations, test probe holes, geo-technical testing, and hidden conditions costs.
- All items not shown or specified in the referenced Proposal Documents.
- Utility consumption costs, public utility applications, public utility construction costs and hookup fees.

Clarifications and Assumptions:

- Per clarifications and assumptions log.

Budget Documents:

- Documents developed by Huckabee Architects:

SD Drawings & Specifications	July 13, 2023
SD Drawing Updates.....	August 3, 2023
SD Narrative.....	July 13, 2023
Model	July 14, 2023

We have provided a Schematic Design Preconstruction to assist you in moving forward with design development on this project. We request that you review and approve that report including the project budget in the above amounts. If you have any questions, please do not hesitate to call.

Sincerely,
BARTLETT COCKE GENERAL CONTRACTORS

Derek Even

Derek Even
Project Executive

CC: Nathan Wensowitch – Hays CISD
Huckabee – Jason Andrus
File

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.14

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of the 2023 Bond Schematic Design Package for Improvements at Johnson High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

☒ Previous board action relating to this item – In April 2023 the Board assigned this project to Huckabee Architects.

☐ Future action anticipated –

☒ Background information – The 2023 Bond contains provisions for Johnson High School Improvements including an Academic Expansion to accommodate 2,800 students with regular and CTE classrooms, an All-purpose Gym (Fine Arts Gym), a new Band Hall, driveway and drainage improvements, and master planning for future projects. This is a separate project from the baseball and softball field improvements.

Huckabee and Bartlett-Cocke have provided SD documentation and a schematic design construction estimate for your review.

E. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

Staff recommends approval of the SD package.

G. Fiscal Impact and Cost: Amount: Table Below

☐ Budget

☒ Bond 2023

☐ Grant/Special Funds

☐ Other

	Budget	SD Estimate
Construction	\$49,281,675	\$49,979,485
Architect	\$3,449,717	\$3,498,564
FFE	\$3,449,717	\$3,449,717
Infr and Fees	\$1,848,063	\$1,848,063
Contingency	\$3,572,921	\$2,826,265
Total	\$61,602,094	\$61,602,094

Prior Year Spending – Not applicable
Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Max Cleaver, Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the Schematic Design Package for 2023 Bond Improvements at Johnson High School, for an amount not to exceed \$61,602,094, as presented.



August 15th, 2023

VIA ELECTRONIC MAIL

Mr. Max Cleaver
Chief Operation Officer
Hays CISD
21003 Interstate 35 Frontage Road
Kyle, TX 78640

RE: SD Budget | Hays CISD Johnson HS Additions and Renovations

Dear Max,

On behalf of CORE Construction, I am pleased to submit our Schematic Design budget proposal for the Hays CISD Johnson HS Additions and Renovations.

Schematic Design Budget Summary:

Total Budget for Schematic Design	\$46,979,485
<i>Cost of Work</i>	<i>\$44,120,217</i>
Contingencies:	
Construction Contingency	\$1,174,487
Design Contingency	\$1,409,385
Escalation Contingency	\$2,818,769
Owner Contingency	\$939,590
Allowances:	
Allowance #1 – ‘Moveable’ Kitchen Equipment	\$80,000
Allowance #2 – Dewatering existing detention pond	\$50,000

We look forward to a successful and enjoyable project together. Thank you for this opportunity, please do not hesitate to contact me directly with any questions or comments.

Respectfully submitted,

Steven Normand

Steven Normand
Director of PreConstruction
CORE Construction

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.15

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible approval of Educational Specifications for Future Capital Projects, Elementary and High School

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Provide safe and clean facilities.

D. Summary:

☒ Previous board action relating to this item – On May 22, 2023, the Board approved the quantitative method of compliance for future capital projects.

☐ Future action anticipated –

☒ Background information – Educational Specifications and Long-range Facility Plans are utilized to inform the design of facilities and ensure that the correct features and amenities are incorporated into the plans for new construction and major renovation projects.

On projects beginning after July 2021, TEA has minimum requirements for information that must be documented by the school district. Long Range Facility Plans will be presented to the Board for information, and the Educational Specifications require Board approval prior to being utilized by the architect to design facilities.

Staff and Huckabee intend to deliver elementary and high school educational specifications and long-range plans in conjunction with the schematic designs for 2023 Bond projects and deliver the middle school educational specifications and long-range plans prior to the design of additional middle schools.

The Project Team has provided summary documents for your review and comment.

E. Comments Received:

☒ Cabinet

☐ DLT

☒ FBOC

☐ Teacher Org. Reps.

☐ Other:

F. Administrative Recommendation:

None, Information Only

G. Fiscal Impact and Cost: Amount: N/A

☐ Budget

☐ Bond 2021

☐ Grant/Special Funds

☐ Other

Prior Year Spending – Not applicable

Future/Ongoing -

H. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action: Marivel Sedillo, Max Cleaver, Nate Wensowitch

Evaluation method and time line:

Next report to the board:

I. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the educational specifications for future capital projects, elementary and high school, as presented.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.16

Board Goal: Board/Staff/Community Relations

Subject: Consideration and/or action to approve an Agreement for the Purchase of Attendance Credit (Netting Chapter 48 funding) (Option 3 Agreement) and to delegate contractual authority to the Superintendent

Administrator Responsible/Position: Randy Rau, Chief Financial Officer
Dr. Eric Wright, Superintendent

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☒ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Reduce excess local revenue level for the 2023–2024 school based on TEA current law estimates.

D. Summary:

☒ Previous board action relating to this item – None.

☐ Future action anticipated –NA

☒ The District received notification of the determination by the Texas Education Agency (TEA or agency) that the district's Tier One local share under TEC, §48.256, will exceed the district's entitlement under TEC, §48.266(a)(1), less the district's distribution from the state available school fund, and/or the district's Tier Two local share described by TEC, §48.266(a)(5)(B), will exceed the amount described by TEC, §48.202(a-1)(2), for school year 2023–2024. Based on these estimates, the district's estimated local yield per penny per student in weighted average daily attendance (WADA) exceeds the Tier Two (level two) guaranteed yield of \$49.28. Currently TEA estimates the district's Tier Two yield to be \$52.45. TEA estimates the excess Tier One and Tier Two revenue to be \$0 resulting in \$0 excess revenue payment. As a result of the current law estimates by TEA, the district is required to submit an "Excess Local Revenue Intent Option" along with a "Purchase of Attendance Credit (Netting)" contract before the district can proceed with adoption of its tax rate.

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

F. Administrative Recommendation:

The administration recommends approving the Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding) (Option 3 Agreement) and delegating contractual authority to the Superintendent as presented.

G. Fiscal Impact and Cost: Amount:

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

H. Suggested Motion:

I move that the Hays CISD Board of Trustees approve an Agreement for the Purchase of Attendance Credit (Netting Chapter 48 Funding) (Option 3 Agreement) and to delegate contractual authority to the Superintendent, as presented and discussed.

For the 2023–2024 school year, we delegate 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).

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

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

The school year to which this agreement applies is **2023 – 2024** (the “school year”).

The agreement is for **Hays Consolidated Independent School District** (“the district”), with a county-district number of **105-906**, to purchase attendance credit from the state for the school year.

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

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

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

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

Signature of President, Board of Trustees

Date

Signature of Secretary, Board of Trustees

Date

Signature of Superintendent

Dr. Eric Wright

Typed Name of Superintendent

Date

Signature of Commissioner of Education or Designee

Date

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.17

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible acceptance of the 2023-2024 Certified Property Values for Hays, Caldwell, and Travis Counties

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☒ Law or Rule

☐ N/A

C. Summary:

☒ Previous board action relating to this item –

☒ Background information – The 2023-2024 budget has been approved by the Board of Trustees based on April 2023 Certified Estimates. Certified Values were received on July 25, 2023 (see attached summary). Net taxable values for 2023 tax year (2023-24 fiscal year) from the Hays, Caldwell and Travis appraisal districts have increased \$3,449,450,796 or 21.79 percent compared to the tax year 2022 (2022-23 fiscal year) (attached).

D. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

E. Administrative Recommendation:

The administration recommends acceptance of the certified values as presented.

F. Fiscal Impact and Cost: Amount:

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

G. Suggested Motion:

I move that the Hays CISD Board of Trustees accept the 2023-2024 Certified Property Values for Hays, Caldwell, and Travis Counties, as presented.

Hays Consolidated Independent School District
Summary of Certified Values
for the Tax Year 2023 and Budget Year Ending June 30, 2024

<u>Tax Year</u>	<u>Appraisal District</u>	<u>"Certified" ARB Net Taxable Value</u>	<u>Under ARB Review (80% and Appraiser's Opinion)</u>	<u>Total Certified Values</u>
2023	Hays	\$ 18,393,802,279	\$ 538,224,547	\$ 18,932,026,826
2023	Caldwell	\$ 133,799,538	\$ 2,884,670	\$ 136,684,208
2023	Travis	\$ 164,801,966	\$ 43,347,006	\$ 208,148,972
Total		\$ 18,692,403,783	\$ 584,456,223	\$ 19,276,860,006
2022	Hays	\$ 15,061,602,132	\$ 596,904,853	\$ 15,658,506,985
2022	Caldwell	\$ 80,537,341	\$ 1,812,067	\$ 82,349,408
2022	Travis	\$ 77,429,821	\$ 9,122,996	\$ 86,552,817
Total		\$ 15,219,569,294	\$ 607,839,916	\$ 15,827,409,210
Difference				<u>\$ 3,449,450,796</u>
% Increase/(decrease)				<u>21.79%</u>

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.18

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible adoption of the 2023-2024 Tax Rate

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☒ Action needed

☐ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy

☒ Law or Rule

☐ N/A

C. Summary:

☒ Previous board action relating to this item – August 29, 2022

☒ Future action anticipated – Annually in August.

☒ Background information – In accordance with the Property Tax Code Section 26.05, the Board of Trustees must approve the tax rate of the District. A public hearing regarding the 2024 proposed budget and tax rate was held on June 26, 2023 in accordance with law. The 2023-2024 budget as adopted requires a tax rate of \$1.1569 (\$.6692 – M&O and \$.4877 I&S). The proposed tax rate is \$.1854 less than the rate adopted in fiscal year 2022-2023 and represents a total decrease of \$.3808 over the past six years.

D. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

E. Administrative Recommendation:

The administration recommends adoption of the tax rate ordinance as presented.

F. Fiscal Impact and Cost: Amount:

☒ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

G. Suggested Motion:

I move that the Hays CISD Board of Trustees approve the tax rate, as presented.

On this date, we, the Board of Trustees of the Hays Consolidated Independent School District, at a duly called meeting held in accordance with all applicable legal requirements, including open meeting laws, hereby set the tax rate on \$100 valuation for the District for the tax year 2023 at a total tax rate of \$1.1569, to be assessed and collected by the Hays County Tax Assessor Collector as follows:

Maintenance & Operations Rate of \$0.6692

Interest & Sinking Rate of \$0.4877

Combined Total Tax Rate of \$1.1569

Adopted this 28th day of August, 2023 by the Hays CISD Board of Trustees.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
RESOLUTION OF THE BOARD TO SET THE TAX RATE
FOR FISCAL YEAR 2023-2024

On this date, we, the Board of Trustees of the Hays Consolidated Independent School District, at a duly called meeting held in accordance with all applicable legal requirements, including open meeting laws, hereby set the tax rate on \$100 valuation for the District for the tax year 2023 at a total tax rate of \$1.1569, to be assessed and collected by the Hays County Tax Assessor Collector as follows:

Maintenance & Operations Rate of \$0.6692

Interest & Sinking Rate of \$0.4877

Combined Total Tax Rate of \$1.1569

Adopted this 28th day of August, 2023 by the Hays CISD Board of Trustees.

ATTEST:

By: _____
Will McManus, President

By: _____
Courtney Runkle, Secretary

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: J.19

Board Goal: Board/Staff/Community Relations

Subject: Consideration and possible endorsement of an individual to serve on the TASB Board of Directors – Region 13, Position B

Administrator Responsible/Position: Board Matter

A. Purpose of Agenda Item:

☒ Action Needed

☐ Information Only

☐ Receive Input

B. Authority for This Action

☐ Local Policy

☒ Law or Rule

☐ N/A

C. Goal or Need Addressed:

Consideration and possible endorsement of an individual to serve on the TASB Board of Directors –Region 13, Position B

D. Summary:

☐ Previous board action relating to this item -

☐ Future action anticipated -

☒ **Background information** - The Board of Trustees has been invited to nominate a trustee from the Hays CISD Board for the Region 13, Position B, seat on the TASB Board. The position is currently held by Mary Jane Hetrick (Dripping Springs ISD). Ms. Hetrick has indicated that she will be seeking reelection. The term of this position is for three years beginning at the close of the 2023 Annual TASA/TASB Convention and expiring after Convention 2026.

A TASB Director represents his or her region on the Board, guiding the organization to ensure that the Association fulfills its mission to provide advocacy, visionary leadership, and high-quality services to its members.

E. Suggested Motion

No motion required – Board Matter

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: K.1

Board Goal: Student Achievement

Subject: Hays CISD Student Dress Code

Administrator Responsible/Position: Marivel Sedillo, Deputy Superintendent / Chief Academic Officer
Dr. Brian Dawson, Director of Student Services

A. Purpose of Agenda Item:

☐ Action needed

☒ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy:

☐ Law or Rule:

☒ N/A

C. Goal or Need Addressed:

Discussion of the Student Dress Code for the 2023/2024 School Year

D. Summary:

☐ Previous board action relating to this item - None

☐ Future action anticipated – None

☒ Background information –

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

F. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Dr. Brian Dawson

G. Suggested Motion:

None – Information Only

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: K.2

Board Goal: Board/Staff/Community Relations

Subject: First Reading of Proposed Revisions to Policy GBAA (Local) relating to Informational Access / Requests for Information

Administrator Responsible/Position: Tim Savoy, Chief Communication Officer

A. Purpose of Agenda Item:

☐ Action needed

☒ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy: GBAA (Legal)
and (Local)

☒ Law or Rule: HB 3033 (88th Texas Legislature)

C. Summary:

☐ Previous board action relating to this item – None

☐ Future action anticipated –

☒ Background information – HB 3033, 88th Texas Legislature, changes non-business days for the purposes of responding to requests for public information, allowing only Saturdays, Sundays, and state or federal holidays to count. School Boards may designate up to 10 non-business days each year. The proposed new GBAA (Local) policy language would designate 10 non-business days per year.

Note that TASB is recommending school districts not update policy to designate the days, but rather adopt a resolution each year. Our goal would be to define the days without having to annually adopt them. In consultation with our school district attorney, the policy language addition is sufficient to meet the law with little risk of a challenge.

The two key differences in interpretation between TASB and the district include:

- 1) The fact that the law requires “days” to be designated and not “dates.” The district believes it does not have to specify exact dates each year.
- 2) The language of the law is, “A governmental body may designate not more than 10 non-business days under this subsection each calendar year.” The district believes the “each calendar year” does not require a separate act of making a designation annually, but simply defines how many days can be designated within a timeframe.

Additional draft language for this policy: specifies the email and mailing address where public information request must be submitted [as described in GBAA (Legal)] and authorizes the district to use the attorney general-created form that allows requestors to waive our requirement to seek an attorney general opinion on information that is confidential or information the district wishes to withhold under an option exception.

D. Suggested Motion:

No motion required. This item is presented as information only.

INFORMATION ACCESS
REQUESTS FOR INFORMATION

GBAA
(LEGAL)

A district shall maintain and make available for public inspection the record of a public information coordinator's completion of the training.

Gov't Code 552.012(b), (c), (e)

PIA Sign

The officer for public information shall prominently display a sign in the form prescribed by the attorney general that contains basic information about the rights of a requestor, the responsibilities of a district, and the procedures for inspecting or obtaining a copy of public information under the PIA. The officer shall display the sign at one or more places in the district's administrative offices where it is plainly visible to:

1. Members of the public who request public information in person; and
2. Employees of the district whose duties include receiving or responding to public information requests.

Gov't Code 552.205

**Access to Public
Information**

It shall be the policy of a district to provide a suitable copy of public information within a reasonable time after the date on which the copy is requested. *Gov't Code 552.228(a)*

Method of
Requesting Public
Information

A person may make a written request for public information only by delivering the request by one of the following methods to the officer for public information or a person designated by that officer:

1. United States mail;
2. Electronic mail;
3. Hand delivery; or
4. Any other appropriate method approved by the district, including facsimile transmission and electronic submission through the district's website.

A district is considered to have approved another method only if the district includes a statement that a request for public information may be made by that method on the PIA sign [see PIA Sign, above] or the district's website.

*Designated
Address*

A district may designate one mailing address and one electronic mail address for receiving written requests for public information and shall provide the designated mailing address and electronic mailing address to any person on request.

A district that posts a designated mailing address or electronic mail address on the district's website or that prints those addresses on

INFORMATION ACCESS
REQUESTS FOR INFORMATION

GBAA
(LEGAL)

the PIA sign is not required to respond to a written request for public information unless the request is received:

1. At one of those addresses;
2. By hand delivery; or
3. By a method described above that has been approved by the district.

Gov't Code 552.234

*Public
Information
Request Form*

The attorney general shall create a public information request form that provides a requestor the option of excluding from a request information that the district determines is:

1. Confidential; or
2. Subject to an exception to disclosure that the district would assert if the information were subject to the request.

A district that allows requestors to use the form and maintains a website shall post the form on its website.

Gov't Code 552.235

Procedural Rules

A district may promulgate reasonable rules of procedure by which public information may be inspected and copied efficiently, safely, and without delay. These rules may not be inconsistent with any provision of the PIA. *Gov't Code 552.230*

*Treatment of
Requests*

The officer for public information and agent shall not make an inquiry of a requestor, except to establish proper identification or to ask the requestor to narrow or clarify the request. The officer for public information or agent shall treat all requests for information uniformly without regard to the position or occupation of the requestor, the person on whose behalf the request is made, or the status of the individual as a member of the media. The officer for public information or agent shall give the requestor all reasonable comfort and facility for the full exercise of the right granted by the PIA. *Gov't Code 552.222(a)–(b), .223–.224*

*Location of
Access*

An officer for public information complies with a request for public information by:

1. Providing the information for inspection or duplication in a district's offices [see Time for Examination, below]. The PIA does not authorize a requestor to remove an original copy of a public record from the office of a district;

INFORMATION ACCESS
REQUESTS FOR INFORMATION

GBAA
(LOCAL)

**Request for
Information**

Requests for public information must be submitted in writing to the Superintendent, or the district's Director of Communication, who serves as the designated public information coordinator. Requestors may use the form created by the Office of Attorney General authorized in Section 552.235, Texas Government Code.

The district designates open.records@hayscisd.net as the electronic mail address for receiving written requests for public information.

The district designates 21003 IH 35, Kyle, Texas 78640, as the mailing and physical address for receiving written requests for public information.

The request shall include enough description and detail about the information requested to enable the public information coordinator to accurately identify and locate the items requested. The requester shall cooperate with the public information coordinator, who shall put forth reasonable efforts, to clarify the type or amount of information requested.

A response to a public information request shall be made promptly, but not later than the tenth business day following its receipt.

**Designated Non-
Business Days**

In addition to all non-business days defined by Section 552.0031, Texas Government Code; the District designates the following additional, annual ten non-business days:

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

**Designated
Inspection Area**

Persons inspecting documents may do so only in a designated inspection area, and a District employee shall be available for assistance. The requester may choose whether to inspect the requested information (most often at no charge), receive copies of the information, or both. Documents may be inspected during regular school hours.

INFORMATION ACCESS
REQUESTS FOR INFORMATION

GBAA
(LOCAL)

Charges

The charge for providing a copy of public information shall be an amount that reasonably includes all costs related to reproducing the public information, including the cost of materials, labor, and overhead in accordance with law.

Charging for
Personnel Time

As authorized by law, the District shall charge a requester for additional personnel time spent producing information for the requester after personnel of the District have collectively spent:

1. 36 hours of time during the District's fiscal year; or
2. 15 hours of time during a one-month period.

**Requests Submitted
in the Name of a
Minor**

Any time spent complying with a request for public information submitted in the name of a minor, as defined by Section 101.003 (a), Family Code, is to be included in the calculation of the cumulative amount of time spent complying with a request for public information by a parent, guardian, or other person who has control of the minor under a court order and with whom the minor resides, unless that parent, guardian, or other person establishes that another person submitted that request in the name of the minor.

**Suspension of
Public Information
Act During
Catastrophe**

In the event of a catastrophe, as defined by law, affecting the District, the Board delegates to the Superintendent the authority to suspend the applicability of Government Code Chapter 552 to the District for the period of time permitted by law and provide the required notices to the attorney general and public. The Board shall approve any extension of an initial suspension period.

AN ACT

relating to the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 552, Government Code, is amended by adding Section 552.0031 to read as follows:

Sec. 552.0031. BUSINESS DAYS. (a) Except as provided by this section, in this chapter "business day" means a day other than:

- (1) a Saturday or Sunday;
- (2) a national holiday under Section 662.003(a); or
- (3) a state holiday under Section 662.003(b).

(b) The fact that an employee works from an alternative work site does not affect whether a day is considered a business day under this chapter.

(c) An optional holiday under Section 662.003(c) is not a business day of a governmental body if the officer for public information of the governmental body observes the optional holiday.

(d) A holiday established by the governing body of an institution of higher education under Section 662.011(a) is not a business day of the institution of higher education.

(e) The Friday before or Monday after a holiday described by Subsection (a)(2) or (3) is not a business day of a governmental body if the holiday occurs on a Saturday or Sunday and the governmental body observes the holiday on that Friday or Monday.

(f) Subject to the requirements of this subsection, a governmental body may designate a day on which the governmental body's administrative offices are closed or operating with minimum staffing as a nonbusiness day. The designation of a nonbusiness day for an independent school district must be made by the board of trustees. The designation of a nonbusiness day for a governmental body other than an independent school district must be made by the executive director or other chief administrative officer. A governmental body may designate not more than 10 nonbusiness days under this subsection each calendar year.

SECTION 2. Section 552.012, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The attorney general may require each public official of a governmental body to complete the course of training if the attorney general determines that the governmental body has failed to comply with a requirement of this chapter. The attorney general must notify each public official in writing of the attorney general's determination and the requirement to complete the training. A public official who receives notice from the attorney general under this subsection must complete the training not later than the 60th day after the date the official receives the notice.

SECTION 3. Section 552.103, Government Code, is amended by adding Subsection (d) to read as follows:

(d) The exception to disclosure provided by this section does not apply to information requested under this chapter if:

(1) the information relates to a general, primary, or special election, as those terms are defined by Section 1.005, Election Code;

(2) the information is in the possession of a governmental body that administers elections described by Subdivision (1); and

(3) the governmental body described by Subdivision (2) is not a governmental body described by Section 552.003(1)(A)(i).

SECTION 4. Section 552.108(c)¹⁴⁴, Government Code, is amended to read as follows:

(c) This section does not except from the requirements of Section 552.021 information that is basic information about an arrested person, an arrest, or a crime. A governmental body shall promptly release basic information responsive to a request made under this chapter unless the governmental body seeks to withhold the information as provided by another provision of this chapter, and regardless of whether the governmental body requests an attorney general decision under Subchapter G regarding other information subject to the request.

SECTION 5. Subchapter C, Chapter 552, Government Code, is amended by adding Section 552.163 to read as follows:

Sec. 552.163. EXCEPTION: CONFIDENTIALITY OF CERTAIN ATTORNEY GENERAL SETTLEMENT NEGOTIATIONS. (a) In this section, "attorney general settlement communication" means documentary materials or information collected, assembled, drafted, developed, used, received, or maintained by or on behalf of the attorney general with respect to an investigation or litigation conducted under Subchapter E, Chapter 17, Business & Commerce Code, and that reflects or is regarding negotiations made for the purpose of achieving a resolution of a matter without the need for continuing with litigation or trial.

(b) An attorney general settlement communication is privileged and not subject to disclosure under this chapter from the date the attorney general's investigation begins, as indicated in the attorney general's case management records, until the earlier of:

(1) the 90th day after the date settlement discussions are terminated; or

(2) the earliest of the date:

(A) the case is reported closed in the attorney general's case management records;

(B) the final judgment, assurance of voluntary compliance, or other settlement agreement is entered by the court, and the period for filing a notice of appeal has passed;

(C) the settlement documents are executed by all parties, if the documents are not filed in court;

(D) the order of dismissal or nonsuit disposing of all parties is entered by the court; or

(E) all appeals are finalized.

(c) For the purpose of this section, a settlement communication does not include a document attached to or referenced in a delivered settlement proposal that is subject to disclosure under this chapter.

SECTION 6. Section 552.271, Government Code, is amended by adding Subsection (e) to read as follows:

(e) A requestor who has exceeded a limit established by a governmental body under Section 552.275 may not inspect public information on behalf of another requestor unless the requestor who exceeded the limit has paid each statement issued by the governmental body under Section 552.275(e).

SECTION 7. Section 552.272, Government Code, is amended by adding Subsection (f) to read as follows:

(f) A requestor who has exceeded a limit established by a governmental body under Section 552.275 may not inspect public information on behalf of another requestor unless the requestor who exceeded the limit has paid each statement issued by the governmental body under Section 552.275(e).

SECTION 8. Section 552.275, Government Code, is amended by amending Subsections (d), (g), and (h) and adding Subsections (n) and (o) to read as follows:

(d) If a governmental body establishes a time limit under Subsection (a), each time the governmental body complies with a request for public information, the governmental body shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of

time spent complying with requests for public information from that requestor during the applicable monthly or yearly period. The amount of time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor under this subsection unless the requestor's time limit for the period has been exceeded.

(g) If a governmental body provides a requestor with a [the] written statement under Subsection (e) or (o) and the time limits prescribed by Subsection (a) regarding the requestor have been exceeded, the governmental body is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the governmental body provided the written statement under that subsection, the requestor submits payment of the amount stated in the written statement provided under Subsection (e) or provides identification or submits payment as required by Subsection (o), as applicable.

(h) If the requestor fails or refuses to provide identification or submit payment under Subsection (g), the requestor is considered to have withdrawn the requestor's pending request for public information.

(n) A governmental body may request photo identification from a requestor for the sole purpose of establishing that the requestor has not:

(1) exceeded a limit established by the governmental body under Subsection (a); and

(2) concealed the requestor's identity.

(o) A request for photo identification under Subsection (n) must include a statement under Subsection (e) applicable to the requestor who has exceeded a limit established by the governmental body and a statement that describes each specific reason why Subsection (n) may apply to the requestor. The governmental body shall accept as proof of a requestor's identification physical presentment of photo identification or an image of the photo identification that is transmitted electronically or through the mail. A requestor from whom a governmental body has requested photo identification under Subsection (n) may decline to provide identification and obtain the requested information by paying the charge assessed in the statement.

SECTION 9. Subchapter G, Chapter 552, Government Code, is amended by adding Section 552.3031 to read as follows:

Sec. 552.3031. ELECTRONIC SUBMISSION OF REQUEST FOR ATTORNEY GENERAL DECISION. (a) This section does not apply to a request for an attorney general decision made under this subchapter if:

(1) the governmental body requesting the decision:

(A) has fewer than 16 full-time employees; or

(B) is located in a county with a population of less than 150,000;

(2) the amount or format of responsive information at issue in a particular request makes use of the attorney general's electronic filing system impractical or impossible; or

(3) the request is hand delivered to the office of the attorney general.

(b) A governmental body that requests an attorney general decision under this subchapter must submit the request through the attorney general's designated electronic filing system.

(c) The attorney general may adopt rules necessary to implement this section, including rules that define the amount or type of formatting of information described by Subsection (a)(2) that makes use of the electronic filing system impractical or impossible.

SECTION 10. Section 552.306, Government Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) A governmental body shall as soon as practicable but

within a reasonable period of time after the date the attorney general issues an opinion under Subsection (b) regarding information requested under this chapter:

(1) provide the requestor of the information an itemized estimate of charges for production of the information if the estimate is required by Section 552.2615;

(2) if the requested information is voluminous:

(A) take the following actions if the governmental body determines that it is able to disclose the information in a single batch:

(i) provide a written certified notice to the requestor and the attorney general that it is impractical or impossible for the governmental body to produce the information within a reasonable period of time;

(ii) include in the notice the date and hour that the governmental body will disclose the information to the requestor, which may not be later than the 15th business day after the date the governmental body provides the notice; and

(iii) produce the information at the date and time included in the notice; or

(B) take the following actions if the governmental body determines that it is unable to disclose the information in a single batch:

(i) provide a written certified notice to the requestor and the attorney general that it is impractical or impossible for the governmental body to produce the information within a reasonable period of time and in a single batch;

(ii) include in the notice the date and hour that the governmental body will disclose the first batch of information to the requestor, which may not be later than the 15th business day after the date the governmental body provides the notice;

(iii) provide a written certified notice to the requestor and the attorney general when each subsequent batch of information is disclosed to the requestor of the date and hour that the governmental body will disclose the next batch of information to the requestor, which may not be later than the 15th business day after the date the governmental body provides the notice; and

(iv) produce the requested information at each date and time included in a notice;

(3) produce the information if it is required to be produced;

(4) notify the requestor in writing that the governmental body is withholding the information as authorized by the opinion; or

(5) notify the requestor in writing that the governmental body has filed suit against the attorney general under Section 552.324 regarding the information.

(d) A governmental body is presumed to have complied with the requirements of Subsection (c) if the governmental body takes an action under that subsection regarding information that is the subject of an opinion issued by the attorney general not later than the 30th day after the date the attorney general issues the opinion.

SECTION 11. Section 552.308, Government Code, is amended to read as follows:

Sec. 552.308. TIMELINESS OF ACTION BY UNITED STATES MAIL, INTERAGENCY MAIL, OR COMMON OR CONTRACT CARRIER. (a) Except as provided by Section 552.3031, when ~~When~~ this subchapter requires a request, notice, or other document to be submitted or otherwise given to a person within a specified period, the requirement is met in a timely fashion if the document is sent to the person by first class United States mail or common or contract carrier properly addressed with postage or handling charges prepaid and:

(1) it bears a post office cancellation mark or a

receipt mark of a common or contract carrier indicating a time within that period; or

(2) the person required to submit or otherwise give the document furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within that period.

(b) Except as provided by Section 552.3031, when ~~When~~ this subchapter requires an agency of this state to submit or otherwise give to the attorney general within a specified period a request, notice, or other writing, the requirement is met in a timely fashion if:

(1) the request, notice, or other writing is sent to the attorney general by interagency mail; and

(2) the agency provides evidence sufficient to establish that the request, notice, or other writing was deposited in the interagency mail within that period.

SECTION 12. Subchapter G, Chapter 552, Government Code, is amended by adding Section 552.310 to read as follows:

Sec. 552.310. SEARCHABLE DATABASE. (a) The office of the attorney general shall make available on the office's Internet website an easily accessible and searchable database consisting of:

.(1) information identifying each request for an attorney general decision made under this subchapter; and

.(2) the attorney general's opinion issued for the request.

(b) The database at a minimum must allow a person to search for a request or opinion described by Subsection (a) by:

.(1) the name of the governmental body making the request; and

.(2) the exception under Subchapter C that a governmental body asserts in the request applies to its request to withhold information from public disclosure.

(c) The database must allow a person to view the current status of a request described by Subsection (a)(1) and an estimated timeline indicating the date each stage of review of the request will be started and completed.

SECTION 13. The changes in law made by this Act to Sections 552.103, 552.271, 552.272, and 552.275, Government Code, apply only to a request for information that is received by a governmental body or an officer for public information on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

SECTION 14. Section 552.3031, Government Code, as added by this Act, and Section 552.306, Government Code, as amended by this Act, apply to a request for an attorney general decision made under Subchapter G, Chapter 552, of that code on or after the effective date of this Act. A request for an attorney general decision made before the effective date of this Act is governed by the law in effect on the date the request was made, and the former law is continued in effect for that purpose.

SECTION 15. As soon as practicable, but not later than January 1, 2024, the office of the attorney general shall make the database required by Section 552.310, Government Code, as added by this Act, available on the office's Internet website.

SECTION 16. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3033 was passed by the House on May 6, 2023, by the following vote: Yeas 134, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B.

No. 3033 on May 26, 2023, by the following vote: Yeas 133, Nays 1,
1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3033 was passed by the Senate, with
amendments, on May 23, 2023, by the following vote: Yeas 31, Nays
0.

Secretary of the Senate

APPROVED: _____
Date

Governor

**HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES**

Date: August 28, 2023

Agenda Item: K.3

Board Goal: Board/Staff/Community Relations

Subject: Update on Bond, Construction, and Renovation Projects in the District

Administrator Responsible/Position: Max Cleaver, Chief Operations Officer

A. Purpose of Agenda Item:

☐ Action needed

☒ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy – CV(LOCAL)

☐ Law or Rule

☐ N/A

C. Summary:

☐ Previous board action relating to this item -

☒ Future action anticipated – As needed

☒ Background information - The board needs to monitor the progress of the bond projects and other construction projects to ensure the contract with the community is fulfilled.

D. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

All agenda items are reviewed by Superintendent's Cabinet.

E. Suggested Motion

No action needed. This item is presented as information only.

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: K.4

Board Goal: Board/Staff/Community Relations

Subject: Hays CISD Purchasing Cooperative Fees

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☐ Action needed

☒ Information only

☐ Receive input

B. Authority for This Action:

☐ Local Policy:

☒ Law or Rule: TEC Section 44.0331 (a) and (b)

☐ N/A

C. Goal or Need Addressed:

TEC Section 44.0331 (b) states, "the amount, purpose, and disposition of any fee described by Subsection (a) must be presented in a written report and submitted annually in an open meeting of the board of trustees of the school district."

D. Summary:

☐ Previous board action relating to this item - None

☐ Future action anticipated –

☒ Background information – The Texas Education Code requires that school districts disclose the amounts spent on purchasing cooperative fees on an annual basis. Section 44.0331 (a) states, "a school district that enters into a purchasing contract valued at \$25,000 or more under Section 44.031(a)(5), under Subchapter F, Chapter 271, Local Government Code, or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract." Section 44.0331 (b) states, "the amount, purpose, and disposition of any fee described by Subsection (a) must be presented in a written report and submitted annually in an open meeting of the board of trustees of the school district."

Fees Paid in FY 23-24

COOPERATIVE	GOVERNED BY	FEE
Central Texas Purchasing Alliance	An alliance of 70 School Districts	\$150
Texas Procurement and Support Services (State Contract)	Texas State Comptroller	\$100

E. Comments Received:

☒ Cabinet

☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other _

F. Monitoring and Reporting Time Line:

Person responsible for evaluating this decision or action – Randy Rau, Chief Financial Officer

G. Suggested Motion:

None – Information Only

HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: August 28, 2023

Agenda Item: K.5

Board Goal: Board/Staff/Community Relations

Subject: Financial Statements

Administrator Responsible/Position: Randy Rau, Chief Financial Officer

A. Purpose of Agenda Item:

☐ Action needed

☒ Information only

☐ Receive input

B. Authority for This Action:

☒ Local Policy

☐ Law or Rule

☐ N/A

C. Summary:

☒ Previous board action relating to this item - Monthly

☒ Background information – A separate summary is attached with the financials.

D. Comments Received:

☒ Cabinet ☐ DLT

☐ FBOC

☐ Teacher Org. Reps.

☐ Other

E. Administrative Recommendation:

There is no board action necessary. The monthly financial statements are presented as an information item.

F. Fiscal Impact and Cost: Amount: N/A – Information only

☐ Budget

☐ Bond

☐ Grant/Special Funds

☐ Other

G. Suggested Motion:

No action needed. This item is presented as information only.

2023-2024 Hays CISD Board of Trustees Meeting Schedule



July 24, 2023 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

August 21, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:00 pm

August 28, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:00 pm

September 18, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

September 25, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY, October 17, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

October 23, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

November 13, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY, November 28, 2023 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

December 11, 2023 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY January 16, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

January 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

TUESDAY, February 20, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

February 26, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

March 18, 2024 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

March 25, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

April 15, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

April 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******May 13, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******May 20, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******June 17, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******June 24, 2024 @ Kunkel Room at Historic Buda Elementary Campus - 5:30 pm

******July 22, 2024 @ Kunkel Room at Historic Buda Elementary Campus – 5:30 pm

*******Meeting location may be moved to the newly constructed Hays CISD Academic Support Center*