

**AGENDA OF SCHOOL DISTRICT REGULAR MEETING  
SCHOOL BOARD  
RED OAK INDEPENDENT SCHOOL DISTRICT  
Monday, August 16, 2021**

Notice is hereby given that a Regular Meeting of the School Board of the Red Oak Independent School District will be held on Monday, August 16, 2021 beginning at 7:00 PM at Red Oak ISD Education Service Center, 109 West Red Oak Road, Red Oak, TX 75154.

The subjects to be discussed or 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 the meeting notice.

1. CALL TO ORDER / ESTABLISH QUORUM
2. INVOCATION
3. PLEDGES OF ALLEGIANCE
4. PUBLIC HEARING - DISCUSSION OF PROPOSED TAX RATE FOR FISCAL YEAR 2021-2022 4  
Dr. Bill Johnston, CPA, Assistant Superintendent of Business Services / Chief Financial Officer
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  - A. Curriculum Update  
Melissa Sulak, Executive Director of Curriculum and Instruction
  - B. District Update  
Brenda Sanford, Superintendent
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    2. Payment of Current Bills Over \$50,000 10
    3. Adjunct Faculty Agreement and Resolution Regarding Extracurricular Status of 4-H Organization 14
  - B. Consideration and Approval of Amended 2021-2022 School Year Calendar  
Kevin Freels, Assistant Superintendent of District Operations
  - C. Consideration and Approval of Student Code of Conduct for 2021-2022 18  
Kevin Freels, Assistant Superintendent of District Operations and Cristi Watts, Director of Student Services
  - D. Consideration and Approval of Extracurricular Code of Conduct for 2021-2022 59  
Kevin Freels, Assistant Superintendent of District Operations
  - E. Consideration and Approval of Assignment of Fund Balance and Resolution for 2021-2022 69  
Rebecca Vega, Director of Specialized Learning and Dr. Bill Johnston, CPA, Assistant Superintendent of Business Services / Chief Financial Officer
  - F. Consideration and Approval of 2021-2022 Fiscal Year Amended Budget 71  
Dr. Bill Johnston, CPA, Assistant Superintendent of Business Services / Chief Financial Officer
  - G. Consideration and Approval of 2021 Tax Rate and Resolution Setting Tax Rate 81

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9.	CLOSED SESSION	
A.	Texas Government Code 551.071 - For the purpose of a private consultation with the Board's attorney on any and all subjects or matters authorized by law.	
B.	Texas Government Code 551.072 - For the purpose of discussing the purchase, exchange, lease or value of real property.	
C.	Texas Government Code 551.073 - For the purpose of considering a negotiated contract for a prospective gift or donation.	
D.	Texas Government Code 551.074 - For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee	
1.	Personnel Matters	
E.	Texas Government Code 551.076 - To consider the deployment, or specific occasions for implementation, of security personnel or devices.	
F.	Texas Government Code 551.082 - For the purpose of considering discipline of a public school child or children or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing.	
G.	Texas Government Code 551.0821 - Personally identifiable information of Public School students.	
H.	Texas Government Code 551.083 - For the purpose of considering the standards, guidelines, terms or conditions the Board will follow, or instruct its representatives to follow, in consultation with representative of employee groups in connection with	

consultation agreements provided for by Section 13.901 of the Texas Education Code.

- I. Texas Government Code 551.084 - For the purpose of excluding witness or witnesses from a hearing during examination of another witness.
  - J. Texas Government Code 551.086 - For the purpose of considering economic development negotiations.
10. RECONVENE IN OPEN SESSION FOR ACTION RELATIVE TO CLOSED SESSION
11. ADJOURNMENT

***If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will convene in such closed meeting in accordance with the Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting 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.***

Any person with a disability or special accommodation need should call 972-617-2941 no later than 10:00 a.m. on the scheduled meeting date.

This notice was posted in compliance with the Open Meetings Act on August 13, 2021 at 4:30 p.m.

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Brenda Sanford, Superintendent  
(For the Board of Trustees)

# NOTICE OF PUBLIC MEETING TO DISCUSS PROPOSED TAX RATE

The RED OAK ISD will hold a public meeting at 7:00 PM 08/16/2021 in Red Oak ISD Board Room, 109 W Red Oak Rd, Red Oak, TX.

The purpose of this meeting is to discuss the school district's tax rate that will be adopted. Public participation in the discussion is invited. The tax rate that is ultimately adopted at this meeting or at a separate meeting at a later date may not exceed the proposed rate shown below unless the district publishes a revised notice containing the same information and comparisons set out below and holds another public meeting to discuss the revised notice.

<b>Maintenance Tax</b>	\$0.96030 /\$100 (Proposed rate for maintenance and operations)
<b>School Debt Service Tax Approved by Local Voters</b>	\$0.36530 /\$100 (Proposed rate to pay bonded indebtedness)

<u>Total Appraised Value and Total Taxable Value</u> (as calculated under section 26.04, Tax Code)		
	Preceding Tax Year	Current Tax Year
Total appraised value* of all property	\$3,026,304,107	\$3,576,182,391
Total appraised value* of new property**	\$134,103,360	\$182,595,580
Total taxable value*** of all property	\$2,399,823,473	\$2,762,907,727
Total taxable value*** of new property**	\$120,323,751	\$177,203,026

\* "Appraised value" is the amount shown on the appraisal roll and defined by Tax Code Section 1.04(8).  
 \*\* "New property" is defined by Tax Code Section 26.012(17).  
 \*\*\* "Taxable value" is defined by Tax Code Section 1.04(10).

<u>Bonded Indebtedness</u>	
Total amount of outstanding and unpaid bonded indebtedness:	\$93,255,000

\* Outstanding principal

<u>Comparison of Proposed Rates with Last Year's Rates</u>					
	Maintenance & Operations	Interest & Sinking Fund*	Total	Local Revenue Per Student	State Revenue Per Student
<b>Last Year's Rate</b>	\$0.99390	\$0.36530*	\$1.35920	\$5,276	\$5,951
<b>Rate to Maintain Same Level of Maintenance &amp; Operations Revenue &amp; Pay Debt Service</b>	\$0.90186	\$0.35159*	\$1.25346	\$5,818	\$5,613
<b>Proposed Rate</b>	\$0.96030	\$0.36530*	\$1.32560	\$5,720	\$5,670

\* The Interest & Sinking Fund tax revenue is used to pay for bonded indebtedness on construction, equipment, or both. The bonds, and the tax rate necessary to pay those bonds, were approved by the voters of this district.

<u>Comparison of Proposed Levy with Last Year's Levy on Average Residence</u>		
	Last Year	This Year
Average Market Value of Residences	\$232,116	\$256,803
Average Taxable Value of Residences	\$197,202	\$213,978
Last Year's Rate Versus Proposed Rate per \$100 Value	\$1.35920	\$1.32560
Taxes Due on Average Residence	\$2,680.37	\$2,836.61
Increase (Decrease) in Taxes		\$156.24

Under state law, the dollar amount of school taxes imposed on the residence homestead of a person 65 years of age or older or of the surviving spouse of such a person, if the surviving spouse was 55 years of age or older when the person died, may not be increased above the amount paid in the first year after the person turned 65, regardless of changes in tax rate or property value.

**Notice of Voter-Approval Rate:** The highest tax rate the district can adopt before requiring voter approval at an election is \$1.3256/\$100. This election will be automatically held if the district adopts a rate in excess of the voter-approval rate of \$1.3256/\$100.

<u>Fund Balances</u>	
The following estimated balances will remain at the end of the current fiscal year and are not encumbered with or by a corresponding debt obligation, less estimated funds necessary for operating the district before receipt of the first state aid payment:	
Maintenance and Operations Fund Balance(s)	\$20,413,305
Interest & Sinking Fund Balance(s)	\$6,082,496

A school district may not increase the district's maintenance and operations tax rate to create a surplus in maintenance and operations tax revenue for the purpose of paying the district's debt service.

WA-00133857

## AUDIENCE PARTICIPATION SIGN-UP SHEET

Any person wishing to address the Board about a topic related to District business during the period reserved for public comment at a Board meeting must sign up to be heard, in accordance with District policy BED(LOCAL):

1. Each participant will be limited to two (2) minutes to make comments to the Board.
2. Under the Texas Open Meetings Act, the Board is not permitted to discuss or act upon any issues that are not posted on the agenda for tonight's meeting.
3. The Board has adopted complaint policies that are designed to secure, at the lowest possible administrative level, a prompt and equitable resolution of complaints and concerns. Each of these processes provides that, if a resolution cannot be achieved administratively, the person may appeal the administrative decision to the Board as a properly posted agenda item. For further information on those policies, please contact Kevin Freels, Assistant Superintendent of District Operations, for student issues, and Michelle Ailara, Assistant Superintendent of Human Resources, for employee issues at 972-617-2941. If the subject of your comment involves a pending grievance, please continue to seek resolution through the grievance process and address the Board only at the appropriate stage of that process.
4. Under the Texas Open Meetings Act, the Board may exercise its authority to discuss certain subject matters in closed session, including matters involving individual District staff members and individual students. If your comment concerns one of these subjects, please address your concern through the complaint policies described above.
5. Finally, please be aware that rules of decorum will be enforced during the public comment period. Personal attacks, name-calling, and rude or slanderous remarks will not be tolerated. Each participant is legally responsible for the content and consequences of his or her own statements.

Please fill in the information requested below if you wish to address the Board during the public comment period:

Name \_\_\_\_\_

Address \_\_\_\_\_

ROISD Campus Your Child(ren) attends \_\_\_\_\_

School District of Residence \_\_\_\_\_ Telephone \_\_\_\_\_

Topic/ Agenda Item \_\_\_\_\_

**MINUTES OF THE  
SCHOOL BOARD REGULAR MEETING  
RED OAK INDEPENDENT SCHOOL DISTRICT  
Monday, July 26, 2021**

A Regular Meeting of the Board of Trustees of Red Oak ISD was held Monday, July 26, 2021, beginning at 7:00 PM at the Education Service Center, 109 West Red Oak Road, Red Oak, TX 75154.

1. CALL TO ORDER / ESTABLISH QUORUM

The Regular Meeting of the School Board was called to order by John Anderson, President of the School Board, at 7:00 p.m.

The Red Oak ISD School Board met at the Red Oak ISD Education Service Center and the presiding officer, John Anderson, noted that a quorum of Board Members was present; that the meeting was duly called; and that notice of the meeting had been posted in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.00.

The following Board members were present: John Anderson, President; Melanie Petersen, Vice President; Johnny Knight; Michelle Porter; Brian Sebring; and Penny Story.

The following Board members were absent: Dr. Joy Shaw.

2. INVOCATION

Mr. Sebring led the invocation.

3. PLEDGES OF ALLEGIANCE

Ms. Petersen led the Pledge of Allegiance to the American and Texas flags.

4. RECOGNITIONS

Ms. Sanford recognized the Red Oak ISD Business Office for receiving the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting

5. SUPERINTENDENT'S REPORT

A. Projects Update

Kevin Freels, Assistant Superintendent of District Operations

**Mr. Freels updated the Board on the Live Oak Relocation Project; Fencing at the Ag Project Center; HVAC Replacements at Schupmann Elementary; and CTE Building Utilization. The lighting project at Schupmann Elementary is complete.**

**There are outside contractors working on the following: Marquees at Shields Elementary and Schupmann Elementary, which have been delayed due to parts supply chain issues; and the Little Hawks Learning Center parking lot and access road.**

**Mr. Freels asked if the Board had any questions regarding the survey presented last month. The Board did not have questions.**

**B. Curriculum Update**

Melissa Sulak, Executive Director of Curriculum and Instruction

**Ms. Sulak presented the Board with unofficial STAAR results. She also explained she is working with the principals to interpret and learn about HB4545 and beginning to plan for interventions for students. There were questions from the Board that were answered.**

**C. District Update**

Brenda Sanford, Superintendent

**Mrs. Sanford recognized ROHS teacher Santana Tolbert. She was named the Texas Health Occupation Texas Area 3 Teacher of the Year. Ms. Sanford also gave the Board dates of upcoming events.**

**6. OPEN FORUM**

**The following individuals spoke in Open Forum – Don Griffin and Anne Griffin in regards to the purchase of the Edgenuity Program.**

**7. ACTION ITEMS**

**A. Consent Agenda**

1. Minutes from School Board Special Meeting on June 21, 2021
2. Minutes from School Board Regular Meeting on June 21, 2021
3. Payment of Current Bills Over \$50,000
4. Adjunct Faculty Agreement and Resolution Regarding Extracurricular Status of 4-H Organization
5. Legal Services Retainer Agreement - Walsh Gallegos Trevino Kyle & Robinson

**Ms. Petersen made a motion to approve the Consent Agenda as presented, with the exception of Item 4, which will be tabled until the August Board Meeting. Mr. Knight seconded the motion. The motion passed 6 – 0.**

**B. Consideration and Approval of Board Endorsement of TASB Director Candidate John Anderson, Board President**

**No action was taken.**

- C. Consideration and Approval of Official Delegate and Alternate Delegate Designation for TASB Delegate Assembly  
John Anderson, Board President

**Ms. Petersen made a motion that the Board approve Johnny Knight as the Official Delegate and John Anderson as the Alternate Delegate for the 2021 TASB Delegate Assembly at the TASA/TASB Convention in September. Mr. Sebring seconded the motion. The motion passed 6 – 0.**

- D. Consideration and Approval of Designation of Hazardous Routes  
Kevin Freels, Assistant Superintendent of District Operations

**Ms. Petersen made a motion that the Board approve the Resolution of Designation of Hazardous Routes as presented by Mr. Freels. Ms. Story seconded the motion. The motion passed 6 – 0.**

- E. Consideration and Approval of Purchase of Edgenuity Program for Red Oak Middle School and Red Oak High School Credit Recovery  
Melissa Sulak, Executive Director of Curriculum and Instruction

**Ms. Petersen made the motion to table this item until the August Board Meeting. Mr. Knight seconded the motion. The motion passed 6 – 0.**

- F. Consideration and Approval of Purchase of Roof at the Red Oak ISD Education Service Center  
Brent Stanford, Executive Director of Support Services

**Mr. Knight made a motion to approve the purchase of the roof for the Red Oak ISD Education Service Center. Mr. Sebring seconded the motion. The motion passed 6 – 0.**

- 8. INFORMATION ITEMS
  - A. Finance Report
  - B. Red Oak ISD Grading Manual

9. CLOSED SESSION

**The Board convened into Closed session at 8:23 p.m.**

- A. Texas Government Code 551.071 - For the purpose of a private consultation with the Board's attorney on any and all subjects or matters authorized by law.
- B. Texas Government Code 551.072 - For the purpose of discussing the purchase, exchange, lease or value of real property.
- C. Texas Government Code 551.073 - For the purpose of considering a negotiated contract for a prospective gift or donation.
- D. Texas Government Code 551.074 - For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee
  - 1. Personnel Matters

- E. Texas Government Code 551.076 - To consider the deployment, or specific occasions for implementation, of security personnel or devices.
- F. Texas Government Code 551.082 - For the purpose of considering discipline of a public school child or children or to hear a complaint by an employee against another employee if the complaint or charge directly results in a need for a hearing.
- G. Texas Government Code 551.0821 - Personally identifiable information of Public School students.
- H. Texas Government Code 551.083 - For the purpose of considering the standards, guidelines, terms or conditions the Board will follow, or instruct its representatives to follow, in consultation with representative of employee groups in connection with consultation agreements provided for by Section 13.901 of the Texas Education Code.
- I. Texas Government Code 551.084 - For the purpose of excluding witness or witnesses from a hearing during examination of another witness.
- J. Texas Government Code 551.086 - For the purpose of considering economic development negotiations.

10. RECONVENE IN OPEN SESSION FOR ACTION RELATIVE TO CLOSED SESSION

**The Board reconvened back into Open Session at 10:58 p.m.**

11. ADJOURNMENT

**As there was no further business or action to be taken, the meeting adjourned at 10:59 p.m.**

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John Anderson, Board President

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Brian Sebring, Board Secretary

CHECK		ACCOUNT	
NUMBER	VENDOR	AMOUNT	NUMBER
212431	SKYWARD, INC.	103,226.00	199 E 53 6299 00 997 0 99 000
		103,226.00	Totals for 212431
212433	TEXAS POLITICAL SUBD	6,264.00	199 E 41 6429 00 750 0 99 000
212433	TEXAS POLITICAL SUBD	634,218.00	199 E 51 6429 00 995 0 99 000
212433	TEXAS POLITICAL SUBD	54,107.00	199 E 34 6429 00 991 0 99 000
212433	TEXAS POLITICAL SUBD	24,111.00	199 E 41 6429 00 702 0 99 000
212433	TEXAS POLITICAL SUBD	6,447.00	199 E 52 6429 00 999 0 99 000
		725,147.00	Totals for 212433
		828,373.00	Totals for checks

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
199	GENERAL OPERATING FUND	0.00	0.00	828,373.00	828,373.00
***	Fund Summary Totals ***	0.00	0.00	828,373.00	828,373.00

\*\*\*\*\* End of report \*\*\*\*\*

CHECK		ACCOUNT	
NUMBER	VENDOR	AMOUNT	NUMBER
11935	FACILITY SOLUTIONS G	66,700.00	699 E 81 6629 00 107 0 99 000
		66,700.00	Totals for 11935
		66,700.00	Totals for checks

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
699	CAPITAL PROJECTS	0.00	0.00	66,700.00	66,700.00
***	Fund Summary Totals ***	0.00	0.00	66,700.00	66,700.00

\*\*\*\*\* End of report \*\*\*\*\*

Red Oak ISD  
Brenda Sanford  
Superintendent  
109 Red Oak Rd.  
Red Oak, TX 75154

701 S. I-35 E.  
Waxahachie, TX 75165  
(972) 825-5175 | Fax: (972) 825-5184  
Email: [ellis-tx@tamu.edu](mailto:ellis-tx@tamu.edu)  
<http://Ellis.AgriLife.org/>

July 20, 2021

Dear Brenda Sanford,

On behalf of the 4-H members of Ellis County, we hereby respectfully request that the 4-H organization, by the attached Resolution, be sanctioned as an extracurricular activity. We ask the enclosed Resolution to be presented for consideration at the next scheduled meeting of the Board of Trustees of the Superintendent. We further request that questions regarding this Resolution be directed to us in a timely manner so that we may prepare and present an appropriate response so as not to delay action on this request.

We also request that the Ellis County Extension faculty be recognized as adjunct faculty members for Superintendent for the 2021-2022 school year. The following faculty are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a master's degree.

**Mark Arnold**  
County Extension Agent  
*Agriculture & Natural Resources*

**Page Bishop**  
County Extension Agent  
*4-H & Youth Development*

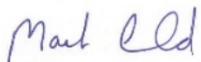
**Liz Espie**  
County Extension Agent  
*Family & Community Health*

**Jade Edgar**  
County Extension Agent  
*Better Living for Texans*

Finally, we request that a signed copy of the Resolution, Adjunct Faculty Agreement, and a copy of the minutes of the Board meeting be forwarded to us for our files.

Thank you and the Board of Trustee members for your consideration of this request.

Sincerely,



**Mark Arnold**  
County Extension Agent  
*Agriculture & Natural Resources*



**Page Bishop**  
County Extension Agent  
*4-H & Youth Development*



**Liz Espie**  
County Extension Agent  
*Family & Community Health*



**Jade Edgar**  
County Extension Agent  
*Better Living for Texans*

Enclosures: 2  
GS



701 South I-35E, Suite 3  
Waxahachie, TX 75165  
Phone: 972-825-5175  
Fax: 972-825-5184  
Email: ellis-tx@tamu.edu

## ADJUNCT FACULTY AGREEMENT

THE STATE OF TEXAS  
COUNTY OF ELLIS

On this date, at a regularly scheduled and posted meeting came the Board of Trustees of Red Oak ISD, herein after referred to as "District." A quorum having been established; the Board proceeded to consider the appointment of the herein named individual as an adjunct faculty member of Red Oak ISD.

Upon consideration and vote of \_\_\_\_\_ in favor to Mark Arnold, is hereby named as adjunct faculty member of the Red Oak ISD, subject to the following conditions and provisions of such appointment, to wit:

31. This appointment shall commence on the 18th day of August and end on the 26th day of May, being the end of the 2021-2022 academic year.
32. Adjunct faculty member will receive no compensation, salary, or remuneration from Red Oak ISD.
33. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
34. Adjunct faculty member shall be under the direct supervision of the District Extension Administrator of District 8, TAEX District.
35. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment, and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member shall direct the activities and participation of students of school/school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to Red Oak ISD administrative personnel. Adjunct faculty members' activities and participation with students of the Red Oak ISD are directed, supervised, and controlled by and through supervisory personnel of the Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Director or County Extension Director. Adjunct faculty member is not the employee of Red Oak ISD, and Red Oak ISD does not nor shall not supervise, direct

or control the activities and/or participation of such Ellis County Extension Agent(s) who has been herein designated as an adjunct faculty member.

This appointment is made by and through the Board of Trustees of said district for the benefit of allowing voluntary student participation in programs conducted by the Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by the Texas A&M AgriLife Extension Service. This appointment is made in accordance with the provisions of Section 129.21(k)(1) of the Texas Administrative Code authorizing the school to deem such participating students in attendance for foundation school program purposes.

This appointment of the herein named Ellis County Extension Agent(s) (Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Red Oak ISD or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

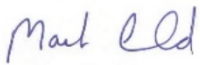
Signed this 16th day of August, 2021.

Red Oak ISD

By: \_\_\_\_\_

John Anderson, Board President

Adjunct Faculty Appointment Accepted By:



**Mark Arnold**  
County Extension Agent  
*Agriculture & Natural Resources*



**Page Bishop**  
County Extension Agent  
*4-H & Youth Development*



**Liz Espie**  
County Extension Agent  
*Family & Community Health*



**Jade Edgar**  
County Extension Agent  
*Better Living for Texans*

Approved:

\_\_\_\_\_  
By: County/District Extension Director, District 8  
Texas A&M AgriLife Extension Service

RESOLUTION  
regarding  
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Be it hereby resolved that upon this date the duly elected Board of Trustees of the school district meeting in public with a quorum present and certified, did adopt this resolution that recognizes the Ellis County Texas 4-H Organization as approved for recognition and eligible for extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities.

Participation by 4-H members under provisions of this resolution are subject to all rules and regulations set forth under the 19 Texas Administrative Code as interpreted by this Board and designated officials of this school district whose rulings shall be final.

Approved this 16th day of August, 2021.

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(For Board of Trustees, Red Oak ISD)

John Anderson, Board President

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(Superintendent, Red Oak ISD)

Brenda Sanford, Superintendent

Student Code of Conduct

**Presented for:**

Board Action   X   Report/Review Only                     

**Supporting documents:**

None                      Attached   X   Provided Later                     

**Contact Person:**

Kevin Freels, Assistant Superintendent of District Operations

**Background Information:**

There are no major changes to the Student Code of Conduct for the 21-22 school year. If there are subsequent rulings or decisions that would change our current document, the Board will be updated.

**Fiscal Implications:**

None

**Administrative Recommendation:**

The Administration recommends approval of the 21-22 Student Code of Conduct as submitted.

RED OAK ISD

~~2020~~ 2021 – ~~2021~~ 2022

**DRAFT**

Student  
Code of Conduct

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## Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Kevin Freels, Assistant Superintendent of District Operations, at kevin.freels@redoakisd.org or 972.617.2941.

## Purpose

~~Education in this community represents a significant commitment of financial and human resources. The benefits a student derives from investment depend very much on the student's attitude toward learning and the student's adherence to high standards of behavior.~~

The Student Code of Conduct ("Code"), ~~is the district's response to the requirements of~~ 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 Code provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.~~

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 Student Code of Conduct has been adopted by the Red Oak ISD Board of Trustees and developed with the advice of the district-level planning and decision-making committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside of the school year until the board adopts an updated version ~~adopted by the board becomes effective~~ for the next school year.

In accordance with state law, the Code ~~will~~shall be posted at each school campus or ~~will~~shall be available for review at the office of the campus principal. Additionally, the Code shall be available at the office of the campus behavior coordinator and posted on the district's website. Parents ~~will~~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 Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy; ~~therefore, in case~~In the event of a conflict between the Code and the Student Handbook, the Code ~~will~~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 authority of the district 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; ~~and~~
2. ~~while~~While the student is going-traveling to and from school or a school-sponsored or school-related activity on district transportation;
3. During lunch periods in which a student is allowed to leave campus;
4. While the student is in attendance at any school-related activity, regardless of time or location;
5. For any school-related misconduct, regardless of time or location;

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6. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
7. When a student engages in cyberbullying, as provided by Education Code 37.0832;
8. When criminal mischief is committed on or off school property or at a school-related event;
9. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
10. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
11. When the student commits a felony, as provided by 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. The designated person may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline. In Red Oak ISD, the campus behavior coordinator will be the campus principal or any other administrator selected by the principal. 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 campus behavior coordinator. Contact information may be found at [www.redoakisd.org](http://www.redoakisd.org).

The campus behavior coordinator and any district administrator retain the ability and/or power under Chapter 37 of the Texas Education Code, to discipline a student.

## **Threat Assessment and Safe and Supportive School Team**

The campus behavior coordinator or other appropriate administrator will work closely with the campus threat assessment 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 campus behavior coordinator and other school administrators as appropriate will report crimes as required by law and will call local law enforcement (Red Oak ISD Police) when an administrator suspects that a crime has been committed on campus.

## **Security Personnel**

To ensure sufficient security and protection of students, staff, and property, the board employs police officers. In accordance with law, the board has coordinated with the campus behavior coordinator and other district employees to

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ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of district peace officers are listed in [policy CKE\(LOCAL\)](#).

Police officers employed by the district shall have all the powers, privileges, and immunities of police officers on or off duty within the jurisdiction of the district. Subject to limitations in law, district police officers shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the district and protect the property of the district.
2. Enforce all laws, including municipal ordinances, county ordinances, and state laws, and investigate violations of law as needed. In doing so, district police officers may serve search warrants in connection with district-related investigations in compliance with the Texas Code of Criminal Procedure.
3. Arrest suspects consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the officer's presence or under the other rules set out in the Texas Code of Criminal Procedure.
4. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
5. Enforce district policies, rules, and regulations on district property, in school zones, at bus stops, or at district functions.
6. Investigate violations of district policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations.
7. Carry weapons as directed by the chief of police and approved by the Superintendent.
8. Carry out all other duties as directed by the chief of police or Superintendent.

Security personnel are tasked with duties that are not in direct conflict with licensed peace officers. District security personnel shall have the authority to:

1. Protect the safety and welfare of any person in the jurisdiction of the district and protect the property of the district.
2. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.
3. Enforce district policies, rules, and regulations on district property, in school zones, at bus stops, or at district functions.
4. Investigate violations of district policy, rules, and regulations as requested by the Superintendent and participate in hearings concerning alleged violations.
5. Carry out all other duties as directed by the chief of police or Superintendent.

## **'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 as an eligible student to give the opening or closing remarks, a student shall not have engaged in any misconduct in violation of the district's Code resulting 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 in violation of the district's Code resulting 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 or eject a person from district property if the person refuses to leave peaceably on request and:0)

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 the person 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 days, unless the complaint is resolved before a board hearing.

**See DAEP-Restrictions During Placement** for information regarding a student assigned to DAEP at the time of graduation.

## **Standards for Student Conduct**

Each student is expected to:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class; take 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.

The district may impose campus or classroom rules in addition to those found in the Student Code of Conduct. These rules may be listed in the Student Handbook or posted in classrooms, and may or may not constitute violations of the Student Code of Conduct.

## **General Conduct Violations**

The categories of conduct below are prohibited at school, in vehicles owned or operated by the district, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on Suspension, DAEP Placement, Placement and/or Expulsion for Certain Serious Offenses, and Expulsion, severe offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in Removal from the Regular Educational Setting as detailed in that section.

## **Disregard for Authority**

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on school buses.
- Refuse to accept discipline management techniques assigned by a teacher, principal, administrator, or other authorized staff member.

## **Mistreatment of Others**

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle (physical or verbal confrontations). (For assault see DAEP Placement and Expulsion)
- Threaten a district student, employee, or volunteer, including off school property, 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 conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person with whom the student has or has had a dating relationship. (See glossary.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion, coercion, or blackmail (obtaining money or an object of value from an unwilling person).
- 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 individuals being recorded or in any way that disrupts the educational environment or invades privacy of others.
- Engage in behavior that threatens the health of others by intentionally coughing, sneezing, or spitting in a manner which appears to spread COVID-19 to others. This action may be considered a form of assault, in accordance with ~~Texas~~ Penal Code 22.01(a)(3).

## **Property Offenses**

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief see **DAEP Placement or Expulsion.**)
- 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.
- 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 Expulsion.**)

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- ~~Engage in unauthorized use and/or entry into district facilities~~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 devices;
- A razor, box cutter, chain, or any other object used in a way that threatens or inflicts bodily injury to another person;
- A “look-alike” weapon that is intended to be used as a weapon or could reasonably be perceived as a weapon;
- An air gun or BB gun;
- Ammunition;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- ~~Knuckles;~~
- \*A location-restricted knife;
- \*A club;
- \*A firearm;
- A stun gun;
- Knuckles;
- A pocketknife or any other small knife;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products; cigarettes; e-cigarettes; and any component, part, or accessory for an e-cigarette device;
- Matches or a lighter;
- A laser pointer, unless it is for ~~other than~~ an approved use;
- Any articles not generally considered to be weapons, including school supplies, when the principal or designee determines that a danger exists; or
- Skateboards, longboards or hover boards.

\*For weapons and firearms, see **DAEP Placement and Expulsion**. 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 cellular telephone, 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 an illegal drug. (Also see DAEP Placement and Expulsion for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See glossary for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.

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- 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 of the physical or mental faculties. (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.
- Have or take CBD oil, unless otherwise prescribed by law.

## **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.
- ~~Refuse to wear a face covering. Pursuant to guidelines issued by the Texas Education Agency ("TEA"), Red Oak ISD is required to comply with the Governor's Executive Order GA-29, and/or any additional orders issued in the future with regard to the wearing of "face coverings" over the nose and mouth when appropriate.~~

## Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the sStudent hHandbook.
- Engage in academic dishonesty, which includes cheating, Cheat, plagiarize, or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- 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. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

## Discipline Management Techniques

Discipline will be designed to improve conduct and to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action will 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 Student Code of Conduct. To the extent any conflict exists, 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 ARD committee meeting has been held to review the conduct.

In deciding whether to order suspension, DAEP placement, or expulsion, regardless of whether the action is mandatory or discretionary, the district will take into consideration a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

## Techniques

The following discipline management techniques may be used alone, in combination, or as part of progressive interventions for behavior prohibited by the Student 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.

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- 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 or other 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 individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- [Expulsion and/or Placement](#) ~~and/or expulsion~~ in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Serious Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- 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.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.

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- 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 campus behavior coordinator will 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 campus behavior coordinator 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 on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. 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 campus behavior coordinator 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 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 campus behavior coordinator, 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 campus behavior coordinator's office, the central administration office, or on the district's website under School Board Policy at [www.redoakisd.org](http://www.redoakisd.org).

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

## Removal from the School Bus

A bus driver may refer a student to the principal, campus behavior coordinator, or designated district administrator's office to maintain effective discipline on the bus. The principal, campus behavior coordinator, or designated district administrator 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 operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal, campus behavior coordinator, or designated district administrator may restrict or revoke a student's transportation privileges, in accordance with law.

## Removal from the Regular Educational Setting

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

## Routine Referral

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques,

including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

## **Formal Removal**

A teacher may also initiate a formal removal from class if:

1. The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or
2. The behavior is so unruly, disruptive, or abusive that the teacher cannot teach, and the students in the classroom cannot learn.

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator will 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 campus behavior coordinator 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 campus behavior coordinator or other administrator may place the student in:

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

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

## **Returning a Student to the Classroom**

~~When a~~ student who has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, or aggravated sexual assault, ~~murder, capital murder, or criminal attempt to commit murder or capital murder, the student~~ may not be returned to the teacher's class without the teacher's consent.

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

## **Out-of-School Suspension**

### **Misconduct.**

Students may be suspended for any behavior listed in the Code 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.

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

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

The district shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of 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 will have an informal conference with the campus behavior coordinator or appropriate administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision.

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days. While suspended, a student may not participate in or attend any school-sponsored activity.

In deciding whether to order out-of-school suspension, the campus behavior coordinator 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.

## **Coursework during Suspension**

The district shall ensure a student receives access to coursework for foundation curriculum courses while the student is placed in in-school or out-of-school suspension, including at least one method of receiving this coursework that doesn't require the use of the internet.

A student removed from the regular classroom to in-school suspension or another setting, other than a DAEP, will have an opportunity to complete before the beginning of the next school year each course the student was enrolled in at the time of removal from the regular classroom. The district may provide the opportunity by any method available, including a correspondence course, another distance learning option, or summer school. The district will not charge the student for any method of completion provided by the district.

## **Disciplinary Alternative Education Program (DAEP) Placement**

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

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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 may 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 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 campus behavior coordinator will take into consideration:

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

### **Discretionary Placement: Misconduct That May Result in DAEP Placement**

A student may be placed in a DAEP for behaviors prohibited in the General Conduct Violations section of this Code.

#### **Misconduct Identified in State Law**

In accordance with state law, a student may be placed in a DAEP for any one of the following offenses:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student’s consent.
- Involvement in a public school fraternity, sorority, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in street gang activity, including participation as a member or pledge, or soliciting another person to become a pledge or member of a gang. (See glossary.)
- Any criminal mischief, including a felony.
- Exhausting all consequences of the campus discipline plan due to serious and persistent misconduct.
- Any incident of fighting.
- Assault (no bodily injury) with threat of imminent bodily injury.
- Assault by offensive or provocative physical contact.

In accordance with state law, a student may be placed in a DAEP if the superintendent or the superintendent’s designee has reasonable belief (see glossary) that the student has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see glossary) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student’s presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

The campus behavior coordinator may, but is not required to, 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 or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
  - Engages in conduct punishable as a felony.
  - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
  - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. 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. (School-related felony drug offenses are addressed in the Expulsion section.) (See glossary for "under the influence.")
  - 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, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in the Expulsion section.)
  - 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 the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
  1. The student receives deferred prosecution (see glossary),
  2. A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
  3. The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

## **Sexual Assault and Campus Assignments**

~~If a~~ 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 children~~ or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus~~;~~ and
- ~~if~~ The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus in the district~~;~~ ~~the offending student shall be transferred to another campus in the district.~~

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

## **Process**

Removals to a DAEP will be made by the campus behavior coordinator or appropriate administrator.

### ***Conference***

When a student is removed from class for a DAEP offense, the campus behavior coordinator or appropriate administrator will schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal.

At the conference, the campus behavior coordinator or appropriate administrator will inform the student, orally or in writing, of the reasons for the removal and will give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal.

Following valid attempts to require attendance, the district may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference.

### ***Consideration of Mitigating Factors***

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator 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 the DAEP, the campus behavior coordinator will write a placement order. A copy of the DAEP placement order will be sent to the student and the student's parent.

Not later than the second business day after the conference, the board's designee will deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code.

If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code, the placement order will give notice of the inconsistency.

### ***Coursework Notice***

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

## **Length of Placement**

The campus behavior coordinator 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.

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The following are ~~suggested guidelines suggestions~~ for length of placement within the Red Oak ISD DAEP:

- ~~5-15 days of discretionary placement for the first incident of fighting in grades 6-12.~~

#### Elementary

- 15 days for discretionary placement for students in grades K-5 that consists primarily of persistent misconduct displayed on campus and for which the campus discipline plan has been applied to the stage where removal from campus and placement in DAEP is indicated. The second (2nd) discretionary campus removal and program assignment could be for 30 days. A student who is disciplined for fighting on campus on two (2) separate and distinct instances could be placed in DAEP for 30 days. With elementary students K-5, the management of fighting on campus may include other consequences in lieu of placement in DAEP at principal discretion.

#### Secondary

- ~~5-15 days of discretionary placement for the first incident of fighting in grades 6-12. A student who is disciplined for fighting on campus in two (2) separate and distinct instances could be placed in DAEP for 30 days.~~
- 30 days for discretionary placement for secondary students (grades 6-12) that consists primarily of persistent misconduct displayed on campus and for which the campus discipline plan has been applied to the stage where removal from campus and placement in DAEP is indicated. The second (2nd) discretionary campus removal and program assignment could be for 60 days. ~~A student who is disciplined for fighting on campus in two (2) separate and distinct instances could be placed in DAEP for 30 days.~~
- 60 days minimum time for the 2nd time a student is sent to DAEP within a school academic year. If the reason for program referral for the 2nd time is for an offense other than continued violation of the code of conduct, then the length of placement could correspond to the more serious offense and the corresponding time assignment. A student who is assigned to DAEP for a 2nd placement during the academic school year either for discretionary or mandatory reasons will be ineligible for the early release incentive.

#### All Grade Levels

- Extended time for Felony Behavior: Crimes against persons – 120 days; Drug & Alcohol crimes – 90 days; Property crimes – 60 days.
- Mid-range time for non-felony antisocial behavior: Drugs, alcohol, threats and/or assaults against persons – 60 days. A threat against a person may be classified as Level 1 or Level 2 as a function of the campus administrator's determination of the student's ability and/or means whereby the threat is feasible or might be accomplished. A Level 1 threat is a 30-day DAEP assignment and signifies the administrator's decision that the means of the student following-through on the threat is of low-probability. Conversely, a Level 2 threat is a 60-day placement and signifies the administrator's evaluation that the student's means of follow-through on the threat is feasible or of high probability.
- Gang activity, identifiable gang clothing or styles, recognizable gang signs or other forms of gang communication, including implied intimidation, gang associated fights, graffiti, and/or attempts at recruitment – 60 days; Vandalism & theft – 60 days; Terroristic threats to damage property or to harm students and/or staff – 60 days.
- ~~60 days minimum time for the 2nd time a student is sent to DAEP within a school academic year. If the reason for program referral for the 2nd time is for an offense other than continued violation of the code of conduct, then the length of placement could correspond to the more serious offense and the corresponding time assignment. A student who is assigned to DAEP for a 2nd placement during the academic school year either for discretionary or mandatory reasons will be ineligible for the early release incentive.~~

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 commit offenses requiring placement in a DAEP 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 campus behavior coordinator 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 will be given notice and the opportunity to participate in a proceeding before the board or the board's designee.

## **Appeals**

Questions or complaints 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 under the School Board Policy link on the district website at [www.redoakisd.org](http://www.redoakisd.org).

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.

## **Restrictions during Placement**

The district does not permit a student who is placed in a DAEP to participate in any school-sponsored or school-related extracurricular or co-curricular activity, including seeking or holding honorary positions and/or membership in school-sponsored clubs and organizations.

A student placed in a DAEP shall not be provided transportation unless he or she is a student with a disability who is entitled to transportation in accordance with the student's individualized education program (IEP) or Section 504 plan.

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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 will be the last instructional day, and the student will 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 will 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 will also be reviewed. At the review, the student or the student's parent will 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 conduct 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 will 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 will 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 will, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The board will make a record of the proceedings.

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

### **Withdrawal during Process**

When a student violates the district's code 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 campus behavior coordinator may complete the proceedings and issue a placement order. If the student then re-enrolls in the district during the same or a subsequent school year, the district may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the campus behavior coordinator 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 DAEP in an open-enrollment charter school or another district.

A newly enrolled student with a DAEP placement from a district in another state will be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this district, by state law, will reduce the period of the placement 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 will be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student will 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 Serious Offenses**

This section includes two categories of serious 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 placement will be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be 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 will 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 Student***

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

### ***Appeal***

A student or the student's parent may appeal the placement by requesting a conference between the board or its designee, the student, and the student's parent. The conference is limited to the factual question of whether the student is required to register as a sex offender. Any decision of the board or its designee 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 campus behavior coordinator makes certain findings and the following circumstances exist in relation to 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;
- Have 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;
- Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
- Have 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
- Have 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 these circumstances 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 campus behavior coordinator will take into consideration:

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

### **Discretionary Expulsion: Misconduct That May Result in Expulsion**

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

#### ***Any Location***

A student may be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.

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- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
  - Aggravated assault.
  - Sexual assault.
  - Aggravated sexual assault.
  - Murder.
  - Capital murder.
  - Criminal attempt to commit murder or capital murder.
  - Aggravated robbery.
- Breach of computer security. (See glossary)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

***At School, Within 300 Feet, or at a School Event***

A student may be expelled for committing any of the following offenses on or within 300 feet of school property, as measured from any point on the school’s real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug, if the conduct is not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (See glossary for “under the influence.”)
- Selling, giving, or delivering to another person, or possessing, using, or being under the influence of alcohol; or committing a serious act or offense while under the influence of alcohol, if the conduct is not punishable as a felony.
- Engaging in conduct that contains the elements of an offense relating to abusable volatile chemicals.
- Engaging in conduct that contains the elements of assault under Section 22.01(a)(1) against an employee or a volunteer.
- Engaging in deadly conduct. (See glossary.)

***Within 300 Feet of School***

A student may be expelled for engaging in the following conduct while within 300 feet of school property, as measured from any point on the school’s real property boundary line:

- Aggravated assault, sexual assault, or aggravated sexual assault.
- Arson. (See glossary.)
- Murder, capital murder, or criminal attempt to commit murder or capital murder.
- Indecency with a child.
- Aggravated kidnapping.
- Manslaughter.
- Criminally negligent homicide.
- Aggravated robbery.
- Continuous sexual abuse of a young child or disabled individual children.
- Felony drug- or alcohol-related offense.
- Unlawfully carrying on or about the student’s person a handgun or a location-restricted knife, as these terms are defined by state law. (See glossary.)
- Possessing, manufacturing, transporting, repairing, or selling a prohibited weapon, as defined by state law. (See glossary.)

- Possession of a firearm, as defined by federal law. (See glossary.)

### ***Property of Another District***

A student may be expelled for committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.

### ***While in DAEP***

A student may be expelled for engaging in documented serious misbehavior that violates the district's Code, 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 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.

### **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:

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- 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 children.
- Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.
- 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 will not be expelled, but will be placed in a DAEP. A student under age six will 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 campus behavior coordinator or other appropriate administrator will schedule a hearing within a reasonable time. The student's parent will be invited in writing to attend the hearing.

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

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

### ***Hearing***

A student facing expulsion will 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 district's witnesses.

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 trustees delegates to the Red Oak Independent School District Superintendent or his designee the 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 hear statements made by the parties at the review and shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

### ***Expulsion Order***

Before ordering the expulsion, the board or campus behavior coordinator shall take into consideration:

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

If the student is expelled, the board or its designee will 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 designee will 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 will give notice of the inconsistency.

### ***Length of Expulsion***

The length of an expulsion will be correlated to 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 will 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 or other appropriate administrator 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 has violated the district's code in a way that 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 campus behavior coordinator or the board may issue an additional disciplinary order as a result of those proceedings.

### ***Restrictions during Expulsion***

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion.

No district academic credit will 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 will 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 will be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student will be given appropriate due process required for a student facing expulsion.

## **DAEP Placement of Expelled Students**

The district may provide educational services to any expelled student in a DAEP; however, educational services in the DAEP must be provided if the student is less than ten years of age.

## **Transition Services**

In accordance with law and district procedures, campus staff shall provide transition services for a student returning to the regular classroom from placement in an alternative education program, including a DAEP or JJAEP. [See policies [FOCA\(LEGAL\)](#) and [FODA\(LEGAL\)](#) for more information.]

## GLOSSARY

The glossary provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct.

**Abuse** is improper or excessive use.

**Aggravated robbery** is defined in part by Penal Code 29.03(a) 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:

1. A crime that involves 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:
    - 1)Knowing that it is within the limits of an incorporated city or town,
    - 2)Knowing that it is insured against damage or destruction,
    - 3)Knowing that it is subject to a mortgage or other security interest,
    - 4)Knowing that it is located on property belonging to another,
    - 5)Knowing that it has located within it property belonging to another, or
    - 6)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. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; or
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
  - a. Recklessly damages or destroys a building belonging to another, or
  - b. Recklessly causes another person to suffer bodily injury or death.

**Assault** is defined in part by Penal Code 22.01(a)(1) as intentionally, knowingly, or recklessly causing bodily injury to another; §22.01(a)(2) as intentionally or knowingly threatening another with imminent bodily injury; and §22.01(a)(3) as intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

**Breach of Computer Security** includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

**Bullying** is defined in Section 37.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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1. Has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property;
2. Is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;
3. Materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or
4. Infringes on the rights of the victim at school.

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

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

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

**Club** is defined by Penal Code 46.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

**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 Section 37.0832 of the Education Code 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.

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**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 ~~weapon~~ 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.

~~**Firearm silencer** is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a 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\(LOCAL\)](#);

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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 Section 37.001(b)(2) of the Education Code; 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;  
~~and~~
  - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another-; and
  - e. 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.

**Hazing** is defined by Section 37.151 of the Education Code 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; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

**Hit list** is defined in Section 37.001(b)(3) of the Education Code 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 51

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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.

**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.

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

**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 clothing, purse, or backpack; 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; telecommunications or electronic devices; or 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:
  - a. An explosive weapon;
  - b. A machine gun;
  - c. A short-barrel firearm;
2. Knuckles;
3. Armor-piercing ammunition;
4. A chemical dispensing device;
5. A zip gun;
6. A tire deflation device; or
7. An improvised explosive device; ~~or~~
- ~~8. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.~~

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

**Public school fraternity, sorority, secret society, or gang** means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are exempted 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 52 engaged in conduct punishable as a felony offense. In forming such a reasonable belief, the superintendent or designee

may use all available information, including the notice of a student's arrest under Article 15.27 of the Code of Criminal Procedure.

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

**Serious misbehavior** means:

1. Deliberate 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 school work 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.

**Switchblade** is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or by the force of gravity or centrifugal force.

**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).

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**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 children under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

[See FOC(EXHIBIT).]

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

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

**Zip gun** is defined by Penal Code 46.01 as a device or combination of devices, that was not originally a firearm, ~~but~~ 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.

## **DISCIPLINE PLAN ELEMENTARY STUDENT**

Students who violate the district Student Code of Conduct shall be subject to disciplinary action. The district's disciplinary options include using one or more discipline management techniques, removal to a Disciplinary Alternative Education Program, suspension, and expulsion. Disciplinary measures are applied depending on the nature of the offense. More information about the district's Discipline Management Plan is available in the Student Code of Conduct.

Red Oak ISD is committed to establishing a high standard of learning within our students. When a student interrupts or stops that learning from taking place, a warning will be given. Only after the warning\* will further consequences be earned as determined by the school administration. \* (Note: Immediate consequences may be given when a student's behavior presents risk of harm to self or others. Warnings are not required for those offenses resulting in an office referral.)

### **Discipline Plan Steps K - 5**

\*\*\*Steps in the plan will accumulate throughout the entire school year.

Step 1:	Detention
Step 2:	Detention
Step 3:	Detention
Step 4:	Detention
Step 5:	Up to 1 day earned ISS (in-school suspension) OR 3-hour after school detention
Step 6:	Up to 1 day earned ISS
Step 7:	Up to 2 days earned ISS
Step 8:	Up to 2 days earned ISS
Step 9:	Up to 3 days earned ISS
Step 10:	OSS (out of school suspension)
Step 11:	DAEP (15 days)
Step 12:	1 day ISS
Step 13:	2 days ISS
Step 14:	3 days ISS
Step 15:	OSS
Step 16:	DAEP (30 days)

Provided however, a student below grade three or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or 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 under ~~Texas~~ Penal Code sections 46.02 or 46.05; assault, sexual assault, aggravated assault, or aggravated sexual assault; selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage.

A student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun Free Schools Act [see Board Policy<sup>55</sup> FOD] shall be provided educational services in a DAEP.

# DISCIPLINE PLAN SECONDARY STUDENT

## Red Oak High School and Red Oak Middle School Discipline Guidelines

The disciplinary action taken will be based on “individual offense actions” in most cases. There are a few instances where total cumulative points earned will determine disciplinary action. The administrator reserves the right to use any action deemed appropriate according to specific circumstances. The natural progression of consequences for inappropriate behavior would include after school detention, Saturday detention, in-school suspension (ISS), out of school suspension, and then recommendation for placement in the Discipline Alternative Education Program (DAEP). Serious acts of misbehavior will result in more serious consequences, such as in-school suspension, out of school suspension, placement in DAEP, or recommendation for expulsion.

The Red Oak High School and Red Oak Middle School Discipline Management Plan is based on a point system. When a student has accumulated 15-20 points the student may be placed in ISS for up to three days. When a student has accumulated 30 or more total points for the year, a conference will be held to determine if a DAEP placement is warranted. An example of common offenses is listed below:

Offense	Points Per Offense
Excessive tardies	1
Dress Code	1
Referral to the office	3
Going to the parking lot without permission	3
Failure to serve detention or Saturday School	3
Inappropriate Language	3
Not in assigned area	3
Insubordination/Disrespect	5
Leaving Campus without permission	5
Profanity	5
Scuffling	5
Tobacco / E-Cigarette (possession/use)	5 First offense; 10 Second offense
Fighting	10 Points and DAEP Placement
Fireworks	30
Vandalism	10 to 30
Bullying/Harassment of Others	10 to 30
Alcohol/Drugs	30 DAEP Placement
Assault	30 DAEP Placement
Weapons	30 DAEP Placement
Theft	10 to 30

Any other offense(s) deemed in need of disciplinary action by the administration will be considered General Misconduct and points per offense will range from 1 – 30.

The administration maintains the discretion to assign additional points should the incident deemed to be more severe.

Before ordering removal to a DAEP, a Campus Behavior Coordinator must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student’s disciplinary history, ~~and~~ whether the student has a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the student’s conduct, the student’s status in the conservatorship of the Department of Family and Protective

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Services (foster care), or the student's status as homeless, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.

Students returning from a DAEP placement will have their discipline reviewed on a case-by-case basis, with a maximum of 15 additional points to be accumulated before a return to DAEP placement.

The principal or campus behavior coordinator and other school administrators as appropriate will report crimes as required by law and will call local law enforcement (Red Oak ISD Police) when an administrator suspects that a crime has been committed on campus.



2021-2022 Extra-Curricular Code of Conduct

**Presented for:**

Board Action \_\_\_\_\_ X \_\_\_\_\_ Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached \_\_\_\_\_ X \_\_\_\_\_ Provided Later \_\_\_\_\_

**Contact Person:**

Kevin Freels, Assistant Superintendent of District Operations

**Background Information:**

There are no changes to this document from the previous year. New legislation and recent court cases have presented no new information that require updates to our Extra Curricular Code of Conduct..

**Fiscal Implications:**

No change

**Administrative Recommendation:**

The Administration recommends approval of the Extra-Curricular Code of Conduct for the 2021-2022 school year.

# Red Oak Independent School District Extracurricular Code of Conduct as of the ~~2019-2020~~ 2021-2022 school year

## I. Extracurricular Activities

The term "extracurricular activities" means, without limitation, all interscholastic athletics, cheerleading, drill team, academic clubs, special interest clubs, musical performances, dramatic products, student government, and any other activity or group that participates in contests, competitions, or community service projects on behalf of or as a representative of the district. The term includes any non-curricular event and membership or participation in groups, clubs, and organizations recognized and approved by the District.

A student's participation in a particular extracurricular activity is conditioned upon the student's compliance with the requirements and standards of behavior set forth in the Red Oak ISD Student Code of Conduct outlined in the Student Handbook, and the Red Oak ISD Extracurricular Code of Conduct. Additionally, individual activities may have additional guidelines specific to their group or activity in which a student may be held accountable.

## II. Jurisdiction

Student participation in extracurricular activities is encouraged. Red Oak ISD makes extracurricular activities available as an extension of the regular school program, with this important difference: participation in the regular curriculum is a right afforded to each student, while participation in the extracurricular program is a privilege that carries additional expectations for acceptable conduct. Students engaging in extracurricular activities represent not only themselves, but also other students and the district when performing, competing, or participating in extracurricular activities and while wearing uniforms or other clothing that identifies the student to the community or public in any setting as Red Oak ISD students. For this reason, their behavior must be exemplary and reflect the finest attributes of the total Red Oak ISD student body **at all times and places**.

Important goals of the extracurricular activities are to give students direction in developing self-discipline, responsibility, pride, loyalty, leadership, teamwork, respect for authority, and healthy living habits.

Because participation in extracurricular activities is a privilege and not a right, Red Oak ISD is authorized to set higher standards for participants of extracurricular activities than it would for those students who choose not to participate in these activities. Therefore, this *Extracurricular Code of Conduct* will be enforced with all students grades 6<sup>th</sup>–12<sup>th</sup> participating in extracurricular activities:

- Regardless of whether school is in session;

- Regardless of whether the offense occurs on or off school property or at a school-related event;
- Regardless of whether the student is directly involved with the extracurricular activity at the time the prohibited conduct occurs;
- Regardless of whether the extracurricular activity is in-season; and
- Regardless of where and when the conduct occurs.

It is possible that a student who violates the *Red Oak ISD Student Code of Conduct* will incur consequences from both the appropriate school administrator and from his or her coach, director or sponsor for the same particular violation. However, the standards of the *Red Oak ISD Extracurricular Code of Conduct* are independent of the *Red Oak ISD Student Code of Conduct*, and therefore it is also possible that a student participating in extracurricular activities could violate the individual extracurricular activity's code of conduct and/or the *Red Oak ISD Extracurricular Code of Conduct* and be subject to discipline by a coach, director or sponsor without having violated the *Red Oak ISD Student Code of Conduct*.

### III. Conduct Expectations

**The following conduct is expected of all participants. Failure to meet these expectations can result in disciplinary action by the coach, director or sponsor:**

- Student commitment to a team or organization is expected for the entire season or activity. Students are encouraged to participate in more than one extracurricular activity; however, students may not quit one sport or organization later than before the first contest (or other such activity), in order to participate in another while the sport or club that he or she quit is still active. If a student is involved in two activities at the same time, quitting one activity will not affect the student's status in the other activity.
- All students participating in ROISD extracurricular activities that require participation on team or other formal groups, such as athletics, cheerleading, drill team, etc., made a commitment to the team or group, their teammates and their school. Each program demands the dedication of time and energy of the student participant. Part of this commitment is to be a student first and strive for academic excellence. Another part of this commitment is to place the ROISD extracurricular team or group above participation in any non-school sanctioned activity and attend all practices, games, contests, or other organized group activities scheduled by ROISD coaches or sponsors.

Without permission from a coach, director, or sponsor, if a student misses an ROISD extracurricular practice or other activity because of participation in an activity not under the direction of ROISD (non UIL extracurricular activities, such as club sports, etc.), the student may be suspended for one game, contest or other event. If a student chooses an outside activity over an ROISD activity for a second time, he/she may be released from the team or organization.

In addition, in the event a student misses an ROISD extracurricular contest, game or other such event to participate in an activity not under direction of ROISD, the student has chosen that activity over the ROISD activity and he/she may be released from the team or organization.

- Students who participate in extracurricular activities that involve competition among schools and school districts will conduct themselves in a sportsmanlike manner at all times. This includes behavior toward visiting teams or hosting teams as well as the opponent's fans. Red Oak ISD participants will be noted for clean, tough, competitive play. Students who fail to comply with this requirement are subject to punishment up to and including removal from the team or organization for a fixed or indefinite period, or permanently.
- Students who cannot be present for a practice, workouts, meeting, or event should contact the coach, director, or sponsor, as soon as they are aware that they will be absent. Missed practices, meetings, or workouts will be made-up; however, disciplinary action may still be taken if a participant is absent more than two times in a semester or is absent any time without good cause.
- Injured or ill students who are unable to participate should still attend practices, workouts, meetings, or events as required by the coach, director, or sponsor.
- Students are required to show respect at all times to coaches, directors and sponsors.
- Students should follow the rules promulgated in the *Red Oak ISD Student Code of Conduct*. Failure to do so may result in additional disciplinary measures related to the student's participation in extracurricular activities as determined by the coach, director or sponsor.
- Students in grades 9-12 who wish to participate in competitive, school-sponsored extracurricular activities must participate in the mandatory drug testing program. This program shall include comprehensive testing at the beginning of the school year and random testing throughout the school year. See Board Policy FNF (Legal) and (Local) for more information regarding drug testing.

## **IV. Prohibited Conduct and Disciplinary Action**

In addition to obeying rules set forth in the *ROISD Student Code of Conduct*, the particular extracurricular activity's guidelines, if any, or rules otherwise communicated to the student by the activity's coach, sponsor or director, a student in grades 6 through 12 participating in any ROISD extracurricular activity shall comply with the *Extracurricular Code of Conduct* and will be disciplined as outlined below:

### **A. General Misconduct Guidelines**

**Red Oak ISD students who participate in extracurricular activities are prohibited at all times and in all places from:**

- Violating the *ROISD Student Code of Conduct*
- Repeated violations of the *ROISD Student Code of Conduct*
- Violations of the social media policy
- Bullying or Harassment

Students will be subject to the consequences outlined in the *ROISD Student Code of Conduct* and the following actions based on the severity of the infraction as determined by the appropriate coach/sponsor/director in conjunction with the designated Campus Behavior Coordinator:

- Suspension from team/activity for up to 30 days and/or
- Removal from or ineligible for leadership role for one calendar year and/or
- Removal from the team or organization

\*\*\*Leadership is defined as a role or responsibility that was awarded through a formal criteria, selection or evaluation process that a student completed an application for consideration.

## **B. Removal from the Regular Education Setting**

**Red Oak ISD students who participate in extracurricular activities are prohibited at all times and in all places from:**

### **1. Behaviors resulting in In-School Suspension or Suspension from School**

#### **Action taken:**

Any student removed from the regular educational setting and assigned to In-School Suspension or suspended from school, shall be disciplined as follows:

Students who are suspended or in ISS are not eligible to compete in extracurricular contests until the suspension or ISS assignment is complete.

- ISS students may practice before or after school while assigned to ISS, but they may not participate in extracurricular contests until they have served the full length of their ISS assignment.
- Suspended students are not allowed to be on campus while suspended and therefore may not participate in practices or extracurricular events during the length of their suspension.

For clarification purposes: An ISS assignment is complete at the conclusion of the school day of the final day of the assignment. A suspended student does not become eligible until the morning after the final day of the suspension.

### **2. Behaviors resulting in Discretionary DAEP Assignment**

#### **Action taken:**

Any student removed from the regular educational setting and assigned to DAEP shall be disciplined as follows:

1<sup>st</sup> Offense: The student shall be suspended from participation in extracurricular activities while assigned to DAEP. Upon completion of the DAEP assignment, the student will not participate in any extracurricular activities for up to 10 calendar days. Removal from or ineligible for a leadership role for one calendar year.

2<sup>nd</sup> Offense: The student shall be suspended from participation in extracurricular activities while assigned to DAEP. Upon completion of the DAEP assignment, the student will not participate in any extracurricular activities for up to 30 calendar days. Removal from or ineligible for a leadership role for one calendar year.

3<sup>rd</sup> Offense: The student shall be suspended from participation in extracurricular activities while assigned to DAEP. Upon completion of the DAEP assignment, the student shall also be suspended from further participation in all extracurricular activities for up to one calendar year. Removal from or ineligible for a leadership role permanently.

### **3. Behaviors resulting in Mandatory DAEP Assignment**

#### **Action taken:**

Any student removed from the regular educational setting and assigned to DAEP for a mandatory reason shall be disciplined as follows:

1<sup>st</sup> Offense: The student shall be suspended from participation in extracurricular activities while assigned to DAEP and from further participation in all extracurricular activities for up to 30 calendar days after returning from DAEP. Removal from or ineligible for a leadership role for one calendar year.

2<sup>nd</sup> Offense: The student shall be suspended from participation in extracurricular activities while assigned to DAEP and from further participation in all extracurricular activities for up to one calendar year after returning from DAEP. Removal from or ineligible for a leadership role permanently.

3<sup>rd</sup> Offense: The student shall be dismissed from further participation in all extracurricular activities for the remainder of the student's enrollment in either middle school or high school.

For clarification purposes: Students placed in DAEP are ineligible to participate in or attend extracurricular activities pursuant to Texas Education Code Section 37.006(g).

### **4. Behaviors resulting in Expulsion**

#### **Action taken:**

Any student removed from the regular educational setting through an expulsion process shall be removed from all extracurricular activities for one calendar year from the completion of the expulsion.

## C. Off Campus Violations

As representatives of ROISD, students who participate in extracurricular activities are expected to demonstrate exemplary behavior whether at school or away and at all times. The behavior of the individual is a reflection of the team or organization and will therefore affect the individual's eligibility to participate and/or represent the team or organization. Therefore, students involved in ROISD extracurricular activities are prohibited from the following:

1. possessing or using drug paraphernalia;
2. possessing, selling, or delivering to another person look-alike drugs or items represented to be drugs or contraband of any kind;
3. possessing, selling, giving, delivering to another person, using, or being under the influence of marijuana, alcohol, a controlled substance, or any dangerous drug;
4. engaging in conduct that contains the element of an offense relating to glue, aerosol paint, or volatile mood-altering chemicals;
5. stealing/theft;
6. conduct that causes injury or harm to persons or property;
7. any misconduct requiring law enforcement notification to the school district.

### **Action taken:**

Disciplinary action as outlined below represents the minimum consequences that may be administered.

**1<sup>st</sup> Offense:** The student shall be removed from extracurricular activity for up to 30 school days. (If a student confesses to the violation before the school is notified, the penalty will be reduced by one half.) Removal from or ineligible for a leadership role for one calendar year. Any other action the coach/sponsor/director deems appropriate.

**2<sup>nd</sup> Offense:** The student shall be dismissed from further participation in all extracurricular activities for up to 90 school days. Removal from or ineligible for a leadership role for one calendar year.

**3<sup>rd</sup> Offense:** The student shall be dismissed from further participation in all extracurricular activities for the remainder of the student's enrollment in either middle school or high school.

## V. Procedures

For all activities, the school principal, the coach, director or sponsor will determine whether an *Extracurricular Code of Conduct* violation has occurred. Upon determination of a violation by

the coach, director or sponsor, the School Administrator and the Activity Director shall be notified to confirm a violation has occurred.

Upon determination of an *Extracurricular Code of Conduct* violation, the following individuals will be notified:

- The student and the student's parent(s); and/or
- In appropriate cases, the student may be referred to a school counselor to provide counseling, support, and guidance in dealing with issues associated with alcohol, drugs, mood-altering chemicals, and other prohibited activities.

Nothing in this *Extracurricular Code of Conduct* limits the authority of a coach, director or sponsor to impose reasonable sanctions, including added training obligations or other minor sanctions for students who breach team or organization conduct expectations but do not engage in conduct prohibited by this *Extracurricular Code of Conduct*.

## **VI. Insurance**

Red Oak ISD may choose to purchase or make available a limited amount of accident insurance to help cover specified expenses relating to injuries suffered by students participating in sports and other extracurricular activities. Such choice will be made by the Board of Trustees each year as a part of the budgetary process. However, the purchase of any such insurance does not operate as a waiver of the District's immunity from liability or damages for student injuries, nor does it imply any agreement by the District to assume any responsibility for such injuries or for expenses. Parents are strongly urged to make sure they have sufficient personal insurance to cover any expenses related to a student injury. Further information concerning student accident insurance may be found on the district website.

## **VII. Eligibility and Tryouts**

All students are eligible, as long as they meet UIL requirements for eligibility and any addendums included for a specific sport or activity. To remain eligible, a student must be passing all classes and have acceptable conduct as outlined in the *Extracurricular Code of Conduct* and the Red Oak ISD *Student Code of Conduct*.

Tryout procedures and the calendar for the various extracurricular activities are determined by the individual activity directors in partnership with ROISD guidelines. Final approval of the individual extracurricular activity tryout procedures in each area will be given by the appropriate ROISD Administrator or designee. Upon completion of the tryout procedure for the extracurricular activity, the sponsor will notify all participants of their membership status. The results of tryout procedures are final and cannot be appealed.

If due to a disability, a student requires reasonable accommodations for the tryout process, please notify the advisor of the activity as soon as possible. All students will be expected to comply with the neutral, nondiscriminatory criterion used for determining a student's eligibility

at tryouts and any accommodations that would result in a fundamental alteration of the activity will not be made.

## **VIII. Activities - Transportation**

Students will ride school-provided transportation to and from *all* events. Exceptions will not be routinely granted, but are reserved for exceptional circumstances and unforeseeable emergencies. A student will only be released to a parent/guardian, and only after completion of a travel release form\*, which will be submitted at least 24 hours in advance except in emergency situations. Exceptions will not be granted for convenience. Violations of this rule may subject students to disciplinary actions up to and including removal from the team or organizations.

\*A travel release form may be obtained from the coach, director or sponsor.

If a student is representing Red Oak ISD in one activity, he/she may be transported to a second Red Oak ISD activity by parent/guardian with previous knowledge/consent by both coaches/sponsors.

## **IX. Fundraising and Booster Clubs**

All students/athletes/participants are encouraged to raise funds for team or organization activities. Students engaged in fundraising activities are expected to promptly turn in all money (including checks) received as directed by the coach, director or sponsor. Students are responsible for safeguarding all funds in their possession, and may be required to reimburse the organization or team for any money lost or otherwise unaccounted for while in a student's possession. Students who fail to turn in all funds in a timely fashion may be subjected to disciplinary actions up to and including removal from the team or organization. Students should also be aware that retaining money that does not belong to the student may subject the student to appropriate sanctions under the *Student Code of Conduct*.

## **X. Social Media Policy**

Red Oak ISD supports the student's rights to freedom of speech, expression, and association, including the use of social networks. As a student, you represent the school district and you are expected to portray yourself, your team/organization, your school and the school district in a positive manner both on and off campus through social media.

The following guidelines will be the standard for social media/networking use by all students who participate in extracurricular activities in grades 6-12 within the Red Oak ISD. Consequences for noncompliance will vary based on severity and frequency of violation.

All extracurricular students will refrain from posting, submitting, sending, or publishing inappropriate, slanderous, derogatory, sexually suggestive, sexually explicit, or any form of

negative or obscene comments, photos, texts, etc. to any electronic, public or private entity which includes, but is not limited to: Facebook, Twitter, YouTube, personal email accounts, personal web pages, personal or private chat rooms, personal texting/cell phone accounts, etc. Sending any form of inappropriate (as determined by Red Oak ISD) photos, comments, etc. will not be tolerated regardless of who the intended recipient may be. Once verification of inappropriate content was sent, consequences designated by the coach in conjunction with District administration will occur.

## **XI. Acknowledgement**

A condition to participating in any extracurricular activity or holding any office (elected or appointed) is an acknowledgement that the student has read and understands the *Extracurricular Code of Conduct*. The acknowledgement states that the party understands the consequences for engaging in prohibited conduct. All students upon annual online registration acknowledge receipt of the *Extracurricular Code of Conduct*.

This *Extracurricular Code of Conduct* is in accordance with ROISD Board Policy FO(LOCAL).



**Resolution to Assign Fund Balance for 2021-2022**

**Red Oak Independent School District**

**August 16, 2021**

On this date, August 16, 2021, we, the School Board of Red Oak Independent School District, hereby assign \$82,095 as set aside for residential placement.

This amount is solely to be used in the event the District is unable to fulfill the educational needs of a special education student and that student requires residential placement. The source of these funds shall be derived from the General Fund – Fund Balance.

In the event that no residential placement occurs during the 2021-2022 school year, the funds will become unassigned as a part of the fund balance.

IN CERTIFICATION THEREOF:

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John Anderson, Board President  
Red Oak Independent School District

ATTEST:

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Brian Sebring, Board Secretary  
Red Oak Independent School District

2021-2022 Fiscal Year Amended Budget

**Presented for:**

Board Action     X     Report/Review Only                     

**Supporting documents:**

None                      Attached     X     Provided Later                     

**Contact Person:**

Dr. Bill Johnston, CPA, Assistant Superintendent of Business Services/Chief Financial Officer

**Background Information:**

On June 21, 2021, the District held a Public Hearing on the 2021-2022 Budget and the Proposed Tax Rate. The Board approved the Budget at a separate meeting held on June 21, 2021. Texas Tax Code § 26.05 states that a school district cannot adopt tax rates until the certified values have been received from the County Appraisal District.

As part of the 86th Legislative Session, the Texas Property Tax Reform and Transparency Act of 2019, or Senate Bill 2, was passed that implemented significant changes to the setting of local tax rates. As part of the Texas Property Tax Reform and Transparency Act of 2019, additional tax calculations need to be made public to taxpayers after the certified values are received. These additional tax rates are the no-new-revenue tax rate and the voter-approval tax rate.

Effective January 1, 2021, Texas Tax Code § 26.04 (e-5) states that the governing body of a taxing unit shall include as an appendix to the taxing unit's budget for a fiscal year the tax rate calculation forms used by the designated officer or employee of the taxing unit to calculate the no-new-revenue tax rate and the voter-approval tax rate of the taxing unit for the tax year in which the fiscal year begins. The interpretation of this is that the Board must approve an amended budget that includes the worksheet (Form 50-859) that has these tax rates as an appendix and then post the documents to the District's website.

Texas Education Code establishes the legal requirements for the development and adoption of annual budgets for the General Operating Fund, Student Nutrition Fund and the Debt Service Fund. The budget also must be prepared according to generally accepted accounting principles.

**Fiscal Implications:**

The Amended Budget amounts have not changed from the Adopted Budget amounts. See the attached document for additional information and details of all proposed budget components.

**Administrative Recommendation:**

Administration recommends the School Board approve the amended 2021-2022 Fiscal Year Budget and Appendix for the General Operating Fund, Student Nutrition Fund and Debt Service Fund as presented.

# Red Oak Independent School District

## 2021-2022 Amended Budget

As of August 9, 2021

	2020-2021 Revised Budget	2020-2021 Unaudited Actual	2021-2022 Original Budget	2021-2022 Amended Budget
<b>All District Funds</b>				
Beginning Fund Balance	\$25,981,070	\$25,981,070	\$28,009,871	\$28,009,871
Ending Fund Balance	\$26,618,156	\$28,009,871	\$27,083,870	\$27,083,870
<b>Revenues</b>				
Tax Sources	\$29,664,248	\$31,110,866	\$33,886,590	\$33,886,590
Local Sources	3,486,448	1,586,874	3,021,948	3,021,948
State Sources	35,491,272	33,661,444	33,946,372	33,946,372
State On-Behalf	2,966,814	3,024,629	3,290,405	3,290,405
Federal Sources	2,160,000	2,363,596	2,660,205	2,660,205
Non-Operating Revenue	0	130,000	0	0
Total District Revenues	<u>\$73,768,782</u>	<u>\$71,877,409</u>	<u>\$76,805,520</u>	<u>\$76,805,520</u>
<b>Expenditures by Object</b>				
Salary (6100)	\$44,245,073	\$42,633,991	\$46,412,169	\$46,412,169
Benefits (6140)	7,443,996	7,265,484	8,108,784	8,108,784
Professional Services (6200)	4,664,254	3,643,217	4,375,129	4,407,524
Supplies & Materials (6300)	5,244,394	4,167,390	5,231,577	5,191,869
Operating Costs (6400)	1,653,090	1,286,538	1,730,857	1,734,746
Debt Service (6500)	8,232,479	8,013,472	11,067,054	11,067,054
Capital Outlay (6600)	1,648,410	1,708,517	805,951	809,376
Other Uses (8900)	0	1,130,000	0	0
Total District Expenditures	<u>\$73,131,696</u>	<u>\$69,848,609</u>	<u>\$77,731,521</u>	<u>\$77,731,521</u>
<b>Expenditures by Function</b>				
Instruction Services (10)	\$33,848,712	\$32,291,458	\$35,188,314	\$35,188,314
Leadership Services (20)	4,300,956	4,095,486	4,589,495	4,589,495
Support Services - Student (30)	11,386,096	10,596,496	11,877,626	11,877,626
Administrative Services (40)	2,703,838	2,443,369	2,765,020	2,765,020
Support Student (50)	9,650,643	8,742,443	9,908,021	9,908,021
Community Services (60)	1,938,972	1,468,526	1,992,670	1,992,670
Debt Services (70)	8,232,479	8,013,472	11,067,054	11,067,054
Capital Outlay (80)	850,000	844,699	113,321	113,321
Intergovernmental Services (90)	220,000	222,660	230,000	230,000
Non-Operating/Other Uses (00)	0	1,130,000	0	0
Total District Expenditures	<u>\$73,131,696</u>	<u>\$69,848,609</u>	<u>\$77,731,521</u>	<u>\$77,731,521</u>
Beginning Operating Fund Balance	\$19,703,350	\$19,703,350	\$20,862,785	\$20,862,785
Ending Operating Fund Balance	\$19,703,350	\$20,862,785	\$20,862,785	\$20,862,785
(Funds 198 and 199)	31.36%	34.70%	32.35%	32.35%

# Red Oak Independent School District

## 2021-2022 Amended Budget

As of August 9, 2021

	2020-2021 Revised Budget	2020-2021 Unaudited Actual	2021-2022 Original Budget	2021-2022 Amended Budget
<b>General Operating Funds</b>				
Beginning Fund Balance	\$19,703,350	\$19,703,350	\$20,862,785	\$20,862,785
Ending Fund Balance	\$19,703,350	\$20,862,785	\$20,862,785	\$20,862,785
<b>Revenues</b>				
Tax Sources	\$21,598,866	\$22,760,269	\$24,549,720	\$24,549,720
Local Sources	2,098,948	1,145,411	2,083,448	2,083,448
State Sources	35,242,089	33,632,714	33,692,189	33,692,189
State On-Behalf	2,931,473	2,931,473	3,225,405	3,225,405
Federal Sources	950,000	817,493	950,000	950,000
Non-Operating Revenue	0	0	0	0
Total by Source	\$62,821,376	\$61,287,360	\$64,500,762	\$64,500,762
<b>Expenditures</b>				
<b>By Object</b>				
Salary (6100)	\$43,171,549	\$41,586,526	\$45,230,439	\$45,230,439
Benefits (6140)	7,218,717	7,026,157	7,814,159	7,814,159
Professional Services (6200)	4,618,761	3,607,036	4,335,336	4,365,731
Supplies & Materials (6300)	4,049,814	3,342,242	4,120,085	4,082,377
Operating Costs (6400)	1,642,325	1,277,954	1,719,792	1,723,681
Debt Service (6500)	475,000	449,493	475,000	475,000
Capital Outlay (6600)	1,645,210	1,708,517	805,951	809,376
Other Uses (8900)	0	1,130,000	0	0
Total by Object	\$62,821,376	\$60,127,924	\$64,500,762	\$64,500,762
<b>By Function</b>				
Instruction Services (10)	\$33,848,712	\$32,291,458	\$35,188,314	\$35,188,314
Leadership Services (20)	4,300,956	4,095,486	4,589,495	4,589,495
Support Services - Student (30)	8,833,255	8,439,791	9,238,921	9,238,921
Administrative Services (40)	2,703,838	2,443,369	2,765,020	2,765,020
Support Student (50)	9,650,643	8,742,443	9,908,021	9,908,021
Community Services (60)	1,938,972	1,468,526	1,992,670	1,992,670
Debt Services (70)	475,000	449,493	475,000	475,000
Capital Outlay (80)	850,000	844,699	113,321	113,321
Intergovernmental Services (90)	220,000	222,660	230,000	230,000
Non-Operating/Other Uses (00)	0	1,130,000	0	0
Total by Function	\$62,821,376	\$60,127,924	\$64,500,762	\$64,500,762
General Fund Balance (Revenue)	31.36%	32.15%	32.35%	32.35%
General Fund Balance (Expenditure)	31.36%	34.70%	32.35%	32.35%

# Red Oak Independent School District

## 2021-2022 Amended Budget

As of August 9, 2021

	2020-2021 Revised Budget	2020-2021 Unaudited Actual	2021-2022 Original Budget	2021-2022 Amended Budget
<b>Child Nutrition Funds</b>				
Beginning Fund Balance	\$113,351	\$113,351	\$117,944	\$117,944
Ending Fund Balance	\$113,351	\$117,944	\$117,944	\$117,944
<b>Revenues</b>				
Tax Sources	\$0	\$0	\$0	\$0
Local Sources	1,297,500	381,509	848,500	848,500
State Sources	10,000	10,530	15,000	15,000
State On-Behalf	35,341	93,156	65,000	65,000
Federal Sources	1,210,000	1,546,104	1,710,205	1,710,205
Non-Operating Revenue	0	130,000	0	0
Total by Source	\$2,552,841	\$2,161,299	\$2,638,705	\$2,638,705
<b>Expenditures</b>				
<b>By Object</b>				
Salary (6100)	\$1,073,524	\$1,047,465	\$1,181,730	\$1,181,730
Benefits (6140)	225,279	239,327	294,625	294,625
Professional Services (6200)	45,493	36,181	39,793	41,793
Supplies & Materials (6300)	1,194,580	825,148	1,111,492	1,109,492
Operating Costs (6400)	10,765	8,584	11,065	11,065
Debt Service (6500)	0	0	0	0
Capital Outlay (6600)	3,200	0	0	0
Other Uses (8900)	0	0	0	0
Total by Object	\$2,552,841	\$2,156,705	\$2,638,705	\$2,638,705
<b>By Function</b>				
Instruction Services (10)	\$0	\$0	\$0	\$0
Leadership Services (20)	0	0	0	0
Support Services - Student (30)	2,552,841	2,156,705	2,638,705	2,638,705
Administrative Services (40)	0	0	0	0
Support Student (50)	0	0	0	0
Community Services (60)	0	0	0	0
Debt Services (70)	0	0	0	0
Capital Outlay (80)	0	0	0	0
Intergovernmental Services (90)	0	0	0	0
Non-Operating/Other Uses (00)	0	0	0	0
Total by Function	\$2,552,841	\$2,156,705	\$2,638,705	\$2,638,705

# Red Oak Independent School District

## 2021-2022 Amended Budget

As of August 9, 2021

	2020-2021 Revised Budget	2020-2021 Unaudited Actual	2021-2022 Original Budget	2021-2022 Amended Budget
<b>Debt Service Fund</b>				
Beginning Fund Balance	\$6,164,369	\$6,164,369	\$7,029,141	\$7,029,141
Ending Fund Balance	\$6,801,455	\$7,029,141	\$6,103,140	\$6,103,140
<b>Revenues</b>				
Tax Sources	\$8,065,382	\$8,350,596	\$9,336,870	\$9,336,870
Local Sources	90,000	59,954	90,000	90,000
State Sources	239,183	18,200	239,183	239,183
State On-Behalf	0	0	0	0
Federal Sources	0	0	0	0
Non-Operating Revenue	0	0	0	0
Total by Source	\$8,394,565	\$8,428,750	\$9,666,053	\$9,666,053
<b>Expenditures</b>				
<b>By Object</b>				
Salary (6100)	\$0	\$0	\$0	\$0
Benefits (6140)	0	0	0	0
Professional Services (6200)	0	0	0	0
Supplies & Materials (6300)	0	0	0	0
Operating Costs (6400)	0	0	0	0
Debt Service (6500)	7,757,479	7,563,979	10,592,054	10,592,054
Capital Outlay (6600)	0	0	0	0
Other Uses (8900)	0	0	0	0
Total by Object	\$7,757,479	\$7,563,979	\$10,592,054	\$10,592,054
<b>By Function</b>				
Instruction Services (10)	\$0	\$0	\$0	\$0
Leadership Services (20)	0	0	0	0
Support Services - Student (30)	0	0	0	0
Administrative Services (40)	0	0	0	0
Support Student (50)	0	0	0	0
Community Services (60)	0	0	0	0
Debt Services (70)	7,757,479	7,563,979	10,592,054	10,592,054
Capital Outlay (80)	0	0	0	0
Intergovernmental Services (90)	0	0	0	0
Non-Operating/Other Uses (00)	0	0	0	0
Total by Function	\$7,757,479	\$7,563,979	\$10,592,054	\$10,592,054

# 2021 Tax Rate Calculation Worksheet

## School Districts without Chapter 313 Agreements

Form 50-859

### Appendix

Red Oak Independent School District	(972) 617-2941
School District's Name	Phone (area code and number)
109 W. Red Oak Rd., Red Oak, TX 75154	www.redoakisd.org
School District's Address, City, State, ZIP Code	School District's Website Address

**GENERAL INFORMATION:** Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll or certified estimate of value and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submit the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

This worksheet is for **school districts without Chapter 313 agreements only**. School districts that have a Chapter 313 agreement should use Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School Districts with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form. Use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

All other taxing units should use Comptroller Form 50-856 *Tax Rate Calculation, Taxing Units Other Than School Districts or Water Districts*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The Texas Education Agency (TEA) provides detailed information on and guidance to school districts in calculating their tax rates. Please review and rely on information provided by TEA when completing this worksheet. Additionally, the information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

### SECTION 1: No-New-Revenue Tax Rate

The no-new-revenue (NNR) tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of revenue if applied to the same properties that are taxed in both years (no new taxes). When appraisal values increase, the NNR tax rate should decrease.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	<b>2020 total taxable value.</b> Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude one-fourth and one-third over-appraisal corrections made under Tax Code Section 25.25(d) from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2). <sup>1</sup>	\$ <u>2,352,051,671</u>
2.	<b>2020 tax ceilings.</b> Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. <sup>2</sup>	\$ <u>337,843,464</u>
3.	<b>Preliminary 2020 adjusted taxable value.</b> Subtract Line 2 from Line 1.	\$ <u>2,014,508,207</u>
4.	<b>2020 total adopted tax rate.</b>	\$ <u>1.35920</u> /\$100
5.	<b>2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value.</b> <div style="margin-left: 20px;"> <b>A. Original 2020 ARB values:</b> ..... \$ <u>0</u>  <b>B. 2020 values resulting from final court decisions:</b> ..... - \$ <u>0</u>  <b>C. 2020 value loss.</b> Subtract B from A.<sup>3</sup> </div>	\$ <u>0</u>
6.	<b>2020 taxable value subject to an appeal under Chapter 42, as of July 25.</b> <div style="margin-left: 20px;"> <b>A. 2020 ARB certified value:</b> ..... \$ <u>35,724,926</u>  <b>B. 2020 disputed value:</b> ..... - \$ <u>6,573,896</u>  <b>C. 2020 undisputed value.</b> Subtract B from A.<sup>4</sup> </div>	\$ <u>29,151,030</u>
7.	<b>2020 Chapter 42-related adjusted values.</b> Add Line 5 and 6.	\$ <u>29,151,030</u>
8.	<b>2020 taxable value, adjusted for actual and potential court-ordered adjustments.</b> Add Line 3 and Line 7.	\$ <u>2,043,359,237</u>
9.	<b>2020 taxable value of property in territory the school deannexed after Jan. 1, 2020.</b> Enter the 2020 value of property in deannexed territory. <sup>5</sup>	\$ <u>79,500</u>

<sup>1</sup> Tex. Tax Code § 26.012(14)  
<sup>2</sup> Tex. Tax Code § 26.012(14)  
<sup>3</sup> Tex. Tax Code § 26.012(13)  
<sup>4</sup> Tex. Tax Code § 26.012(13)  
<sup>5</sup> Tex. Tax Code § 26.012(15)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
10.	<p><b>2020 taxable value lost because property first qualified for an exemption in 2021.</b> If the school district increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport goods-in-transit, or temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2021 does not create a new exemption or reduce taxable value.</p> <p><b>A. Absolute exemptions.</b> Use 2020 market value: ..... \$ <u>1,149,610</u></p> <p><b>B. Partial exemptions.</b> 2021 exemption amount or 2021 percentage exemption times 2020 value: ..... + \$ <u>21,765,021</u></p> <p><b>C. Value loss.</b> Add A and B. <sup>6</sup></p>	\$ <u>22,914,631</u>
11.	<p><b>2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021.</b> Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020.</p> <p><b>A. 2020 market value.</b> ..... \$ <u>0</u></p> <p><b>B. 2021 productivity or special appraised value:</b> ..... - \$ <u>0</u></p> <p><b>C. Value loss.</b> Subtract B from A. <sup>7</sup></p>	\$ <u>0</u>
12.	<b>Total adjustments for lost value.</b> Add Lines 9, 10C and 11C.	\$ <u>22,994,131</u>
13.	<b>Adjusted 2020 taxable value.</b> Subtract Line 12 from Line 8.	\$ <u>2,020,365,106</u>
14.	<b>Adjusted 2020 total levy.</b> Multiply Line 4 by Line 13 and divide by \$100.	\$ <u>27,460,802</u>
15.	<b>Taxes refunded for years preceding tax year 2020.</b> Enter the amount of taxes refunded by the district for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. <sup>8</sup>	\$ <u>87,565</u>
16.	<p><b>Adjusted 2020 levy with refunds.</b> Add Line 14 and Line 15. <sup>9</sup></p> <p>Note: If the governing body of the school district governs a junior college district in a county with a population of more than two million, subtract the amount of taxes the governing body dedicated to the junior college district in 2020 from the result.</p>	\$ <u>27,548,367</u>
17.	<p><b>Total 2021 taxable value on the 2021 certified appraisal roll today.</b> This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in line 19). These homesteads include homeowners age 65 or older or disabled. <sup>10</sup></p> <p><b>A. Certified values.</b><sup>11</sup> ..... \$ <u>2,762,907,727</u></p> <p><b>B. Pollution control and energy storage system exemption:</b> Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: ..... - \$ <u>0</u></p> <p><b>C. Total 2021 value.</b> Subtract B from A.</p>	\$ <u>2,762,907,727</u>
18.	<p><b>Total value of properties under protest or not included on certified appraisal roll.</b> <sup>12</sup></p> <p><b>A. 2021 taxable value of properties under protest.</b> The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. <sup>13</sup> ..... \$ <u>0</u></p> <p><b>B. 2021 value of properties not under protest or included on certified appraisal roll.</b> The chief appraiser gives school districts a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties are also not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value not on the roll. <sup>14</sup> ..... + \$ <u>0</u></p> <p><b>C. Total value under protest or not certified.</b> Add A and B.</p>	\$ <u>0</u>
19.	<b>2021 tax ceilings.</b> Enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. <sup>15</sup>	\$ <u>425,329,101</u>

<sup>6</sup> Tex. Tax Code § 26.012(15)  
<sup>7</sup> Tex. Tax Code § 26.012(15)  
<sup>8</sup> Tex. Tax Code § 26.012(13)  
<sup>9</sup> Tex. Tax Code § 26.012(13)  
<sup>10</sup> Tex. Tax Code §§ 26.012, 26.04(c-2)  
<sup>11</sup> Tex. Tax Code § 26.012(6)  
<sup>12</sup> Tex. Tax Code § 26.01(c) and (d)  
<sup>13</sup> Tex. Tax Code § 26.01(c)  
<sup>14</sup> Tex. Tax Code § 26.01(d)  
<sup>15</sup> Tex. Tax Code § 26.012(6)(B)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
20.	<b>2021 total taxable value.</b> Add Lines 17C and 18C. Subtract Line 19.	\$ <u>2,337,578,626</u>
21.	<b>Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020.</b> Include both real and personal property. Enter the 2021 value of property in territory annexed by the school district.	\$ _____ <u>0</u>
22.	<b>Total 2021 taxable value of new improvements and new personal property located in new improvements.</b> New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the school district after Jan. 1, 2020, and be located in a new improvement.	\$ <u>177,203,026</u>
23.	<b>Total adjustments to the 2021 taxable value.</b> Add lines 21 and 22.	\$ <u>177,203,026</u>
24.	<b>Adjusted 2021 taxable value.</b> Subtract line 23 from line 20.	\$ <u>2,160,375,600</u>
25.	<b>2021 NNR tax rate.</b> Divide line 16 by line 24 and multiply by \$100.	\$ <u>1.27520</u> /\$100

**SECTION 2: Voter-Approval Tax Rate**

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. Most school districts calculate a voter-approval tax rate that is split into three separate rates.<sup>18</sup>

- Maximum Compressed Tax Rate (MCR):** A district’s maximum compressed tax rate is defined as the tax rate for the current tax year per \$100 of valuation of taxable property at which the district must levy a maintenance and operations tax to receive the full amount of the tier one allotment.<sup>19</sup>
- Enrichment Tax Rate (DTR):**<sup>20</sup> A district’s enrichment tax rate is defined as any tax effort in excess of the district’s MCR and less than \$0.17. The enrichment tax rate is divided into golden pennies and copper pennies. School districts can claim up to 8 golden pennies, not subject to compression, and 9 copper pennies which are subject to compression with any increases in the guaranteed yield.<sup>21</sup>
- Debt Rate:** The debt rate includes the debt service necessary to pay the school district’s debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The MCR and DTR added together make up the school district’s maintenance and operations (M&O) tax rate. Districts cannot increase the district’s M&O tax rate to create a surplus in M&O tax revenue for the purpose of paying the district’s debt service.<sup>22</sup>

If a school district adopted a tax rate that exceeded its voter-approval tax rate without holding an election to respond to a disaster in the prior year, as allowed by Tax Code Section 26.042(e), the school district may not consider the amount by which it exceeded its voter-approval tax rate (disaster pennies) in the calculation this year. This adjustment will be made in Section 4 of this worksheet.

A district must complete an efficiency audit before seeking voter approval to adopt a M&O tax rate higher than the calculated M&O tax rate, hold an open meeting to discuss the results of the audit, and post the results of the audit on the district’s website 30 days prior to the election.<sup>23</sup> Additionally, a school district located in an area declared a disaster by the governor may adopt a M&O tax rate higher than the calculated M&O tax rate during the two-year period following the date of the *declaration without conducting an efficiency audit*.<sup>24</sup>

Districts should review information from TEA when calculating their voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
26.	<b>2021 maximum compressed tax rate (MCR).</b> TEA will publish compression rates based on district and statewide property value growth. Enter the school districts’ maximum compressed rate based on guidance from TEA. <sup>25</sup>	\$ <u>0.82200</u> /\$100
27.	<b>2021 enrichment tax rate (DTR).</b> Enter the greater of A and B. <sup>26</sup> A. Enter the district’s 2020 DTR, minus any required reduction under Education Code Section 48.202(f) . . . . . \$ <u>0.13830</u> /\$100 B. \$0.05 per \$100 of taxable value	\$ <u>0.13830</u> /\$100
28.	<b>2021 maintenance and operations (M&amp;O) tax rate.</b> Add Lines 26 and 27.  Note: M&O tax rate may not exceed the sum of \$0.17 and the product of the state compression percentage multiplied by \$1.00. <sup>27</sup>	\$ <u>0.96030</u> /\$100

<sup>16</sup> [Reserved for expansion]  
<sup>17</sup> [Reserved for expansion]  
<sup>18</sup> Tex. Tax Code §26.08(n)  
<sup>19</sup> Tex. Edu. Code §48.2551(a)(3)  
<sup>20</sup> Tex. Tax Code §26.08(j) and Tex. Edu. Code §45.0032  
<sup>21</sup> Tex. Edu. Code §§48.202(a-1)(2) and 48.202(f)  
<sup>22</sup> Tex. Edu. Code §45.0021(a)  
<sup>23</sup> Tex. Edu. Code §11.184(b)  
<sup>24</sup> Tex. Edu. Code §11.184(b-1)  
<sup>25</sup> Tex. Edu. Code §§48.255, 48.2551(b)(1) and (b)(2)  
<sup>26</sup> Tex. Tax Code §26.08(n)(2)  
<sup>27</sup> Tex. Edu. Code §45.003(e)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
29.	<p><b>Total 2021 debt to be paid with property tax revenue.</b> Debt means the interest and principal that will be paid on debts that:</p> <ul style="list-style-type: none"> <li>(1) Are paid by property taxes;</li> <li>(2) Are secured by property taxes;</li> <li>(3) Are scheduled for payment over a period longer than one year; and</li> <li>(4) Are not classified in the school district's budget as M&amp;O expenses.</li> </ul> <p>A. <b>Debt</b> includes contractual payments to other school districts that have incurred debt on behalf of this school district, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.<sup>28</sup></p> <p>Enter debt amount: ..... \$ <u>10,592,054</u></p> <p>B. Subtract <b>unencumbered fund amount</b> used to reduce total debt. .... - \$ <u>926,001</u></p> <p>C. Subtract <b>state aid</b> received for paying principal and interest on debt for facilities through the existing debt allotment program and/or instructional facilities allotment program. .... - \$ <u>239,183</u></p> <p>D. <b>Adjust debt:</b> Subtract B and C from A.</p>	\$ <u>9,426,870</u>
30.	<b>Certified 2020 excess debt collections.</b> Enter the amount certified by the collector. <sup>29</sup>	\$ <u>0</u>
31.	<b>Adjusted 2021 debt.</b> Subtract line 30 from line 29D.	\$ <u>9,426,870</u>
32.	<p><b>2021 anticipated collection rate.</b> If the anticipated rate in A is lower than actual rates in B, C and D, enter the lowest rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.<sup>30</sup></p> <p>A. Enter the 2021 anticipated collection rate certified by the collector.<sup>31</sup> <u>100</u> %</p> <p>B. Enter the 2020 actual collection rate <u>99.5</u> %</p> <p>C. Enter the 2019 actual collection rate <u>98.6</u> %</p> <p>D. Enter the 2018 actual collection rate <u>98.99</u> %</p>	<p style="text-align: center;"><u>100</u> %</p>
33.	<p><b>2021 debt adjusted for collections.</b> Divide Line 31 by Line 32.</p> <p>Note: If the governing body of the school district governs a junior college district in a county with a population of more than two million, add the amount of taxes the governing body proposes to dedicate to the junior college district in 2021 to the result.</p>	\$ <u>9,426,870</u>
34.	<b>2021 total taxable value.</b> Enter the amount on Line 20 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,337,578,626</u>
35.	<b>2021 debt rate.</b> Divide Line 33 by Line 34 and multiply by \$100.	\$ <u>0.40320</u> /\$100
36.	<p><b>2021 voter-approval tax rate.</b> Add Lines 28 and 35.</p> <p>If the school district received distributions from an equalization tax imposed under former Chapter 18, Education Code, add the NNR tax rate as of the date of the county unit system's abolition to the sum of Lines 28 and 35.<sup>32</sup></p>	\$ <u>1.36350</u> /\$100

**SECTION 3: Voter-Approval Tax Rate Adjustment for Pollution Control**

A school district may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The school district's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The school district must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a school district that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
37.	<p><b>Certified expenses from the Texas Commission on Environmental Quality (TCEQ).</b> Enter the amount certified in the determination letter from TCEQ.<sup>33</sup> The school district shall provide its tax assessor with a copy of the letter.<sup>34</sup></p>	\$ <u>0.00</u>

<sup>28</sup> Tex. Tax Code § 26.012(7)  
<sup>29</sup> Tex. Tax Code §§26.012(10) and 26.04(b)  
<sup>30</sup> Tex. Tax Code §§26.04(h), (h-1) and (h-2)  
<sup>31</sup> Tex. Tax Code §26.04(b)  
<sup>32</sup> Tex. Tax Code §26.08(g)  
<sup>33</sup> Tex. Tax Code § 26.045(d)  
<sup>34</sup> Tex. Tax Code § 26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
38.	<b>2021 total taxable value.</b> Enter the amount on Line 20 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ <u>2,337,578,626</u>
39.	<b>Additional rate for pollution control.</b> Divide line 37 by line 38 and multiply by \$100.	\$ <u>0.00000</u> /\$100
40.	<b>2021 voter-approval tax rate, adjusted for pollution control.</b> Add line 36 and line 39.	\$ <u>1.36350</u> /\$100

**SECTION 4: Voter-Approval Tax Rate Adjustment in Year Following Disaster**

If a school district adopted a tax rate that exceeded its voter-approval tax rate without holding an election to respond to a disaster in the prior year, as allowed by Tax Code Section 26.042(e), the school district may not consider the amount by which it exceeded its voter-approval tax rate in the calculation this year.<sup>35</sup> As such, it must reduce its voter-approval tax rate for the current tax year.

**NOTE: This section will not apply to any taxing units in 2021.** It is added to implement Senate Bill 1438 (87th Regular Session) and does not apply to a school district that adopted a tax rate without the required election in 2020, as provided for in the recently repealed Tax Code Section 26.08(a-1).

In future tax years, this section will apply to school district in a disaster area that adopts a tax rate greater than its voter-approval tax rate without holding an election in the prior year, as provided for by Tax Code Section 26.042(e).

Line	Prior Year Disaster Adjustment Worksheet	Amount/Rate
41.	<b>2020 adopted tax rate.</b> Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ /\$100
42.	<b>2020 voter-approval tax rate.</b> If the school district adopted a tax rate above the 2020 voter-approval tax rate without holding an election due to a disaster, enter the voter-approval tax rate from the prior year's worksheet.	\$ _____ /\$100
43.	<b>Increase in 2020 tax rate due to disaster (disaster pennies).</b> Subtract Line 42 from Line 41.	\$ _____ /\$100
44.	<b>2021 voter-approval tax rate, adjusted for prior year disaster.</b> Subtract Line 43 from one of the following lines (as applicable): Line 36 or Line 40 (school districts with pollution control).	\$ _____ /\$100

**SECTION 5: Total Tax Rate**

Indicate the applicable total tax rates as calculated above.

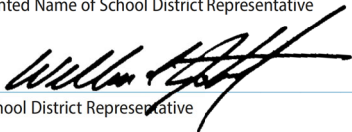
No-New-Revenue Tax Rate ..... \$ 1.27520 /\$100  
 Enter the 2021 NNR tax rate from Line 25.

Voter-Approval Tax Rate ..... \$ 1.36350 /\$100  
 As applicable, enter the 2021 voter-approval tax rate from Line 36, Line 40 or Line 44. Indicate the line number used: 36

**SECTION 6: School District Representative Name and Signature**

Enter the name of the person preparing the tax rate as authorized by the governing body of the school district. By signing below, you certify that you are the designated officer or employee of the school district and have calculated the tax rates in accordance with requirements in Tax Code and Education Code.<sup>36</sup>

**print here** → William Johnston, Ed.D, CPA  
 Printed Name of School District Representative

**sign here** →   
 School District Representative

11 August 2021  
 Date

<sup>35</sup> Tex. Tax Code §26.042(f) and Tex. Edu. Code § 45.0032(d)  
<sup>36</sup> Tex. Tax Code §26.04(c)

2021 Tax Rate Adoption

**Presented for:**

Board Action     X                        Report/Review Only                     

**Supporting documents:**

None                                 Attached     X                Provided Later                     

**Contact Person:**

Dr. Bill Johnston, CPA, Assistant Superintendent of Business Services/Chief Financial Officer

**Background Information:**

On June 21, 2021, the District held a Public Hearing on the 2021-2022 Budget and the Proposed Tax Rate. The Board approved the Budget at a separate meeting held on June 21, 2021. Since the M&O tax rate is dependent on certified values that are not finalized at the time of the Budget adoption, the adoption of the tax rates was not approved in June. At the time, it was shared that the approval of the 2021 tax rates would be delayed to August or September.

As part of the 86<sup>th</sup> Legislative Session, the Texas Property Tax Reform and Transparency Act of 2019, or Senate Bill 2 was passed that implemented significant changes to the setting of local tax rates. Starting in the 2019 tax year, school districts will be required to reduce the maintenance and operations (M&O) tax rate each year if the growth of property values within the District is greater than the State’s determination of the statewide average growth. For the 2021 tax year, the State is using the average property growth of less than 2.5% in the calculation. The goal under House Bill 3 (HB 3) is to lower school district property taxes and include any loss of tax revenue in the Foundation School Program funding.

Last year’s Maintenance and Operations (M&O) tax rate was \$0.9939. The prior year M&O tax rate was \$1.0683. The Interest & Sinking tax rate is not impacted by the new law. Districts are supposed to determine their tax revenue and any tax rate adjustments based on the July Certified property values. By the end of July, the District has to submit the July Certified Property Values from the Ellis County Appraisal District (CAD) to Texas Education Agency (TEA) so they could determine our maximum compressed tax rate.

Texas Tax Code § 26.05 states that a school district’s governing body must adopt a tax rate through official action by the end of September or sixty (60) days after the certified values have been received from the County Appraisal District, whichever is later. Based on the growth in the property values of over 15% for this year, the M&O tax rate is being reduced to \$0.9603 (a 3.4% reduction) and is \$0.0336 cents less than the 2020 M&O tax rate. The total tax rate that is being recommended for adoption is \$1.3256 and is \$0.0336 cents or approximately 2.5% less than the total 2020 tax rate. These are the same tax rates used in the 2021-2022 adopted budget.

As part of the Texas Property Tax Reform and Transparency Act of 2019 additional tax calculations need to be made public to taxpayers. One is the no-new-revenue tax rate. The proposed rate is slightly higher than the no-new-revenue tax rate of \$1.2752 (previously called effective tax rate) and does not exceed the voter-approval tax rate of \$1.3256 (previously called the rollback tax rate). The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue from the same taxable properties in both the 2020 tax year and the 2021 tax year. The caveat is that the calculation does not take into consideration the growth in taxable property values between the two (2) years. The growth in property values from 2020 to 2021 for the same property is 6.91%. The voter-approved tax rate is the highest tax rate that may be adopted without holding an election to seek voter approval of the rate.

If the no-new-revenue tax rate is lower than the proposed tax rate, additional language is required in the resolution to adopt the tax rate. The language states that the adopted tax rate will raise more taxes than last year’s rate and include the percent difference between the proposed M&O tax rate and the M&O no-new-revenue tax rate. The M&O no-new-revenue is 2.87% less than the proposed tax rate and the impact on a \$100,000 home is \$26.80 more taxes than the no-new-revenue tax rate.

The Ellis County Tax Office assisted the District in calculating the no-new-revenue and voter-approval tax rates. Last year, the School Board designated the Chief Financial Officer as the responsible party for managing the no-new-revenue and voter-approval tax rates and then posting this information to the Ellis County’s online database.

**Fiscal Implications:**

Fiscal implications for setting a tax rate of \$1.3256 will generate the following estimated tax revenues:

Maintenance & Operations	\$0.9603	\$25,138,414
Interest & Sinking	\$0.3653	\$ 9,562,702

**Administrative Recommendation:**

Administration recommends adopting the Resolution Setting a Tax Rate establishing the 2021 tax rate of \$1.3256 (\$0.9603 for maintenance and operations and \$0.3653 for interest and sinking) per \$100 of property value.

Resolution Setting the Tax Rate  
Red Oak Independent School District

August 16, 2021

On this date, we, the School Board of Red Oak Independent School District, hereby levy or set the annual ad valorem tax rate for the 2021 year on \$100 valuation by setting specific applicable to all real, personal and mixed property situation within the District at a total of \$1.3256, to be assessed and collected by the duly specified assessor and collector as follows:

\$0.9603 for the purpose of maintenance and operation; and

\$0.3653 for the purpose of payment of principal and interest on debts.

Such taxes are to be assessed and collected by the tax officials designated by the District.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.87 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$26.80.

IN CERTIFICATION THEREOF:

---

John Anderson, Board President  
Red Oak Independent School District

ATTEST:

---

Brian Sebring, Board Secretary  
Red Oak Independent School District

**Edgenuity Contract**

**Presented for:**

Board Action   X   Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached   X   Provided Later \_\_\_\_\_

**Contact Person:**

Melissa Sulak, Executive Director of Curriculum and Instruction

**Background Information:**

Renewal of the Edgenuity Program, which is used for credit recovery at Red Oak Middle School and Red Oak High School. Red Oak ISD has used this program since 2010.

**Fiscal Implications:**

The cost for this program will be \$125,100. The cost will be spilt over a 3-year period, and will result in a 10% savings of \$13,900.

**Administrative Recommendation:**

Administration recommends approval of the renewal of Edgenuity Program as presented.

# Edgenuity in Red Oak ISD

Red Oak ISD School Board

August 16, 2021



# How we use Edgenuity

- ▶ **Grade recovery** - Students are able to recover learning and grades by 6-weeks.
- ▶ **Credit recovery** - Students who have not earned credit for a face-to-face class can recover the full or half credit.
- ▶ **DAEP** - Students are assigned lessons that align with what is being taught in the classroom during their placement.
- ▶ **My Path** - Teachers can assign EOC aligned lessons for prep, review, or remediation.



# Perspective

- ▶ Red Oak High School

- ▶ 1900 students x 8 periods x 5 years = 76,000 courses
- ▶ 9,619 enrollments in courses in Edgenuity

- ▶ Red Oak Middle School

- ▶ 1300 students x 7 periods x 5 years = 45,500 courses
- ▶ 870 enrollments in courses in Edgenuity



# Success Rates (over the last 5 years)

School/Program	# Students	# Enrollments	Avg Active Time	# Completions	Completion %
Red Oak High School	9,500				
Credit Recovery	1,196	2,627	26:12:10	2,119	81%
Initial Credit	967	1,791	15:14:43	1,371	77%
Hawk Success					
Credit Recovery	27	64	20:30:55	54	84%
Initial Credit	77	652	22:02:11	610	94%
DAEP					
Credit Recovery	12	15	29:16:36	13	87%
Initial Credit	486	4,470	9:06:08	2,456	
Red Oak Middle School	6,500				
Credit Recovery	379	843	16:01:54	560	66%
Initial Credit	9	27	8:39:12	19	70%



# Other considerations from the campuses

- ▶ Pre-test to assess individual academic needs and assign units based on student needs.
- ▶ Our high school teachers have invested a great deal of time in customizing courses to align with what they are teaching in the classroom.
- ▶ Utilizes a variety of instructional delivery methods, including videos, recorded lectures and student read text.
- ▶ Have previously used APEX, and PLATO before that. APEX lacked rigor and was easy for students to click through for credit.
- ▶ If we are changing products, this decision needs to be made in the Spring to allow time for training and transition with teachers and campus staff.



# Cost Analysis

Year	Payments
2023-2024	41700
2022-2023	41700
2021-2022	41700
2020-2021	40500
2019-2020	40500
2018-2019	40500
2017-2018	45866
2016-2017	45867
2015-2016	45867
2014-2015	33036
2013-2014	38208
2012-2013	32750
2011-2012	34550
2010-2011	38500





Price Quote for Services  
 Red Oak ISD  
 Red Oak TX  
 Account Number 593  
 Quote Number 53029  
 Total \$125,100.00  
 Date 9/1/2021

Edgenuity Inc.  
 8860 E. Chaparral Road  
 Suite 100  
 Scottsdale AZ 85250  
 877-725-4257

3 Year Agreement Discount = -\$13,900

Year 1 PO and Payment Due Sept 2021 in amount of \$41,700  
 Year 2 PO and Payment Due Sept 2022 in amount of \$41,700  
 Year 3 PO and Payment Due Sept 2023 in amount of \$41,700

Payment Schedule	Contract Start	Contract End
	9/1/2021	8/31/2024

Site	Description	Comment	End Date	Qty
	Digital Libraries 6-12 Comprehensive All Site License (MS and HS content for math, ELA, science, social studies, electives, CTE, AP, world languages, Virtual Tutors, excludes Sophia and eDynamic Learning)		08/31/2024	2
1.	Red Oak High School			
2.	Red Oak Junior High School			

Site	Description	Comment	End Date	Qty
	Professional Development Webinar Training		08/31/2024	4
1.	Red Oak ISD			

<b>Subtotal</b>	\$139,000.00
<b>Discount</b>	(\$13,900.00)
<b>Total</b>	\$125,100.00

Edgenuity will audit enrollment count throughout the year. If more enrollments are found to be in use than purchased, Edgenuity will invoice the customer for the additional usage.

This quote is subject to Edgenuity Inc. Standard Terms and Conditions ("Terms and Conditions"). These Terms and Conditions are available at <http://www.edgenuity.com/edgenuity-standard-terms-and-conditions-of-sale.pdf>, may change without notice and are incorporated by this reference. By signing this quote or by submitting a purchase order or form purchasing document, Customer explicitly agrees to these Terms and Conditions resulting in a legally binding agreement. To the fullest extent permitted under applicable law, all pricing information contained in this quote is confidential, and may not be shared with third parties without Edgenuity's written consent.

**Red Oak ISD**

Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Edgenuity Inc. Representative**

Zach Henningsen | Account Executive  
 zach.henningsen@edgenuity.com |  
 512.627.1465

Not valid unless accompanied by a purchase order. Please specify a shipping address if applicable. All order documentation can be submitted electronically at <https://edgenuity.formstack.com/forms/ar>. Alternatively you can e-mail this quote, the purchase order and order documentation to [AR@edgenuity.com](mailto:AR@edgenuity.com) or fax to 480-423-0213.

## **Saxon Phonics & Spelling**

### **Presented for:**

Board Action   X  

Report/Review Only \_\_\_\_\_

### **Supporting documents:**

None \_\_\_\_\_

Attached   X  

Provided Later \_\_\_\_\_

### **Contact Person:**

Melissa Sulak, Executive Director of Curriculum and Instruction

Rebecca Waller, Coordinator of Elementary ELAR & Social Studies

### **Background Information:**

Due to the gaps created in phonics knowledge with our primary students, Saxon Phonics will give us a systematic and multi-sensory tool to use in filling those gaps.

### **Fiscal Implications:**

\$245,403.24, three-year contract

\$26,808.50 one year contract( additional intervention)

### **Administrative Recommendation:**

Administration recommends approval of the purchase of Saxon Phonics and Spelling as presented.



# Houghton Mifflin Harcourt

## Proposal

Prepared For

## Red Oak I.S.D.

109 W Red Oak Rd  
Red Oak TX 75154

Attention:

Rebecca Waller

rebecca.waller@redoakisd.org

For the Purchase of:

## Saxon Phonics & Spelling 2021 K-2 (1 Year)

Prepared By

Karen White

karen.white@hmc.com

**Please submit this proposal with your purchase order.**

Purchase orders or duly executed service agreements for **Professional Services** purchased, must be submitted at least 30 days before the service event date.

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hmc.com

**HMH Confidential and Proprietary**

**Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (1  
Year)**

ISBN	Title	Price	Quantity	Value of All Materials
<b><u>Grade K</u></b>				
<b>Student Kit - 24 Students</b>				
1796542	9780358453734 2022 Saxon Phonics & Spelling 24 Student Kit 1 Year Grade K Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-16) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade K 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade K	\$1,150.00	5	\$5,750.00
<b>Total for Student Kit - 24 Students</b>				
<b><u>Total for Grade K</u></b>		<b>\$5,750.00</b>		
<b><u>Grade 1</u></b>				
<b>Student Kit - 24 Students</b>				
1796543	9780358453741 2022 Saxon Phonics & Spelling 24 Student Kit 1 Year Grade 1 Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-52) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade 1 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade 1	\$1,495.00	5	\$7,475.00
<b>Total for Student Kit - 24 Students</b>				
<b><u>Total for Grade 1</u></b>		<b>\$7,475.00</b>		
<b><u>Grade 2</u></b>				
<b>Student Kit - 24 Students</b>				
1796544	9780358453758 2022 Saxon Phonics & Spelling 24 Student Kit 1 Year Grade 2 Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-26) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade 2 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade 2	\$1,375.00	5	\$6,875.00
<b>Total for Student Kit - 24 Students</b>				
<b><u>Total for Grade 2</u></b>		<b>\$6,875.00</b>		
<b><u>HMH Professional Services</u></b>				
<b>Implementation Services</b>				
1794676	9780358440987 2022 Saxon Phonics and Spelling Getting Started Live Online 2 Hour The Getting Started live online session is streamlined to focus on preparing teachers for their first weeks of instruction. Participants engage in a variety of interactive experiences to learn about the organization and resources of Saxon Phonics and Spelling. The goal is to build confidence and prepare teachers for a strong start with Saxon Phonics and Spelling.	\$800.00	1	\$800.00
<b>Total for Implementation Services</b>				
		Attention: Rebecca Waller rebecca.waller@redoakisd.org	Customer Experience 9400 South Park Center Loop Orlando, FL 32819 FAX: 800-269-5232 k12orders@hnhco.com	
<b>HMH Confidential and Proprietary</b>				
008127825	Sold:0000252720 Ship:0000252721	Page 2 of 4	94 Please submit this form with your purchase order	

**Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (1  
Year)**

ISBN	Title	Price	Quantity	Value of All Materials
<b>Coaching and Courses</b>				
1815084 9780358609803	HMH Professional Learning Live Online Course and Coaching Grades K- 12 Maximize your investment with live online professional learning courses and coaching aligned to your district's strategic literacy plan. District and site leadership will partner with HMH Instructional Coaches to design a personalized live online course experience to develop strong readers, writers and thinkers.  Each live online course includes one-hour of course planning and six, one-hour shared learning sessions that can be delivered over time to meet your needs.	\$4,200.00	1	\$4,200.00
<b>Total for Coaching and Courses</b>				
<b>Total for HMH Professional Services</b>		<b>\$5,000.00</b>		

<b>Total Savings:</b>	<b>\$0.00</b>
<b>Subtotal Purchase Amount:</b>	<b>\$25,100.00</b>
<b>Shipping &amp; Handling:</b>	<b>\$1,708.50</b>
<b>Sales Tax:</b>	<b>\$0.00</b>
<b>Total Cost of Proposal (PO Amount):</b>	<b>\$26,808.50</b>

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

**HMH Confidential and Proprietary**

Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (1  
Year)

**Total Cost of Proposal (PO Amount): \$26,808.50**

Thank you for considering HMH as your partner. We are committed to providing an excellent experience and delivering ongoing, high-quality service to our customers. To meet these goals, we want to ensure you are aware of the below Terms of Purchase. These terms help us process your order quickly, efficiently, and accurately, ensuring successful delivery and implementation of our solutions.

- Please return this cost proposal with your signed purchase order that matches product, prices and shipping charges.
- Provide the exact address for *delivery* of print materials. The shipping address may be your district warehouse or individual school sites, but it is essential that this is accurate.
- Please supply the name of each important district point of contact for all aspects of the solution including their direct contact information (email/phone):
  - o Point of Contact for Print materials
  - o Point of Contact for Digital materials
  - o Point of Contact for Scheduling Professional Development
- Please confirm that we have the correct 'Ship to' and 'Sold to' information on the cost proposal.
 

<b>Ship to:</b>	<b>Sold to:</b>
Red Oak ISD	Red Oak ISD
109 W Red Oak Rd	
Red Oak, TX 75154-6335	Red Oak, TX 75154-9000
- Please provide funding start and end dates.
- Please note that all products and services will be billed upon the processing of your purchase order.
- Our payment terms are 30 days from the invoice date.
- Print subscription material quantities may be adjusted across grades for like products, to accommodate enrollment fluctuations, quantities cannot be adjusted between different programs or copyrights.
- Our shipping terms are FOB shipping point. The shipping term for your proposal is Destination.
- Should any of these Terms of Sale conflict with any preprinted terms on your purchase order, the HMH terms of service shall apply.

Thank you in advance for supplying us with the necessary information at time of purchase. Our goal is to ensure your success throughout the duration of this agreement, which starts with a highly successful delivery of our solution.

For greater detail, the complete Terms of Purchase may be reviewed here: <http://www.hmhco.com/common/terms-conditions>

Date of Proposal: 7/22/2021

Proposal Expiration Date: 9/5/2021



**Houghton Mifflin Harcourt**

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

**HMH Confidential and Proprietary**



# Houghton Mifflin Harcourt

## Proposal

Prepared For

## Red Oak I.S.D.

109 W Red Oak Rd  
Red Oak TX 75154

Attention:

Rebecca Waller

rebecca.waller@redoakisd.org

For the Purchase of:

## Saxon Phonics & Spelling 2021 K-2 (3 yr)

Prepared By

Karen White

karen.white@hnhco.com

**Please submit this proposal with your purchase order.**

Purchase orders or duly executed service agreements for **Professional Services** purchased, must be submitted at least 30 days before the service event date.

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

HMH Confidential and Proprietary

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**Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (3  
yr)**

ISBN	Title	Price	Quantity	Value of all Materials	Value of Free Materials	Value of Charged Materials
<b>Grade K</b>						
<b>Student Kit - 24 Students</b>						
1820153	9780358651215 2022 Saxon Phonics & Spelling 24 Student Kit 3 Year Grade K Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-16) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade K 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade K	\$2,286.00	22	\$50,292.00		\$50,292.00
<b>Total for Student Kit - 24 Students</b>						
<b>Total for Grade K</b>		<b>\$50,292.00</b>				
<b>Grade 1</b>						
<b>Student Kit - 24 Students</b>						
1820154	9780358651222 2022 Saxon Phonics & Spelling 24 Student Kit 3 Year Grade 1 Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-52) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade 1 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade 1	\$3,055.50	24	\$73,332.00		\$73,332.00
<b>Total for Student Kit - 24 Students</b>						
<b>Total for Grade 1</b>		<b>\$73,332.00</b>				
<b>Grade 2</b>						
<b>Student Kit - 24 Students</b>						
1820155	9780358651277 2022 Saxon Phonics & Spelling 24 Student Kit 3 Year Grade 2 Package Includes: 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 1 2022 Saxon Phonics & Spelling 24 Student Worksheets Box 2 2022 Saxon Phonics & Spelling Decodable Readers (1-26) Box 3 2022 Saxon Phonics & Spelling 24 Student Letter Tiles Box 4 2022 Saxon Phonics & Spelling Classroom Materials Box 5 Grade 2 2022 Saxon Phonics & Spelling Teacher Materials Box 6 Grade 2	\$2,767.50	24	\$66,420.00		\$66,420.00
<b>Total for Student Kit - 24 Students</b>						
<b>Total for Grade 2</b>		<b>\$66,420.00</b>				
<b>HMH Professional Services</b>						
<b>Implementation Services</b>						
1794676	9780358440987 2022 Saxon Phonics and Spelling Getting Started Live Online 2 Hour	\$ 800.00	3	\$2,400.00		\$2,400.00
<b>Total for Grade 2</b>		<b>\$66,420.00</b>				

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

**HMH Confidential and Proprietary**

**Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (3  
yr)**

ISBN	Title	Price	Quantity	Value of all Materials	Value of Free Materials	Value of Charged Materials
	<p>The Getting Started live online session is streamlined to focus on preparing teachers for their first weeks of instruction. Participants engage in a variety of interactive experiences to learn about the organization and resources of Saxon Phonics and Spelling. The goal is to build confidence and prepare teachers for a strong start with Saxon Phonics and Spelling.</p>					
<b>Total for Implementation Services</b>						
<b>Coaching and Courses</b>						
1817607	9780358632870 Saxon Phonics and Spelling Multi-Team Online Coaching Membership 32-Sessions Grades K-3	\$14,500.00	1	\$14,500.00	\$1,450.00	\$13,050.00
	<p>Strengthen your teaching practice through Online Coaching Membership. Online coaching helps teachers and instructional coaches integrate new skills immediately into their practice. Our online coaching powered by HMH Coaching Studio can include lesson modeling, lesson planning, and data analysis.</p> <p>This multi-team annual online coaching membership includes 32 online sessions, available through the membership term, that are designed for multiple teams of up to 20 educators. Additional sessions and HMH Coaching Studio licenses may be purchased and added to this annual membership as needed.</p>					
<b>Total for Coaching and Courses</b>						
<b>Total for HMH Professional Services</b>		<b>\$15,450.00</b>				

<b>Total Savings:</b>	<b>\$1,450.00</b>
<b>Subtotal Purchase Amount:</b>	<b>\$205,494.00</b>
<b>Shipping &amp; Handling:</b>	<b>\$39,909.24</b>
<b>Sales Tax:</b>	<b>\$0.00</b>
<b>Total Cost of Proposal (PO Amount):</b>	<b>\$245,403.24</b>

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

**HMH Confidential and Proprietary**

Proposal for  
Red Oak I.S.D.  
Saxon Phonics & Spelling 2021 K-2 (3  
yr)

**Total Cost of Proposal (PO Amount): \$245,403.24**

Thank you for considering HMH as your partner. We are committed to providing an excellent experience and delivering ongoing, high-quality service to our customers. To meet these goals, we want to ensure you are aware of the below Terms of Purchase. These terms help us process your order quickly, efficiently, and accurately, ensuring successful delivery and implementation of our solutions.

- Please return this cost proposal with your signed purchase order that matches product, prices and shipping charges.
- Provide the exact address for *delivery* of print materials. The shipping address may be your district warehouse or individual school sites, but it is essential that this is accurate.
- Please supply the name of each important district point of contact for all aspects of the solution including their direct contact information (email/phone):
  - o Point of Contact for Print materials
  - o Point of Contact for Digital materials
  - o Point of Contact for Scheduling Professional Development
- Please confirm that we have the correct 'Ship to' and 'Sold to' information on the cost proposal.
 

<b>Ship to:</b>	<b>Sold to:</b>
Red Oak ISD	Red Oak ISD
109 W Red Oak Rd	
Red Oak, TX 75154-6335	Red Oak, TX 75154-9000
- Please provide funding start and end dates.
- Please note that all products and services will be billed upon the processing of your purchase order.
- Our payment terms are 30 days from the invoice date.
- Print subscription material quantities may be adjusted across grades for like products, to accommodate enrollment fluctuations, quantities cannot be adjusted between different programs or copyrights.
- Our shipping terms are FOB shipping point. The shipping term for your proposal is Destination.
- Should any of these Terms of Sale conflict with any preprinted terms on your purchase order, the HMH terms of service shall apply.

Thank you in advance for supplying us with the necessary information at time of purchase. Our goal is to ensure your success throughout the duration of this agreement, which starts with a highly successful delivery of our solution.

For greater detail, the complete Terms of Purchase may be reviewed here: <http://www.hmhco.com/common/terms-conditions>

Date of Proposal: 7/22/2021

Proposal Expiration Date: 9/5/2021



**Houghton Mifflin Harcourt**

Attention:  
Rebecca Waller  
rebecca.waller@redoakisd.org

Customer Experience  
9400 South Park Center Loop  
Orlando, FL 32819  
FAX: 800-269-5232  
k12orders@hnhco.com

**HMH Confidential and Proprietary**

**TASB LOCAL POLICY UPDATE 117**

**Presented for:**

Board Action   X   Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached   X   Provided Later \_\_\_\_\_

**Contact Person:**

Melissa Sulak, Executive Director of Curriculum and Instruction

**Background Information:**

The update includes changes in local policy related to:

CH(LOCAL): PURCHASING AND ACQUISITION

CV(LOCAL): FACILITIES CONSTRUCTION

DEC(LOCAL): COMPENSATION AND BENEFITS - LEAVES AND ABSENCES

These changes are explained in the attached Explanatory Notes for TASB Localized Policy Manual Update 117

**Fiscal Implications:** N/A

**Administrative Recommendation:**

The administration recommends that the Board, add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 117.

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Red Oak ISD

#### **AIC(LEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS**

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

#### **BBC(LEGAL) BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE**

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

#### **BBD(EXHIBIT) BOARD MEMBERS: TRAINING AND ORIENTATION**

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

#### **BJCE(LEGAL) SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT**

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

#### **C(LEGAL) BUSINESS AND SUPPORT SERVICES**

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

#### **CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL**

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

#### **CH(LEGAL) PURCHASING AND ACQUISITION**

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

#### **CH(LOCAL) PURCHASING AND ACQUISITION**

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Red Oak ISD

emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

**The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.**

TASB Legal Services' eSource article [Emergency Management for Texas Public Schools](#) provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

### CHE(LEGAL) PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

### CL(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

### CV(LEGAL) FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series.

As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

### CV(LOCAL) FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Red Oak ISD

#### **CVA(LEGAL)**

#### **FACILITIES CONSTRUCTION: COMPETITIVE BIDDING**

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

#### **CVB(LEGAL)**

#### **FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS**

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

#### **CVC(LEGAL)**

#### **FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT**

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

#### **CVD(LEGAL)**

#### **FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK**

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

#### **CVE(LEGAL)**

#### **FACILITIES CONSTRUCTION: DESIGN-BUILD**

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

#### **CVF(LEGAL)**

#### **FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS**

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

#### **DEC(LOCAL)**

#### **COMPENSATION AND BENEFITS: LEAVES AND ABSENCES**

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding [Framework for Developing Leaves and Absences Procedures](#), with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy.

Other changes include:

- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and that provides context for references to the term elsewhere in the policy.

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Red Oak ISD

- Relocating provisions on concurrent use of leave and compensatory time to the sections addressing temporary disability leave and family and medical leave.
- Streamlining of family and medical leave provisions to eliminate information not necessary in board-adopted policy.
- Adding a clear statement to reflect that the district does not permit paid leave offset in conjunction with workers' compensation benefits.
- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment for days of accumulated leave upon retirement.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

**Please note:** For clarity and consistency with policy style, the district's locally developed text throughout the policy has been lightly edited and reorganized. As noted, some of the district's unique text that is administrative in nature is recommended for deletion. Other revisions to your unique text include:

- Removing details regarding local leave earned prior to the 2010–11 school year. The district may address policy provisions from the past that governed the accumulation and use of this leave in administrative regulations.
- Removing details on the implementation of the district's sick leave pool, which are more appropriate for inclusion in administrative regulations. TASB HR Services has a [Framework for Developing Sick Leave Pool Procedures](#) available to assist.
- Removing details on the implementation of the district's bereavement leave pool and family leave pool, which are more appropriate for inclusion in administrative regulations. The district may want to contact TASB Legal Services or HR Services for information on IRS rules for leave donation programs.
- Adding for your consideration a requirement that an employee's retirement be voluntary to be eligible for payment for accumulated leave upon retirement.

### EHAA(LEGAL)

### BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

### EHBA(LEGAL)

### SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

# Explanatory Notes

## TASB Localized Policy Manual Update 117

### Red Oak ISD

#### **EHBAA(LLEGAL)**

#### **SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY**

Provisions on a district's obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

#### **EHBAB(LLEGAL)**

#### **SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM**

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

#### **EHBAC(LLEGAL)**

#### **SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT**

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.

#### **EHBAD(LLEGAL)**

#### **SPECIAL EDUCATION: TRANSITION SERVICES**

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

#### **EHBC(LLEGAL)**

#### **SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES**

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

#### **EIF(LLEGAL)**

#### **ACADEMIC ACHIEVEMENT: GRADUATION**

Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021.

In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.

#### **EKB(LLEGAL)**

#### **TESTING PROGRAMS: STATE ASSESSMENT**

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

#### **EL(LLEGAL)**

#### **CAMPUS OR PROGRAM CHARTERS**

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

Explanatory Notes  
TASB Localized Policy Manual Update 117

**Red Oak ISD**

**FFAC(LLEGAL)**

**WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT**

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the [TASB Regulations Resource Manual](#).

# Instruction Sheet

## TASB Localized Policy Manual Update 117

### Red Oak ISD

<b>Code</b>	<b>Type</b>	<b>Action To Be Taken</b>	<b>Note</b>
AIC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(EXHIBIT)	Replace exhibit	Revised exhibit
BJCE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CH	(LOCAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CL	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
CV	(LOCAL)	Replace policy	Revised policy
CVA	(LEGAL)	Replace policy	Revised policy
CVB	(LEGAL)	Replace policy	Revised policy
CVC	(LEGAL)	Replace policy	Revised policy
CVD	(LEGAL)	Replace policy	Revised policy
CVE	(LEGAL)	Replace policy	Revised policy
CVF	(LEGAL)	Replace policy	Revised policy
DEC	(LOCAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EBBAC	(LEGAL)	Replace policy	Revised policy
EBBAD	(LEGAL)	Replace policy	Revised policy
EBBC	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy



## (LOCAL) Policy Comparison Packet

This packet is generated by an automated process that compares the updated policy to the district's current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; omitted in Word)

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

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**Note:** While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes makes formatting changes appear tracked, even though the text remains the same.

---

For further assistance in understanding policy changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

<b>Contact:</b>	<b>School Districts and Education Service Centers</b>	<b>Community Colleges</b>
	<a href="mailto:policy.service@tasb.org">policy.service@tasb.org</a>	<a href="mailto:colleges@tasb.org">colleges@tasb.org</a>
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

**Purchasing  
Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs ~~\$50,000~~ \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

Exception for  
Emergency  
Contracts

In the event of a catastrophe, emergency, or natural disaster affecting the District, the Board delegates to the Superintendent the authority to contract for the replacement, construction, or repair of school equipment or facilities in accordance with law, if emergency replacement, construction, or repair is necessary for the health and safety of District students and staff. The Superintendent shall report to the Board at the next regular meeting any contract made under this authority. [See Disaster Exception, CH(LEGAL)]

The delegation regarding emergency contracts does not waive competitive purchasing requirements under Education Code Chapter 44. Only the Board is authorized to waive competitive purchasing requirements under limited circumstances in accordance with Education Code 44.031(h). [See Emergency Damage or Destruction, CH(LEGAL)]

Purchasing  
Procedures

The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]

Purchasing Method

The Board delegates to the Superintendent the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate.

*Competitive  
Bidding*

If competitive bidding is chosen as the purchasing method, the Superintendent shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids in accordance with state or federal law, as applicable.

*Competitive  
Sealed Proposals*

If competitive sealed proposals are chosen as the purchasing method, the Superintendent shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time

PURCHASING AND ACQUISITION

CH  
(LOCAL)

specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals in accordance with state or federal law, as applicable.

**Electronic Bids or Proposals**

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

**Responsibility for Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Purchase Commitments**

All purchase commitments shall be made by the Superintendent in accordance with administrative procedures, including the District's purchasing procedures.

**Personal Purchases**

District employees shall not be permitted to make purchases for personal use through the District's business office.

**Compliance with Law**

The Superintendent shall establish procedures that ensure that all school facilities within the District comply with applicable laws and local building codes.

**Construction Contracts**

Prior to advertising, the Board shall determine the project delivery/contract award method to be used for each construction contract valued at or above \$50,000. To assist the Board, the Superintendent shall recommend the project delivery/contract award method that he or she determines provides the best value to the District. [See CV series generally and CBB(LEGAL) for requirements if federal funds are involved.]

For construction contracts valued at or above ~~\$50,000~~ \$50,000, the Superintendent shall also submit the resulting contract to the Board for approval. Lesser expenditures for construction and construction-related materials or services shall be at the discretion of the Superintendent and consistent with law and policy. [See also CH and CBB(LEGAL)]

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**Note:** For provisions regarding delegation of authority for construction contracts in the event of a catastrophe, emergency, or natural disaster affecting the District, see CH(LOCAL).

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**Change Orders**

Change orders permitted by law shall be approved by the Board or its designee prior to any changes being made in the approved plans or the actual construction of the facility.

**Project Administration**

All construction projects shall be administered by the Superintendent or designee.

The Superintendent shall keep the Board informed concerning construction projects and also shall provide information to the general public.

**Final Payment**

The District shall not make final payments for construction or the supervision of construction until the work has been completed and the Board has accepted the work.

**Leave Administration**

**The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.**

**Definitions**

The term “immediate family” is defined as:

**Immediate Family**

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee’s household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

**Family Emergency**

The term “family emergency” shall be limited to disasters and life-threatening situations involving the employee or a member of the employee’s immediate family.

**Leave Day**

A “leave day” for purposes of earning, ~~use~~**using**, or recording-~~of~~ leave shall mean the number of hours per day equivalent to the employee’s usual assignment, whether full-~~time~~ or part-~~time~~.

**School Year**

**A “school year” for purposes of earning, using, or recording leave shall mean the term of the employee’s annual employment as set by the District for the employee’s usual assignment, whether full-time or part-time.**

**Catastrophic Illness or Injury**

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee, or a member of the employee’s immediate family, that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

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**Note:** For District contribution to employee insurance during leave, see CRD(LOCAL).

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**Availability**

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

~~Earning Local~~ **State**  
~~Leave~~

~~An employee shall not earn any local leave when he or she is in unpaid status. An employee using full or proportionate paid leave shall be considered to be in paid status.~~

**Deductions**

~~Leave without Pay~~

~~The District shall not approve paid leave for more leave days than have been accumulated in prior years plus leave currently available. Any unapproved absences or absences beyond accumulated and available paid leave shall result in deductions from the employee's pay.~~

**Leave Proration**

~~Employed for  
Less Than Full  
Year~~

If an employee separates from employment with the District before his or her last duty day of the **school year**, or begins employment after the first duty day **of the school year**, state personal leave ~~and local leave~~ shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for: **state personal leave the employee used beyond his or her pro rata entitlement for the school year.**

~~1. State personal leave the employee used beyond his or her pro rata entitlement for the school year; and~~

~~2. Local leave the employee used but had not earned as of the date of separation.~~

~~Employed for Full  
Year~~

~~If an employee uses more local leave than he or she earned and remains employed with the District through his or her last duty day, the District shall deduct the cost of the excess leave days from the employee's pay in accordance with administrative regulations.~~

**Recording**

~~Leave shall be recorded as follows:~~

~~1. Leave shall be recorded in half-day increments for all employees.~~

~~2. If the employee is taking intermittent FMLA leave, leave shall be recorded in one-hour increments.~~

**Order of Use**

~~Earned compensatory time shall be used before any available paid state and local leave. [See DEAB]~~

~~Available leave shall be used in the order determined by each employee.~~

~~Use of sick leave pool, bereavement leave pool, and immediate family member leave pool days shall be permitted only after all available state and local leave has been exhausted.~~

**Concurrent Use of Leave**

~~When an absent employee is eligible for FMLA leave, the District shall designate the absence as FMLA leave.~~

~~The District shall require the employee to use temporary disability leave and paid leave, including compensatory time, concurrently with FMLA leave.~~

~~An employee receiving workers' compensation income benefits may be eligible for paid or unpaid leave. An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.~~

**Medical Certification**

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than three consecutive work-days because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; **or**
- ~~3.~~ **3.**—The employee requests FMLA leave for the employee's serious health condition ~~or that;~~ **a serious health condition** of **at the employee's** spouse, parent, or child; or
- ~~4.3.~~ **4.3.** ~~The employee requests FMLA leave~~ for military caregiver ~~purposes~~ **leave**.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

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~~**Note:** For District contribution to employee insurance during leave, see CRD(LOCAL).~~

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**State Personal Leave**

The Board requires employees to differentiate the manner in which state personal leave is used.

Nondiscretionary  
Use

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

Discretionary Use

Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.

*Limitations  
Request for  
Leave*

~~The employee shall submit a written request for discretionary use of state personal leave to, the immediate supervisor or designee in accordance with administrative regulations. In deciding whether to approve or deny state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program or District operations, as well as the availability of substitutes.~~  
**In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor or designee shall not seek or consider the reasons for which an employee requests to use leave. The supervisor or designee shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.**

*Duration of  
Leave*

Discretionary use of state personal leave shall not exceed three consecutive workdays or ten total workdays in a school year.

Local Leave

~~All employees~~  
**Each employee** shall earn two paid local leave days per school year in accordance with administrative regulations.

Local leave shall accumulate to a maximum of 45 ~~workdays. An employee who had accumulated more than 45 days of local leave prior to August 12, 2010, shall be permitted to retain all previously accumulated workdays~~  
**leave days.**

Local leave shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]

**With Deductions  
Earned Prior to the  
2010-11 Leave Pools  
~~School Year~~**

~~In accordance with administrative regulations, an employee may use paid local leave dock days earned prior to the 2010-11 school year. However, an amount established by the Board shall be deducted for substitute pay for each day of local leave taken, whether or not a substitute is employed.~~

~~Local leave with deductions accumulated without limit.~~

~~Local leave with deductions shall be used according to the terms and conditions of state personal leave. [See State Personal Leave, above]~~

~~Employees shall have the option of exchanging two local leave days with deductions for one local leave day without deductions.~~

Sick Leave Pool

An employee who has exhausted all ~~state and local~~  
**paid leave as well as any applicable compensatory time** and who suffers from a catastrophic illness or injury or is absent due to the catastrophic

illness or injury of a member of the employee's immediate family may request the establishment of a sick leave pool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

~~If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish a sick leave pool.~~

~~The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the sick leave pool.~~

~~Procedures for implementing the sick leave pool shall include the following:~~

- ~~1. Requests for the establishment of a sick leave pool shall be submitted to the human resources department, which shall provide the necessary forms.~~
- ~~2. The maximum number of days per school year an eligible employee may receive from a sick leave pool is 30 days; however, the Superintendent or designee may approve additional days if necessary and available within the pool.~~
- ~~3. Unused days shall be returned to the donors.~~

~~Appeal~~

~~All decisions regarding the establishment or implementation of the District's sick leave pool may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.~~

Bereavement Leave Pool

An employee who has exhausted all paid leave **as well as any applicable compensatory time** and who suffers the loss of a spouse; son, daughter, ~~step-son~~**stepson**, or ~~step-daughter~~**step-daughter**; or parent, ~~step-parent~~**stepparent**, or parent-in-law may request the establishment of a bereavement leave pool, to which District employees may donate local leave or state personal leave for use by the eligible employee.

~~If the~~**Immediate Family Member Pool**

**An employee who has exhausted all paid leave as well as any applicable compensatory time may request the donation of local leave or state personal leave from an immediate family member who is unable to submit also an employee of the request, District if the requesting employee:**

- 1. Requires leave due to the birth, adoption, or placement of a child within the first year of the child's birth, adoption, or foster placement; or**

- ~~2. Is absent due to the catastrophic illness or injury of a member of the employee's family or the employee's supervisor may submit the request to establish a bereavement leave pool immediate family.~~

### All Pools

The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the ~~bereavement leave~~ pool.

~~Procedures~~ **The Superintendent shall develop regulations for implementing the bereavement leave implementation of the pool shall include that address** the following:

- ~~1. Requests for~~ **Procedures to request** the establishment of a bereavement leave pool shall be submitted to the human resources department, which shall provide the necessary forms.;
- ~~2.—~~ The maximum number of days ~~per request~~ an eligible employee may ~~receive from a bereavement leave pool is five days; however the Superintendent or designee may approve additional days if necessary and available within the pool.~~
- ~~3.—~~ Unused days shall be returned to the donors.

### Appeal

~~All decisions regarding the establishment or implementation of the District's bereavement leave pool may be appealed in accordance with DGBA(LOCAL), beginning with the Superintendent or designee.~~

### ~~Immediate Family Member Leave Pool~~

~~An employee who has exhausted all paid leave and who suffers from a catastrophic illness or injury, is absent due to the catastrophic illness or injury of a member of the employee's immediate family, or requires leave due to the birth or placement of a child within the first year of the child's birth, adoption, or foster placement may request the donation of local leave or state personal leave from an immediate family member who is also an employee of the District.~~

- ~~2. A current employee of the District may donate up to 30 local leave or state personal leave days to an immediate family member who is also a current employee of the District if the eligible employee to whom the leave days are being donated has exhausted all paid leave.~~ **to a pool;**

~~If the employee is unable to submit the request, a member of the employee's family or the employee's supervisor may submit the request to establish an immediate family member leave pool.~~

~~The pool shall cease to exist when the employee no longer needs leave for the purpose requested, uses the maximum number of days allowed under a pool, or exhausts all leave days donated to the immediate family member leave pool.~~

~~Procedures for implementing the immediate family member leave pool shall include the following:~~

- ~~1. Requests for the establishment of an immediate family member leave pool shall be submitted to the human resources department, which shall provide the necessary forms.~~
- ~~2. The maximum number of days an employee may donate to an immediate family member leave pool is 30.~~
3. The maximum number of days per school year an eligible employee may receive from ~~an immediate family member leave pool is 30 days; however, the Superintendent or designee may approve additional days if necessary and available within the pool.~~ **a pool; and**
- ~~4. Leave related to the birth, adoption, or foster placement of a child may not exceed 30 unused days paid leave.~~ **The return of a child may not exceed 30 unused days paid leave.**
- ~~5.4. Unused days shall be returned to the to donors.~~

Appeal  
Appeal

~~All decisions regarding the establishment or implementation of the District's immediate family member leave pool may be appealed.~~ **An employee may appeal a decision regarding the establishment or implementation of a District pool in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.**

**Peace Officers  
Mental Health  
Leave**

**A District peace officer who experiences a traumatic event in the scope of employment shall be granted a maximum of five days of mental health leave per traumatic event. Such leave shall be provided in accordance with DGBA(LOCAL), beginning administrative regulations and shall not be deducted from the employee's pay or leave balance.**

**The Superintendent shall develop regulations regarding mental health leave that address the following:**

- 1. Circumstances or reasons under which a peace officer may use mental health leave;**
- 2. Procedures for requesting mental health leave and maintaining the anonymity of the requestor;**
- 3. The administrator authorized to approve requests for mental health leave; and**

4. Other procedures deemed necessary for administering this provision.

**Quarantine Leave**

A District peace officer shall be granted quarantine leave when ordered by the local health authority or the peace officer's supervisor to quarantine or isolate due to possible or known exposure to a communicable disease while on duty. Such leave shall be provided in accordance with the administrative regulations and shall not be deducted from the employee's pay or leave balance.

The Superintendent ~~or designee~~ shall develop regulations regarding quarantine leave that address the following:

1. Continuation of all employment benefits and compensation for the duration of the leave;
2. Reimbursement for reasonable costs related to the quarantine; and
3. Other procedures deemed necessary for administering this provision.

**Family and Medical Leave**

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

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

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Twelve-Month Period

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

Combined Leave for Spouses

~~If~~ **When** both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks. ~~[See DECA(LEGAL)]~~

Intermittent or Reduced Schedule Leave

The District shall permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee. ~~[See DECA(LEGAL) for use of intermittent or reduced schedule leave due to a medical necessity.]~~

Certification of Leave

~~If~~ **When** an employee requests leave, the employee shall provide certification, ~~as required by~~ **in accordance with** FMLA regulations, of the need for leave. ~~[See DECA(LEGAL)]~~

Fitness-for-Duty Certification

~~If~~ **In accordance with administrative regulations, when** an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

~~work, a fitness-for-duty certification. If the District will require certification of the employee's ability to perform essential job functions, the District shall provide a list of essential job functions to the employee with the FMLA designation notice.~~

**Leave at the End of Semester** ~~Leave~~

~~If~~ **When** a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester. [See DECA(LEGAL), ~~Leave at the End of a Semester~~]

~~Failure to Return~~

~~If, at the expiration of FMLA leave, the employee is able to return to work but chooses not to do so, the District may require reimbursement of premiums paid by the District during the leave. [See DECA(LEGAL), Recovery of Benefit Cost]~~

**Temporary Disability Leave**

Any full-time employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]

An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent ~~or designee~~ as a request for temporary disability leave.

**The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.**

**Workers' Compensation**

**Note:** Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance. ~~[See GRD(LOCAL) regarding payment of insurance contribution during employee absences.]~~

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

~~An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.~~

~~An employee eligible~~ **No Paid Leave Offset**

**The District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits, and not on assault leave, may elect in writing to use paid leave.. [See CRE]**

**Court Appearances**

Absences due to compliance with a valid subpoena or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or shall be taken by the employee as leave without pay, at the option of the employee.

**Reimbursement Payment for Accumulated Leave upon Retirement**

The following leave provisions shall apply to local leave ~~earned~~**accumulated** after July 14, 1997.

An employee who retires from the District ~~under the Teacher Retirement System of Texas (TRS)~~ shall be eligible for ~~reimbursement~~**payment** for **accumulated** local leave ~~under the following conditions:~~

1. The employee ~~must provide~~**is retiring under the Teacher Retirement System of Texas (TRS)**.
2. **The employee's retirement is voluntary, i.e., the employee is not being discharged or nonrenewed.**
3. **The employee provides** advance written notice of intent to retire ~~from employment~~. Contract employees must provide written notice at least 90 days before the last day of employment. Noncontract employees must provide written notice at least two weeks before the last day of employment.

~~Leave shall be reimbursed as follows:~~

1. ~~For~~**The employee shall receive payment for each day of accumulated local leave, to a maximum of \$1,500, at a rate of \$40 for** each of the first 30 days of unused local leave, ~~the employee shall be paid \$40.~~

~~For~~ **and \$20 for** each day of unused local leave beyond 30 days,.

2. ~~If~~ the employee ~~shall be paid \$20.~~

~~The maximum amount an~~ **is reemployed with the District, days for which the** employee ~~shall receive as reimbursement for unused local leave shall be \$1,500. All~~**received payment shall not be available to that employee, and any** remaining local leave shall be forfeited.

The rate established by the Board shall be in effect until the Board adopts a new rate. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

COMPENSATION AND BENEFITS  
LEAVES AND ABSENCES

DEC  
(LOCAL)

**Neutral Absence  
Control**

If an employee does not return to work after exhausting all available paid and unpaid leave, the District shall provide the employee written notice that he or she no longer has leave available for use. The District shall automatically pursue termination of an employee who has exhausted all available leave, regardless of the reason for the absence [see ~~DCD and~~ DF series]. The employee's eligibility for reasonable accommodations, as required by the Americans with Disabilities Act [see DAA(LEGAL)], shall be considered before termination. If terminated, the employee may apply for reemployment with the District.

**TASB Resolution Regarding Extension of Leave**

**Presented for:**

Board Action   X   Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_ Attached   X   Provided Later \_\_\_\_\_

**Contact Person:**

Michelle Ailara, Assistant Superintendent of Human Resources

**Background Information:**

Please find attached a copy of the TASB Resolution Regarding Extension of Leave for Employee Sick Leave. The district will need to address additional leave for employees who are sick as a result of an epidemic. During an epidemic, providing additional paid leave to all employees who may suffer a loss of pay serves the public purposes of protecting students and staff. The administration recommends that the board extend provisions relating to extension of leave for employee sick leave, provided a staff member shows cause for exclusion from work.

**Fiscal Implications:**

We will continue to review the substitute budget to see if we need to allocate additional funds.

**Administrative Recommendation:**

RECOMMENDED MOTION:

“I move that the board adopt the resolutions for Extended Leave for Employee Sick Leave as recommended.”

## Resolution of the Board Regarding Extended Sick Leave During Epidemic

WHEREAS, the Board is authorized by Texas Education Code section 45.105 to expend funds of Red Oak Independent School District for purposes necessary in the conduct of the public schools as determined by the Board;

WHEREAS, the Board acknowledges that during an epidemic, District employees may exhaust available state and local leave days;

WHEREAS, the Board finds that a need exists to address additional leave in the circumstance of an epidemic;

WHEREAS, the Board concludes that providing additional paid leave to all regular employees—contractual and noncontractual, salaried and non-salaried—who are sick as a result of an epidemic serves the public purposes of protecting students and staff, maintaining morale, and reducing turnover;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Red Oak Independent School District authorizes providing additional paid leave for all regular employees—contractual and noncontractual, salaried and non-salaried—who are sick as a result of an epidemic;

The authority granted by this resolution to provide additional paid leave for a maximum duration of 10 workdays unless the Board takes action to authorize leave for a longer duration.

To ensure an employee’s exclusion serves the public purpose of protecting students and staff, employees requesting additional leave must show cause for exclusion from work who are sick as a result of an epidemic through medical certification.

This extended leave expires at the end of the 2021-2022 school year and is conditioned on the availability of additional federal leave. If federal leave becomes available, the leave provided in this resolution will expire.

Adopted this 16th (date) day of August (month), 2021 (year), by the Board of Trustees.

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Presiding Officer  
John Anderson, Board President

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Brian Sebring, Board Secretary

**T-TESS Appraiser List**

**Presented for:**

Board Action   X  

Report/Review Only \_\_\_\_\_

**Supporting documents:**

None \_\_\_\_\_

Attached   X  

Provided Later \_\_\_\_\_

**Contact Person:**

Michelle Ailara

**Background Information:**

DNA(LOCAL) requires the Board to approve a list of qualified appraisers annually. The 2021-2022 District T-TESS Appraiser List is attached.

**Fiscal Implications:**

None

**Administrative Recommendation:**

We recommend approval of the 2021-2022 District T-TESS Appraiser List.

# Red Oak ISD

## T-TESS APPRAISER LIST

### 2021-2022

**Administration:**

Michelle Ailara	Lisa Menton
Lakesha Bass	Michelle Owen
Susanna Campbell	Catrina Reeves
Megan Corns	Melissa Sulak
Lynn Dockery	Maricela Torres
Shondra Jones	Rebecca Vega
Laura Kelly	Becky Waller
Rachael Little	Cristi Watts

**Red Oak High School:**

***Howard Gatewood***

Sandi Grady	Tyron Shaw
Sharetha Hicks	Kathy Teer*
Cole Monreal*	Julie Wuerch

**Red Oak Middle School:**

***Rob Waller***

Jennifer Fortenberry	Jo Lewis-Gay
Farrah De La Croix	Justin Thompson
Stan Jones	Lanoria Washington*

**Schupmann Elementary:**

***Ashley Jackson***

Matt Northcutt

**Red Oak Elementary:**

***Merilee Stone***

Angela Barnes\*

**Shields Elementary:**

***Allyson Bell***

Angela Griffin

**Eastridge Elementary:**

***Rachel Rector***

Kelly Barbe

**Wooden Elementary:**

***Amy Weis***

Aimee Friesenhahn

**DAEP:**

Tonya Thompson

\*Will need to complete AEL training or T-TESS Appraiser training before being a certified T-TESS appraiser



## MONTHLY BOARD REPORT ATHLETICS

**Date: August 2021**

### **Current Sports:**

ROHS Volleyball started their season on August 2, 2021. First volleyball games will be played the week of August 9.

ROHS Football began practice on August 2, 2021. Over 200 student athletes have elected to participate in football in grades 9 through 12.

ROHS Tennis and Cross Country started practice on August 2<sup>nd</sup>. The cross country boys' and girls' teams will begin competition the week of August 16. The tennis team will begin competition on August 5.

### **Current Projects:**

Completing all UIL required trainings for coaches.

Preparing Goodloe Stadium for the upcoming football season.

Finalizing all fall sport schedules for high school and middle school athletic teams.

Reviewing equipment needs for all athletics teams.

Working with head coaches to set goals and objectives for the 2020-2021 school year.

Working with athletic trainers to ensure all student athletes have complete required UIL paperwork and drug testing requirements.

### **Important Upcoming Dates:**

August 2	Tennis, Volleyball, Cross Country, and 9 <sup>th</sup> Football Begin Practice
August 9	Varsity / JV Football Begin Practice
August 9	First Volleyball Match at Waco Midway
August 19	Football Scrimmage vs Waxahachie
August 23	Meet the Hawks
August 25	7 <sup>th</sup> and 8 <sup>th</sup> Grade Volleyball Games Begin
August 27	First Varsity Football Game at Ennis
September 7	7 <sup>th</sup> and 8 <sup>th</sup> Grade Football Games Begin
September 10	First District Volleyball Match at Cleburne
September 24	First Varsity Football District Game vs Mansfield Legacy



**BOARD REPORT**  
**EASTRIDGE ELEMENTARY SCHOOL**

**Date: August 2021**

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Reviewing our campus CIP with team leaders at the leadership retreat to determine areas of academic strengths/ weaknesses.
- Collaborating with team leaders & ICs on determining the instructional focus for our campus for the upcoming year.

**MY CAMPUS SHOWED THE IMPORTANCE OF SHOWING APPRECIATION BY:**

- Introducing our new staff members to the Eastridge Families on social media.

**MY CAMPUS DEMONSTRATED HOW HAWKS UNITE BY:**

- Popsicles with the Principals night event to allow returning and new students to come meet the new principal and visit with the returning assistant principal.

**MY CAMPUS DID A GREAT JOB IN THE AREA OF:**

- Leadership Retreat prior to school to discuss 21-22 plans and process/ procedures for the school year.
- Welcome Back Week preparation for teachers – the administration and office team worked hard to ensure our teachers feel loved, informed and appreciated when returning!





**BOARD REPORT**  
**RED OAK ELEMENTARY SCHOOL**

**Date: August 2021**

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Team leads met with Mrs. Stone and Mrs. Barnes to prepare for our upcoming school year. The teachers gave their input regarding how to move ROE forward and how we can meet the individual needs of all students.
- Mrs. Stone and Mrs. Barnes participated in Administrators Retreat to prepare for the 2021-2022 school year.
- Mrs. Stone and Mrs. Barnes participated in documentation training to improve and refine skills.

**MY CAMPUS EXHIBITED SEEKING OPPORTUNITIES AND CHALLENGES OF LEARNING BY:**

- Administrators and Instructional Coaches participated in Texas Instructional Leadership to refine planning processes as a campus. We are excited to roll this information out to teachers during preservice to encourage student growth.
- Kindergarten through third grade teachers as well as Special Education teachers began the Reading Academy this summer and continued their work on the Reading Academy through preservice.
- Mrs. Stone participated in meetings regarding House Bill 4545 to determine a plan to meet the requirements of the Bill to support our students.

**MY CAMPUS SHOWED HOW TO COMMUNICATE/THE IMPORTANCE OF COMMUNICATION BY:**

- ROE paraprofessionals are calling parents to encourage them to enroll and support them with enrollment if needed.

**MY CAMPUS DEMONSTRATED LEAVING A LEGACY OF SERVICE BY:**

- ROE welcomed eight new staff members and two new paraprofessionals to the campus. Of the ten total new faculty members, two are first year teachers. The campus has a mentor working with the new staff to provide support during this school year.

**MY CAMPUS DID A GREAT JOB IN THE AREA OF:**

- ROE PTA hosted a staff family night. Staff members and their families were invited to an evening of swimming at the Optimist Pool in Waxahachie. It was a great time of fellowship together and getting to know new teachers, spouses and families.





**BOARD REPORT**  
**RUSSELL P. SCHUPMANN ELEMENTARY SCHOOL**

**Date: August 2021**

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- In the 2021-2022 school year, we are continuing the data analysis process to target individual students with teacher data profile boxes. The data profile boxes include teacher profile sheets that provide a snapshot of student progress. During our summer planning and data/assessment committee meeting, a campus overview was created. Goals were established based on academic needs of the campus.

**MY CAMPUS SHOWED GROWTH BY:**

- Professional development opportunities are centered around campus needs and teacher needs.

**MY CAMPUS SHOWED RESILIENCE BY:**

- The staff is working on transitioning to the Canvas platform for grades 3-5.
- Our Professional Learning Communities (PLC) are focusing on the four critical questions centered around student learning.

**MY CAMPUS SHOWED INTEGRITY BY:**

- Staff members completing annual compliance and campus compliance courses to increase awareness of guidelines for the 2021-2022 school year.

**MY CAMPUS SHOWED THE IMPORTANCE OF ENCOURAGEMENT BY:**

- The House System has been established and refined to promote a positive culture and climate for all students and staff.
- Teachers and staff are appreciated with items based on our theme for the year.

**MY CAMPUS SHOWED HOW TO COMMUNICATE/THE IMPORTANCE OF COMMUNICATION BY:**

- Skyward and other platforms are used to effectively communicate to staff and parents.

**MY CAMPUS DEMONSTRATED LEGACY THROUGH SERVICE BY:**

- The campus will continue highlighting acts of service demonstrated by teachers and students on our social media page and through our campus newsletter.
- Communicating with parents on a regular basis through student folders, calendars, newsletters, and lesson plans on teacher websites, DOJO and positive phone calls.





**BOARD REPORT**  
**DONALD T. SHIELDS ELEMENTARY SCHOOL**

**Date: August 2021**

**MY CAMPUS DEMONSTRATED HOW HAWKS UNITE BY:**

- Dedicated staff members have volunteered their time to help prepare the school for the 2021-2022 school year! We have been busy creating dynamic professional development, organizing workrooms, and decorating the school to set us up for success.

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Designing instructional lessons with the engagement kit grant our campus received in the spring! Our classrooms are going to be rigorous and engaging for ALL students.

**MY CAMPUS SHOWED GROWTH BY:**

- The DTS Leadership team designed an engaging and authentic professional learning day for the staff's welcome back day! It was an amazing day full of passion and deep learning, taught by our very own Shields' teachers!

**MY CAMPUS DID A GREAT JOB IN THE AREA OF:**

- Community building! Our staff and staff families joined together for a Back to School Bash. Families enjoyed food, fellowship, and forming new bonds!





**BOARD REPORT**  
**H. A. WOODEN ELEMENTARY SCHOOL**

**Date: August 2021**

**MY CAMPUS DEMONSTRATED HOW HAWKS UNITE BY:**

- Staff members have been welcoming our new Hawks and assisting them around the campus.

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Our Leadership Team met to review various data at Wooden. We dug into attendance, discipline, and STAAR data. The team identified areas of strength and areas that need immediate attention. The team collaborated and offered multiple ideas for solutions and plans have been made to address each area identified.

**MY CAMPUS SHOWED GROWTH BY:**

- Our Instructional coaches have been meeting and planning for vertical alignment planning sessions to assist the campus with aligned instruction which will lead to academic growth.

**MY CAMPUS SHOWED THE IMPORTANCE OF SHOWING APPRECIATION BY:**

- Staff members have shown our office staff appreciation by showering them with cards and gifts as we begin.

**MY CAMPUS SHOWED HOW TO COMMUNICATE/THE IMPORTANCE OF COMMUNICATION BY:**

- Parents have been receiving emails about the beginning of the school year. The campus will continue to communicate upcoming events and campus procedures with families as we begin the new school year.
- Staff members have also been receiving newsletters with important campus events and news throughout the summer.

**MY CAMPUS DEMONSTRATED LEGACY THROUGH SERVICE BY:**

- Several staff members volunteered to work the Back to School fair.

**MY CAMPUS DID A GREAT JOB IN THE AREA OF:**

- Our office staff has done a fabulous job in preparing for the upcoming school year. Mrs. Santoyo and Mrs. Wilson have provided excellent customer service to our new and returning parents/students. They have also welcomed our new staff members with open arms. Countless hours have already been put in with many more to come.

**OTHER THINGS I WOULD LIKE TO SHARE WITH YOU ABOUT OUR CAMPUS ARE:**

- Popsicles with Principals was a huge success. Wooden families were invited to come have a popsicle and interact with the principals. Students are ready and excited about the upcoming school year!





**BOARD REPORT**  
**RED OAK MIDDLE SCHOOL**

**Date: August 2021**

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Administrative team participating in the Region 10 Texas Instructional Leadership training. The team is taking the training and preparing to lead the staff through the same process.

**My Campus SHOWED HOW HAWKS UNITE By:**

- Hosting the 2021 – 2022 Talon Camp for 6<sup>th</sup> graders as well as new 7 and 8 graders to the district. We had 300 students participate.





**BOARD REPORT**  
**RED OAK HIGH SCHOOL**

**Date: August 2021**

**MY CAMPUS DEMONSTRATED HOW HAWKS UNITE BY:**

- Conducted Freshman Camp for incoming 9th grade students.

**MY CAMPUS EXHIBITED ACADEMIC READINESS BY:**

- Conducted schedule pickup to ensure students were oriented to the building and prepared for school.
- Administrative team conducted Texas Instructional Leadership Training.

**MY CAMPUS SHOWED THE IMPORTANCE OF SHOWING APPRECIATION BY:**

- Welcomed all staff back with a campus celebration.
- Passing the Lifesaver Award to the most deserving staff member.

**MY CAMPUS DID A GREAT JOB IN THE AREA OF:**

- Putting together the Freshman Camp that has not occurred in years. The goal is to teach students our high school traditions such as the fight song.





# Monthly Financial Report

August 2021

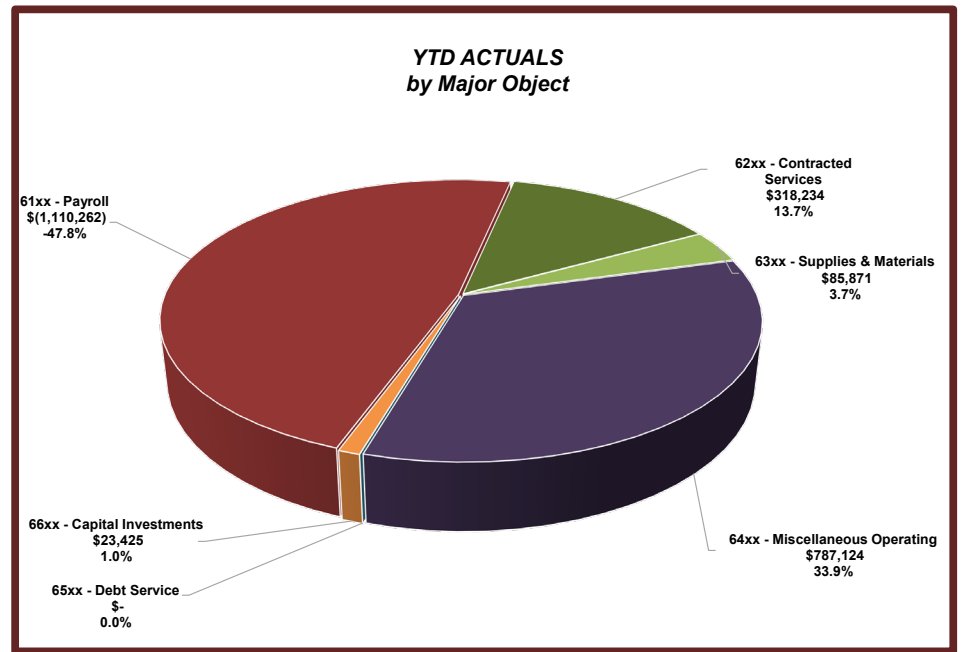
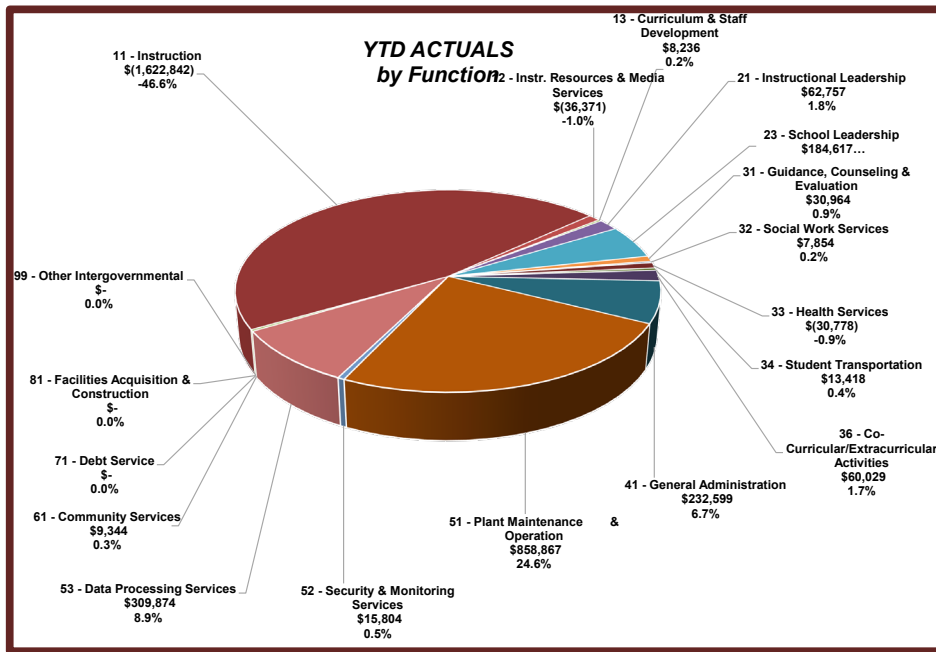
**Red Oak ISD - General Fund**  
**Revenue/Expenditure Detail**  
**As of July 31, 2021**

	Amended Budget	2021-2022 YTD Actuals	Outstanding Encumbrances	Balance	% Expended to Budget	2020-2021 YTD Actuals (Audited)	YTD Actuals Variance
<b>Revenues</b>							
57xx Local	\$ 26,633,168	\$ 151,300	\$ -	\$ 26,481,868	0.57%	\$ 209,630	\$ (58,329)
58xx State	36,917,594	-	-	36,917,594	0.00%	241,407	(241,407)
59xx Federal	950,000	-	-	950,000	0.00%	10	(10)
<b>TOTAL</b>	<b>\$ 64,500,762</b>	<b>\$ 151,300</b>	<b>\$ -</b>	<b>\$ 64,349,462</b>	<b>0%</b>	<b>\$ 451,046</b>	<b>\$ (299,746)</b>
<b>Expenditures</b>							
11 Instruction	\$ 32,559,034	\$ (1,622,842)	\$ 432,506	\$ 33,749,370	-3.66%	\$ (1,523,867)	\$ (98,976)
12 Instr. Resources & Media Services	949,806	(36,371)	27,544	958,633	-0.93%	(31,330)	(5,041)
13 Curriculum & Staff Development	1,679,474	8,236	54,825	1,616,413	3.75%	(4,298)	12,534
21 Instructional Leadership	746,804	62,757	1,635	682,413	8.62%	62,714	43
23 School Leadership	3,842,691	184,617	10,944	3,647,131	5.09%	191,933	(7,316)
31 Guidance, Counseling & Evaluation	2,634,158	30,964	62,916	2,540,278	3.56%	47,705	(16,741)
32 Social Work Services	121,483	7,854	333	113,296	6.74%	8,357	(503)
33 Health Services	803,254	(30,778)	1,817	832,215	-3.61%	(28,718)	(2,060)
34 Student Transportation	3,261,420	13,418	399,658	2,848,344	12.67%	28,792	(15,374)
36 Co-Curricular/Extracurricular Activities	2,418,606	60,029	167,602	2,190,975	9.41%	82,492	(22,462)
41 General Administration	2,765,020	232,599	74,090	2,458,332	11.09%	221,465	11,133
51 Plant Maintenance & Operation	7,196,881	858,867	1,777,326	4,560,688	36.63%	1,057,317	(198,450)
52 Security & Monitoring Services	1,070,391	15,804	33,128	1,021,459	4.57%	47,112	(31,307)
53 Data Processing Services	1,640,749	309,874	103,959	1,226,915	25.22%	305,220	4,654
61 Community Services	1,992,670	9,344	10,595	1,972,731	1.00%	29,374	(20,030)
71 Debt Service	475,000	-	-	475,000	0.00%	-	-
81 Facilities Acquisition & Construction	113,321	-	-	113,321	0.00%	8,456	(8,456)
99 Other Intergovernmental	230,000	-	-	230,000	0.00%	-	-
<b>TOTAL</b>	<b>\$ 64,500,762</b>	<b>\$ 104,371</b>	<b>\$ 3,158,878</b>	<b>\$ 61,237,513</b>	<b>5%</b>	<b>\$ 502,723</b>	<b>\$ (398,352)</b>
<b>Other Resources/(Uses)</b>							
Sale of Property	\$ 0	\$ -	\$ -	\$ -	0.00%	\$ -	\$ -
	<b>\$ 0</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 0</b>	<b>0%</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Revenue Over (Under) Expenditures</b>	<b>\$ 0</b>	<b>\$ 46,929</b>	<b>\$ (3,158,878)</b>	<b>\$ 3,111,949</b>		<b>\$ (51,677)</b>	<b>\$ 98,606</b>

\*The District reports on the modified accrual basis.

\*\*State Revenue includes an estimated total of \$9,670,230 for the July, August and end of year payment.

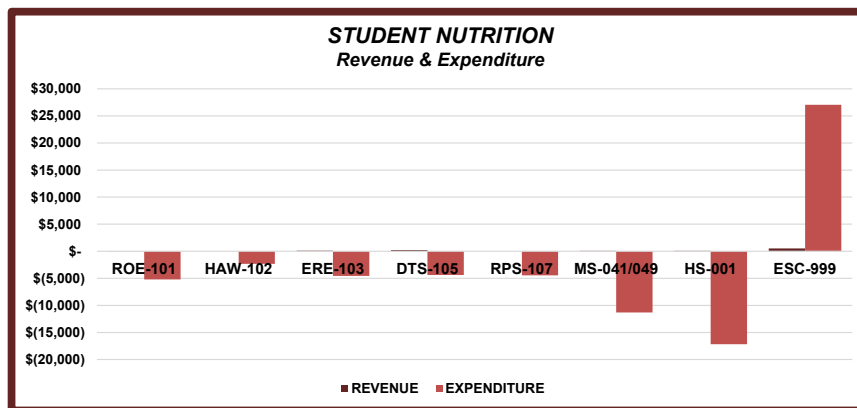
**Red Oak ISD - General Fund**  
**Revenue / Expenditure Detail**  
**As of July 31, 2021**



**Red Oak ISD - Student Nutrition**  
*Revenue / Expenditure Detail*  
 As of July 31, 2021

	ROE-101	HAW-102	ERE-103	DTS-105	RPS-107	MS-041/049	HS-001	ESC-999	TOTAL
<b>Average Daily Participation (ADP):</b>									
Breakfast	0	0	0	0	0	0	0	0	-
Lunch	0	0	0	0	0	0	0	0	-
Afterschool	0	0	0	0	0	0	0	0	-

	ROE-101	HAW-102	ERE-103	DTS-105	RPS-107	MS-041/049	HS-001	ESC-999	TOTAL	ORIGINAL BUDGET	% EXP TO BUDGET
57xx Local Revenue	\$ 10	\$ -	\$ 90	\$ 218	\$ -	\$ 60	\$ 75	\$ 524	\$ 977	\$ 848,500	0%
58xx State Matching	-	-	-	-	-	-	-	-	\$ -	80,000	0%
5921 Federal - Breakfast	-	-	-	-	-	-	-	-	\$ -	260,000	0%
5922 Federal - Lunch	-	-	-	-	-	-	-	-	\$ -	1,330,205	0%
5923 USDA Commodities	-	-	-	-	-	-	-	-	\$ -	120,000	0%
<b>TOTAL REVENUE</b>	<b>\$ 10</b>	<b>\$ -</b>	<b>\$ 90</b>	<b>\$ 218</b>	<b>\$ -</b>	<b>\$ 60</b>	<b>\$ 75</b>	<b>\$ 524</b>	<b>\$ 977</b>	<b>\$ 2,638,705</b>	<b>0%</b>
61xx Payroll	\$ (5,404)	\$ (2,571)	\$ (4,682)	\$ (4,849)	\$ (4,735)	\$ (11,544)	\$ (17,890)	\$ 26,017	\$ (25,658)	\$ 1,476,355	-2%
62xx Contracted Services	181	154	129	179	224	239	532	-	\$ 1,639	39,793	4%
63xx Supplies	-	82	-	281	70	-	170	1,033	\$ 1,636	1,111,492	0%
64xx Travel / Miscellaneous	-	-	-	-	-	-	-	-	\$ -	11,065	0%
66xx Capital Outlay	-	-	-	-	-	-	-	-	\$ -	0	0%
<b>TOTAL EXPENDITURES</b>	<b>\$ (5,223)</b>	<b>\$ (2,334)</b>	<b>\$ (4,553)</b>	<b>\$ (4,389)</b>	<b>\$ (4,441)</b>	<b>\$ (11,305)</b>	<b>\$ (17,188)</b>	<b>\$ 27,050</b>	<b>\$ (22,383)</b>	<b>\$ 2,638,705</b>	<b>-1%</b>
<b>Other Sources (Uses)</b>											
Operating Transfers In											
<b>Revenue Over (Under) Expenditures</b>	<b>\$ 5,233</b>	<b>\$ 2,334</b>	<b>\$ 4,643</b>	<b>\$ 4,607</b>	<b>\$ 4,441</b>	<b>\$ 11,365</b>	<b>\$ 17,263</b>	<b>\$ (26,526)</b>	<b>\$ 23,360</b>	<b>\$ (0)</b>	



\*The District reports on the modified accrual basis.

**Red Oak ISD - Debt Service Fund**  
*Revenue / Expenditure Detail*  
 As of July 31, 2021

	Original Budget	YTD Actuals	Outstanding Encumbrances	Balance	% Expended to Budget
<b>Revenues</b>					
57xx Local	\$ 9,426,870	\$ 36,295	\$ -	\$ 9,390,575	0.39%
58xx State	239,183	-	-	239,183	0.00%
<b>TOTAL</b>	<b>\$ 9,666,053</b>	<b>\$ 36,295</b>	<b>\$ -</b>	<b>\$ 9,629,758</b>	<b>0.38%</b>
<b>Expenditures</b>					
71 Debt Service	\$ 10,592,054	-	-	\$ 10,592,054	0.00%
<b>TOTAL</b>	<b>\$ 10,592,054</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,592,054</b>	<b>0.00%</b>
<b>Other Resources/(Uses)</b>					
Issuance of Bonds	\$ -	\$ -	\$ -	\$ -	0.00%
Premium/Discount	-	-	-	-	0.00%
Escrow	-	-	-	-	0.00%
<b>TOTAL</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.00%</b>
Revenue Over					
(Under) Expenditures	<b>\$ (926,001)</b>	<b>\$ 36,295</b>	<b>\$ -</b>	<b>\$ (962,296)</b>	

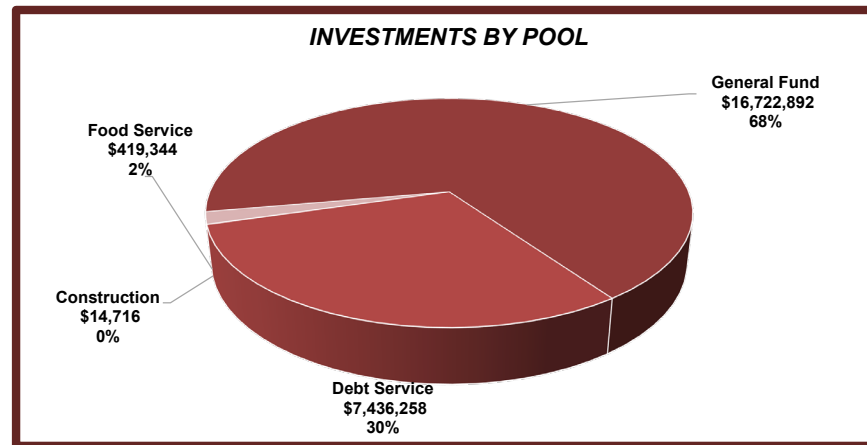
**Red Oak Independent School District**  
**Investment Summary Report**  
**As of July 31, 2021**

INVESTMENT POOL ACCOUNTS	BEGINNING BALANCE 07/01/2021	DEPOSITS	WITHDRAWALS	INTEREST FOR MONTH	ENDING BALANCE 07/31/2021	INTEREST RATE	INTEREST YEAR TO DATE
<b>TEXSTAR</b>							
General Fund	\$ 9,730.48	\$ -	\$ -	\$ -	\$ 9,730.48	0.0100%	\$ -
<b>TEXPOOL</b>							
General Fund	2,462.75	-	-	-	2,462.75	0.0197%	-
Money Market	1,420.74	-	-	-	1,420.74	0.0197%	-
<b>FIRST PUBLIC-GOV.OVERNIGHT</b>							
General Fund	17,858,250.33	3,786,359.30	4,935,406.17	74.12	16,709,277.58	0.0051%	74.12
Debt Service	7,392,850.98	43,969.61	595.23	32.19	7,436,257.55	0.0051%	32.19
Construction	24,416.25	-	9,700.00	0.08	14,716.33	0.0051%	0.08
Food Service	448,307.88	18,034.20	47,000.00	1.81	419,343.89	0.0051%	1.81
<b>TOTAL INVESTMENT POOLS</b>	<b>\$ 25,737,439</b>	<b>\$ 3,848,363</b>	<b>\$ 4,992,701</b>	<b>\$ 108</b>	<b>\$ 24,593,209</b>		<b>108.20</b>

We, the approved Investment Officers of Red Oak ISD, hereby certify the Investment Report represents the investment portion of the District as of the above date in compliance with the Texas Public Funds Investment Act and Red Oak ISD Policy CDA

\_\_\_\_\_  
 (signature on file)  
 William Johnston, Ed.D., CPA  
 Assistant Superintendent of Business Services/CFO

\_\_\_\_\_  
 (signature on file)  
 Saundra King, RTSBA  
 Finance Coordinator



## RED OAK ISD-TAX COLLECTIONS

### *Monthly Tax Collections*

*As of July 31, 2021*

<b>GENERAL FUND</b>				
	<b>MONTHLY</b>	<b>YEAR TO DATE</b>	<b>BUDGET</b>	<b>YTD % OF BUDGET</b>
CURRENT TAXES COLLECTED	76,692	76,692	24,349,720	0.31%
DELINQUENT TAX COLLECTED	9,757	9,757	200,000	4.88%
PENALTIES AND INTEREST COLLECTED	13,222	13,222	150,000	8.81%
<b>TOTAL FUNDS COLLECTED</b>	<b>99,670</b>	<b>99,670</b>	<b>24,699,720</b>	<b>0.40%</b>
<b>DEBT SERVICE</b>				
	<b>MONTHLY</b>	<b>YEAR TO DATE</b>	<b>BUDGET</b>	<b>YTD % OF BUDGET</b>
CURRENT TAXES COLLECTED	28,187	28,187	9,286,870	0.30%
DELINQUENT TAX COLLECTED	3,300	3,300	50,000	6.60%
PENALTIES AND INTEREST COLLECTED	4,775	4,775	30,000	15.92%
<b>TOTAL FUNDS COLLECTED</b>	<b>36,263</b>	<b>36,263</b>	<b>9,366,870</b>	<b>0.39%</b>
<b>TOTAL TAX COLLECTIONS</b>	<b>135,933</b>	<b>135,933</b>	<b>34,066,590</b>	<b>0.40%</b>

# Questions



**Bill Johnston**

**Chief Financial Officer**

**972-617-4005**

**[bill.johnston@redoakisd.org](mailto:bill.johnston@redoakisd.org)**



## MONTHLY BOARD REPORT

### FINE ARTS

**Date:** May 2021

#### **Red Oak High School**

##### **Band:**

The band has completed all UIL competitions (all 5 bands received straight 1's). Comments from judges included "This is the best I have heard this piece in a long time". The marching band is beginning to prepare for next year. Leadership, Band, and Guard auditions are completed and not posted yet. We are preparing for a spirit camp the first week of summer break to work on the environment of the football game, so it can be more entertaining by adding predictability to what the drill/cheer/band/ and fans do in the stands. We are also designing two marching shows for the year so the crowd will have some variation of the half time experience.

##### **Choir:**

One of our ROHS seniors placed 2nd in the Waxahachie Symphony Association Young Artist Scholarship Award, receiving \$1000 and will be recognized on their April 17th event. We recorded for UIL and are awaiting results.

##### **Theater:**

Junie B Jones show will be held Friday, May 7 and Saturday, May 8.

##### **Art:**

ROHS had 17 art and ceramic and drawing students place at this year's Ellis County Art Association Youth Art Show.

##### **Drill Team:**

Drill team held their Spring Show last weekend. Students are now preparing for next year by working on drill team technique and meeting with student leaders. Dance officers will be preparing a dance to take to officer camp the first week of June.

##### **Cheer:**

Students are preparing for stunt clinic that will be held on May 22<sup>nd</sup>.



August 2021

Senate Bill 1517 was created during the 80<sup>th</sup> session of the Texas Legislature. The "No-Pass No-Play" statute was designed to prioritize the competing interests of high school academic performance and athletic competition. The statute requires a student participating in sports or an extra-curricular activity to be suspended from the activity upon receiving a failing grade, at the end of a reporting period. The statute also authorizes school districts to exempt certain courses from the requirements. While many school districts utilize their ability to exempt courses, others may choose not to.

Texas Administrative Code Rules specify the definition of advanced courses referred to in the Texas Education Code, which narrows the number of courses that may be exempt from "No Pass, No Play" requirements.

Texas Administrative Code Rule 74.30: Identification of Honors Courses

(a) The following are identified as Honors classes as referred to in the Texas Education Code, 33.081(d)(1), concerning extracurricular activities:

- (1) all College Board advanced placement courses and International Baccalaureate courses in all disciplines:
  - (2) English language Arts: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One):
  - (3) Languages other than English: high school/college concurrent classes that are included in the "Community College General Academic Course Guide Manual (Part One)," and languages other than English Courses Levels IV-VII.
  - (4) Mathematics: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)" and Precalculus:
  - (5) Science: high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)":
  - (6) Social Studies: Social Studies Advanced Studies, Economics Advanced Studies, and high school/college concurrent enrollment classes that are included in the "Community College General Academic Course Guide Manual (Part One)."
- (b) Districts may identify additional Honors courses in the subject areas of English language arts, mathematics, science, social studies, economics, or a language other than English for the purpose of this section, but must identify such courses prior to the semester in which any exemption related to extracurricular activities occur.

The UIL no longer requires the list of courses be submitted to the UIL for approval; the District is only required to designate such courses prior to the beginning of the school year.

## **No Pass, No Play UIL Exempt Courses**

Red Oak ISD designates the following classes to be approved for the “No Pass No Play” exemption for Red Oak High School for the 2021-2022 school year.

English I-Honors	Chemistry-Honors	Dual Credit American History
English II-Honors	Physics-Honors	Dual Credit Economics
AP English Language	AP Biology	Dual Credit Sociology
AP English Literature	AP Chemistry	Dual Credit U.S. Government
Dual Credit English Comp	AP Physics 1	Dual Credit Texas Government
Dual Credit British Literature	AP Physics 2	Spanish III-Honors
Dual Credit Speech	AP Physics C	Spanish IV
Algebra I-Honors	AP Environmental Science	AP Spanish Languages
Geometry-Honors	Dual Credit Biology	French III-Honors
Algebra II-Honors	Dual Credit Anatomy/Phys.	AP French Languages
Pre-Calculus	World Geography-Honors	AP Computer Sciences
Pre-Calculus Honors	AP World History	AP Music Theory
AP Calculus AB	AP US History	AP Studio Art
AP Statistics	AP US Government	Dual Credit Music Appreciation
Dual Credit College Algebra	AP Macroeconomics	AP Seminar
Dual Credit Statistics	AP Human Geography	AP Research
Dual Credit Pre-Calculus	AP Psychology	
Biology-Honors	Adv. Studies in Psychology	

Red Oak ISD designates the following classes to be approved for the “No Pass No Play” exemption for Red Oak Middle School for the 2021-2022 school year.

ELAR 6 <sup>th</sup> Grade-Honors	Pre-Algebra- Honors	Social Studies 8 <sup>th</sup> Grade- Honors
ELAR 7 <sup>th</sup> Grade- Honors	Algebra I- Honors	Science 6 <sup>th</sup> Grade-HONORS
ELAR 8 <sup>th</sup> Grade- Honors	Geometry- Honors	Science 7 <sup>th</sup> Grade-HONORS
Math 6 <sup>th</sup> Grade- Honors	Social Studies 6 <sup>th</sup> Grade- Honors	Science 8 <sup>th</sup> Grade-HONORS
Math 7 <sup>th</sup> Grade- Honors	Social Studies 7 <sup>th</sup> Grade- Honors	