

# **Agenda of Regular Meeting**

## **The Board of Trustees**

### **Florence Independent School District**

A Regular Meeting of the Board of Trustees of Florence Independent School District will be held July 21, 2025, beginning at 7:00 PM in the Florence High School Library, 401 FM-970, Florence, TX 76527.

Videoconference Notice: A quorum of the Board of Trustees will be physically present at the Florence High School Library, 401 FM 970, Florence, Texas 76527, and it is the intent to have a quorum of the Board present at that location. Pursuant to Texas Government Code 551.127 if a quorum of the Board is physically present at the designated location, other Trustees may attend and participate in this meeting via videoconference.

In accordance with the Texas Open Meetings Act, the board may enter into closed session at any time during deliberations pursuant to TOMA Governance Code Sections.

- 551.071 (consultation with attorney):
- 551.072 (deliberation regarding real property):
- 551.073 (deliberation regarding prospective gift):
- 551.074 (personnel matters):
- 551.076 (deliberation regarding security devices):
- 551.082 (discipline of student or complaints against employees):
- 551.083 (consultation with representative of employee group): and
- 551.084 (excluding witnesses from board investigation):

When appropriate the board may provide a brief clarification of board actions (not exceeding five minutes) immediately prior to closed session and/or prior to adjournment.

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 this meeting notice.

- I. **Call to Order**
- II. **Pledges of Allegiance**
  - Presenter:** Pete Burson
  - II.A. United States Pledge
  - II.B. Texas Pledge
- III. **Invocation**
  - Presenter:** Jason Earp
- IV. **Public Comment**
- V. **Superintendent Report**
  - V.A. 2024-2025 A-F Accountability Update
    - Presenter:** Rick Kirkpatrick
  - V.B. 2025-2026 Budget Development Update
    - Presenter:** Eric Banfield/Rick Kirkpatrick

- VI. **Consent Agenda: Consideration, Discussion and Appropriate Action**
  - VI.A. Minutes of June 16, 2025 - Regular Board Meeting
  - VI.B. Minutes of June 23, 2025 Special Board Meeting
  - VI.C. 2025-2026 Texas Teacher Evaluation and Support System (T-TESS) Appraisers
  - VI.D. 2025-2026 Texas Teacher Evaluation and Support System Appraisal Calendar
  - VI.E. Resolution to Sanction the Extracurricular Status of the 4-H Organization and Adjunct Faculty Agreement with the Burnet County Texas 4-H Organization  
**Presenter:** Rick Kirkpatrick
- VII. **Items Brought Down from Other Agenda Sections for Discussion and Appropriate Action**
- VIII. **Regular Business: Consideration, Discussion and Appropriate Action**
  - VIII.A. Consideration and Possible Action to Approve the Florence ISD Compensation Plan for the 2025-2026 School Year as Prepared by the Texas Association of School Boards HR Services  
**Presenter:** Rick Kirkpatrick/Sandra Slade
  - VIII.B. Consideration and Possible Action to Approve a Resolution Establishing Hazardous Routes for the New Florence Elementary School Based on Traffic Conditions and the Lack of a Walkway  
**Presenter:** Rick Kirkpatrick/Eric West
  - VIII.C. Consideration and Possible Action to Add, Revise, or Delete (LOCAL) Policies as Offered by TASB Policy Service for Consideration and According to the Instruction Sheet for TASB Localized Policy Manual Update 125 with the Following Changes:  
BDAA(LOCAL) - OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS  
BDB(LOCAL) - BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES  
BDF(LOCAL) - BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES  
EI(LOCAL) - ACADEMIC ACHIEVEMENT  
FDE(LOCAL) - ADMISSIONS: SCHOOL SAFETY TRANSFERS  
FEC(LOCAL) - ATTENDANCE: ATTENDANCE FOR CREDIT  
FFAC(LOCAL) - WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT  
**Presenter:** Rick Kirkpatrick
  - VIII.D. Consideration and Possible Action to Approve a Lease Agreement with Education Connection Preschool and Child Care Solutions, LTD.  
**Presenter:** Rick Kirkpatrick
  - VIII.E. Consideration and Possible Action to Approve the Memorandum of Understanding with the City of Florence for the School Resource Officers for the 2025-2026 School Year  
**Presenter:** Rick Kirkpatrick

- VIII.F. Consideration and Possible Action to Accept the Work from Braun and Butler Construction for the Completion of the New Band Hall and New Field House at Florence High School and Authorize the Final Payment  
**Presenter:** Rick Kirkpatrick
- VIII.G. Consideration and Possible Action to Approve the Teacher Incentive Allotment (TIA) Spending Plan  
**Presenter:** Dr. Kelly Avritt/Rachael Hull
- VIII.H. Consideration and Possible Action to Approve Purchase of over \$50,000  
**Presenter:** Rick Kirkpatrick/Eric Banfield
- VIII.I. Consideration and Possible Action to Approve Revisions to Board Policy FD (LOCAL) and FM (LOCAL)  
**Presenter:** Rick Kirkpatrick
- VIII.J. Consideration and Possible Action to Approve Revisions to Board Policy FNCE (LOCAL)  
**Presenter:** Rick Kirkpatrick
- VIII.K. Consideration and Possible Action to Approve Revisions to Board Policy EFB (LOCAL)  
**Presenter:** Rick Kirkpatrick/Dr. Kelly Avritt
- VIII.L. Consideration and Possible Action to Approve RFQ's for Special Education Service  
**Presenter:** Rick Kirkpatrick/Eric Banfield
- VIII.M. Consideration and Possible Action to Approve Budget Amendment Number Two as Presented.
- VIII.N. Consideration and Possible Action to Delegate the Contractual Authority to Obligate the School District Under TEC 11.1511(c)(4) to the Superintendent Solely for the Purpose of Obligating the District Under TEC 48.527, TEC Chapter 49-Subchapters A and D, and the Rules Adopted by the Commissioner of Education as Authorized Under TEC 49.006, Including the Approval of an Agreement for The Purchase of Attendance Credit (Netting Chapter 48 Funding).  
**Presenter:** Eric Banfield
- VIII.O. Consideration and Possible Action to Approve Revisions to the Florence ISD District of Innovation Plan  
**Presenter:** Rick Kirkpatrick

IX. **Executive Session**

(Tex. Gov't Code §551.076, §551.074, §551.071 and §551.129)

A. Safety and Security - Deliberate the deployment, or specific occasions for implementation of security personnel or devices or to deliberate regarding a security audit and the recommendation to adopt the proposed Board Policy CKE(LOCAL), Emergency Plans, and Board Resolution.

B. Personnel Matters - Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee and the recommendation to adopt the proposed Board Policy CKE(LOCAL).

X. **Action Taken from Closed Session**

X.A. Consideration and Possible Action to Approve Additional Confidential Staff to Carry Firearms While on District Property.

**Presenter:** Rick Kirkpatrick

- XI. **Items for Future Board Meetings**
- XII. **Reports (no board action required)**
  - XII.A. Finance Reports
  - XII.B. Resignations/New Hires
  - XII.C. Strategic Plan Update
- XIII. **Adjournment**

## Regular Meeting

Monday, June 16, 2025 7:00 PM

Florence High School Library, 401 FM-970, Florence, TX 76527

J.T. Atkinson:	Present
Pete Burson:	Present
Anthony DeAugustineo:	Present
Jason Earp:	Present
Charles Giddens:	Absent
Ed Navarette:	Absent
Jeff Stone:	Absent

I.	<b>Call to Order</b>	
	Meeting was called to order at 7:01pm	
II.	<b>Pledges of Allegiance</b>	Jeff Stone
	II.A. United States Pledge	
	II.B. Texas Pledge	
III.	<b>Invocation</b>	Jason Earp
IV.	Recognitions	
V.	<b>Public Comment</b>	
VI.	<b>Superintendent Report</b>	
	VI.A. ACE Program Update	Angel Callan and Kim Cannon
	VI.B. Legislative Update	Rick Kirkpatrick
	VI.C. 2025-2026 Preliminary Budget Report	Rick Kirkpatrick/Eric Banfield
	VI.D. TASB Local Policy Update 125 First Reading Affecting (LEGAL) and (LOCAL) Policies: BDAA (LOCAL) - OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS BDB (LOCAL) - BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES BDF (LOCAL) - BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES EI (LOCAL) - ACADEMIC ACHIEVEMENT FDE (LOCAL) - ADMISSIONS: SCHOOL SAFETY TRANSFERS FEC (LOCAL) - ATTENDANCE: ATTENDANCE FOR CREDIT FFAC (LOCAL) - WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT	Rick Kirkpatrick
	VI.E. 2024-2025 STAAR/EOC Preliminary Report	Rick Kirkpatrick
	VI.F. Proposed Child Care Center at Current Florence Elementary School	Rick Kirkpatrick

VI.G. Information on 2025 txEDCON25 Rick Kirkpatrick

VII. **Consent Agenda: Consideration, Discussion and Appropriate Action**

VII.A. Minutes of May 19, 2025

VII.B. Successful Transition Education Program Williamson County Juvenile Services Memorandum of Understanding 2025-2026

VII.C. Donation(s)

VIII. **Items Brought Down from Other Agenda Sections for Discussion and Appropriate Action**

IX. **Regular Business: Consideration, Discussion and Appropriate Action**

IX.A. Consideration and Possible Action Rick Kirkpatrick

to Approve the Board Meeting Schedule for the 2025-2026 Academic Year  
I move to approve the Board of Trustees meeting calendar as presented. This motion, made by Jason Earp and seconded by Anthony DeAugustineo, Passed.

J.T. Atkinson: Yea  
Pete Burson: Yea  
Anthony DeAugustineo: Yea  
Jason Earp: Yea  
Charles Giddens: Absent  
Ed Navarette: Absent  
Jeff Stone: Absent

Yea: 4, Nay: 0, Absent: 3

IX.B. Consideration and Possible Action Rick Kirkpatrick

to Approve a Low Attendance Day Waiver  
I move to approve the Low Attendance Day Waiver. This motion, made by Pete Burson and seconded by Anthony DeAugustineo, Passed.

J.T. Atkinson: Yea  
Pete Burson: Yea  
Anthony DeAugustineo: Yea  
Jason Earp: Yea  
Charles Giddens: Absent  
Ed Navarette: Absent  
Jeff Stone: Absent

Yea: 4, Nay: 0, Absent: 3

IX.C. Consideration and Possible Action Rick Kirkpatrick

to Declare Two Portable Buildings as Surplus and Authorize the Superintendent to Dispose of the Buildings

I move to declare the two portable buildings at the current elementary school as surplus and authorize the

Superintendent to dispose of them. This motion, made by Jason Earp and seconded by Pete Burson, Passed.

J.T. Atkinson:	Yea
Pete Burson:	Yea
Anthony DeAugustineo:	Yea
Jason Earp:	Yea
Charles Giddens:	Absent
Ed Navarette:	Absent
Jeff Stone:	Absent

Yea: 4, Nay: 0, Absent: 3

X. **Executive Session**

XI. **Action Taken from Closed Session**

XII. **Items for Future Board Meetings**

XIII. **Reports (no board action required)**

XIII.A. Finance Reports

XIII.B. Enrollment/Attendance Report

XIII.C. Campus Reports

XIII.D. Resignations/New Hires

XIV. **The Adjournment**

The meeting was adjourned at 9:12pm

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Board Secretary, Jason Earp

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Board President, Ed Navarette

## Special Called

Monday, June 23, 2025 6:30 PM

Florence High School Library, 401 FM-970, Florence, TX 76527

J.T. Atkinson: Present  
Pete Burson: Present  
Anthony DeAugustineo: Present  
Jason Earp: Present  
Charles Giddens: Present  
Ed Navarette: Present  
Jeff Stone: Present

### I. Call To Order

Meeting was called to order at 6:36pm

### II. Regular Business: Consideration, Discussion and Appropriate Action

II.A. Consideration and Possible Action Rick Kirkpatrick  
to Name a New Principal at Florence  
Middle School

I move to approve Lauren Neil as the  
new principal at Florence Middle  
School. This motion, made by Pete  
Burson and seconded by Charles Giddens,  
Passed.

J.T. Atkinson: Yea  
Pete Burson: Yea  
Anthony DeAugustineo: Yea  
Jason Earp: Yea  
Charles Giddens: Yea  
Ed Navarette: Yea  
Jeff Stone: Yea

Yea: 7, Nay: 0

II.B. Team of Eight Training/Board Goal Dr. Cathy Lauer  
Setting

### III. Adjournment

Meeting was adjourned at 9:22pm

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Board Secretary, Jason Earp

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Board President, Ed Navarette



August 2024

Texas A&M AgriLife Extension, Burnet County  
607 N. Vandevener, Suite 100  
Burnet, TX 78611

Dr. Rick Kirkpatrick  
Superintendent, Florence Independent School District

Dear Dr. Kirkpatrick:

On behalf of the 4-H members of Burnet County, I hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. The enclosed resolution should be presented for consideration at the next scheduled meeting of the Board of Trustees of the Florence Independent School District.

I further request that questions regarding this resolution be directed to me in a timely manner so that I may prepare and present an appropriate response so as not to delay action on this request.

Finally, I request that a signed copy of this resolution, along with a copy of the minutes of the Board meeting approving same, be forwarded to me for my files. Thank you and the members of your Board of Trustees for your consideration of this request.

Sincerely,

Colton Ripley  
County Extension Agent, 4-H & Youth Development  
Texas A&M AgriLife Extension, Burnet County

Enclosure: Resolution regarding extracurricular status of Burnet County 4-H & Adjunct Faculty Agreement

**ADJUNCT FACULTY AGREEMENT**

THE STATE OF TEXAS  
COUNTY OF BURNET

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the Florence Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individuals as adjunct members of the Florence Independent School District.

Upon consideration and vote of \_\_\_\_\_ in favor to \_\_\_\_\_, the herein named individuals are hereby named as adjunct faculty members of the Florence Independent School District subject to the following considerations and provisions of such appointment, to wit:

1. This appointment shall commence on the first day of September, 2025 and end on the last day of August, 2026, being the end of the 2025-2026 academic year.
2. Adjunct faculty member will receive no compensation, salary, or remuneration from Florence Independent School District.
3. Adjunct faculty member is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.
4. Adjunct faculty member shall be under the direct supervision of either the District Extension Administrator of District 7.
5. Adjunct faculty member shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any 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 members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator. Adjunct faculty members are not employees of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such Burnet County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

Name:	<u>Kelly Tarla</u>	Title:	<u>CEA - ANR</u>	Degree:	<u>BS/MS</u>	Institution:	<u>Tarleton</u>
Name:	<u>Colton Ripley</u>	Title:	<u>CEA - 4-H</u>	Degree:	<u>BS</u>	Institution:	<u>Oklahoma State</u>
Name:	<u>Mia Bengé</u>	Title:	<u>CEA- FCH</u>	Degree:	<u>BS</u>	Institution:	<u>Colorado State</u>

This appointment is made by the Florence Independent School District 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 Burnet County Extension Agents is not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Florence Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2025

By: \_\_\_\_\_  
Florence Independent School District

**RESOLUTION  
Regarding  
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the Florence Independent School District, meeting in public with a quorum present and certified, did adopt this resolution that recognizes the Burnet 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 is subject to all rules and regulations set forth under 19 Texas Administrative Code, as interpreted by this Board and designated officials of this school district, whose rules shall be final.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
*(For Board of Trustees)*

\_\_\_\_\_  
*(Superintendent)*

# PAY SYSTEMS MAINTENANCE

Florence Independent School  
District



Christine Gallardo

## Market Summary

Comparison districts were selected based on enrollment and location. School district data was obtained from the most recent available surveys conducted by TASB HR Services. Non-school market data for the Austin metro area from multiple third-party sources was incorporated for positions with similar jobs outside of K-12 education. Statewide market data for districts of comparable size (enrollment of 1,000 to 1,599) was used for high-level central administrator jobs.

### Florence ISD

Market Peers 2024-2025

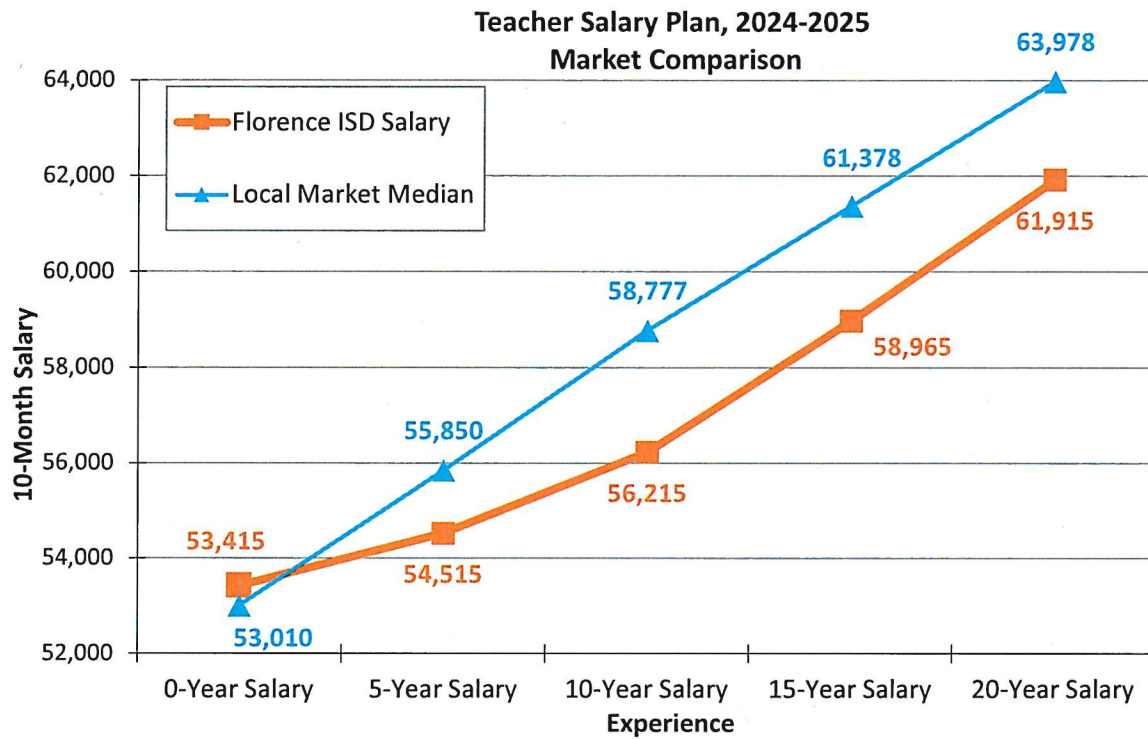
	District	ESC Region	Student Enrollment	Number of FTE	Teacher	Exempt* & Nonexempt
1	Belton ISD	12	13,644	2,034	X	X
2	Burnet CISD	13	3,304	486	X	X
3	Copperas Cove ISD	12	8,043	1,373	**	
4	Georgetown ISD	13	13,790	2,041	X	X
5	Granger ISD	13	586	96	X	X
6	Holland ISD	12	626	153	X	X
7	Hutto ISD	13	10,659	1,624	X	X
8	Jarrell ISD	13	3,360	586	X	X
9	Killeen ISD	12	43,935	6,270	X	X
10	Lampasas ISD	12	3,631	629	X	X
11	Leander ISD	13	42,368	6,096	X	X
12	Liberty Hill ISD	13	9,832	1,368	X	X
13	Marble Falls ISD	13	4,011	717	X	X
14	Round Rock ISD	13	47,016	6,405	X	X
15	Salado ISD	12	2,431	320	X	X
16	Taylor ISD	13	2,904	470	X	X
17	Temple ISD	12	8,615	1,321	X	X
<b>Florence ISD</b>		<b>13</b>	<b>1,167</b>	<b>185</b>	<b>17</b>	<b>16</b>

\* High-level central administrator jobs are compared to statewide market data for districts of comparable size.

\*\* District did not participate in survey. Teacher schedules collected from the district.

## Teacher Market Comparison

Teacher salaries at FIRD are below market at most surveyed points in the range. Teacher pay is lowest to market at 10 years, and pay is most competitive at 0 years. Starting pay for teachers is competitive to market median, but lags the market for experienced teachers.



**Teacher Salaries by Experience**  
**Bachelor's degree, 10 months**

	District	0-Year Salary	5-Year Salary	10-Year Salary	15-Year Salary	20-Year Salary	Average Teacher Salary
1	Killeen ISD	\$58,000	\$60,100	\$62,200	\$64,300	\$66,400	\$63,168
2	Hutto ISD	\$57,000	\$58,400	\$60,700	\$63,200	\$65,700	\$60,813
3	Leander ISD	\$56,995	\$57,921	\$60,172	\$62,567	\$64,827	\$61,379
4	Round Rock ISD	\$56,500	\$58,125	\$60,400	\$63,250	\$65,750	\$62,391
5	Georgetown ISD	\$56,500	\$57,750	\$59,750	\$61,850	\$64,050	\$60,633
6	Liberty Hill ISD	\$54,850	\$55,850	\$57,750	\$59,850	\$62,000	\$57,928
7	Belton ISD	\$54,700	\$56,200	\$57,900	\$60,400	\$62,900	\$57,930
8	Temple ISD	\$53,555	\$56,176	\$58,777	\$61,378	\$63,978	\$57,884
9	Jarrell ISD	\$53,010	\$55,914	\$58,926	\$61,939	\$65,054	\$58,804
10	Copperas Cove ISD**	\$53,000	\$54,750	\$63,000	\$68,000	\$73,000	
11	Burnet CISD	\$52,840	\$54,765	\$56,265	\$58,165	\$60,365	\$56,982
12	Taylor ISD	\$52,000	\$54,312	\$60,360	\$62,986	\$66,385	\$59,324
13	Lampasas ISD	\$51,600	\$54,327	\$55,237	\$57,137	\$61,537	\$56,966
14	Marble Falls ISD	\$50,700	\$53,700	\$56,000	\$58,000	\$60,500	\$56,493
15	Salado ISD	\$50,000	\$51,844	\$54,555	\$57,655	\$61,130	\$55,849
16	Granger ISD	\$47,491	\$50,157	\$55,089	\$59,439	\$62,727	\$56,844
17	Holland ISD	\$41,000	\$43,500	\$47,630	\$52,710	\$56,540	\$46,440
	<b>Florence ISD</b>	<b>\$53,415</b>	<b>\$54,515</b>	<b>\$56,215</b>	<b>\$58,965</b>	<b>\$61,915</b>	<b>\$57,300</b>
	<b>Median</b>	<b>\$53,010</b>	<b>\$55,850</b>	<b>\$58,777</b>	<b>\$61,378</b>	<b>\$63,978</b>	<b>\$57,929</b>
	<b>Comparison to Median Dollar Difference</b>	<b>101%</b> \$405	<b>98%</b> (\$1,335)	<b>96%</b> (\$2,562)	<b>96%</b> (\$2,413)	<b>97%</b> (\$2,063)	<b>99%</b> (\$629)

In the table above, the horizontal arrow indicates how FISD's starting (0-year) teacher salary compares to a sorted list of the peer districts in the market.

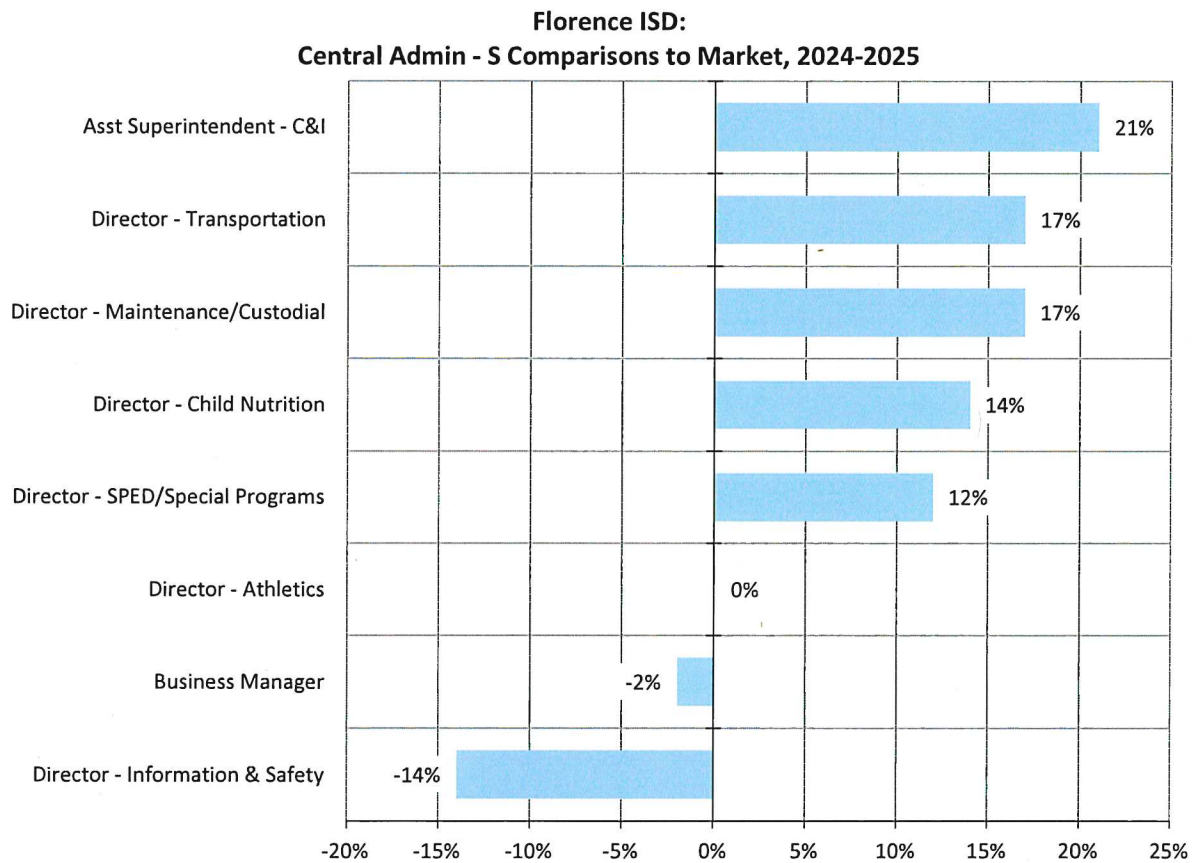
The table below includes common teacher stipends and how the district compares with peers. This comparison may be helpful if the district is considering adjusting stipend amounts or offerings. Offering stipends for hard-to-fill positions is one method of remaining competitive with peer districts.

<b>Stipend</b>	<b>Florence ISD</b>	<b>Median Stipend</b>	<b>Districts Reporting</b>
<b>Master's Degree - General</b>	\$1,000	\$1,000	13 of 16
<b>Special Education - General/Resource</b>	\$1,000	\$2,000	9 of 16
<b>Special Education - High Needs</b>	\$2,000	\$3,500	15 of 16
<b>Bilingual</b>	\$8,000	\$7,000	12 of 16

## Central Administration Market Comparison

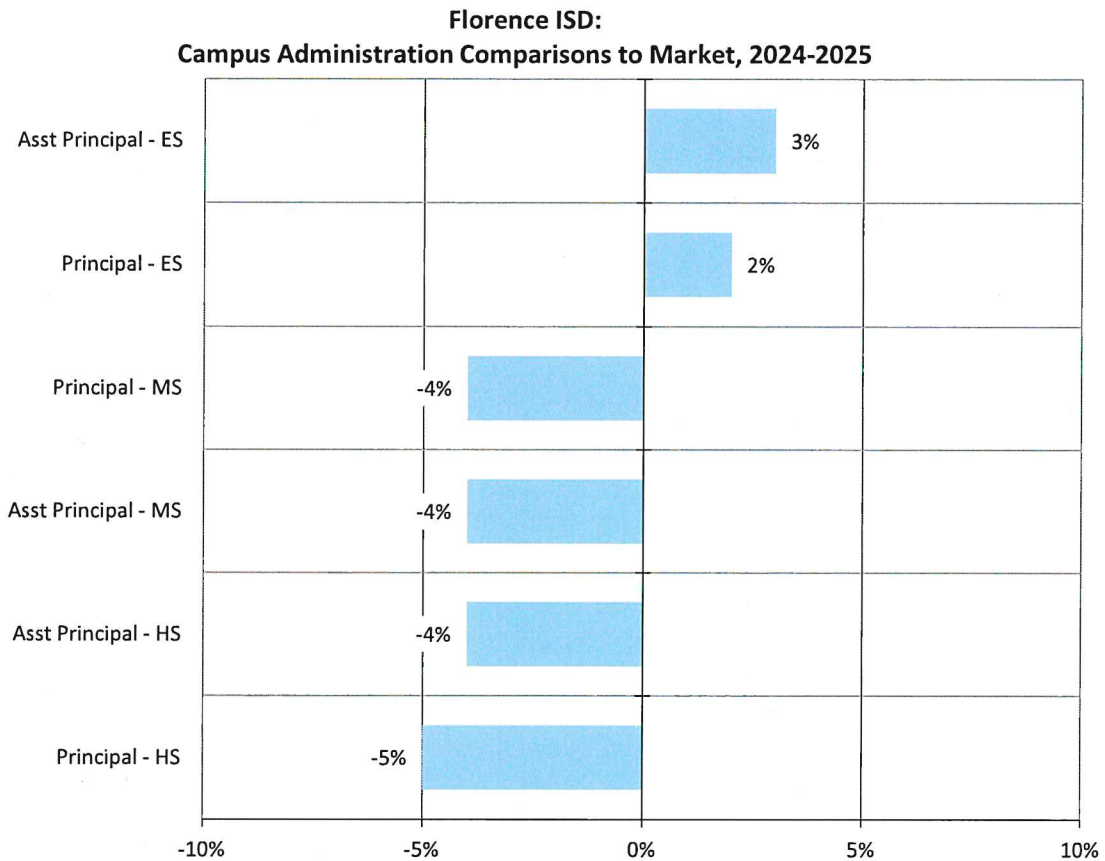
Across benchmark central administrative positions, FISD is 8 percent above market, on average, when compared to similar sized districts. Not pictured, pay ranges midpoints are 7 percent above market rates, on average. Of all the exempt pay groups, pay and structures are strongest to market for this group.

It should be noted that these are single incumbent positions and individual experience, performance, skills, and unique job responsibilities impact market matches more significantly than multi-incumbent job titles.



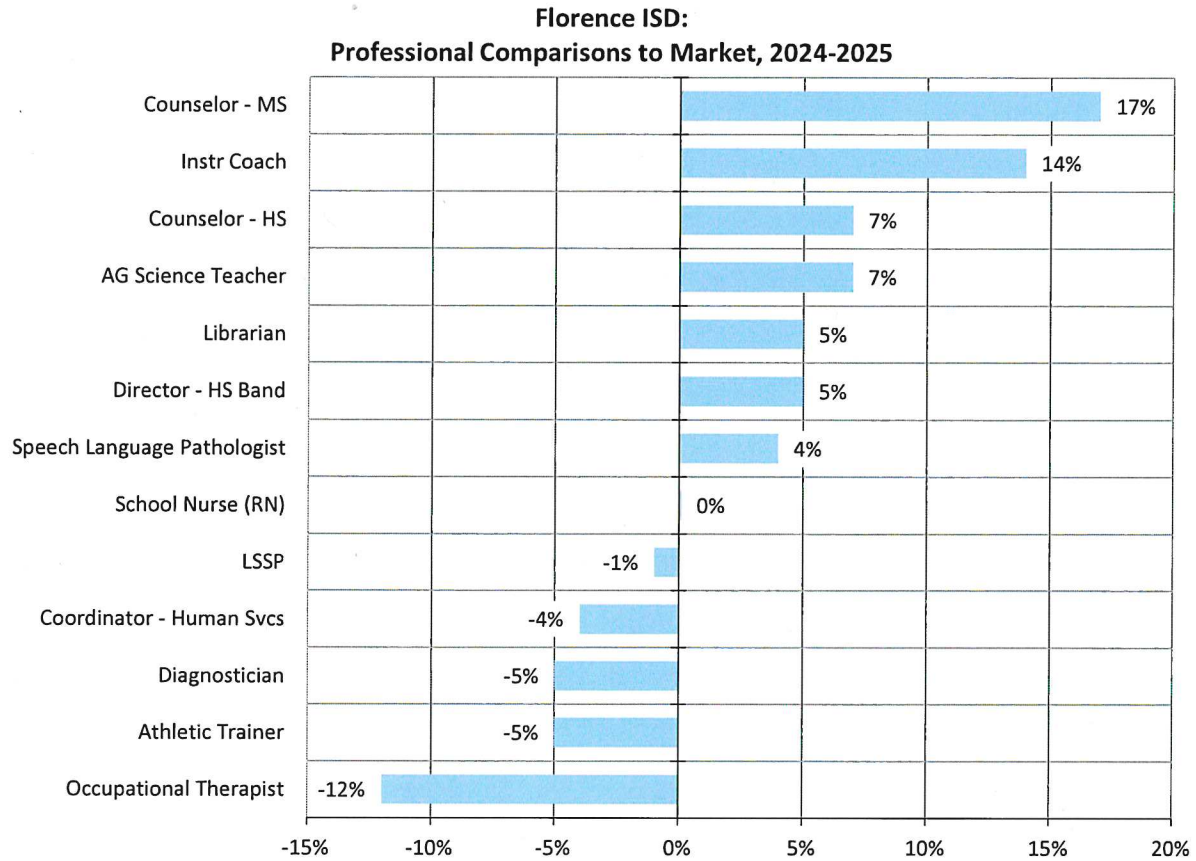
## Campus Administration Market Comparison

Across benchmark campus administrative positions, FISD is 2 percent below market, on average. Not pictured, pay range midpoints are 3 percent below market rates, on average.



## Professional Market Comparison

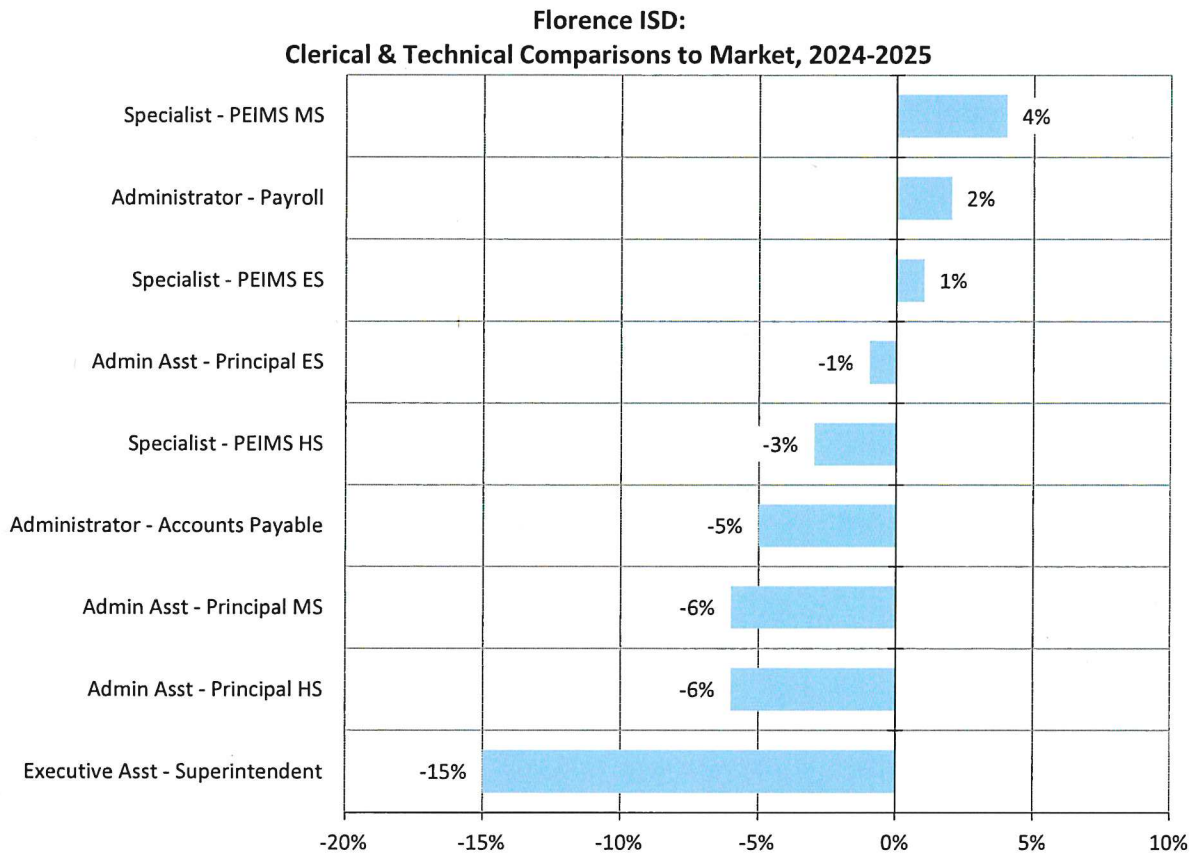
Across benchmark professional positions, FISD is 2 percent above market, on average. Not pictured, pay range midpoints are even with market, on average.



## Clerical & Technical Market Comparison

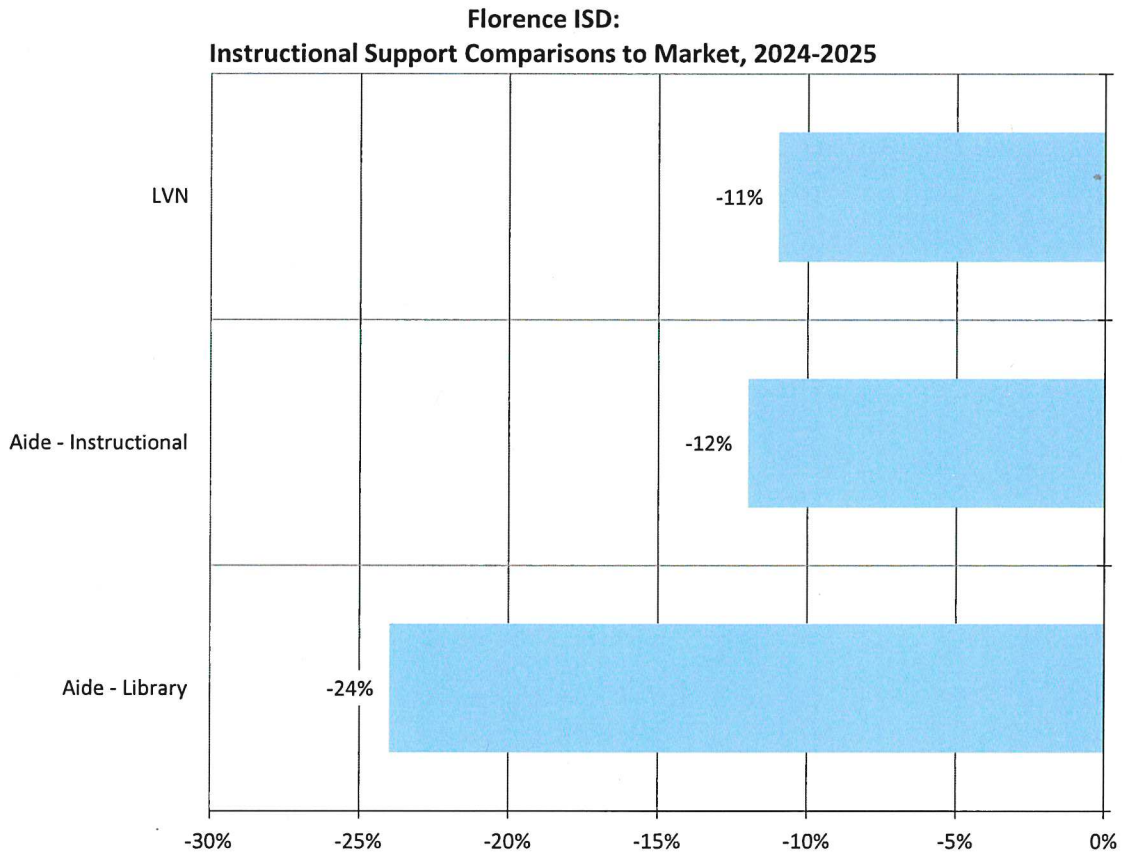
Across benchmark clerical and technical jobs, the district is paying 3 percent below market, on average. Individual jobs range from 15 percent below market median to 4 percent above market median. Not pictured, pay range midpoints are 4 percent below market and pay range minimums are 5 percent below market, on average.

Of all the nonexempt pay groups, pay and structures are strongest to market for this group.



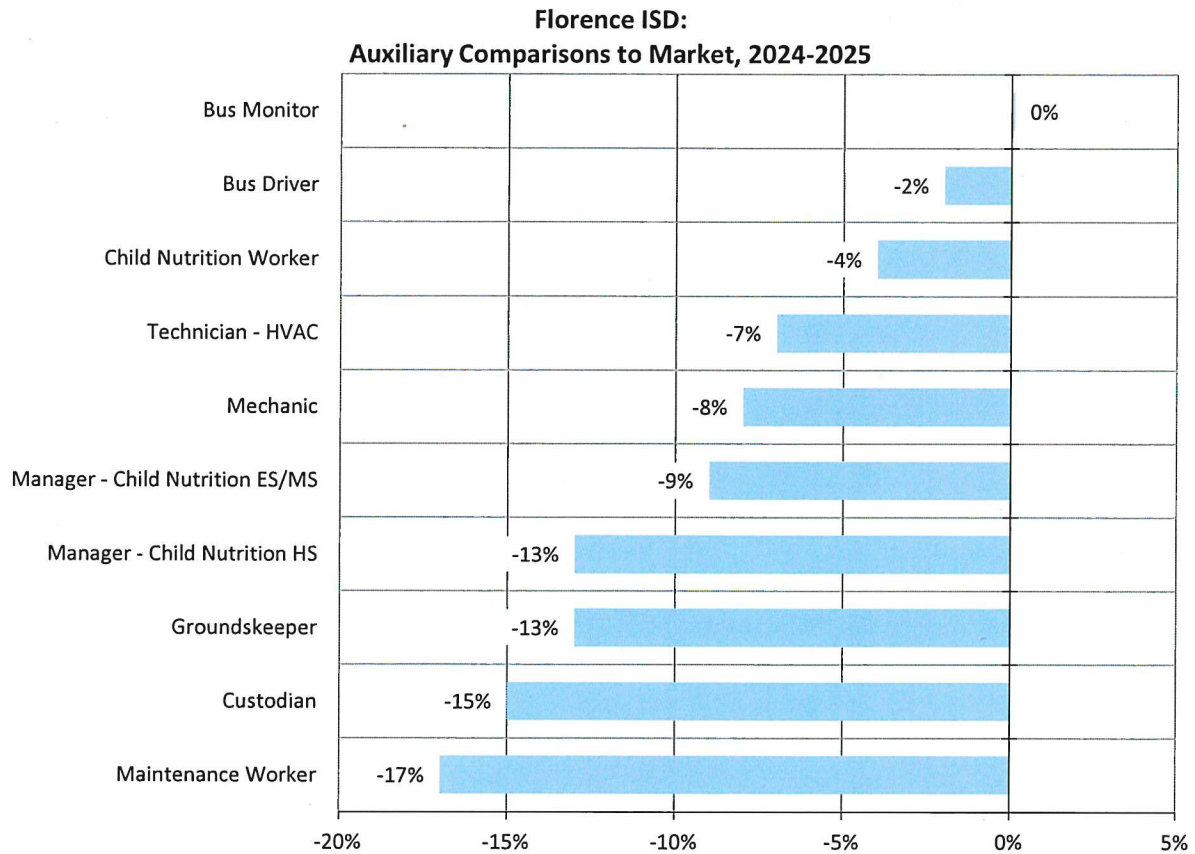
## Instructional Support Market Comparison

Across benchmark instructional support jobs, the district is paying 16 percent below market, on average. Individual jobs range from 11 to 24 percent below market median. No jobs are paid at or above market median. Not pictured, pay range midpoints are 9 percent below market and pay range minimums are 8 percent below market, on average.



## Auxiliary Market Comparison

Across benchmark auxiliary jobs, the district is paying 9 percent below market, on average. Individual jobs range from 17 percent below market median to even with market median. Not pictured, pay range midpoints are 5 percent below market and pay range minimums are 6 percent below market, on average.



**Florence ISD**

Summary of Cost Estimates, 2025-2026

**Model 1**

2% AP - 3% CPA

	Total Staff	Count of Increases	Cost Increase	Percent of Current Costs	2024-2025 Current Costs
<b>Teachers</b>					
<b>\$54,000 starting salary</b>	<b>84</b>		<b>\$534,551</b>		<b>\$4,794,975</b>
Teacher retention allotment - HB2 Funded		65	\$498,002	10.4%	
Other adjustments (unfunded cost)		21	\$36,549	0.8%	
<b>Administrative Professional</b>	<b>33</b>		<b>\$95,832</b>		<b>\$2,662,955</b>
<sup>1c</sup> General pay increase - 2.0% of pay range midpoint		33	\$57,185	2.1%	
Adjustments - 1.0% above pay range minimum		1	\$4,027	0.2%	
Adjustments - teacher pay equity		10	\$34,620	1.3%	
<b>Clerical Paraprofessional Auxiliary</b>	<b>77</b>		<b>\$185,548</b>		<b>\$2,096,989</b>
<sup>1c</sup> General pay increase - 3.0% of pay range midpoint		76	\$73,008	3.5%	
General pay increase - 3.0% to employees over range max		1	\$404	0.0%	
Adjustments - 1.0% above pay range minimum		27	\$40,208	1.9%	
Adjustments - placement scale		51	\$71,928	3.4%	
<b>Subtotal - General Pay Increase</b>		<b>110</b>	<b>\$130,597</b>	<b>1.3%</b>	
<b>Subtotal - Teacher retention allotment</b>		<b>65</b>	<b>\$498,002</b>	<b>5.1%</b>	
<b>Subtotal - Implementation/Equity Adjustments</b>		<b>110</b>	<b>\$187,332</b>	<b>1.9%</b>	
<b>Extra Duty Stipends<sup>2</sup></b>			<b>\$45,690</b>		<b>\$271,370</b>
Academics		2	\$950	0.4%	
Job-related		15	\$30,500	11.2%	
Athletics		32	\$11,330	4.2%	
Performing Arts		1	\$500	0.2%	
Spirit		1	\$500	0.2%	
Activities/Clubs		2	\$450	0.2%	
Hold Harmless (continuing cost to offset decreases)		2	\$1,460	0.5%	
<b>Subtotal - Extra Duty Stipends</b>		<b>55</b>	<b>\$45,690</b>	<b>0.5%</b>	
<b>Total Cost Estimate</b>	<b>194</b>		<b>\$861,621</b>	<b>8.8%</b>	<b>\$9,826,289</b>

**Footnotes:**

<sup>1c</sup> Pay increases were applied to all employees and itemized separately for employees at or above the maximum rate.

<sup>2</sup> Hold harmless stipends totaling \$1,460 and impacting 2 employees were created as-needed to avoid a decrease in total stipend payments (across all assignments for the employee). These are a continuing cost to the district and are not a true cost increase.

**Florence ISD**

Summary of Cost Estimates, 2025-2026

**Model 2**

3% AP - 4% CPA

	Total Staff	Count of Increases	Cost Increase	Percent of Current Costs	2024-2025 Current Costs
<b>Teachers</b>					
<b>\$54,000 starting salary</b>	<b>84</b>		<b>\$534,551</b>		<b>\$4,794,975</b>
Teacher retention allotment - HB2 Funded		65	\$498,002	10.4%	
Other adjustments (unfunded cost)		21	\$36,549	0.8%	
<b>Administrative Professional</b>	<b>33</b>		<b>\$115,992</b>		<b>\$2,662,955</b>
<sup>1c</sup> General pay increase - 3.0% of pay range midpoint		33	\$85,771	3.2%	
Adjustments - 1.0% above pay range minimum		1	\$3,309	0.1%	
Adjustments - teacher pay equity		10	\$26,912	1.0%	
<b>Clerical Paraprofessional Auxiliary</b>	<b>77</b>		<b>\$193,460</b>		<b>\$2,096,989</b>
<sup>1c</sup> General pay increase - 4.0% of pay range midpoint		76	\$97,478	4.6%	
General pay increase - 4.0% to employees over range max		1	\$703	0.0%	
Adjustments - 1.0% above pay range minimum		25	\$31,675	1.5%	
Adjustments - placement scale		47	\$63,604	3.0%	
<b>Subtotal - General Pay Increase</b>		<b>110</b>	<b>\$183,952</b>	<b>1.9%</b>	
<b>Subtotal - Teacher retention allotment</b>		<b>65</b>	<b>\$498,002</b>	<b>5.1%</b>	
<b>Subtotal - Implementation/Equity Adjustments</b>		<b>104</b>	<b>\$162,049</b>	<b>1.6%</b>	
<b>Extra Duty Stipends<sup>2</sup></b>			<b>\$45,690</b>		<b>\$271,370</b>
Academics		2	\$950	0.4%	
Job-related		15	\$30,500	11.2%	
Athletics		32	\$11,330	4.2%	
Performing Arts		1	\$500	0.2%	
Spirit		1	\$500	0.2%	
Activities/Clubs		2	\$450	0.2%	
Hold Harmless (continuing cost to offset decreases)		2	\$1,460	0.5%	
<b>Subtotal - Extra Duty Stipends</b>		<b>55</b>	<b>\$45,690</b>	<b>0.5%</b>	
<b>Total Cost Estimate</b>	<b>194</b>		<b>\$889,693</b>	<b>9.1%</b>	<b>\$9,826,289</b>

**Footnotes:**

<sup>1c</sup> Pay increases were applied to all employees and itemized separately for employees at or above the maximum rate.

<sup>2</sup> Hold harmless stipends totaling \$1,460 and impacting 2 employees were created as-needed to avoid a decrease in total stipend payments (across all assignments for the employee). These are a continuing cost to the district and are not a true cost increase.

**Florence ISD**  
 Summary of Cost Estimates, 2025-2026

**Model 3**  
 4% AP - 5% CPA

	Total Staff	Count of Increases	Cost Increase	Percent of Current Costs	2024-2025 Current Costs
<b>Teachers</b>					
<b>\$54,000 starting salary</b>	<b>84</b>		<b>\$534,551</b>		<b>\$4,794,975</b>
Teacher retention allotment - HB2 Funded		65	\$498,002	10.4%	
Other adjustments (unfunded cost)		21	\$36,549	0.8%	
<b>Administrative Professional</b>	<b>33</b>		<b>\$136,990</b>		<b>\$2,662,955</b>
<sup>1c</sup> General pay increase - 4.0% of pay range midpoint		33	\$114,370	4.3%	
Adjustments - 1.0% above pay range minimum		1	\$2,588	0.1%	
Adjustments - teacher pay equity		8	\$20,032	0.8%	
<b>Clerical Paraprofessional Auxiliary</b>	<b>77</b>		<b>\$202,488</b>		<b>\$2,096,989</b>
<sup>1c</sup> General pay increase - 5.0% of pay range midpoint		76	\$121,542	5.8%	
General pay increase - 5.0% to employees over range max		1	\$987	0.0%	
Adjustments - 1.0% above pay range minimum		20	\$24,040	1.1%	
Adjustments - placement scale		42	\$55,919	2.7%	
<b>Subtotal - General Pay Increase</b>		<b>131</b>	<b>\$273,448</b>	<b>2.8%</b>	
<b>Subtotal - Teacher retention allotment</b>		<b>65</b>	<b>\$498,002</b>	<b>5.1%</b>	
<b>Subtotal - Implementation/Equity Adjustments</b>		<b>71</b>	<b>\$102,579</b>	<b>1.0%</b>	
<b>Extra Duty Stipends<sup>2</sup></b>			<b>\$45,690</b>		<b>\$271,370</b>
Academics		2	\$950	0.4%	
Job-related		15	\$30,500	11.2%	
Athletics		32	\$11,330	4.2%	
Performing Arts		1	\$500	0.2%	
Spirit		1	\$500	0.2%	
Activities/Clubs		2	\$450	0.2%	
Hold Harmless (continuing cost to offset decreases)		2	\$1,460	0.5%	
<b>Subtotal - Extra Duty Stipends</b>		<b>55</b>	<b>\$45,690</b>	<b>0.5%</b>	
<b>Total Cost Estimate</b>	<b>194</b>		<b>\$919,719</b>	<b>9.4%</b>	<b>\$9,826,289</b>

**Footnotes:**

<sup>1c</sup> Pay increases were applied to all employees and itemized separately for employees at or above the maximum rate.

<sup>2</sup> Hold harmless stipends totaling \$1,460 and impacting 2 employees were created as-needed to avoid a decrease in total stipend payments (across all assignments for the employee). These are a continuing cost to the district and are not a true cost increase.

## Appendices

### Proposed Pay Structures

As discussed in the recommendations, TASB HR Services has recommended adjustments to the district's current pay structures. The following exhibits depict the proposed pay structures, including updated pay rates.



**2025-2026 Proposed Administrative Professional Pay Plan**

**2%**

Florence ISD

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	
<b>1</b>	Coordinator - ACE Site	216	Daily	\$213.99	\$254.75	\$295.51
			216 Days	46,222	55,026	63,830
<b>2</b>	Administrator - Network Systems	226	Daily	\$267.49	\$318.44	\$369.39
	Coordinator - ACE Site/Testing	216	216 Days	57,778	68,783	79,788
	Coordinator - Technology	226	226 Days	60,453	71,967	83,482
<b>3</b>	Athletic Trainer	195	Daily	\$308.41	\$367.16	\$425.91
	Coordinator - ESL/Bil	212	195 Days	60,140	71,596	83,052
	Counselor - MS	207	207 Days	63,841	76,002	88,163
	Diagnostician	195	212 Days	65,383	77,838	90,293
	Librarian	195				
	LSSP	195				
	Occupational Therapist	195				
	School Nurse (RN)	195				
	Speech Language Pathologist	195				
<b>4</b>	Coordinator - Human Resources	226	Daily	\$324.76	\$386.62	\$448.48
	Coordinator - Special Programs	212	202 Days	65,602	78,097	90,593
	Coordinator - SPED Compliance	212	212 Days	68,849	81,963	95,078
	Counselor - ES	202	226 Days	73,396	87,376	101,356
<b>5</b>	Asst Principal - ES	207	Daily	\$341.00	\$405.95	\$470.90
	Asst Principal - MS	207	207 Days	70,587	84,032	97,476
	Counselor - HS	207	216 Days	73,656	87,685	101,714
	Director - Child Nutrition	216	226 Days	77,066	91,745	106,423
	Director - Information & Safety	226	240 Days	81,840	97,428	113,016
	Director - Maintenance/Custodial	240				
	Director - Transportation	240				
	Instructional Coach	216				
	Instructional Coach - ESSER	216				
<b>6</b>	Asst Principal - HS	216	Daily	\$358.13	\$426.65	\$495.17
	Director - HS Band	226	216 Days	77,356	92,156	106,957
			226 Days	80,937	96,423	111,908
<b>7</b>	Business Manager	226	Daily	\$386.70	\$460.36	\$534.02
	Director - Athletics	226	226 Days	87,394	104,041	120,689
	Director - SPED/Special Programs	226				
	Principal - ES	226				
	Principal - MS	226				
<b>8</b>			Daily	\$468.69	\$557.96	\$647.23

**2025-2026 Proposed Administrative Professional Pay Plan**  
 Florence ISD

2%

Pay Grade	Job Title	Calendars		Minimum	Midpoint	Maximum
	Principal - HS	226	226 Days	105,924	126,099	146,274
<b>9</b>						
	Asst Superintendent - C&I	226	Daily	\$492.12	\$585.86	\$679.60
			226 Days	111,219	132,404	153,590

2025-2026 Proposed Administrative Professional Pay Plan

4-5%

Florence ISD

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	
<b>1</b>	Coordinator - ACE Site	216	Daily	\$218.40	\$260.00	\$301.60
			216 Days	47,174	56,160	65,146
<b>2</b>	Administrator - Network Systems	226	Daily	\$273.00	\$325.00	\$377.00
	Coordinator - ACE Site/Testing	216	216 Days	58,968	70,200	81,432
	Coordinator - Technology	226	226 Days	61,698	73,450	85,202
<b>3</b>	Athletic Trainer	195	Daily	\$311.50	\$370.83	\$430.16
	Coordinator - ESL/Bil	212	195 Days	60,743	72,312	83,881
	Counselor - MS	207	207 Days	64,481	76,762	89,043
	Diagnostician	195	212 Days	66,038	78,616	91,194
	Librarian	195				
	LSSP	195				
	Occupational Therapist	195				
	School Nurse (RN)	195				
	Speech Language Pathologist	195				
<b>4</b>	Coordinator - Human Resources	226	Daily	\$329.25	\$391.97	\$454.69
	Coordinator - Special Programs	212	202 Days	66,509	79,178	91,847
	Coordinator - SPED Compliance	212	212 Days	69,801	83,098	96,394
	Counselor - ES	202	226 Days	74,411	88,585	102,760
<b>5</b>	Asst Principal - ES	207	Daily	\$345.72	\$411.57	\$477.42
	Asst Principal - MS	207	207 Days	71,564	85,195	98,826
	Counselor - HS	207	216 Days	74,676	88,899	103,123
	Director - Child Nutrition	216	226 Days	78,133	93,015	107,897
	Director - Information & Safety	226	240 Days	82,973	98,777	114,581
	Director - Maintenance/Custodial	240				
	Director - Transportation	240				
	Instructional Coach	216				
	Instructional Coach - ESSER	216				
<b>6</b>	Asst Principal - HS	216	Daily	\$369.48	\$440.17	\$510.86
	Director - HS Band	226	216 Days	79,808	95,077	110,346
			226 Days	83,502	99,478	115,454
<b>7</b>	Business Manager	226	Daily	\$395.62	\$470.98	\$546.34
	Director - Athletics	226	226 Days	89,410	106,441	123,473
	Director - SPED/Special Programs	226				
	Principal - ES	226				
	Principal - MS	226				
<b>8</b>			Daily	\$470.79	\$560.47	\$650.15

**2025-2026 Proposed Administrative Professional Pay Plan**  
 Florence ISD

4-5%

Pay Grade	Job Title	Calendars		Minimum	Midpoint	Maximum
	Principal - HS	226	226 Days	106,399	126,666	146,934
9						
	Asst Superintendent - C&I	226	Daily	\$494.33	\$588.49	\$682.65
			226 Days	111,719	132,999	154,279

**2025-2026 Proposed Clerical Paraprofessional Auxiliary Pay Plan**

**2%**

Florence ISD

\*Annual amounts are based on 8 hours per day.

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum	
<b>1</b>			<b>Hourly</b>	<b>\$14.00</b>	<b>\$16.77</b>	<b>\$19.54</b>
	Child Nutrition Worker	179	<b>179 Days</b>	20,048	24,015	27,981
	Crossing Guard	179				
<b>2</b>			<b>Hourly</b>	<b>\$14.75</b>	<b>\$17.68</b>	<b>\$20.61</b>
	Aide - Nurse	187	<b>179 Days</b>	21,122	25,318	29,514
	Child Nutrition Specialist	179	<b>185 Days</b>	21,830	26,166	30,503
	Custodian	240	<b>187 Days</b>	22,066	26,449	30,833
	Educational Aide I	187	<b>240 Days</b>	28,320	33,946	39,571
	Educational Aide II	187				
	Receptionist - ES/MS/HS	185, 187				
<b>3</b>			<b>Hourly</b>	<b>\$16.00</b>	<b>\$19.17</b>	<b>\$22.34</b>
	Custodian - Lead	240	<b>179 Days</b>	22,912	27,451	31,991
	Educational Aide III	187	<b>187 Days</b>	23,936	28,678	33,421
	Groundskeeper	240	<b>240 Days</b>	30,720	36,806	42,893
	Lead - Child Nutrition ES/MS	179				
	Library Aide III	187				
<b>4</b>			<b>Hourly</b>	<b>\$17.50</b>	<b>\$20.97</b>	<b>\$24.44</b>
	Grounds Lead	240	<b>179 Days</b>	25,060	30,029	34,998
	Lead - Child Nutrition HS	179	<b>216 Days</b>	30,240	36,236	42,232
	Specialist - PEIMS ES/MS	216	<b>240 Days</b>	33,600	40,262	46,925
<b>5</b>			<b>Hourly</b>	<b>\$19.75</b>	<b>\$23.65</b>	<b>\$27.55</b>
	Admin Asst - Maintenance	226	<b>216 Days</b>	34,128	40,867	47,606
	Admin Asst - Principal ES/MS	216	<b>226 Days</b>	35,708	42,759	49,810
	Maintenance Worker	240	<b>240 Days</b>	37,920	45,408	52,896
	Specialist - PEIMS/Registrar HS	226				
<b>6</b>			<b>Hourly</b>	<b>\$23.50</b>	<b>\$28.16</b>	<b>\$32.82</b>
	Admin Asst - Principal HS	226	<b>195 Days</b>	36,660	43,930	51,199
	LVN	195	<b>226 Days</b>	42,488	50,913	59,339
	Maintenance - Lead	240	<b>240 Days</b>	45,120	54,067	63,014
	Mechanic	240				
<b>7</b>			<b>Hourly</b>	<b>\$27.00</b>	<b>\$32.34</b>	<b>\$37.68</b>
	Administrator - Payroll	226	<b>226 Days</b>	48,816	58,471	68,125
	Administrator- Accounts Payable	226	<b>240 Days</b>	51,840	62,093	72,346
	Executive Asst - Superintendent	226				
	Technician - HVAC	240				
<b>BM</b>			<b>Hourly</b>	<b>\$14.25</b>	<b>\$16.96</b>	<b>\$19.67</b>
	Bus Monitor	179	<b>179 Days</b>	20,406	24,287	28,167
<b>BD</b>			<b>Hourly</b>	<b>\$20.00</b>	<b>\$23.80</b>	<b>\$27.60</b>
	Bus Driver	179	<b>179 Days</b>	28,640	34,082	39,523

**2025-2026 Proposed Clerical Paraprofessional Auxiliary Pay Plan**

**4-5%**

Florence ISD

\*Annual amounts are based on 8 hours per day.

Pay Grade	Job Title	Calendars	Minimum	Midpoint	Maximum
<b>1.</b>					
	Child Nutrition Worker	179	<b>\$14.00</b>	<b>\$16.77</b>	<b>\$19.54</b>
	Crossing Guard	179	<b>20,048</b>	<b>24,015</b>	<b>27,981</b>
<b>2</b>					
	Aide - Nurse	187	<b>\$15.00</b>	<b>\$17.98</b>	<b>\$20.96</b>
	Child Nutrition Specialist	179	<b>21,480</b>	<b>25,747</b>	<b>30,015</b>
	Custodian	240	<b>185 Days</b>	<b>22,200</b>	<b>26,610</b>
	Educational Aide I	187	<b>187 Days</b>	<b>22,440</b>	<b>26,898</b>
	Educational Aide II	187	<b>240 Days</b>	<b>28,800</b>	<b>34,522</b>
	Receptionist - ES/MS/HS	185, 187			<b>40,243</b>
<b>3</b>					
	Custodian - Lead	240	<b>\$16.25</b>	<b>\$19.47</b>	<b>\$22.69</b>
	Educational Aide III	187	<b>179 Days</b>	<b>23,270</b>	<b>27,881</b>
	Groundskeeper	240	<b>187 Days</b>	<b>24,310</b>	<b>29,127</b>
	Lead - Child Nutrition ES/MS	179	<b>240 Days</b>	<b>31,200</b>	<b>37,382</b>
	Library Aide III	187			<b>43,565</b>
<b>4</b>					
	Grounds Lead	240	<b>\$17.75</b>	<b>\$21.27</b>	<b>\$24.79</b>
	Lead - Child Nutrition HS	179	<b>179 Days</b>	<b>25,418</b>	<b>30,459</b>
	Specialist - PEIMS ES/MS	216	<b>216 Days</b>	<b>30,672</b>	<b>36,755</b>
			<b>240 Days</b>	<b>34,080</b>	<b>40,838</b>
					<b>47,597</b>
<b>5</b>					
	Admin Asst - Maintenance	226	<b>\$20.00</b>	<b>\$23.95</b>	<b>\$27.90</b>
	Admin Asst - Principal ES/MS	216	<b>216 Days</b>	<b>34,560</b>	<b>41,386</b>
	Maintenance Worker	240	<b>226 Days</b>	<b>36,160</b>	<b>43,302</b>
	Specialist - PEIMS/Registrar HS	226	<b>240 Days</b>	<b>38,400</b>	<b>45,984</b>
					<b>53,568</b>
<b>6</b>					
	Admin Asst - Principal HS	226	<b>\$23.75</b>	<b>\$28.46</b>	<b>\$33.17</b>
	LVN	195	<b>195 Days</b>	<b>37,050</b>	<b>44,398</b>
	Maintenance - Lead	240	<b>226 Days</b>	<b>42,940</b>	<b>51,456</b>
	Mechanic	240	<b>240 Days</b>	<b>45,600</b>	<b>54,643</b>
					<b>63,686</b>
<b>7</b>					
	Administrator - Payroll	226	<b>\$27.25</b>	<b>\$32.64</b>	<b>\$38.03</b>
	Administrator- Accounts Payable	226	<b>226 Days</b>	<b>49,268</b>	<b>59,013</b>
	Executive Asst - Superintendent	226	<b>240 Days</b>	<b>52,320</b>	<b>62,669</b>
	Technician - HVAC	240			<b>73,018</b>
<b>BM</b>					
	Bus Monitor	179	<b>\$14.25</b>	<b>\$16.97</b>	<b>\$19.69</b>
			<b>179 Days</b>	<b>20,406</b>	<b>24,301</b>
					<b>28,196</b>
<b>BD</b>					
	Bus Driver	179	<b>\$20.00</b>	<b>\$23.80</b>	<b>\$27.60</b>
			<b>179 Days</b>	<b>28,640</b>	<b>34,082</b>
					<b>39,523</b>

## 2025-2026 Clerical Paraprofessional Auxiliary Placement Scale Florence ISD

Placement scales are used to establish a minimum rate for new hires based on job-related experience approved by the district. Current employees may be paid above this placement scale. This scale is for placement of new hires only. Future wage increases are determined annually and are not guaranteed.

Range	2025-2026															
Position	Job Exp	0	1	2	3	4	5	6	7	BM	BD					
Minimum	0	\$23.80	\$14.00	\$15.00	\$16.25	\$17.75	\$20.00	\$23.75	\$27.25	\$14.25	\$20.00					
	1	\$24.04	\$14.18	\$15.20	\$16.46	\$17.98	\$20.26	\$24.06	\$27.61	\$14.43	\$20.25					
	2	\$24.02	\$14.36	\$15.39	\$16.67	\$18.21	\$20.52	\$24.37	\$27.96	\$14.61	\$20.50					
	3	\$24.00	\$14.54	\$15.58	\$16.88	\$18.44	\$20.78	\$24.68	\$28.31	\$14.79	\$20.75					
	4	\$23.98	\$14.72	\$15.77	\$17.09	\$18.67	\$21.04	\$24.99	\$28.66	\$14.97	\$21.00					
	5	\$23.96	\$14.90	\$15.96	\$17.30	\$18.90	\$21.30	\$25.30	\$29.01	\$15.15	\$21.25					
	6	\$23.94	\$15.08	\$16.15	\$17.51	\$19.13	\$21.56	\$25.61	\$29.36	\$15.33	\$21.50					
	7	\$23.92	\$15.26	\$16.34	\$17.72	\$19.36	\$21.82	\$25.92	\$29.71	\$15.51	\$21.75					
	8	\$23.90	\$15.44	\$16.53	\$17.93	\$19.59	\$22.08	\$26.23	\$30.06	\$15.69	\$22.00					
	9	\$23.88	\$15.62	\$16.72	\$18.14	\$19.82	\$22.34	\$26.54	\$30.41	\$15.87	\$22.25					
	10	\$23.86	\$15.80	\$16.91	\$18.35	\$20.05	\$22.60	\$26.85	\$30.76	\$16.05	\$22.50					
	11	\$23.84	\$15.98	\$17.10	\$18.56	\$20.28	\$22.86	\$27.16	\$31.11	\$16.23	\$22.75					
	12	\$23.82	\$16.16	\$17.29	\$18.77	\$20.51	\$23.12	\$27.47	\$31.46	\$16.41	\$23.00					
	13	\$23.80	\$16.34	\$17.48	\$18.98	\$20.74	\$23.38	\$27.78	\$31.81	\$16.59	\$23.25					
	14	\$23.78	\$16.52	\$17.67	\$19.19	\$20.97	\$23.64	\$28.09	\$32.16	\$16.77	\$23.50					
Midpoint	15	\$23.80	\$16.77	\$17.98	\$19.47	\$21.27	\$23.95	\$28.46	\$32.64	\$16.97	\$23.80					

## 2025-2026 Proposed Extra Duty Stipends

Florence ISD

Category	Sub-Category	Assignment	Proposed Stipend
<b>Academics</b>			
1	UIL	Robotics Coach	1,000
1	UIL	UIL Campus Coordinator - HS	1,000
2	UIL	UIL Campus Coordinator - MS/ES	1,000
1	UIL	One Act Play	1,450
<b>Job-related</b>			
	Teacher	Agriculture Science - HS	3,000
	Teacher	Bilingual	12,000
2	Teacher	Foreign Language	2,000
	Teacher	Master's Degree	1,000
	Teacher	Special Education - General/Resource	2,000
	Teacher	Special Education - High Needs	3,500
1	Teacher	HOSA	1,000
<b>Football</b>			
2	Asst Coach	Football Offensive/Defensive Coordinator - HS	7,000
6	Asst Coach	Football Varsity Asst - HS	5,000
1	Asst Coach	Football -MS	3,560
1	Head Coach	Football Head - MS	4,760
<b>Team Sport</b>			
2	Coordinator	Campus Athletic Coordinator - HS	2,000
1	Head Coach	Baseball Head - HS	5,500
1	Head Coach	Basketball Head - HS	5,500
1	Head Coach	Soccer Head - HS	5,500
1	Head Coach	Softball Head - HS	5,500
1	Head Coach	Volleyball Head - HS	6,000
1	Asst Coach	Baseball Asst - HS	3,000
1	Asst Coach	Basketball Asst - HS	3,000
1	Asst Coach	Soccer Asst - HS	3,000
1	Asst Coach	Softball Asst - HS	3,000
1	Asst Coach	Volleyball Asst - HS	3,500
<b>Individual Sport</b>			
1	Head Coach	Cross Country Head - HS	4,500
1	Head Coach	Powerlifting Head - HS	4,500
1	Head Coach	Tennis Head - HS	5,000
1	Head Coach	Track Head - HS	4,500
1	Asst Coach	Track Asst - HS	2,500

UIL Subject Area

ES - 250

MS - 275

HS - 450

**2025-2026 Proposed Extra Duty Stipends**

Florence ISD

Category	Sub-Category	Assignment	Proposed Stipend
<b>Middle School Sport</b>			
1	Middle School Coach	Basketball - MS	2,000
1	Middle School Coach	Cross Country - MS	2,000
1	Middle School Coach	Track - MS	2,000
1	Middle School Coach	Volleyball - MS	3,000
<b>Performing Arts</b>			
1	Band	Band Asst Director - MS	8,500
<b>Spirit</b>			
1	Cheerleading	Cheerleading Sponsor - HS	3,500
1	Cheerleading	Cheerleading Sponsor - MS	2,000
<b>Activities/Clubs</b>			
	Sponsor	HS Class Advisor (11th or 12th)	600
	Sponsor	National Honor Society Advisor	800
	Sponsor	National Junior Honor Society Advisor	500
	Sponsor	Student Council Advisor - MS	500
	Sponsor	Yearbook Advisor	2,000

**Florence ISD**

Summary of Models, 2025-2026

2% AP - 3% CPA				Model 1
Pay Group	Teacher Retention Allotment	General Pay Increase	Adjustments	Estimated Total Increase
Teachers	\$ 498,002	\$0	\$36,549	\$36,549
Administrative Professional	\$0	\$57,185	\$38,647	\$95,832
Clerical Paraprofessional Auxiliary	\$0	\$73,412	\$112,136	\$185,548
Extra Duty Stipends <sup>2</sup> : Academics			\$950	\$950
Extra Duty Stipends <sup>2</sup> : Job-related			\$30,500	\$30,500
Extra Duty Stipends <sup>2</sup> : Athletics			\$11,330	\$11,330
Extra Duty Stipends <sup>2</sup> : Performing Arts			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Spirit			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Activities/Clubs			\$450	\$450
Extra Duty Stipends <sup>2</sup> Hold Harmless			\$1,460	\$1,460
<b>Total</b>		<b>\$130,597</b>	<b>\$233,022</b>	<b>\$363,619</b>
<b>% of Current Costs</b>		<b>1.3%</b>	<b>2.4%</b>	<b>3.7%</b>

3% AP - 4% CPA				Model 2
Pay Group	Teacher Retention Allotment	General Pay Increase	Adjustments	Estimated Total Increase
Teachers	\$ 498,002	\$0	\$36,549	\$36,549
Administrative Professional	\$0	\$85,771	\$30,221	\$115,992
Clerical Paraprofessional Auxiliary	\$0	\$98,181	\$95,279	\$193,460
Extra Duty Stipends <sup>2</sup> : Academics			\$950	\$950
Extra Duty Stipends <sup>2</sup> : Job-related			\$30,500	\$30,500
Extra Duty Stipends <sup>2</sup> : Athletics			\$11,330	\$11,330
Extra Duty Stipends <sup>2</sup> : Performing Arts			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Spirit			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Activities/Clubs			\$450	\$450
Extra Duty Stipends <sup>2</sup> Hold Harmless			\$1,460	\$1,460
<b>Total</b>		<b>\$183,952</b>	<b>\$207,739</b>	<b>\$391,691</b>
<b>% of Current Costs</b>		<b>1.9%</b>	<b>2.1%</b>	<b>4.0%</b>

4% AP - 5% CPA				Model 3
Pay Group	Teacher Retention Allotment	General Pay Increase	Adjustments	Estimated Total Increase
Teachers	\$ 498,002	\$36,549	\$0	\$36,549
Administrative Professional	\$0	\$114,370	\$22,620	\$136,990
Clerical Paraprofessional Auxiliary	\$0	\$122,529	\$79,959	\$202,488
Extra Duty Stipends <sup>2</sup> : Academics			\$950	\$950
Extra Duty Stipends <sup>2</sup> : Job-related			\$30,500	\$30,500
Extra Duty Stipends <sup>2</sup> : Athletics			\$11,330	\$11,330
Extra Duty Stipends <sup>2</sup> : Performing Arts			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Spirit			\$500	\$500
Extra Duty Stipends <sup>2</sup> : Activities/Clubs			\$450	\$450
Extra Duty Stipends <sup>2</sup> Hold Harmless			\$1,460	\$1,460
<b>Total</b>		<b>\$273,448</b>	<b>\$148,269</b>	<b>\$421,717</b>
<b>% of Current Costs</b>		<b>2.8%</b>	<b>1.5%</b>	<b>4.3%</b>

RESOLUTION OF THE BOARD REGARDING HAZARDOUS TRAFFIC CONDITIONS

WHEREAS, Education code 42.155(d) allows the Board of Trustees of Florence Independent School District to obtain supplemental state funding for transporting regular, otherwise ineligible students who live within two miles of their school but who would be subject to hazardous traffic conditions if they walked to school;

WHEREAS, the TEA handbook on School Transportation Allotments requires the Board to adopt language providing the definition of hazardous traffic conditions applicable to the District and identifying the specific hazardous areas for which such funding is requested;

WHEREAS, the Board acknowledges the Education Code 48.151(d) provisions stating that a hazardous condition exists where no walkway is provided, and students must walk along or across a freeway or expressway, an underpass, an overpass or a bridge, an uncontrolled major traffic artery, an industrial or commercial area, or another comparable condition. An area presents a high risk of violence if law enforcement records indicate a high incidence of violent crimes in the area. Each board of trustees requesting funds for an area presenting a high risk of violence must, in addition to the explanation required by this subsection, provide the commissioner with consolidated law enforcement records that document violent crimes identified by reporting agencies within the relevant jurisdiction.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Florence Independent School District has determined that a hazardous condition exists:

And the Board of Trustees of Florence Independent School District has identified the following specific hazardous areas in which such conditions exist:

Florence Elementary School

South Patterson Ave to South St

West and East Curry St

Hunters Point

Brewster Ave

Story Ave

South Love Ave

Preslar Ave

Howell St

Kanuth

Suttles St

South Lp



Triple J Motor Co

La Fuente Restaurant

VeraBank

Love Street Storage

Chevron

Florence United Methodist Church

E Cury St

W Cury St

Kanuth

Knauth

S Love Ave

Florence Fire Department

Brewster Ave

Suttles St

S Patterson Ave

Florence Cemetery

Preslor Ave

Budget Tax Services

South St

South Lp

S Patterson Ave

Texas Restore

970

# Instruction Sheet

## TASB Localized Policy Manual Update 125

### Florence ISD

Code	Type	Action To Be Taken	Note
AIA	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
B	(LEGAL)	Replace table of contents	Revised table of contents
BBD	(LEGAL)	Replace policy	Revised policy
BDAA	(LOCAL)	Replace policy	Revised policy
BDB	(LEGAL)	Replace policy	Revised policy
BDB	(LOCAL)	Replace policy	Revised policy
BDF	(LEGAL)	Replace policy	Revised policy
BDF	(LOCAL)	ADD policy	See explanatory note
BJB	(LEGAL)	Replace policy	Revised policy
CBA	(LEGAL)	Replace policy	Revised policy
CKA	(LEGAL)	Replace policy	Revised policy
CKC	(LEGAL)	Replace policy	Revised policy
CLA	(LEGAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CNB	(LEGAL)	Replace policy	Revised policy
CNC	(LEGAL)	Replace policy	Revised policy
DEAB	(LEGAL)	Replace policy	Revised policy
DMA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBAF	(LEGAL)	Replace policy	Revised policy
EHBE	(LEGAL)	Replace policy	Revised policy
EHDE	(LEGAL)	Replace policy	Revised policy
EI	(LOCAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
FDA	(LEGAL)	Replace policy	Revised policy
FDE	(LOCAL)	Replace policy	Revised policy
FEC	(LOCAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FFAC	(LOCAL)	No policy enclosed	See explanatory note
FFB	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy



## **(LOCAL) Policy Comparisons**

These documents are generated by an automated process that compares the updated policy to the 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; not shown in Word)

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue font: **new text**.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes **moved text**.
- Revision bars appear in the right margin to show sections with changes.

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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 make formatting changes appear tracked, even though the text remains the same.

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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.

### **Contact us:**

School Districts and Education Service Centers, call 800-580-7529 or email [policy.service@tasb.org](mailto:policy.service@tasb.org).

Community Colleges, call 800-580-1488 or email [colleges@tasb.org](mailto:colleges@tasb.org).

OFFICERS AND OFFICIALS  
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA  
(LOCAL)

<b>Board Officers</b>	The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. <del>The Board may assign a District employee to provide clerical assistance to the Board.</del> Officers shall be elected by majority vote of the members present and voting.
Vacancy	A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.
<b>Term and Duties</b>	Board officers shall serve for a term of <del>one year</del> <b>one year</b> or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.
President	In addition to the duties required by law, the President of the Board shall: <ol style="list-style-type: none"><li>1. Preside at all Board meetings unless unable to attend.</li><li>2. Have the right to discuss, make motions <del>and</del>, <b>propose</b> resolutions, and vote on all matters coming before the Board.</li></ol>
Vice President	The Vice President of the Board shall: <ol style="list-style-type: none"><li>1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.</li><li>2. Automatically become President of the Board if a vacancy in that office occurs <b>and serve in this role until the Board reorganizes.</b></li></ol>
Secretary	The Secretary of the Board shall: <ol style="list-style-type: none"><li>1. Ensure that an accurate record is kept of the proceedings of each Board meeting.</li><li>2. Ensure that notices of Board meetings are posted and sent as required by law.</li><li>3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.</li><li>4. Sign or countersign documents as directed by action of the Board.</li></ol>

### Special Committees

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~~The President shall appoint members to special~~**Note:** For advisory committees created by the Board to fulfill specific assignments, unless otherwise provided that include staff, parents, community members, or students, see BDF.

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### Board Committees

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. ~~These committees may include District personnel~~When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and ~~citizens. The function of committees~~
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, ~~but not administrative. Special~~and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall ~~be dissolved upon completion of the assigned task or vote of the Board~~not assume administrative duties or responsibilities.

~~The President of the Board and the Superintendent shall be ex officio members of all Board committees, unless otherwise provided by Board action.~~

### Transacting Business

~~Committees may transact business only within the specific authority granted~~Unless specified by the Board. ~~To be binding, all such business,~~ a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at ~~the next~~a regular or special meeting ~~for approval and entry into the minutes as a public record.~~ The Board shall not accept a Board committee's recommendation without due consideration of the matter.

### Dissolution

A Board committee shall be dissolved upon Board action.

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**Note:** For committees composed only of current Board members, see BDB.

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**Advisory  
Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting  
Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.

ACADEMIC ACHIEVEMENT

EI  
(LOCAL)

**Certificate of  
Coursework  
Completion**

The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]

**Partial Credit**

When a student earns a passing grade in only half of a course and the ~~combined grade for~~ **average of** both halves is lower than 70, the District shall award the student credit for the half with the passing grade.

### Safe Schools Data

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses, ~~as defined by the Penal Code~~, while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
  - a. Attempted murder;
  - b. Indecency with a child;
  - c. Aggravated kidnapping;
  - d. Aggravated assault on someone other than a District employee or volunteer;
  - e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
  - f. Aggravated robbery; ~~or~~
  - g. Continuous sexual abuse of a young child or disabled individual; ~~or~~
  - ~~g-h.~~ **Bullying.**

### School Safety Transfers

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

#### From a Persistently Dangerous School

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the

beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a  
Violent Criminal  
Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer  
Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

~~This policy shall apply to a student who has not been in attendance for 90 percent of the days the class is offered.~~

**Absences  
Considered**

Except as otherwise provided by law, all absences incurred while enrolled in the District shall be considered in determining whether a student has ~~attended been in attendance for 90 percent of the re-~~ **attended been in attendance for 90 percent of the re-** ~~quired percentage of days under this policy~~ **quired percentage of days** the class is offered.

**Attendance  
Committees**

The Board ~~shall establish~~ **authorizes the establishment of** an attendance committee or as many **attendance** committees as necessary for efficient implementation of ~~Education Code 25.092~~ **state** law.

The Superintendent ~~shall~~ **is authorized to** make the specific appointments in accordance with legal requirements.

**Parental Notice of  
Excessive Absences**

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.

**Methods for  
Regaining Credit or  
Awarding a Final  
Grade**

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.

~~Petitions~~ **A petition** for credit or a final grade may be filed ~~at any time the student receives notice but, in any event, no later than the last day of classes.~~

**in accordance with administrative regulations.** The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. ~~The~~ **[See Imposing Conditions for Awarding Credit or a Final Grade, below]**

**Regardless of whether a petition is filed, the** attendance committee may also, ~~whether a petition is filed or not,~~ review the records of all students whose attendance drops below 90 percent of the days the class is offered.

A student who has lost credit or has not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.

**Personal Illness**

The principal or attendance committee may require verification from a health-care provider in accordance with administrative regulations as a condition of classifying an absence for personal illness as one for which there are extenuating circumstances.

**Best Interest Standard**

In reaching consensus regarding a student's absences and how the student can be awarded credit or a final grade, the attendance committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent shall develop administrative regulations to document the attendance committee's decision.

**Guidelines on Extenuating Circumstances**

The attendance committee shall consider whether a student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.

When makeup work is completed satisfactorily, the attendance committee shall consider extracurricular absences and other excused absences as days of attendance for award of credit or a final grade. [See FEA]

The attendance committee shall consider whether the reasons for the absences were out of the parent's or student's control and whether documentation for the absence is acceptable.

The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

**Imposing Conditions for Awarding Credit or a Final Grade**

The attendance committee or principal, as applicable, is not required to assign a student to attend a specified program for an amount of time equivalent to the student's absences (i.e., "seat time").

The attendance committee or principal, as applicable, shall consider the student's unique circumstances and, if necessary, shall impose other conditions for awarding credit or a final grade that permit the student to meet the instructional requirements of the class ~~rather than assigning a student to attend a specified program for an amount of time equivalent to the student's absences.~~ Conditions may include:

1. Maintaining attendance standards for the rest of the semester.
2. Completing additional assignments, as specified by the committee or teacher.

3. Attending tutorial sessions as scheduled.
4. Completing other instructional programs, as specified by the committee.
5. Taking an examination to earn credit. [See EHDB]

In all cases, the student must earn a passing grade in order to receive credit.

**Appeal Process**

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL).

# Localized Policy Manual Update 125

## 246902 Florence ISD

Update 125 contains local policies that require board action and adoption notification before we can incorporate the revisions into your district's Policy Online® manual. Local policies are completely within the control of each local school board. You may use the draft local policies provided, amend them, or write your own policy to meet your district's unique needs.

Please note that legal framework documents, which are not adopted by the board, will not be published on Policy Online until the board acts on the local policies or the district specifically requests earlier publication.

### What should I do to prepare for board adoption?

1. Log in to [Policy Online](#),<sup>1</sup> select **Local Manual Updates** from the **My Policy Manual** menu, click **Numbered Updates**, then click **UPDATE 125**.
2. Download and save the numbered update resource materials for Update 125.
3. Present the local policies to your board for adoption. Provide your board with the explanatory notes and encourage them to review those along with the local policies.

### How do I notify Policy Service that the board has adopted the update?

1. Following board action, go to [Numbered Updates](#),<sup>2</sup> select the appropriate numbered update, then click **Notify TASB of Board Action**.
2. Fill out and submit the electronic form so we can incorporate the adopted policies into your district's Policy Online manual.
3. If there are additional changes, submit the annotated changes with your adoption notification.

### Questions?

- For questions about Policy Online, visit the [User's Guide](#)<sup>3</sup> or contact [pol-support@tasb.org](mailto:pol-support@tasb.org).
- For questions about policy text, contact your [district's assigned policy consultant](#).<sup>4</sup>

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<sup>1</sup> Policy Online: <https://pol.tasb.org/>

<sup>2</sup> Policy Online Numbered Updates: <https://pol.tasb.org/Member/LocalManualUpdates>

<sup>3</sup> Policy Online User's Guide: <https://www.tasb.org/resources/policy-online-user-guide>

<sup>4</sup> Policy Consultant contact information: <https://pol.tasb.org/Member/PolicyConsultant/Details>





# Localized Policy Manual Update 125

Florence ISD

You can download a PDF of this update packet, annotated copies of the local policies, editable local policy text, and more under Local Manual Updates on [Policy Online](#)<sup>®1</sup>.

Other materials, including an overview video of the local policy changes, are also available in Local Manual Updates.

**Need help?** Please contact your [policy consultant](#),<sup>2</sup> or call Policy Service at 800-580-7529 or email [policy.service@tasb.org](mailto:policy.service@tasb.org).

## Overview

Update 125 includes revisions to legal framework documents based on regulatory changes, including amendments to the Texas Administrative Code. Changes to local policies offered for consideration address the following topics:

- Election of board officers
- Board committees
- Advisory committees
- Partial academic credit
- School safety transfers
- Attendance for credit

Please see the Explanatory Notes included in this update packet for a description of the specific changes for each policy.

Board action on the local policies included in the update must occur within a properly posted, open meeting of the board. Instructions for placing policy changes on the agenda for board action and keeping minutes are included with the Update 125 materials under [Local Manual Updates](#)<sup>3</sup> on Policy Online.

For more guidance on reviewing and adopting TASB numbered updates, including information on incorporating the update into the district's policy manual and maintaining a historical record of policies, please refer to [The Administrator's Guide to Policy Management](#),<sup>4</sup> available in the Policy Online [Governance and Management Library](#)<sup>5</sup> (TASB login required).

## Scope of Work

Numbered updates involve timely monitoring of statutory sources and regulations, comprehensive review of affected policies, and revisions that are both substantive and related to format, to ensure the legal framework reflects current laws and regulations.

The legal framework documents are drafted and revised by TASB Policy and Legal Services, including attorneys who spend many hours monitoring, researching, analyzing, and drafting. Update 125 took more than 125 legal hours to complete. At a conservative cost of \$250 per hour, this legal work provides an approximate value of \$31,250. This estimate does not take into consideration the consulting, editing, and production hours that go into providing customized local policy recommendations.

The price of the update is calculated based on pages that are substantively edited, not on the total page count. When changes are made to correct typographical errors or style modifications, there is no charge. TASB Policy Service always endeavors to provide updates to you at the lowest cost possible while maintaining high-quality standards.

## (LEGAL) vs. (LOCAL): Remember the Difference

Legal framework documents:

- Reflect the ever-changing legal context for governance and management of the district
- Inform local decision making
- Are NOT adopted, but only reviewed

Local policies:

- Require close attention by the administration and the board
- Reflect the practices of the district and the intentions of the board
- Are changed only by board action (adopt, revise, or repeal)

## Keep Your Administrative Regulations Current

Inspect your district's administrative procedures and documents — including exhibits, regulations, handbooks, and guides — that may be affected by Update 125 policy changes. If you need to make changes to the regulations or exhibits contained in your board policy manual, please notify your policy consultant.

The [Regulations Resource Manual](#)<sup>6</sup> contains model regulations and forms and is available in the Governance and Management Library (TASB login required).

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

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<sup>1</sup> Policy Online: <https://pol.tasb.org/>

<sup>2</sup> Policy Consultant contact information: <https://pol.tasb.org/Member/PolicyConsultant/Details>

<sup>3</sup> Local Manual Updates: <https://pol.tasb.org/Member/LocalManualUpdates>

<sup>4</sup> *The Administrator's Guide to Policy Management*: <https://pol.tasb.org/Member/Collections/Details?id=10>

<sup>5</sup> Governance and Management Library: <https://pol.tasb.org/Member/Collections>

<sup>6</sup> *TASB Regulations Resource Manual*: <https://pol.tasb.org/Member/Collections/Details?id=21>



# Instruction Sheet

## TASB Localized Policy Manual Update 125

### Florence ISD

Code	Type	Action To Be Taken	Note
AIA	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
B	(LEGAL)	Replace table of contents	Revised table of contents
BBD	(LEGAL)	Replace policy	Revised policy
BDAA	(LOCAL)	Replace policy	Revised policy
BDB	(LEGAL)	Replace policy	Revised policy
BDB	(LOCAL)	Replace policy	Revised policy
BDF	(LEGAL)	Replace policy	Revised policy
BDF	(LOCAL)	ADD policy	See explanatory note
BJB	(LEGAL)	Replace policy	Revised policy
CBA	(LEGAL)	Replace policy	Revised policy
CKA	(LEGAL)	Replace policy	Revised policy
CKC	(LEGAL)	Replace policy	Revised policy
CLA	(LEGAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CNB	(LEGAL)	Replace policy	Revised policy
CNC	(LEGAL)	Replace policy	Revised policy
DEAB	(LEGAL)	Replace policy	Revised policy
DMA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBAF	(LEGAL)	Replace policy	Revised policy
EHBE	(LEGAL)	Replace policy	Revised policy
EHDE	(LEGAL)	Replace policy	Revised policy
EI	(LOCAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
FDA	(LEGAL)	Replace policy	Revised policy
FDE	(LOCAL)	Replace policy	Revised policy
FEC	(LOCAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FFAC	(LOCAL)	No policy enclosed	See explanatory note
FFB	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy



# Explanatory Notes

## TASB Localized Policy Manual Update 125

### Florence ISD

#### **AIA(LEGAL)                      ACCOUNTABILITY: ACCREDITATION AND PERFORMANCE INDICATORS**

Revisions to 19 Administrative Code 97.1003(f)(3), effective February 10, 2025, prompted edits at Local Accountability Plan — Submission and Audit Standards.

#### **AIE(LEGAL)                      ACCOUNTABILITY: INVESTIGATIONS**

A citation to the Administrative Code has been adjusted at the end of the policy.

#### **B(LEGAL)                              LOCAL GOVERNANCE**

The Section B Table of Contents has been updated to reflect revised names for policies BDB, Board Committees, and BDF, Advisory Committees.

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

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 61.1(b)(7), which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Identifying and Reporting Abuse to clarify the location of the requirements.

#### **BDAA(LOCAL)                      OFFICERS AND OFFICIALS: DUTIES AND REQUIREMENTS OF BOARD OFFICERS**

Revisions are recommended to this local policy on board officer duties and requirements. At Board Officers, the sentence indicating that the board may assign a district employee to provide clerical assistance is recommended for deletion since the superintendent, rather than the board, manages staff assignments, including providing support to the board. Under Terms and Duties — Vice President, the revised language clarifies that when the vice president automatically becomes president due to a vacancy, they then serve as president until the board reorganizes.

#### **BDB(LEGAL)                      BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Internal Committees to Board Committees.

#### **BDB(LOCAL)                      BOARD INTERNAL ORGANIZATION: BOARD COMMITTEES**

This policy has been revised in coordination with BDF(LOCAL) to clarify the difference between board committees and advisory committees. Accordingly, the subtopic of this code has been changed from Internal Committees to Board Committees, and new provisions are recommended to establish how board committees are formed and outline their purpose. Text addressing Dissolution of board committees is also recommended for inclusion. The language previously at Special Committees has been moved to BDF(LOCAL).

#### **BDF(LEGAL)                      BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

To coordinate with the recommended changes to the local policy at this code, the subtopic has been changed from Citizen Advisory Committees to Advisory Committees.

#### **BDF(LOCAL)                      BOARD INTERNAL ORGANIZATION: ADVISORY COMMITTEES**

This new local policy is recommended for inclusion to coordinate with the changes at BDB. The subtopic of this code has been changed from Citizen Advisory Committees to Advisory Committees. Language has been moved here from BDB(LOCAL) and updated to clarify how advisory committees are formed and the

# Explanatory Notes

## TASB Localized Policy Manual Update 125

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parameters of their responsibilities. A section on Dissolution of the committees is also recommended for inclusion.

#### **BJB(LLEGAL) SUPERINTENDENT: RECRUITMENT AND APPOINTMENT**

New rules at 19 Administrative Code 103.1213 regarding the Sentinel system were adopted on December 13, 2024, and a new section on required reporting in that system after a superintendent change has been added to this legal framework.

#### **CBA(LLEGAL) STATE AND FEDERAL REVENUE SOURCES: STATE**

Revisions reflect amendments at 19 Administrative Code 61.1034, effective April 13, 2025, to clarify the criteria a district must meet to be eligible for the New Instructional Facility Allotment (NIFA). Additional information about NIFA has also been included to outline eligibility provisions and the application process. NIFA was created in 1999 for districts to provide for operational expenses associated with the opening of a new instructional facility and is available to all public school districts that meet the requirements of the statute and rule.

#### **CKA(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING**

New rules at 19 Administrative Code 103.1213, effective December 15, 2024, relating to the Sentinel system prompted revisions to this legal framework on safety and security audits and monitoring. A section on Reporting Through Sentinel has been added, and additional changes reflecting new reporting requirements for vulnerability assessments and intruder detection audits have been made.

#### **CKC(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS**

The new rules regarding the Sentinel system necessitated additional language regarding the Texas School Safety Center's uploading of multihazard emergency operation plans to that system. The new rules became effective December 15, 2024, and are found at 19 Administrative Code 103.1213.

#### **CLA(LLEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY**

New requirements have been added at Human Trafficking Warning Signs to reflect a new rule adopted at 19 Administrative Code 103.1403, effective December 11, 2024.

#### **CMD(LLEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING**

Changes at 19 Administrative Code 67.1315, effective December 15, 2024, prompted revisions relating to the requirement for districts to adopt an open education resource instructional materials plan unless otherwise exempt.

#### **CNB(LLEGAL) TRANSPORTATION MANAGEMENT: DISTRICT VEHICLES**

A cross-reference to CNC has been added at School Bus Advertising for clarity regarding reporting requirements for crashes involving buses with advertising.

#### **CNC(LLEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY**

At Annual Report to TEA, revisions to this legal framework were required after 19 Administrative Code 61.1028 was repealed and provisions moved to the new 19 Administrative Code 103.1231, effective March 10, 2025. Other revisions have been made for clarity.

# Explanatory Notes

## TASB Localized Policy Manual Update 125

### **Florence ISD**

#### **DEAB(LLEGAL)**

#### **COMPENSATION PLAN: WAGE AND HOUR LAWS**

At Exempt Employees — Academic Administrators, the salary/fee rate has been removed and replaced with a reference to the established weekly threshold to prevent the need for continuous updating as the Fair Labor Standards Act rules are amended over time.

#### **DMA(LLEGAL)**

#### **PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT**

A citation change at Child Abuse, Trafficking, and Maltreatment reflects provisions from the Administrative Code that were repealed on December 11, 2024, and moved to 19 Administrative Code 103.1401. At Mental Health, provisions have been added to reflect the adoption of 19 Administrative Code 153.1015, effective December 2, 2024.

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

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

At Evaluation for Change in Eligibility, provisions have been removed to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024. A cross-reference to EIF has been added for clarity.

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

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

Provisions at Graduation have been revised to reflect amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

#### **EHBAF(LLEGAL)**

#### **SPECIAL EDUCATION: VIDEO/AUDIO MONITORING**

19 Administrative Code 61.1051 was repealed on December 6, 2024, but 19 Administrative Code 103.1301, which references the repealed rule, was not amended. The requirements in the repealed provision were moved to 19 Administrative Code 103.1401. A Note has been added at Confidentiality — Duty to Report to clarify the location of the requirements.

#### **EHBE(LLEGAL)**

#### **SPECIAL PROGRAMS: BILINGUAL EDUCATION/ESL**

Extensive revisions throughout this legal framework reflect amendments to numerous Administrative Code rules, effective February 7, 2025, relating to bilingual and ESL programs.

#### **EHDE(LLEGAL)**

#### **ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING**

Changes throughout this legal framework reflect amendments to the Administrative Code adopted on February 14, 2025.

#### **EI(LOCAL)**

#### **ACADEMIC ACHIEVEMENT**

At Partial Credit, recommended revisions replace the phrase "combined grade for" with "average of" to more accurately reflect the determination of awarding credit when a student earns a passing grade in only half of a course.

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

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

Revisions to this legal framework are a result of amendments to 19 Administrative Code 89.1070, adopted November 1, 2024.

#### **FDA(LLEGAL)**

#### **ADMISSIONS: INTERDISTRICT TRANSFERS**

A paragraph has been added at Discipline and Threat Assessment Records as a result of the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

# Explanatory Notes

## TASB Localized Policy Manual Update 125

### **Florence ISD**

#### **FDE(LOCAL) ADMISSIONS: SCHOOL SAFETY TRANSFERS**

At Safe Schools Data, "bullying" is recommended for inclusion as an offense for which the district must collect and maintain data. The revision aligns with the Unsafe School Choice Option Guidance Handbook.

#### **FEC(LOCAL) ATTENDANCE: ATTENDANCE FOR CREDIT**

Revisions throughout this policy are recommended for clarity.

The information in the first sentence of the policy has been incorporated at Absences Considered for improved readability. Rather than directing the board to establish attendance committees, the policy now authorizes the establishment of those committees by the administration. At Methods for Regaining Credit or Awarding a Final Grade, specifics regarding petitions for credit are recommended for deletion in favor of a reference to administrative regulations.

Revisions at Imposing Conditions for Awarding Credit or a Final Grade are recommended to clarify requirements regarding "seat time." For more information, see the TASB.org article [TEKS Mastery, Not Seat Time, Required for Attendance for Credit](#).

The [Legal Tips for Policy Development](#), available in the Policy Online® Governance and Management Library (TASB login required), describe common legal concerns and best practices specific to this policy's topic.

#### **FFAC(LEGAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT**

Extensive changes throughout this legal framework have been made for clarity and to reflect new Department of State Health Services rules on Maintenance and Administration of Medication for Respiratory Distress.

#### **FFAC(LOCAL) WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT**

The revisions to the legal framework at this code reflect the new Department of State Health Services rules on unassigned medication for respiratory distress. If your district currently maintains medication that can be used when a person is experiencing respiratory distress, please contact your policy consultant for appropriate text to include in your local policy.

#### **FFB(LEGAL) STUDENT WELFARE: CRISIS INTERVENTION**

A section on Use of Sentinel Assessment Instrument, Manual, and Field Guide has been added to reflect the new Sentinel rules found at 19 Administrative Code 103.1213, effective December 15, 2024.

#### **FOC(LEGAL) STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING**

Revisions to this legal framework at Determination of Violent Conduct reflect new language at 19 Administrative Code 103.1205, effective October 29, 2024.

#### **FOF(LEGAL) STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES**

A new section on Peace Officer or Security Personnel Use of Restraint or Taser has been added to reflect new language at 19 Administrative Code 89.1053, effective October 7, 2024.

**Accreditation**

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

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

**Statuses**

The commissioner shall determine criteria for the following accreditation statuses:

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

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

**Annual Evaluation**

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

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

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

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

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

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

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

Notice of Status

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

*To Parents and  
Property Owners*

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

ing to address the areas of deficiency identified by the commissioner. The district's notice shall use the format and language determined by the commissioner.

The district's notice must:

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

*To TEA*

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

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

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

*19 TAC 97.1055(f)*

**Performance Indicators**

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

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

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

*Education Code 39.053(a-1)*

*Achievement Indicators*

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

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

*Education Code 39.053(c)*

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

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

**A-F Performance Ratings**

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

In addition to the overall performance rating, the commissioner shall assign each district and campus a separate domain perfor-

mance rating of A, B, C, D, or F for each domain under Education Code 39.053(c) [see Achievement Indicators, above].

An overall or domain performance rating of:

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

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

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

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

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

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

Assignment of Not  
Rated

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

1. The district or campus is located in an area that is subject to a declaration of a state of disaster under Government Code Chapter 418 and due to the disaster, performance indicators for the district or campus are difficult to measure or evaluate and would not accurately reflect quality of learning and achievement for the district or campus;
2. The district or campus has experienced breaches or other failures in data integrity to the extent that accurate analysis of data regarding performance indicators is not possible;

3. The number of students enrolled in the district or campus is insufficient to accurately evaluate the performance of the district or campus; or
4. For other reasons outside the control of the district or campus, the performance indicators would not accurately reflect quality of learning and achievement for the district or campus.

*Education Code 39.054(a-4)*

Calculating  
Consecutive Years

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

Acceptable  
Performance

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

D Rating

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

**Local Accountability  
System**

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

Local Accountability  
Plan

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

A district must create its local accountability plan based on school type. The four school types are elementary school, middle school, high school, and kindergarten-grade 12. The plan must include all campuses within a school type. The district may also request to

identify an additional school group within a school type for which to customize its local accountability plan. Otherwise, all campuses within a school type must be evaluated on a common set of components determined by the district. A district may also request to identify a campus rated under alternative education accountability provisions as a unique school type. *19 TAC 97.1003(b)(4)*

*Plan  
Components*

A locally developed domain or set of accountability measures is referred to as a plan component. Plan components must describe each item and the reason for its inclusion in the plan. A district must assign each component to one of the following five domains: academics, culture and climate, extra- and co-curricular, future-ready learning, and locally determined. The weight of all plan components must equal 100 percent. *19 TAC 97.1003(b)(1)*

A district may assign weights to each plan component, as determined by the district, provided that the plan components must in the aggregate account for no more than 50 percent of the combined overall performance rating. A local accountability plan may include no fewer than two and no more than 10 components weighted between 5 percent and 60 percent. *19 TAC 97.1003(c)*

Each plan component must contain levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels that are aligned to a letter grade of A, B, C, D, or F and meet the requirements of 19 Administrative Code 97.1003(d)(1)-(3). *19 TAC 97.1003(d)*

Each plan component measure must meet standards for reliability and validity as required by 19 Administrative Code 97.1003(e)(1)-(3). *19 TAC 97.1003(e)*

*Campuses without  
STAAR or State  
Ratings*

For the purposes of assigning state accountability ratings, a campus that does not serve any grade level for which a State of Texas Assessments of Academic Readiness (STAAR) examination is administered is paired with a campus in its district that serves grade levels for which STAAR examinations are administered.

A campus not rated under the state accountability system is not eligible to combine state and local ratings. Local accountability data for a campus without state ratings may be displayed on TEA, district, and campus websites but will not be combined with state accountability data. The state accountability manual adopted under 19 Administrative Code 97.1001 (Accountability Rating System) provides information about campus ratings and eligibility for applicable years.

*19 TAC 97.1003(b)(3)*

Campus  
Performance  
Ratings

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

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

*Education Code 39.0544(e)*

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

Submission and  
Audit Standards

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

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

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

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

All scaled scores and letter grades submitted by a school district are subject to audit. Any data discrepancies or any indication that data have been compromised may result in verification and audit of district and campus data used to assign local accountability ratings. The audit process may include requests for data used for campus-level calculation of component and domain scaled scores.

On an annual basis, TEA will randomly select districts for local accountability audits, and, for each such audit, TEA will randomly se-

lect components for review. Selected districts must submit the requested data for review within the timeframe specified. A district must maintain documentation of its local accountability plan, along with all associated data used to assign campus ratings, for two years after the end of the plan implementation period.

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

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

Scorecard and  
Website

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

Appeal and  
Revision

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

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

**Distinction  
Designations for  
Outstanding  
Performance**

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

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

*Education Code 39.201*

Academic  
Distinction

The commissioner shall establish an academic distinction designation for districts and campuses for outstanding performance in at-

tainment of postsecondary readiness based on the commissioner's adopted criteria. *Education Code 39.202*

Campus Distinction

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

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

*Education Code 39.203*

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

**Excellence  
Exemptions**

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

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
  - a. Curriculum essential knowledge and skills or high school graduation requirements;
  - b. Public school accountability;
  - c. Extracurricular activities;
  - d. Health and safety;
  - e. Purchasing;
  - f. Elementary class size limits;
  - g. Removal of a disruptive student from the classroom;
  - h. At-risk programs;
  - i. Prekindergarten programs;
  - j. Rights and benefits of school employees;

- k. Special education programs; or
- l. Bilingual education programs.

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

*Education Code 39.232*



**Special  
Investigations**

The commissioner may authorize a special investigation:

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

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

*Education Code 39.003(a), (c)*

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

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

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Commissioner  
Action

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

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

*Education Code 39.003(d)*

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

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

*Education Code 39.003(e)*

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

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

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### **Monitoring Reviews**

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

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

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

*Education Code 7.028*

### **Compliance Monitoring Activities**

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

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

Activities may include:

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

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

*19 TAC 97.1071(b)-(d)*

Notice

TEA shall give written notice to the superintendent and the board of trustees of any impending monitoring review. *Education Code 39.056(d)*

Conducting the Review

A monitoring review may include desk reviews and on-site visits, including random on-site visits. In conducting a monitoring review, TEA may obtain information from administrators, other district employees, parents of students enrolled in the district, and other persons as necessary. *Education Code 39.056(c), (g)*

Converting to a Special Investigation

The commissioner may at any time convert a monitoring review to a special investigation under Education Code 39.003, provided the commissioner promptly notifies the district of the conversion. *Education Code 39.056(h)*

Improvements

TEA shall report in writing to the superintendent and president of the board and shall make recommendations concerning any necessary improvements or sources of aid such as regional education service centers. A district that takes action with regard to the recommendations provided by TEA shall make a reasonable effort to seek assistance from a third party in developing an action plan to improve district performance using improvement techniques that are goal-oriented and research-based. *Education Code 39.056(e)-(f)*

**Appeals**

A decision by the commissioner under Education Code Chapter 39 or 39A is final and may not be appealed unless an applicable provision of Chapter 39 or 39A provides otherwise. *Education Code 39A.906* [See AIC]

**Compliance Investigation**

A compliance investigation is an investigation by TEA of a state education grant recipient to determine compliance with the statutory or rule requirements of a state education program. A compliance investigation is not a special investigation subject to Education Code 39.003 and 39.004 (above). *19 TAC 102.1401(a)(1)*

**Supervision Under IDEA**

In exercising its general supervision authority under 34 C.F.R. sections 300.149 and 300.600, TEA has established a process that provides for the investigation and issuance of findings regarding credible allegations of violations of the Individuals with Disabilities Education Act (IDEA), Part B, or a state statute or administrative rule created to implement IDEA, that arise from an area of concern. The following guidelines shall apply to this process.

Definitions

“Area of concern” means that TEA has been made aware of an allegation regarding a violation of, or noncompliance with, a requirement of IDEA, Part B, or a state special education law or administrative rule.

“Credible allegation” means that TEA has determined that an allegation arising from an area of concern is credible enough to investigate further to determine if a violation or noncompliance has occurred.

Credibility Determination

Information and awareness of an area of concern may arise directly from TEA or from external sources.

TEA will engage in a process to determine if an area of concern is determined to be a credible allegation, and, if determined credible, TEA will initiate an investigation to determine if findings of noncompliance will be issued.

TEA will generally not engage in the process described below to determine if an area of concern is a credible allegation if it is a media report, social media post, or an anonymous report, unless TEA receives corroborating information and facts that a specific violation of state or federal law or rule has occurred if the allegation were to be confirmed true.

When an individual or organization reports a special education area of concern, TEA may direct the individual or organization to the established dispute resolution processes. Depending on the frequency or specificity of the type of allegation made, TEA may engage in a process to determine credibility of the allegation.

Process

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

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

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

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

ACCOUNTABILITY  
INVESTIGATIONS

AIE  
(LEGAL)

Intervention and  
Sanction

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

*19 TAC 97.1071(l)*



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

## **SECTION B: LOCAL GOVERNANCE**

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

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## **SECTION B: LOCAL GOVERNANCE**

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

BOARD MEMBERS  
TRAINING AND ORIENTATION

BBD  
(LEGAL)

**Open Meetings Act  
Training**

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

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

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

*Gov't Code 551.005*

**Public Information  
Act Training**

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

**SBOE-Required  
Training**

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

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

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

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

BOARD MEMBERS  
TRAINING AND ORIENTATION

BBD  
(LEGAL)

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

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

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

*19 TAC 61.1(k), (l)*

Verification

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

Reporting

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

Local District  
Orientation

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

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

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

The orientation shall:

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

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

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

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

*19 TAC 61.1(b)(1)*

Education Code  
Orientation

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

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

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

The orientation shall:

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

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

*19 TAC 61.1(b)(2)*

Legislative Update

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

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

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

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

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

*19 TAC 61.1(b)(3)*

Team Building

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

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

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

BOARD MEMBERS  
TRAINING AND ORIENTATION

BBD  
(LEGAL)

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

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

*19 TAC 61.1(b)(4)*

Additional  
Continuing  
Education (Based  
on Assessed  
Needs)

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

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

The continuing education shall be completed annually.

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

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

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

*First Year*

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

*Subsequent  
Years*

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

*Board President*

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

*19 TAC 61.1(b)(5)*

BOARD MEMBERS  
TRAINING AND ORIENTATION

BBD  
(LEGAL)

Evaluating Student  
Academic  
Performance

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

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

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

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

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

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

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

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

If the training is attended by an entire board and its superintendent, includes a review of local school district data on student achieve-

ment, and otherwise meets the requirements described at Team Building above, the training may serve to meet a board member's obligation to complete training described at Team Building and at Evaluating Student Academic Performance, above, as long as the training complies with the Open Meetings Act.

*19 TAC 61.1(b)(6)*

Identifying and  
Reporting Abuse

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

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

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

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

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**Note:** 19 Administrative Code 61.1051 was repealed and the requirements were recodified at 19 Administrative Code 103.1401.

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

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

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

This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates inter-

active activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

*19 TAC 61.1(b)(7)*

School Safety

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

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

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

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

A district shall maintain verification of completion for each trustee.

*19 TAC 61.3*

Training Provider

*Registered  
Provider*

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

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

*19 TAC 61.1(c)*

*Authorized  
Provider*

An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required by 19 Administrative Code 61.1(b)(4) and (6). Proficiency may be demonstrated in accordance with 19 Administrative Code 61.1(d).

A private or professional organization, school district, government agency, college/university, or private consultant may be authorized

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

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

*19 TAC 61.1(d)*

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

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

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OFFICERS AND OFFICIALS  
DUTIES AND REQUIREMENTS OF BOARD OFFICERS

BDAA  
(LOCAL)

<b>Board Officers</b>	The Board shall elect a President, a Vice President, and a Secretary who shall be members of the Board. Officers shall be elected by majority vote of the members present and voting.
Vacancy	A vacancy among officers of the Board, other than the President, shall be filled by majority action of the Board.
<b>Term and Duties</b>	Board officers shall serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer shall perform any legal duties of the office and other duties as required by action of the Board.
President	In addition to the duties required by law, the President of the Board shall: <ol style="list-style-type: none"><li>1. Preside at all Board meetings unless unable to attend.</li><li>2. Have the right to discuss, make motions, propose resolutions, and vote on all matters coming before the Board.</li></ol>
Vice President	The Vice President of the Board shall: <ol style="list-style-type: none"><li>1. Act in the capacity and perform the duties of the President of the Board in the event of the absence or incapacity of the President.</li><li>2. Automatically become President of the Board if a vacancy in that office occurs and serve in this role until the Board reorganizes.</li></ol>
Secretary	The Secretary of the Board shall: <ol style="list-style-type: none"><li>1. Ensure that an accurate record is kept of the proceedings of each Board meeting.</li><li>2. Ensure that notices of Board meetings are posted and sent as required by law.</li><li>3. In the absence of the President and Vice President, call the meeting to order and act as presiding officer.</li><li>4. Sign or countersign documents as directed by action of the Board.</li></ol>



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

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

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

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



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**Note:** For advisory committees that include staff, parents, community members, or students, see BDF.

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**Board Committees**

For purposes of this policy, a Board committee is a committee composed only of current Board members.

Formation of a Board committee shall be by Board action. When establishing a Board committee, the Board action shall, at a minimum, specify the:

- Number of Board members on the committee;
- Process to appoint Board members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

A Board committee shall be fact-finding, deliberative, and advisory, and shall make recommendations in the areas of their responsibility. Board committees shall report their findings and recommendations to the Board and shall not assume administrative duties or responsibilities.

Transacting  
Business

Unless specified by the Board, a Board committee shall not have final decision-making authority. Board committee recommendations must be reported to the Board at a regular or special meeting. The Board shall not accept a Board committee's recommendation without due consideration of the matter.

Dissolution

A Board committee shall be dissolved upon Board action.



**School Health  
Advisory Council**

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

Meetings

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

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

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

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

Composition

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

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

1. Classroom teachers employed by the district;
2. School counselors certified under Education Code Chapter 21, Subchapter B, employed by the district;
3. School administrators employed by the district;
4. District students;
5. Health-care professionals licensed or certified to practice in this state, including medical or mental health professionals;

6. The business community;
7. Law enforcement;
8. Senior citizens;
9. The clergy;
10. Nonprofit health organizations; and
11. Local domestic violence programs.

*Education Code 28.004(d)*

Physical Activity  
and Fitness  
Planning  
Subcommittee

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

Annual Report

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

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

*Education Code 28.004(m)*

**Public Statement**

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

1. The policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Health and Safety Code Chapter 121, and the contact information for the nearest local mental health authority;
2. The policies adopted to ensure that elementary school, middle school, and junior high school students engage in at least

the amount and level of physical activity required by Education Code 28.002(l) [see EHAB and EHAC];

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

*Education Code 28.004(k)*



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**Note:** For committees composed only of current Board members, see BDB.

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**Advisory  
Committees**

For purposes of this policy, an advisory committee is a committee composed primarily of District staff, parents, other community members, and/or students. An advisory committee may also include Board members in numbers less than a quorum of the Board.

Formation of an advisory committee shall be by Board action. When establishing an advisory committee, the Board action shall, at a minimum, specify the:

- Number of members on the committee;
- Process to appoint members to the committee;
- Term of committee membership; and
- Responsibilities of the committee.

An advisory committee shall be fact-finding, deliberative, and advisory and shall not assume administrative duties or responsibilities. Advisory committees shall report their findings and recommendations to the Board.

Transacting  
Business

An advisory committee may transact business only within the specific authority granted by the Board. To be binding, all such committee recommendations must be reported to the Board at a regular or special meeting for approval and entry into the minutes as a public record.

Dissolution

An advisory committee shall be dissolved upon completion of the assigned task or Board action.



**Vacancy Posting**

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

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

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

*Education Code 11.1513(d)*

**Names of Applicants**

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

**Required Reporting  
After Superintendent  
Change**

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



**Available School Fund**

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

**Foundation School Program**

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

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

The FSP consists of:

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

*Education Code 48.002*

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

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

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

The FSP shall be financed by:

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

*Education Code 48.251*

**PEIMS**

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

**New Instructional Facility Allotment (NIFA)**

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

Definitions

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

"New instructional facility" is a facility that includes:

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

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

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

Eligibility

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

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

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

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

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

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

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

*19 TAC 61.1034(b)-(e)*



**Safety and Security  
Audit**

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

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

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

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

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

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

**Failure to Report  
Audit Results**

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

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

*Education Code 37.207(d)-(e)*

**Disclosure**

Except as provided by Education Code 37.108(c-2) [see CKC], any document or information collected, developed, or produced during a safety and security audit is not subject to disclosure under Government Code Chapter 552 (Public Information Act). *Education Code 37.108(c-1)*

**TEA Monitoring of  
Safety and Security  
Requirements**

TEA shall monitor the implementation and operation of requirements related to school district safety and security, including school district multihazard emergency operations plans [see CKC] and safety and security audits [see above].

Office of School  
Safety and Security

TEA shall establish an office of school safety and security to coordinate monitoring and, in coordination with the TxSSC and relevant local law enforcement agencies, provide technical assistance to school districts to support the implementation and operation of safety and security requirements.

Vulnerability  
Assessments

As part of the technical assistance, TEA shall conduct a detailed vulnerability assessment of each school district on a random basis once every four years. Any documentation requested by TEA for a vulnerability assessment must be uploaded to Sentinel [see below at Reporting Through Sentinel].

On completion of a vulnerability assessment TEA shall provide to the superintendent and school safety and security committee [see CK] for the applicable school district a report on the results of the assessment that includes recommendations and required corrective actions to address any deficiencies in campus security identified by the agency.

District Information  
and Records

Each school district shall submit information requested by TEA in TEA's efforts to monitor the implementation and operation of school district safety and security requirements, including notice of an event requiring a district's emergency response including the discovery of a firearm on a campus and information regarding the district's response and use of emergency operations procedures during such an event [see below at Reporting Through Sentinel].

TEA may review school district records as necessary to ensure compliance with Education Code Subchapter D (Protection of Building and Grounds) and Subchapter G (Texas School Safety Center).

Any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements is confidential under Government Code 418.177 and 418.181 (Texas Disaster Act), and not subject to disclosure under Government Code Chapter 552.

*Education Code 37.1083; 19 TAC 103.1213(a), (e)(2)(B)*

Reporting Through  
Sentinel

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

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

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

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

**Intruder Detection Audits**

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

Notice to Superintendent

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

Documentation

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

Report

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

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

*Education Code 37.1084; 19 TAC 103.1213(e)(4)(B)*

**Assignment of  
Conservator for  
Noncompliance**

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

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

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

*Education Code 37.1085*

**Notice of Bomb  
Threat or Terroristic  
Threat**

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

**Notice Regarding  
Violent Activity**

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

**Emergency  
Response Map and  
Walk-Through**

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

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

*Education Code 37.117*

**Emergency  
Operations Plan**

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

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

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

*Education Code 37.108(a)*

A district shall include in its multihazard emergency operations plan:

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

and recovery phase following a disaster or emergency situation that:

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

*Education Code 37.108(f)*

Guidelines for  
Individuals with  
Disabilities or  
Impairments

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

	established by TEA in adopting and implementing the district's multihazard emergency operations plan. <i>Education Code 37.1086</i>
Active Shooter Emergency	A district shall include in its multihazard emergency operations plan a policy for responding to an active shooter emergency. The district may use any available community resources in developing the policy. <i>Education Code 37.108(g)</i>
Train Derailment	A district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A district is only required to adopt the policy if a district facility is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. A district may use any available community resources in developing the policy. <i>Education Code 37.108(d)</i>
Polling Place Security	A district shall include in its multihazard emergency operations plan a policy for district property selected for use as a polling place under Election Code 43.031. In developing the policy, the board may consult with the local law enforcement agency with jurisdiction over the district property selected as a polling place regarding reasonable security accommodations that may be made to the property. This requirement may not be interpreted to require the board to obtain or contract for the presence of law enforcement or security personnel for the purpose of securing a polling place located on district property. Failure to comply with this subsection does not affect the requirement of the board to make a school facility available for use as a polling place under Election Code 43.031. <i>Education Code 37.108(e)</i> [See GKD]
Disclosure	<p>A document relating to a district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:</p> <ol style="list-style-type: none"><li>1. Verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including TDSHS, local emergency services agencies, law enforcement agencies, health departments, and fire departments;</li><li>2. Verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;</li><li>3. Verify that the plan addresses the five phases of emergency management listed above at Emergency Operations Plan;</li><li>4. Verify that district employees have been trained to respond to an emergency and determine the types of training, the num-</li></ol>

ber of employees trained, and the person conducting the training;

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

*Education Code 37.108(c-2)*

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

Plan Review

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

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

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

*Failure to Submit Plan*

If a district fails to submit its multihazard emergency operations plan to the TxSSC for review following a notification by the TxSSC that the district has failed to submit the district's plan, the TxSSC shall provide the district with written notice stating that the district must hold a public hearing as outlined at Public Hearing on Non-compliance, below. The notice must state that the commissioner is

authorized to appoint a conservator under Education Code 37.1082.

*Notice of Plan  
Deficiencies*

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

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

*Failure to Correct  
Deficiencies*

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

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

*Education Code 37.2071*

Public Hearing on  
Noncompliance

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

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

The board shall give members of the public a reasonable opportunity to appear before the board and to speak on the issue of the district's failure to submit or correct deficiencies in a multihazard emergency operations plan or report the results of a safety and security audit during a hearing held under this provision. A district re-

quired to hold a public hearing shall provide written confirmation to the TxSSC that the district held the hearing.

*Education Code 37.1081*

**Safe Firearm Storage**

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

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

*Education Code 37.222*

**Confidential Information under the Texas Disaster Act**

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

Emergency Response Provider Information

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

*Gov't Code 418.176*

Risk or Vulnerability Assessment

Information is confidential if the information:

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

*Gov't Code 418.177*

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

1. Is part of a report to an agency of the United States;
2. Relates to an act of terrorism or related criminal activity; and

3. Is specifically required to be kept confidential:
  - a. Under the Public Information Act, Government Code 552.101, because of a federal statute or regulation;
  - b. To participate in a state-federal information sharing agreement; or
  - c. To obtain federal funding.

Security Systems

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

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

*Gov't Code 418.182*

Disaster Disclosure  
Exception

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

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

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**Safety Rules**

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

**Human Trafficking  
Warning Signs**

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

Each warning sign must:

1. Describe the offense of trafficking in persons as provided under Penal Code 20A.02(a). The sign must emphasize that an offense under Penal Code 20A.02, is a felony of the first degree punishable by imprisonment in the Texas Department of Criminal Justice for life or for a term of not more than 99 years or less than 25 years if it is shown on the trial of the offense that the actor committed the offense in a location that was:
  - a. On the premises of or within 1,000 feet of the premises of:
    - (1) A school;
    - (2) A juvenile detention facility;
    - (3) A post-adjudication secure correctional facility;
    - (4) A shelter or facility operating as a residential treatment center that serves runaway youth, foster children, people who are homeless, or persons subjected to human trafficking, domestic violence, or sexual assault;
    - (5) A community center offering youth services and programs;
    - (6) A child-care facility, as defined by Human Resources Code 42.002; or
    - (7) An institution of higher education or private or independent institution of higher education, as defined by Education Code 61.003; or

- b. On premises or within 1,000 feet of premises where:
  - (1) An official school function was taking place; or
  - (2) An event sponsored or sanctioned by the University Interscholastic League was taking place;
- 2. Be written in English and Spanish; and
- 3. Be at least 8.5 by 11 inches in size.

*Education Code 37.086; 19 TAC 103.1403(c)*

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

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**Instructional  
Materials and  
Technology**

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

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

**Allotment**

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

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

**Additional State Aid  
State-Approved  
Instructional  
Materials**

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

**Open Education  
Resource  
Instructional  
Materials**

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

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

Allotment  
Adjustment  
*Change in  
Enrollment*

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

*High Enrollment  
Growth*

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

Permitted  
Expenditures

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

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

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

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

*Education Code 31.0211(c), (f)*

*Technological  
Equipment*

In purchasing technological equipment, a district shall:

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

*Education Code 31.0211(d)*

**Instructional  
Materials and  
Technology Account**

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

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

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

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

*Education Code 31.0212(a)-(d)*

**Purchasing Method**

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

**Requisitions, Use, and Distribution**

Delegation of Authority

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

Local Funds

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

Online Requisition Program

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

Distribution

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

OER Instructional Materials

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

OER Transition Plan

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

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

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

*Education Code 31.0751*

The OER instructional material transition plan shall be submitted in a format determined by the commissioner.

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

A district is required to submit an OER instructional material transition plan only when:

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

The OER instructional material transition plan adopted by the board of trustees shall include the plan of the district to ensure the following:

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

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

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

*19 TAC 67.1315*

OER Instructional  
Material Support  
Program

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

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

*Education Code 31.0752*

Requisition

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

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

*Education Code 31.103(d)*

**Parent Portal**

An entity that hosts an instructional materials parent portal must comply with requests regarding parental access to the portal made by a district in compliance with Education Code 31.154 or Education Code 26.006 [see EFA]. *Education Code 31.154(e)*

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

**Bilingual  
Instructional  
Materials**

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

**Certification of  
Instructional  
Materials**

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

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

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

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

*Education Code 31.1011*

**Annual Report**

Each district shall annually report to TEA information regarding the instructional materials used by the district during the previous school year, including the cost of each material. *Education Code 31.1012*

**Ownership**

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

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

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

**Responsibility for Instructional Materials and Equipment**

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

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

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

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

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

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

**Acceptable Condition**

Printed instructional materials are considered to be in acceptable condition if:

1. The cover, binding, pages, spine, and all integral components of the instructional materials are wholly intact and the instructional materials are fully usable by students; and
2. No component of the instructional materials is soiled, torn, or damaged (whether intentionally or by lack of appropriate care) to the extent that any portion of the content is too disfigured or obscured to be fully accessible to other students.

Electronic instructional materials are considered to be in acceptable condition if:

1. All components or applications that are a part of the electronic instructional materials are returned;
2. The electronic materials perform as they did when they were new;
3. The electronic instructional materials do not contain computer code (e.g., bug, virus, worm, or similar malicious software) that has been designed to self-replicate, damage, change, or otherwise hinder the performance of any computer's memory, file system, or software; and
4. The electronic instructional materials have not been installed with plug-ins, snap-ins, or add-ins without the prior approval of the district.

Technological equipment is considered to be in acceptable condition if:

1. The equipment is returned with the software and hardware in their original condition unless the district authorized changes; and
2. The physical condition of the equipment is fully usable as it was originally intended to be used.

*19 TAC 66.1310*

Lost or Damaged  
Instructional  
Materials

A district may order replacements for instructional materials that have been lost or damaged directly from the publisher of the instructional materials or any source for a printed copy of OER instructional material. *Education Code 31.104(b)*

**Sale or Disposal**

The board shall determine how the district will dispose of discontinued printed instructional materials, electronic instructional materials, and technological equipment.

Sale

The board may sell printed instructional materials on the date the instructional material is discontinued for use in the public schools by the SBOE or the commissioner. The board may also sell elec-

tronic instructional materials and technological equipment owned by the district.

*Use of Proceeds* Any funds received by a district from a sale must be used to purchase instructional materials and technological equipment allowed under Education Code 31.0211.

*Disposal* The board may dispose of printed instructional material before the date the instructional material is discontinued for use in the public schools by the SBOE if the board determines that the instructional material is not needed by the district and the board does not reasonably expect that the instructional material will be needed. A district must notify the commissioner of any instructional material the district disposes of under this provision.

*Education Code 31.105*

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

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**Authorization to Purchase or Lease Vehicles**

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

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

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

Payment

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

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

New Van Purchases or Leases

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

**Contracts for School Bus Use, Acquisition, or Lease**

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

<b>Registration</b>	District-owned vehicles used exclusively in the service of a district are exempt from the state registration fee. The Department of Motor Vehicles (DMV) must approve an application for registration before exempt license plates are issued. <i>Transp. Code 502.451, .453</i>
<b>Identification</b>	The DMV may not issue exempt license plates unless the applicant for registration certifies in writing that the name of a district is printed on each side of the vehicle, in letters that are at least two inches high or in an emblem that is at least 100 square inches in size. The letters or emblem must be of a color sufficiently different from the body of the vehicle to be clearly legible from a distance of 100 feet. <i>Transp. Code 502.452(a)</i>
<b>Maintenance</b>	District vehicles are subject to inspection pursuant to Transportation Code Chapter 548.
<b>School Bus Advertising</b>	The exterior of a school bus may not bear advertising or another paid announcement directed at the public if the advertising or announcement distracts from the effectiveness of required safety-warning equipment. A school bus that violates this provision or rules adopted under this provision shall be placed out of service until it complies. <i>Transp. Code 547.701(d)</i>
Advertising Rules	A district may allow advertisements on school buses in accordance with rules. The rules adopted by the Texas Department of Public Safety (DPS) at 37 Administrative Code 14.61-14.65 apply to all school buses used to transport preprimary, primary, and secondary public school students. <i>37 TAC 14.61</i>
“Advertisement”	For purposes of this policy, “advertisement” means any communication brought to the attention of the public by paid announcement or in return for public recognition in connection with an event or offer or sale of a product or service, except for a single-line listing of a district name and/or school or manufacturer logo approved by DPS. <i>37 TAC 14.1(1)</i>
Material and Location	Advertisements must be of a material and in a location specified in the rules. <i>37 TAC 14.62-.64</i>
Annual Notice	By September 1 of each year, districts involved in an advertising program shall provide the School Bus Transportation Program at DPS written notification of the number of buses operated by or for the district that display exterior advertising or another paid announcement. <i>37 TAC 14.65(a)(1), (b)</i> [See CNC for required reporting of crashes involving buses with advertising]
<i>Delivery of Notice</i>	Notices to DPS shall be delivered by facsimile at (512) 424-2238, electronic mail at <a href="mailto:sbt@txdps.state.tx.us">sbt@txdps.state.tx.us</a> , or mailed to School Bus Transportation, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0525. <i>37 TAC 14.65(d)</i>

TRANSPORTATION MANAGEMENT  
DISTRICT VEHICLES

CNB  
(LEGAL)

**Nonschool Use**

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

**Sale of Buses**

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



**Safety Standards**

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

**Student Safety**  
Prohibitions

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

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

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

*Transp. Code 545.426*

**Seat Belts**  
*Required on Buses*

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

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

*Transp. Code 547.701(e)*

**Student Requirement**

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

*Donations*

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

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

*Education Code 34.014*

Use of Warning  
Signals

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

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

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

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

**Wireless  
Communication  
Devices**

General Rule

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

School Property

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

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

*Transp. Code 545.4252*

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

**Definitions**

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

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

**Disruption of Transportation**

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

**Exhibition of Firearm**

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

**Collision Reports**

Notice to DPS for Buses With Advertising

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

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

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

5. The investigating police agency.

*37 TAC 14.65(c)*

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

Annual Report to  
TEA

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

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

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

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

*Exceptions*

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

1. The bus was driven by a school district employee or by an employee of the school district's bus contractor, the collision

occurred when no passenger other than the school district's driver or bus contractor's driver was on board the bus, and the collision did not involve a pedestrian; or

2. The collision involved a bus chartered by a school district for a school activity trip and no school district personnel or students were on board the bus at the time of the collision.

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

*Education Code 34.015(b); 19 TAC 103.1231(b)*



**Fair Labor Standards Act**

Minimum Wage and Overtime

Unless an exemption applies, a district shall pay each of its employees not less than minimum wage for all hours worked. 29 U.S.C. 206(a)(1)

Unless an exemption applies, a district shall pay an employee not less than one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 in any workweek. 29 U.S.C. 207(a)(1); 29 C.F.R. pt. 778

Breaks for Nonexempt Employees

Rest periods of up to 20 minutes must be counted as hours worked. Coffee breaks or time for snacks are rest periods, not meal periods. 29 C.F.R. 785.18

Bona fide meal periods of 30 minutes or more are not counted as hours worked if the employee is completely relieved from duty. The employee is not relieved from duty if the employee is required to perform any duties, whether active or inactive, while eating. For example, an office employee who is required to eat at his or her desk is working while eating. It is not necessary that an employee be permitted to leave the premises if the employee is otherwise completely freed from duties during the meal period. 29 C.F.R. 785.19

Compensatory Time  
*Accrual*

Nonexempt employees may receive, in lieu of overtime compensation, compensatory time off at a rate of not less than one and one-half hours for each hour of overtime work, pursuant to an agreement or understanding arrived at between the employer and employee before the performance of the work. Such agreement or understanding may be informal, such as when an employee works overtime knowing that the employer rewards overtime with compensatory time.

An employee may accrue not more than 240 hours of compensatory time. If the employee's overtime work included a public safety activity, an emergency response activity, or a seasonal activity, the employee may accrue not more than 480 hours of compensatory time. After the employee has reached these limits, the employee shall be paid overtime compensation for additional overtime work.

*Payment for Accrued Time*

Compensation paid to an employee for accrued compensatory time shall be paid at the regular rate earned by the employee at the time of payment. An employee who has accrued compensatory time off shall be paid for any unused compensatory time upon separation from employment at the rates set forth at 29 U.S.C. 207(o)(4).

*Use*

An employee who has requested the use of compensatory time shall be permitted to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operations of the district.

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

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

Exempt Employees

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

*Academic  
Administrators*

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

1. Compensated on a salary or fee basis at the established weekly threshold, exclusive of board, lodging, or other facilities; or on a salary basis which is at least equal to the entrance salary for teachers in the district by which employed; and
2. Whose primary duty is performing administrative functions directly related to academic instruction or training in a district or department or subdivision thereof.

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

Employees engaged in academic administrative functions include:

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

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

*29 C.F.R. 541.204*

*Salary Basis*

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

*Partial-Day  
Deductions*

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

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

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

*29 C.F.R. 541.710*

*Safe Harbor  
Policy*

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

tinuing to make improper deductions after receiving employee complaints.

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

*29 C.F.R. 541.603(d)*

*Teachers*

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

Exempt teachers include:

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

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

The possession of an elementary or secondary teacher's certificate provides a clear means of identifying the individuals contemplated as being within the scope of the exemption for teaching professionals. Teachers who possess a teaching certificate qualify for the exemption regardless of the terminology (e.g., permanent, conditional, standard, provisional, temporary, emergency, or unlimited) used by the state to refer to different kinds of certificates. However, a teacher who is not certified may be considered for

COMPENSATION PLAN  
WAGE AND HOUR LAWS

DEAB  
(LEGAL)

exemption, provided that such individual is employed as a teacher by the employing school or school system.

*29 C.F.R. 541.303*

Wage and Hour  
Records

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

**Payday Law  
Exemption**

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



**Staff Development**

Educator

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

Principal

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

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

Professional  
Development Policy

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

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

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

*Education Code 21.4515(a), (b)*

**Requirements for  
Training**

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

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

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

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

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

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

Optional Training

Staff development may include training in:

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

Technology and digital learning training must:

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

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

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

Required Training

Staff development must include training on:

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

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

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

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

*Instruction of  
Students with  
Disabilities*  
Definition

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

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

*Education Code 21.001(3-a)*

Requirements

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

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

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

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

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

*Suicide  
Prevention*

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

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

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

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

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

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

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

Staff Development  
Account

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

**Child Abuse,  
Trafficking, and  
Maltreatment**

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

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

The training must include:

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

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

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

*Education Code 38.0041(c)-(f); 19 TAC 103.1401(d)*

**Trauma-Informed  
Care**

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

**Mental Health**

A district shall require each district employee who regularly interacts with students enrolled at the district to complete an evidence-

based mental health training program designed to provide instruction to participants regarding the recognition and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety.

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

*Education Code 22.904*

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

Records

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

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

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

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

**Student Discipline**

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

The professional development training may be provided in coordination with an education service center through the use of distance

learning methods, such as telecommunications networks, and using available TEA resources.

*Education Code 37.0181*

**Test Administration**

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

**Cybersecurity**

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

**Special Programs**

Teacher Literacy  
Achievement  
Academies  
(Reading  
Academies)

A district shall ensure that:

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

*Education Code 28.0062(a)(2)*

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

Gifted and Talented  
Education

A district shall ensure that:

1. Prior to assignment in the program or within one semester of assignment, teachers who provide instruction and services that are a part of the program for gifted/talented students [see EHBB] have a minimum of 30 hours of professional learning that includes nature and needs of gifted/talented students, as-

sessing student needs, and curriculum and instruction for gifted/talented students;

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

*19 TAC 89.2*

Elective Bible  
Course

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

Texas English  
Language  
Proficiency  
Assessment  
System Training

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

**Automated External  
Defibrillators**

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

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

1. Participate in the instruction; and

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

*Education Code 22.902*

**Extracurricular  
Activity Safety**

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

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

The safety training program must include:

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

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

**Records**

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

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

*Education Code 33.206; 19 TAC 76.1003(e)*

**Steroids**

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

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

*Education Code 33.091(c-1)*

**Concussions**

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

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

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

*Education Code 38.158*

**Seizure Recognition  
and Related First Aid**

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

A district employee, other than a school nurse, whose duties at the school include regular contact with students must complete a TEA-approved online course of instruction for school personnel regard-

ing awareness of students with seizure disorders that includes information about seizure recognition and related first aid.

*Education Code 38.033(a), (b)*

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



**Identification**

Child Find

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

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

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

*Private School  
Students*

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

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

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

*Preschool  
Students*

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

**Requests and  
Referrals for  
Evaluation**

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

Multi-tiered System

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

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

District Obligation to Refer	<p>If the student continues to experience difficulty in the general education classroom with the provision of interventions and support services or at any time district personnel suspect a disability and a possible need for special education and related services, district personnel must refer the student for an FIIE.</p> <p>A referral or request for an FIIE may be initiated at any time by school personnel, the student's parents or legal guardian, or another person involved in the education or care of the student. While an FIIE is being conducted, a student must continue to receive any necessary interventions and support services to target their academic or behavioral needs.</p> <p><i>19 TAC 89.1011(a)</i></p>
Prior Written Notice <i>Parent</i>	<p>If a parent submits a written request to a district's director of special education services or to a district administrative employee, such as a campus principal, for a FIIE of a student, the district shall, not later than the 15th school day after the date the district receives the request:</p> <ol style="list-style-type: none"><li>1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the procedural safeguards notice required by 34 C.F.R. 300.504, a copy of the Overview of Special Education for Parents form created by the Texas Education Agency (TEA), and an opportunity to give written consent for the evaluation; or</li><li>2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 C.F.R. 300.503, a copy of the Overview of Special Education for Parents form created by TEA, and a copy of the procedural safeguards notice required by 34 C.F.R. 300.504.</li></ol>
<i>District</i>	<p>When a district initiates the referral for an FIIE of a student, the district must provide the parent with the information and materials described at item 1 above.</p> <p><i>19 TAC 89.1011(b)-(c); Education Code 29.004(c); 20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301</i></p>
Notice of Rights	<p>A reasonable time before a district proposes or refuses to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education (FAPE) to a student, the district shall provide written notice to the student's parent or guardian. <i>20 U.S.C. 1415(b)(3); 34 C.F.R. 300.503(a)</i> [See EHBAE]</p>

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

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

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

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

*19 TAC 89.1011(d)-(e)*

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

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

Transfer  
Students

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

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

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

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

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

*Student  
Communication*

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

*Psychological  
Examinations*

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

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

*Education Code 29.0041*

**Eligibility and  
Reevaluations**

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

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

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

**Disability Definitions**

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

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

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

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

Consent for  
Services

*Initial Provision of  
Services*

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

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

*Revoking  
Consent*

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

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

*34 C.F.R. 300.300(b)*

Reevaluations

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

Reevaluation shall occur:

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

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

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

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

Evaluation for  
Change in Eligibility

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

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

Independent  
Evaluation

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

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

*At Public  
Expense*

If a parent requests an independent evaluation at public expense, the district shall, without unnecessary delay, either:

1. File a due process complaint to request a hearing to show that its evaluation is appropriate; or
2. Ensure that an independent evaluation is provided at public expense, unless the district demonstrates that the evaluation obtained by the parent did not meet district criteria.

*At Private  
Expense*

If a district initiates a hearing, and the final decision is that the district's evaluation is appropriate, the parent still has a right to an independent evaluation, but not at public expense.

*34 C.F.R. 300.502*

**Prescription  
Medication**

An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

Observations

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

*20 U.S.C. 1412(a)(25)*



**Transition Services  
Defined**

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

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

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

**Individual Transition  
Planning**

14 Years of Age

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

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

mination, including a supported decision-making agreement under Estates Code Chapter 1357.

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

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

18 Years of Age

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

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

Annual Review

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

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

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

Transition and  
Employment  
Designee

The transition and employment designee required of each district must complete the required training as developed by the commissioner of education and provide information about transition requirements and coordination among parents, students, and appro-

appropriate state agencies to ensure that school staff can communicate and collaborate effectively. *19 TAC 89.1075(i)*

Transition and  
Employment Guide

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

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

*Education Code 29.0112(a), (e)*

**Graduation**

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

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

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

A district shall provide the child with a summary of the child's academic achievement and functional performance, which shall in-

clude recommendations on how to assist the child in meeting the child's postsecondary goals.

[See EIF]

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

**Driving with  
Disability Program**

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

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

*Education Code 29.0113(a)-(b)*

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**Parental Consent  
Not Required**

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

**Video Surveillance of  
Special Education  
Settings**

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

**Classroom or Other  
Setting**

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

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

*Education Code 29.022(a)*

**Definitions**

"Incident" means an event or circumstance that:

*Incident*

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

*Other Special  
Education Setting*

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

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

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

*Parent*

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

*School Business Day*

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

*Self-contained Classroom*

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

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

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

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

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

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

Video Camera  
Coverage

The video cameras must be capable of:

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

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

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

Written Notice

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

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

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

*Education Code 29.022(b), (d)*

Retention Period

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

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

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

Gifts, Grants, and Donations

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

No Waiver of Immunity

The requirements described by Education Code 29.022 do not:

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

No Monitoring

A district may not:

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

*Education Code 29.022(g)-(h)*

Confidentiality

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

*Limited Release*

A district shall release a recording for viewing by:

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

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

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

*Duty to Report*

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

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

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

*Use in  
Disciplinary  
Actions Against  
District Personnel*

If a person described by items 3, 4, or 5, above, views the recording and believes that it documents a possible violation of district or campus policy, the person may allow access to the recording to appropriate legal and human resources personnel of the district to the extent not limited by the Family Educational Rights and Privacy

Act (FERPA) or other law. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student may be used in a disciplinary action against district personnel and must be released in a legal proceeding at the request of a parent of the student involved in the incident documented by the recording. A recording believed to document a possible violation of district policy relating to the neglect or abuse of a student must be released for viewing by the district employee who is the subject of the disciplinary action at the request of the employee. *19 TAC 103.1301(k)*

*Federal Law /  
FERPA*

19 Administrative Code 103.1301(j) (child abuse reporting) and (k) (disciplinary actions against personnel) do not limit the access of a student's parent to a record regarding the student under FERPA or other law. To the extent any provisions in Education Code 29.022 and 19 Administrative Code 103.1301 conflict with FERPA or other federal law, federal law prevails. *19 TAC 103.1301(l)*

District Policy

A district must adopt written policies relating to the placement, operation, and maintenance of video cameras under Education Code 29.022 and 19 Administrative Code 103.1301. At a minimum, the policies must include:

1. A statement that video surveillance is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings;
2. Information on how a person may appeal an action by the district that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeal and expedited review processes under 19 Administrative Code 103.1303 (Commissioner's Review of Actions Concerning Video Cameras in Special Education Settings) and the appeals process under Education Code 7.057;
3. A requirement that the district provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Education Code 29.022(a-3) (at Limited Release, above) that authorizes the request or states the reason for denying the request;
4. Except as provided by item 6 of this provision, a requirement that a campus begin operation of a video camera in compliance with this provision not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the Texas Education Agency (TEA) grants an extension of time;

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

the campus received the request, unless the requester withdraws the request in writing;

12. A requirement that video cameras placed in a self-contained classroom or other special education setting be capable of recording video and audio of all areas of the classroom or setting, except that no visual monitoring of bathrooms and areas in which a student's clothes are changed may occur. Incidental visual coverage of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is permitted only to the extent that such coverage is the result of the layout of the classroom or setting. Audio recording of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is required;
13. A statement that video recordings must be retained for at least three months after the date the video was recorded and that video recordings will be maintained in accordance with the requirements of Education Code 29.022(e-1), when applicable;
14. A statement that the regular or continual monitoring of video is prohibited and that video recordings must not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety;
15. At the district's discretion, a requirement that campuses post a notice at the entrance of any self-contained classroom or other special education setting in which video cameras are placed stating that video and audio surveillance are conducted in the classroom or setting;
16. The procedures for reporting an allegation to the district that an incident occurred in a self-contained classroom or other special education setting in which video surveillance under Education Code 29.022 and 19 Administrative Code 103.1301 is conducted;
17. The local grievance procedures for filing a complaint alleging violations of Education Code 29.022, and/or 19 Administrative Code 103.1301; and
18. A statement that video recordings made under Education Code 29.022 and 19 Administrative Code 103.1301 are confidential and a description of the limited circumstances under which the recordings may be viewed.

*19 TAC 103.1301(g)*

SPECIAL EDUCATION  
VIDEO/AUDIO MONITORING

EHBAF  
(LEGAL)

Governmental Record	A video recording under this section is a governmental record only for purposes of Penal Code 37.10.
Operation of Camera	<p>These provisions apply to the placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.</p> <p>A video camera placed under this section is not required to be in operation for the time during which students are not present in the classroom or other special education setting.</p> <p><i>Education Code 29.022(s)-(t)</i></p>
Exclusions	A district is not required to provide video equipment to a campus of another district or charter school or to a nonpublic school. <i>19 TAC 103.1301(c)</i>
Dispute Resolution	The special education dispute resolution procedures in 34 Code of Federal Regulations 300.151-.153 and 300.504-.515 do not apply to complaints alleging that a district has failed to comply with Education Code 29.022 and 19 Administrative Code 103.1301. Complaints alleging violations of those sections must be addressed through the district's local grievance procedures or other dispute resolution channels. <i>19 TAC 103.1301(e)</i>
Denial of Request	The following standards and procedures apply to a denial of a request for placement of a video camera under Education Code 29.022(a), or to the denial of a request to release a video or to view a video made under Education Code 29.022(i) or (l)(2).
<i>Exhaustion of Administrative Remedies</i>	<p>Once a request for placement of a video camera or a request to release a video is administratively denied, the requester must exhaust administrative remedies through the district's grievance process even if the requester opts for the expedited review process. However, a district, parent, staff member, or administrator may request an expedited review even before the local remedies are exhausted.</p> <p>After local remedies are exhausted by filing a grievance with the board and obtaining a board determination, the requester may appeal the denial to the commissioner of education under Education Code 7.057 by filing a petition for review.</p>
<i>Proper Request</i>	In a case where there is a denial of a request for the placement of a video camera, the commissioner will determine whether the person requesting placement is a person allowed to request placement under Education Code 29.022(a-1) (see Limited Release, above) and whether the requester made a proper request under Education Code 29.022(a-3) (see Processing the Request, above).

<i>Cost</i>	The commissioner will not consider the cost to the district of installing cameras or releasing video.
<i>Release Determination</i>	In a case where there is a denial of a request to release a video, the commissioner will determine whether the requester is a person allowed to receive a video under Education Code 29.022(i) (described at Limited Release, above).
<i>Timelines for Petition for Review</i>	<p>The following timelines are established for filing a petition for review:</p> <ol style="list-style-type: none"><li>1. A petition for review shall be filed with the commissioner within 10 calendar days of the decision of the board denying the request being first communicated to the requester or requester's counsel, whichever occurs first. The petition for review shall be made in accordance with 19 Administrative Code 157.1073(c) (hearings brought under Education Code 7.057) and may include a request for expedited review.</li><li>2. The district's answer and local record shall comply with 19 Administrative Code 157.1052(b) and (c) and 19 Administrative Code 157.1073(d) and shall be filed with the commissioner within 10 calendar days of the district receiving notification from the commissioner of the appeal.</li><li>3. The procedures specified in 19 Administrative Code 157.1059; .1061; and .1073(e)-(h), (j), and (k) apply to a case brought to the commissioner under this section.</li></ol>
<i>Expedited Review</i>	<p>A request for expedited review is governed by the following.</p> <ol style="list-style-type: none"><li>1. The expedited review process is designed to allow a requester to promptly receive a preliminary judgment from the commissioner as to a decision to deny a request for the installation of cameras or a decision to deny a request to release a video while at the same time respecting the school grievance process. The expedited review process does not apply to a request to only view a video. Invoking the expedited review process results in a prompt initial determination. However, the final commissioner's determination is to be based on a substantial evidence review of the district's grievance record. This allows for a full record to be developed at the district level and does not require the requester and the district to make an evidentiary record before TEA in Austin, Texas. Because the requirements of Education Code 7.057 are met when the board's decision is heard by the commissioner, an appeal to district court is allowed under Education Code 7.057(d). Education Code 29.022 does not by itself allow an appeal to district court.</li></ol>

2. A district, parent, staff member, or administrator may request an expedited review. Any request for an expedited review shall include the names, telephone numbers, and addresses of all interested parties to the request. "Interested parties" are all persons who brought the grievance, all persons who have testified or provided written statements as part of the grievance process, and the district. The request for expedited review shall specify whether the district denied a request for the placement of a video camera or the district denied a request to release a video and briefly describe why that decision is either correct or incorrect.
3. A request for expedited review shall be filed with the commissioner no earlier than 14 business days after a request for placement of a video camera or a request to release a video is administratively denied under Education Code 29.022(i) or (l)(2) (see Limited Release and Process, above), and no later than the fifth business day after a board resolves a grievance as to a request for placement of a video camera or a request to release a video. A request for expedited review shall be filed with the commissioner electronically as provided on TEA's Division of Hearings and Appeals website or by U.S. Mail, facsimile, hand-delivery, or by a commercial delivery service.
4. Whenever an interested party files a document with the commissioner, with the exception of the request for expedited review, the interested party shall send the same document to all other interested parties by the same method that the document was sent to the commissioner. Hand-delivery of the document by the next day may be substituted for service by facsimile delivery.
5. If a request for expedited review is timely filed, the commissioner will establish a briefing schedule and will send to all interested parties a notice that an expedited review has been filed, which will include relevant statutes and rules. Any interested party who knows of any additional interested parties who have not been notified will promptly inform the commissioner in writing.
6. All briefing shall clearly state the facts relied upon. Documents relevant to the issues presented may be attached to a brief. All briefing shall provide the reasons why the commissioner should or should not grant the request for expedited review. Citations to statutes, rules, commissioner decisions, and case law are important to identify the legal basis for the claims made.

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

*19 TAC 103.1303(b)*

Extension of Time

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

*Request*

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

A request for an extension of time to begin the operation of a video camera shall specify why an extension of time should be granted. The request shall include affidavits supporting any factual claims made in the request and reference any legal authority as to why the request should be granted. The request may include a request for expedited review. The request shall name the individual who requested the installation of cameras and provide the individual's address and telephone number. Immediately following the individual's address and telephone number there shall appear in bold type: "You have been identified as the individual who requested the operation of a video camera that is the subject of this request to the

commissioner of education to extend the statutory timeline. You may, but are not required to, participate in the proceedings before the commissioner concerning the school district's request for an extension of time. It is entirely up to you whether and to what extent you wish to participate in these proceedings. The procedures governing these proceedings are found at 19 Texas Administrative Code 103.1303(c) and Texas Education Code 29.022.”

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

*Filing Documents*

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

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

*Filing Responses*

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

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

be granted. The response may include a request for expedited review.

*Expedited  
Review*

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

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

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

1. Any reply by the district to any response to the request shall be filed with the commissioner within 25 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
2. A preliminary judgment shall be made by the commissioner within 35 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
3. Any interested party or the district may file objections to the preliminary judgment within 40 calendar days of the filing of the request for an extension of time to begin the operation of a video camera.
4. Any reply to an objection to a preliminary judgment must be filed within 45 calendar days of the filing of a request for an extension of time to begin the operation of a video camera.

5. The commissioner shall issue a final decision within 55 calendar days of the filing of the request for an extension of time to begin the operation of a video camera, unless the commissioner determines that an evidentiary hearing would be helpful in deciding the issues raised. If the commissioner decides to hold an evidentiary hearing, the commissioner shall establish the timelines and procedures to be used. Whether to conduct the hearing by telephone or other electronic methods will be considered.

*Commissioner  
Consideration*

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

*No Appeal*

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

*19 TAC 103.1303(c)*



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

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

**Definitions**

Alternative Methods

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

Certified Bilingual Program Teacher

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

Certified English as a Second Language Teacher

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

Dual Language Immersion Program

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

Emergent Bilingual

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

English as a Second Language Program

“English as a second language (ESL) program” means a special language program in accordance with Education Code, Chapter 29, Subchapter B, to include both content-based and pull-out pro-

	<p>gram models. Another related term for an ESL program is “English as an additional language program.”</p>
English Proficient Student	<p>“English proficient student” means a former EB student who has met reclassification as English proficient by the LPAC.</p>
Exit	<p>“Exit” refers to the point when an EB student is reclassified as English proficient and ends bilingual or ESL program participation with LPAC recommendation and parental approval. The term “exit” is synonymous with the description in Education Code, Chapter 29, Subchapter B, of a student having been “transferred out” of bilingual or special language programming. For the purpose of meeting the goals of a DLI program, the LPAC recommends that the EB student is reclassified as English proficient but continues participation in the program to further develop biliteracy for the duration of the program for prekindergarten through grade 12.</p>
Language Proficiency Assessment Committee	<p>“Language Proficiency Assessment Committee” means a designated group of committee members as described in 19 Administrative Code 89.1220 (relating to Language Proficiency Assessment Committee) and Education Code 26.063 that ensures the appropriate identification, placement, assessment, services, reclassification, and monitoring of EB students. The LPAC also meets in conjunction with all other committees related to programs and services for which an EB student qualifies.</p>
Parent	<p>“Parent” includes the parent or legal guardian of the student in accordance with Education Code 29.052(2).</p>
Reclassification	<p>“Reclassification” means the process by which the LPAC determines that an EB student has met the appropriate criteria to be classified as English proficient, and the student enters year 1 of monitoring as indicated in the Texas Student Data System Public Education Information Management System.</p> <p><i>Education Code 29.052; 19 TAC 89.1203(1), (3)-(4), (6), (8)-(9), (11), (13), (16), (19), (22)</i></p>
<b>District Responsibility</b>	<p>Each district shall:</p> <ol style="list-style-type: none"><li>1. Identify EB students based on criteria established by the state;</li><li>2. Provide bilingual education, including bilingual and ESL programs as integral parts of the general program;</li><li>3. Seek appropriately certified teaching personnel to ensure that EB students are afforded full opportunity to master the essential knowledge and skills; and</li></ol>

4. Assess academic achievement and linguistic progress in accordance with Education Code Chapter 29, Subchapter B, to ensure accountability for EB students and the schools that serve them.

*19 TAC 89.1201(a)*

**Identification of  
Emergent Bilingual  
Students**

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

Language  
Proficiency  
Assessment  
Committees

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

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

*19 TAC 89.1220(a), (e)*

*Membership of  
LPAC*

The LPAC shall include:

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

A district may add other members to the committee.

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

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

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

<i>Meetings</i>	<p>The LPAC may use alternative meeting methods, such as phone or video conferencing and the use of electronic signatures that adhere to district policy.</p> <p><i>19 TAC 89.1220(b)-(d), (f); Education Code 29.063(a)-(b);</i></p>
<i>Duties</i>	<p>The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 Administrative Code 89.1220(g)-(i), (k), including duties to review information, classify students, notify parents, and monitor student academic progress.</p>
Home Language Survey	<p>For each new student enrolling for the first time in a Texas public school in any grade from prekindergarten through grade 12, the TEA-developed home language survey shall be administered. This home language survey will serve as the original and only home language survey throughout the student's educational experience in Texas public schools.</p> <p>The district shall:</p> <ol style="list-style-type: none"><li>1. Ensure that the student's parent understands the language used in the survey and its implications;</li><li>2. Require that the survey be signed by the student's parent for each student in prekindergarten through grade 8 or by the student in grades 9-12;</li><li>3. Ensure the student's parent is aware of the benefits of bilingual and ESL programs; and</li><li>4. Maintain the original copy of the survey in the student's permanent record and transfer it to any subsequent Texas public school districts in which the student enrolls.</li></ol> <p>If the response on the home language survey indicates that a language other than English is or was used for communication, the student shall be tested in accordance with 19 Administrative Code 89.1226 (Testing and Classification of Students).</p> <p>If a parent determines an error was made when completing the original home language survey, the parent may request a correction only if the student has not yet been assessed for English proficiency; and corrections are made within two calendar weeks of the student's initial enrollment date in Texas public schools.</p> <p><i>19 TAC 89.1215(a), (c), (e)</i></p>
English Language Proficiency Testing	<p>Within four calendar weeks of initial enrollment in a Texas public school, a student with a language other than English indicated on the home language survey shall be administered the state-approved English language proficiency test in accordance with 19 Ad-</p>

ministrative Code 89.1226(c) and shall be identified as an EB student and recommended for placement into the required bilingual or ESL program in accordance with the testing and classification requirements in 19 Administrative Code 89.1226(f). *19 TAC 89.1226(b)*

Emergent Bilingual  
Classification

The LPAC may classify a student as EB if:

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

*Education Code 29.056(c)*

Parental Notice and  
Consent

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

The district shall notify the parent in English and in the parent's home language that their child has been identified as an EB student and recommended for placement in the required bilingual or ESL program using the TEA-developed identification and placement letter.

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

The placement of a student in the bilingual or ESL program must be approved in writing by the student's parent or through allowable alternatives described in 19 Administrative Code 89.1220, in order to have the student included in the bilingual education allotment (BEA). The parent's approval shall be considered valid for the student's continued participation in the required bilingual or ESL pro-

gram until the student meets the reclassification criteria described in 19 Administrative Code 89.1226(i) (Testing and Classification of Students), the student graduates from high school, or a change occurs in program placement. A change between bilingual and ESL program placement requires new parental approval using the TEA-developed continuation of language program services letter.

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

*19 TAC 89.1240(a)*

Pending completion of the identification process, receipt of LPAC documentation for transferring students, or parental approval of an identified EB student's placement into the bilingual education or ESL program recommended by the LPAC, a district shall place the student in the recommended program. Only EB students with parental approval for program participation will be included in the bilingual education allotment.

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

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

*19 TAC 89.1220(j), (m)*

*Reclassification  
and Exit Approval*

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

The district shall use the TEA-developed parent notification of reclassification and option to continue in a dual language immersion

program letter to give written notification to the student's parent of the student's reclassification as English proficient and acquire written approval for continued program participation as an English proficient student.

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

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

Participation of  
Other Students

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

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

Students with  
Disabilities

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

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

**Bilingual and ESL  
Programs**

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

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

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

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

A district is authorized to establish a bilingual program even if the district has fewer than 20 students identified as EB bilingual students in any language classification in the same grade level district-wide and at grade levels in which the bilingual program is not required under 19 Administrative Code 89.1205(a). If a district does operate such a program under this authorization, the district shall adhere to all program requirements in 19 Administrative Code 89.1210, .1227, .1228, and .1229. *19 TAC 89.1205(f)-(g)*

Exceptions and  
Waivers

A district shall comply with the requirements for bilingual exceptions and ESL waivers under 19 Administrative Code 89.1207. *Education Code 29.054; 19 TAC 89.1207*

A district that is unable to employ a sufficient number of teachers, including part-time teachers, who meet the certification requirements for the bilingual and ESL programs shall apply on or before November 1 for an exception to the bilingual program or a waiver for the ESL program as provided in 19 Administrative Code 89.1207. *19 TAC 89.1245(b)*

Program Design

A district that is required to offer bilingual education through bilingual or ESL program models shall provide each EB student the opportunity to be enrolled in the required program at their grade level.

A district's bilingual and ESL program models shall comply with the program content and design requirements of 19 Administrative Code 89.1210. A district shall ensure ongoing collaboration between bilingual and ESL programs and the general education programs to provide equitable educational access for all learners.

*19 TAC 89.1210(a)-(b)*

EB students shall participate with their non-EB peers in general education classes provided in subjects such as art, music, and physical education. A district shall provide students enrolled in the program a meaningful opportunity to participate fully with other non-EB peers in all extracurricular activities. Elective courses included in the curriculum may be taught in a language other than English. *Education Code 29.055, .057(b); 19 TAC 89.1210(f)*

*Bilingual  
Education  
Program Models*

Bilingual education shall be implemented through at least one of the following program models:

1. Transitional bilingual/early exit;
2. Transitional bilingual/late exit;
3. Dual language immersion/one-way; or
4. Dual language immersion/two-way.

*19 TAC 89.1210(c)*

*ESL Program  
Models*

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

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

*19 TAC 89.1210(d)*

Dual Language  
Immersion Program

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

*Implementation*

Program implementation shall:

1. Begin at prekindergarten, kindergarten, or grade 1 as applicable, according to the district's earliest grade level provided;
2. Continue without interruption incrementally through the elementary grades;
3. Consider expansion to middle school and high school whenever possible; and

4. Include participation of former EB students who have reclassified as English proficient for the duration of the program.

*19 TAC 89.1227(e)*

*Requirements*

A DLI program model shall be a full-time program of academic instruction in the program's partner language and English for all program participants, emphasizing the participation of identified EB students. Access to the DLI program shall not be restricted based on race, creed, color, religious affiliation, age, or disability.

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

*19 TAC 89.1227(b)*

*Two-Way DLI  
Program  
Enrollment*

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

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

1. Equitable access, including the program's intention to maintain a ratio of 50 percent EB students to 50 percent non-EB students and have no more than two-thirds speakers of the partner language to one-third speakers of English in each classroom;
2. Support of program benefits and goals as stated in 19 Administrative Code 89.1210 (Program Content and Design);
3. The district's commitment to providing equitable access to services for EB students and to ensuring continuity of program for all program participants;
4. The program's language allocation plan for the grade levels in which the program will be implemented; and
5. Expectations for students, families, and district and campus stakeholders.

*19 TAC 89.1228(a)-(c)*

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

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

*19 TAC 89.1228(d)*

*Two-Way DLI  
Program State  
Assessment*

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

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

*19 TAC 89.1228(e)*

*School District  
Recognition*

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

1. Meet the minimum requirements stated in 19 Administrative Code 89.1227;
2. Receive an acceptable performance rating in the state accountability system; and
3. Not have a bilingual and/or ESL program identified in any stage of intervention under the state's accountability system.

*Student  
Recognition*

An individual student participating in a DLI is eligible for local school district recognitions, including a performance acknowledgment in accordance with 19 Administrative Code 74.14. [See EIF]

*19 TAC 89.1229*

Facilities

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

Cooperation Among  
Districts

A district may join with one or more other districts to provide the required bilingual education or special language programs. The avail-

ability of the programs shall be publicized throughout the districts involved.

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

*Education Code 29.059; 19 TAC 89.1205(e)*

Documentation

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

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

Summer Program

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

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

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the student/teacher ratio may not exceed 18:1. A district shall comply with the requirements of 19 Administrative Code 89.1250 in providing such a program.

Other Programs

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

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

*Education Code 29.060; 19 TAC 89.1250*

**Personnel**

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

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

*Education Code 29.061(b)*

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

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

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

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

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

A district that is unable to provide the required bilingual and/or ESL program because of an insufficient number of appropriately certified teachers shall request from the commissioner of education an exception to the bilingual program and/or a waiver for the ESL program and the approval of temporary alternative methods. EB students with parental approval for program participation under a bilingual exception or an ESL waiver will be included in the bilingual education allotment (BEA) designated for temporary alternative methods. The approval of a bilingual exception and/or an ESL

waiver application shall be valid only during the school year for which it was granted, which includes summer school. The bilingual exception and/or ESL waiver application shall be submitted by November 1 and shall adhere to the requirements in 19 Administrative Code 89.1207. [See Exceptions and Waivers, above] 19 TAC 89.1207(a)-(d); *Education Code 29.054*

**Emergent Bilingual Students and State Assessments**

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

**Program Exit**

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

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

*Education Code 29.056(g)*

**Post-Exit Monitoring and Reenrollment**

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

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

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

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

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

*Education Code 29.0561*

**Program Evaluation**

A district that is required to implement a bilingual education or ESL program shall conduct an annual evaluation in accordance with 19 Administrative Code 89.1265. The annual evaluation report shall be presented to the board before November 1 of each year. The report shall be retained at the district level and must meet the requirements of 19 Administrative Code 89.1265(b)-(c).

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

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

*19 TAC 89.1265*

**Distance Learning  
and Correspondence  
Courses**

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

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

*19 TAC 74.23*

**Texas Virtual School  
Network**

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

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

*19 TAC 70.1001(4)*

**Online School  
(OLS) Program**

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

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

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

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

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

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

*19 TAC 70.1011*

Statewide Course  
Catalog

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

Course Providers

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

*Electronic Course*

“Electronic course” means an educational course in which:

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

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

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

*OLS Eligibility*

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

1. Have a current accreditation status of Accredited under 19 Administrative Code 97.1055 (Accreditation Status);
2. Be rated acceptable under Education Code 39.054;

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

*19 TAC 70.1009(a)*

*Statewide Course  
Catalog Provider  
Eligibility*

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

*General  
Requirements*

TXVSN course providers shall:

1. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance in the course at least once every 12 weeks;
2. Provide the TXVSN receiver district in which each TXVSN student is enrolled with written notice of a student's performance at least once every three weeks if the student's performance in the course is consistently unsatisfactory, as determined by the TXVSN course provider;
3. Notify students in writing upon enrollment to participate in the TXVSN course with specific dates and details regarding enrollment;
4. Meet all federal and state requirements for educating students with disabilities;
5. Provide a contingency plan for the continuation of instructional services to all TXVSN students allowing them to complete their TXVSN courses in the event that the contract or agreement through which the electronic courses are provided

are terminated or the TXVSN courses become unavailable to students;

6. Ensure a maximum class size limit of 40 students in a single section of a course and ensure that the class size does not exceed the maximum allowed by law, as applicable, whichever is less; and
7. Meet all reporting requirements established by TXVSN central operations, including timely submission of student performance reports, course completion results, catalog data, data required to verify instructor qualifications, and all data necessary for the TXVSN Informed Choice Report required under 19 Administrative Code 70.1031 (Informed Choice Reports).

*19 TAC 70.1007(c)*

*Receiver District  
Requirements*

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

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

*19 TAC 70.1008*

Courses

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

An electronic course or program that was offered or could have been offered during the 2008-09 school year under former Education Code 29.909, as that section existed on January 1, 2009, may be offered during a subsequent school year through the TXVSN. *Education Code 30A.006*

ALTERNATIVE METHODS FOR EARNING CREDIT  
DISTANCE LEARNING

EHDE  
(LEGAL)

Student Eligibility <i>Generally</i>	<p>A student is eligible to enroll in a TXVSN course only if the student:</p> <ol style="list-style-type: none"><li>1. On September 1 of the school year is younger than 21 years of age or is younger than 26 years of age and entitled to the benefits of the Foundation School Program under Education Code 48.003;</li><li>2. Has not graduated from high school; and</li><li>3. Is otherwise eligible to enroll in a public school in this state.</li></ol> <p>A student is eligible to enroll full-time in courses provided through the TXVSN only if the student:</p> <ol style="list-style-type: none"><li>1. Was enrolled in a public school in this state in the preceding school year;</li><li>2. Is a dependent of a member of the United States military who has been deployed or transferred to this state and was enrolled in a publicly funded school outside of this state in the preceding school year; or</li><li>3. Has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.</li></ol>
Exception for Military Dependents	<p>A student is eligible to enroll in one or more TXVSN courses or enroll full-time in courses provided through the network if the student:</p> <ol style="list-style-type: none"><li>1. Is a dependent of a member of the United States military;</li><li>2. Was previously enrolled in high school in this state; and</li><li>3. No longer resides in this state as a result of a military deployment or transfer.</li></ol>
Provisional Enrollment	<p>If a student has not provided required evidence of eligibility to enroll, a TXVSN OLS may enroll a student provisionally for 10 school days and withdraw the student from the OLS if the student does not provide the required evidence of eligibility within 10 school days of the provisional enrollment.</p> <p>Upon enrolling a student provisionally, the TXVSN OLS shall notify the student and the student's parents or guardians that the student will be withdrawn if documentation is not provided within the required timeframe.</p>
<i>Education Code 30A.002; 19 TAC 70.1013</i>	
<i>Enrolled Students</i>	<p>A student who is enrolled in the district as a full-time student may take one or more electronic courses through the TXVSN. <i>Education Code 30A.107(b)</i></p>

*Unenrolled  
Students*

A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TXVSN. The student:

1. May not in any semester enroll in more than two electronic courses offered through the TXVSN;
2. Is not considered to be a public school student;
3. Must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides;
4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

*Education Code 30A.107(c)*

*Enrollment,  
Advancement,  
and Withdrawal*

A student taking a course through the TXVSN statewide course catalog or a TXVSN OLS program is considered to:

1. Be enrolled in a TXVSN course when he or she begins receiving instruction and actively engages in instructional activities in a TXVSN subject area or course;
2. Have successfully completed a course if the student demonstrates academic proficiency and, for a high school course, earns credit for the course, as determined by the TXVSN teacher; and
3. Be, and must be reported as, withdrawn from the TXVSN when the student is no longer actively participating in the TXVSN course or program.

A student taking a course through the TXVSN statewide course catalog:

1. Shall enroll in each TXVSN course through the TXVSN online registration system;
2. Shall be assigned a grade by the TXVSN teacher after the drop period established by TXVSN central operations;
3. May withdraw from a course taken through the TXVSN after the instructional start date without academic or financial

penalty within the drop period established by TXVSN central operations; and

4. Shall have the grade assigned by the TXVSN teacher added to the student's record by the student's home district, and for a high school course, added to the student's transcript.

A student enrolled full time in a TXVSN online program in grades 3-8 must demonstrate academic proficiency sufficient to earn promotion to the next grade, as determined by the TXVSN teacher for the educational program.

*19 TAC 70.1015*

*Compulsory  
Attendance*

Texas public school students are not required to be in physical attendance while participating in courses through a TXVSN OLS or the TXVSN course catalog.

Based upon successful completion of a TXVSN course for students in grades 9-12 or a TXVSN OLS instructional program for students in grades 3-8, students are considered to have met attendance requirements for that course or program. A student who has successfully completed the grade level or course is eligible to receive any weighted funding for which the student is eligible.

For audit purposes, TXVSN course providers and TXVSN receiver districts shall maintain documentation to support the students' successful completion and to support verification of compulsory attendance.

"TXVSN receiver district" means a Texas public school district that has students enrolled in the school district who take one or more online courses through the TXVSN statewide course catalog.

*19 TAC 70.1001(9), .1017*

*Local Policy*

A district shall adopt a written policy that provides students enrolled in the district with the opportunity to enroll in electronic courses provided through the TXVSN statewide course catalog. The policy must be consistent with the requirements regarding notice, enrollment requests, and students with disabilities as described below.

A district shall, at least once per school year, send to a parent of each district student enrolled at the middle or high school level a copy of the policy. A district may send the policy with any other information that the district sends to a parent.

*Education Code 30A.007; 19 TAC 70.1033*

*Notice*

At the time and in the manner that a district informs students and parents about courses that are offered in the district's traditional

classroom setting, the district shall notify parents and students of the option to enroll in an electronic course offered through the TXVSN.

*Requests to  
Enroll*

Except as provided below, a district may not deny the request of a parent of a full-time student to enroll the student in an electronic course offered through the TXVSN.

A district may deny a request to enroll a student in an electronic course if:

1. A student attempts to enroll in a course load that is inconsistent with the student's high school graduation plan or requirements for college admission or earning an industry certification;
2. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district providing the course; or
3. The district offers a substantially similar course.

The course provider shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

If a parent of a student requests permission to enroll the student in a TXVSN course, a district has discretion to select a course provider approved by TEA for the course in which the student will enroll based on factors including the informed choice report required by Education Code 30A.108(b).

*Appeals*

A parent may appeal to the commissioner a district's decision to deny a request to enroll a student in an electronic course offered through the TXVSN. The commissioner's decision under this subsection is final and may not be appealed.

*Education Code 26.0031; 19 TAC 70.1008, .1035*

*Students with  
Disabilities*

For purposes of the policy, the determination of whether or not an electronic course will meet the needs of a student with a disability shall be made by the student's admission, review, and dismissal (ARD) committee in a manner consistent with state and federal law, including the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794. *Education Code 30A.007(b)*

*Required  
Enrollment  
Prohibited*

A school district or open-enrollment charter school may not require a student to enroll in an electronic course. *Education Code 30A.107(d)*

ALTERNATIVE METHODS FOR EARNING CREDIT  
DISTANCE LEARNING

EHDE  
(LEGAL)

Inducements for Enrollment Prohibited	<p>A course provider may not promise or provide equipment or any other thing of value to a student or a student's parent as an inducement for the student to enroll in an electronic course offered through the TXVSN. The commissioner shall revoke approval of electronic courses offered by a course provider that violates this prohibition. The commissioner's action under this section is final and may not be appealed. <i>Education Code 30A.1052</i></p>
Course Portability	<p>A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. <i>Education Code 30A.1051; 19 TAC 70.1015(d)</i></p>
Student Assessment	<p>All Texas public school students enrolled in the TXVSN are required to take the statewide assessments as required in Education Code 39.023 [see EKB]. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.</p> <p>A district shall report to the commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the TXVSN separately from the results of assessment instruments administered to other students.</p> <p>All districts participating in the TXVSN OLS program are included in the state's academic accountability system.</p> <p><i>Education Code 30A.110; 19 TAC 70.1023</i></p>
Funding	<p>A district in which a student is enrolled is entitled to funding under Education Code Chapter 48 for the student's enrollment in a TXVSN course in the same manner that the district is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course.</p> <p>Funding is limited to a student's enrollment in not more than three electronic courses during any school year, unless the student is enrolled in a full-time online program that was operating on January 1, 2013.</p> <p><i>Education Code 30A.153</i></p> <p>A district may decline to pay the cost for a student of more than three yearlong electronic courses, or the equivalent, during any school year unless the student is enrolled in a full-time online program that was operating on January 1, 2013. If the district declines to pay the cost, a student is able to enroll in additional electronic courses at the student's cost. <i>Education Code 26.0031(c-1)</i></p>

Course Cost

A district may charge the course cost for enrollment in a TXVSN course to a student who resides in this state and:

1. Is enrolled in the district as a full-time student with a course load greater than that normally taken by students in the equivalent grade level in other school districts; or
2. Elects to enroll in a TXVSN course for which the district in which the student is enrolled as a full-time student declines to pay the cost as authorized by Education Code 26.0031(c-1).

A district may charge the course cost for enrollment in a TXVSN course during the summer.

A district shall charge the course cost for enrollment in a TXVSN course to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student.

A TXVSN course cost may not exceed the lesser of the cost of providing the course or \$400.

A district may decline to pay the course costs for a student who chooses to enroll in more than three year-long electronic courses, or the equivalent, during any school year. This does not limit the ability of the student to enroll in additional electronic courses offered through the TXVSN at the student's expense.

A district that is not the course provider may charge a student enrolled in the district a nominal fee, not to exceed \$50, if the student enrolls in a TXVSN course that exceeds the course load normally taken by students in the equivalent grade level.

A course provider in the TXVSN statewide course catalog shall receive:

1. No more than 70 percent of the catalog course cost prior to a student successfully completing the course; and
2. The remaining 30 percent of the catalog course cost when the student successfully completes the course.

*Education Code 30A.155(a)-(c-1); 19 TAC 70.1025*

Educators of  
Electronic Courses

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must be certified under Education Code Chapter 21, Subchapter B, to teach that course and grade level or meet the credentialing requirements of the institution of higher education with which they are affiliated and that is serving as a course provider.

In addition, each instructor must successfully complete one continuing professional development course specific to online learning every three years, and:

1. Successfully complete a professional development course or program approved by TXVSN central operations before teaching an electronic course offered through the TXVSN; or
2. Have a graduate degree in online or distance learning and have demonstrated mastery of the National Standards for Quality Online Teaching; or
3. Have two or more years of documented experience teaching online courses for students in grades 3-12 and have demonstrated mastery of the National Standards for Quality Online Teaching.

Each instructor of an electronic course, including a dual credit course, offered through the TXVSN by a course provider must meet highly qualified teacher requirements under the Elementary and Secondary Education Act, as applicable.

TXVSN course providers shall affirm the preparedness of teachers of TXVSN electronic courses to teach public school-age students in a highly interactive online classroom and shall:

1. Maintain records documenting:
  - a. Valid Texas educator certification credentials appropriate for the instructor's TXVSN assignment;
  - b. Successful initial completion of TXVSN-approved professional development, evidence of prior online teaching, or a graduate degree in online or distance learning; and
  - c. Instructors' demonstrated mastery of the National Standards for Quality Online Teaching prior to teaching through the TXVSN;
2. Conduct and maintain records for background checks;
3. Maintain records of successful completion of continuing professional development;
4. Maintain records documenting successful completion of TXVSN-approved professional development before the end of the school year for any instructor who is hired after the school year has begun; and

5. Make the records specified in this subsection available to TEA and TXVSN central operations upon request.

*19 TAC 70.1027*

Revocation

The commissioner may revoke the right to participation in the TXVSN based on any of the following factors:

1. Noncompliance with relevant state or federal laws;
2. Noncompliance with requirements and assurances outlined in the contractual agreements with TXVSN central operations and/or these provisions and Education Code Chapter 30A; or
3. Consistently poor student performance rates as evidenced by results on statewide student assessments, student withdrawal rates, student completion rates, successful completion rates, or campus accountability ratings.

*19 TAC 70.1029*

Applicability

Unless a district chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of a school district or open-enrollment charter school, Chapter 30A does not affect the provision of a course to such a student.

Requirements imposed by or under Education Code Chapter 30A do not apply to a virtual course provided by a district only to district students if the course is not provided as part of the TXVSN.

*Education Code 30A.004*

ACADEMIC ACHIEVEMENT

EI  
(LOCAL)

**Certificate of  
Coursework  
Completion**

The District shall not issue a certificate of coursework completion to a student who fails to meet all state and local requirements for graduation. [See EIF, FMH]

**Partial Credit**

When a student earns a passing grade in only half of a course and the average of both halves is lower than 70, the District shall award the student credit for the half with the passing grade.



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**High School Diploma** A student may graduate and receive a diploma only if the student:

1. Successfully completes the curriculum requirements identified by the State Board of Education (SBOE) [see State Graduation Requirements, below], has performed satisfactorily on applicable state assessments [see EKB], and complies with the financial aid application requirements in Education Code 28.0256 [see below]; or
2. Successfully completes an individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

*Education Code 28.025(c)*

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**Note:** Education Code 28.0256 applies beginning with students enrolled at the 12th grade level during the 2021-22 school year.

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**FAFSA Required**

Before graduating from high school, each student must complete and submit a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), except as provided below.

A student is not required to comply with the above provision if:

1. The student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;
2. The student signs and submits the form described above on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Family Code Chapter 31; or
3. A school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

If a school counselor notifies a district whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Education Code 28.025, the school counselor may only indicate whether the student has complied with this section and may not indicate the manner in which the student complied, except as necessary for the district to comply with the commissioner's rules.

A school counselor may not indicate that a student has not complied with this section if the district fails to provide the required form

to the student or the student's parent or other person standing in parental relation to the student.

*Education Code 28.0256; 19 TAC 74.11(b)*

*Opt-Out Form*

The board shall adopt the standard opt-out form provided by the Texas Education Agency (TEA).

The opt-out form shall be available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program in the district. A district is responsible for translations not provided by TEA.

The opt-out form must include the student's signature of intent to decline to complete a financial aid application prior to the student's anticipated graduation date.

*19 TAC 74.1023(c)*

*Notification*

A district shall provide students with the notifications regarding the financial aid application requirement, in accordance with 19 Administrative Code 74.1023(d).

*Proof of Submission*

A district shall require one of the following methods of proof that a student has completed and submitted the FAFSA or TASFA.

For completion and submission of the FAFSA:

1. ApplyTexas Counselor Suite FAFSA data;
2. Notification from the U.S. Department of Education that demonstrates a student has completed and submitted a FAFSA; or
3. A local policy developed by a district for the method by which a student must provide proof that the student has completed a FAFSA.

A district shall develop a local policy for the method by which a student must provide proof that the student has completed a TASFA.

*19 TAC 74.1023(e)*

*Information Submission and Confidentiality*

A district shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) not later than December 1 of each school year for students awarded diplomas in the previous school year the number of students who completed and submitted a financial aid application and the number of students who submitted an exception.

A district shall maintain student financial aid application information securely and ensure compliance with federal law regarding the

confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information [see FL].

*19 TAC 74.1023(f)-(g)*

Individual  
Graduation  
Committee

A student may receive a diploma if the person is eligible for a diploma as determined by an individual graduation committee (IGC) established under Education Code 28.0258. *Education Code 28.025(c-6)*

A student receiving special education services is not subject to the IGC requirements in Education Code 28.0258 or 19 Administrative Code 74.1025. A student's admission, review, and dismissal (ARD) committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment to graduate. *19 TAC 74.1025(n)* [See EHBAB]

For each 11th or 12th grade student who has failed to comply with the EOC assessment instrument performance requirements under Education Code 39.025 for not more than two courses, the district shall establish an IGC at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an IGC decision before the student's 12th grade year.

The IGC shall be composed of:

1. The principal or principal's designee;
2. For each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;
3. The department chair or lead teacher supervising the teacher(s) above; and
4. As applicable:
  - a. The student's parent or person standing in parental relation to the student;
  - b. A designated advocate if the parent is unable to serve; or
  - c. The student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

The superintendent shall establish procedures for convening the committee.

The district shall provide an appropriate translator, if available, for a parent, advocate, or student who is unable to speak English.

*Education Code 28.0258(a)-(c), (c-2); 19 TAC 74.1025(b)*

A district may not establish an initial IGC for eligible students after June 10 or before the start of the next school year. Once the IGC has been established, it is the original IGC for that student.

If a student leaves a district after an original IGC has been established and before that original IGC awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original IGC of record and shall implement the original IGC recommendations to the extent possible.

*Alternate  
Members*

In the event that the teacher identified in item 2 above is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

In the event that the individual identified above in item 3 above is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the IGC, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

*19 TAC 74.1025(c), (e), (g)-(i)*

*Notice*

A district shall ensure a good faith effort is made to timely notify the appropriate person described under item 4 above of the time and place for convening the IGC and the purpose of the committee. The notice must be provided in person or by regular mail or email; clear and easy to understand; and written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person. *Education Code 28.0258(d)*

*Curriculum  
Requirements*

To be eligible to graduate and receive a high school diploma from the IGC, a student must successfully complete the curriculum requirements required for high school graduation. [See State Graduation Requirements, below] *Education Code 28.0258(e)*

ACADEMIC ACHIEVEMENT  
GRADUATION

EIF  
(LEGAL)

*Additional  
Requirements to  
Graduate*

A student's IGC shall recommend additional requirements by which the student may qualify to graduate, including additional remediation; and for each EOC assessment instrument on which the student failed to perform satisfactorily:

1. The completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or
2. The preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

A student may submit to the IGC coursework previously completed to satisfy a recommended additional requirement.

*Education Code 28.0258(f), (g)*

In determining whether a student is qualified to graduate, the committee shall consider the criteria at Education Code 28.0258(h) and any other academic information designated for consideration by the board. After considering the criteria, the committee may determine that the student is qualified to graduate. A student may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee, the student meets applicable curriculum requirements, and the committee's vote is unanimous. The decision of a committee is final and may not be appealed. *Education Code 28.0258(i)*

*Emergent  
Bilingual  
Students*

For provisions related to an IGC and emergent bilingual students, see EKBA.

Special Education

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation. *19 TAC 101.3023(a)* [See Graduation of Students Receiving Special Education Services, below, and EKB]

Posthumous  
Diploma

Beginning with students who would have graduated at the end of the 2019-20 school year, and on request of the student's parent, a district shall issue a high school diploma posthumously to each student who died while enrolled in the district at the end of the school year in which the student was expected to graduate under the regular schedule of school attendance. The high school diploma may not be issued before the graduation date of the class in which the student was enrolled at the time of death.

*Exception*

A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Penal Code Title 5 or 6 or adjudicated as having engaged in conduct constituting a felony offense under Penal Code Title 5 or 6.

*Education Code 28.0254*

Diplomas for  
Veterans

Notwithstanding any other provision of this policy, a district may issue a high school diploma to a person who is an honorably discharged member of the armed forces of the United States; was scheduled to graduate from high school after 1940 and before 1975 or after 1989; and left school after completing the sixth or a higher grade, before graduating from high school, to serve in:

1. World War II, the Korean War, the Vietnam War, the Persian Gulf War, the Iraq War, or the war in Afghanistan; or
2. Any other war formally declared by the United States, military engagement authorized by the United States Congress, military engagement authorized by a United Nations Security Council resolution and funded by the United States Congress, or conflict authorized by the president of the United States under the War Powers Resolution of 1973, 50 U.S.C. 1541, et seq.

*Education Code 28.0251*

**Texas First Early  
High School  
Completion Program**

A district shall allow a student to graduate and receive a high school diploma under the Texas First Early High School Completion Program if, using the standards established by TEA and the Texas Higher Education Coordinating Board and eligible institutions of higher education, the student demonstrates mastery of and early readiness for college in each of the subject areas described by the standards and in a language other than English, notwithstanding any other local or state requirements.

A student who earns a high school diploma through the program is considered to have earned a distinguished level of achievement.

Notice Upon  
Enrollment

On a student's initial enrollment in high school in a grade level below grade 12 in a district, the district shall provide to the student and the student's parent or guardian information regarding the requirements to earn a high school diploma under the Texas First Early High School Completion Program and the Texas First Scholarship Program.

*Education Code 28.0253(e)-(g); 19 TAC 21.52(a)*

The notice must include information about the requirement that a student must provide an official copy of their assessment results

and transcripts, as applicable, to receive credit for the assessments and credits required to receive early graduation from the program. *19 TAC 21.54*

**Personal Graduation Plan**

Junior High or  
Middle School PGP

A principal of a junior high or middle school shall designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in the junior high or middle school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level 9, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];
4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

*Education Code 28.0212*

*Students  
Receiving  
Special  
Education  
Services*

For a student receiving special education services, the student's ARD committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

*Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]*

High School PGP

A principal of a high school shall designate a school counselor or school administrator to review PGP options with each student entering grade 9 together with that student's parent or guardian. The

PGP options reviewed must include the distinguished level of achievement and endorsements.

Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a PGP for the student that identifies a course of study that:

1. Promotes college and workforce readiness and career placement and advancement; and
2. Facilitates the student's transition from secondary to postsecondary education.

A district may not prevent a student and the student's parent or guardian from confirming a PGP that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's PGP after the initial confirmation of the plan. If a student amends the student's PGP, the school must send written notice to the student's parents regarding the change.

TEA must make available to a district information that explains the advantages of the distinguished level of achievement described by Education Code 28.025(b-15) and each endorsement described by Education Code 28.025(c-1). A district, in turn, shall publish the information from TEA on the internet website of the district and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient.

A district is required to provide this information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

*Education Code 28.02121*

**Early Graduation**

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), (b)* [See FMH, FNG]

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**State Graduation  
Requirements**

**Note:** For current state graduation requirements, including those for students who entered grade 9 before the 2007-08 school year but that are not otherwise referenced in this policy, see Education Code 28.025 and 19 Administrative Code Chapter 74.

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Students Entering  
Grade 9

To receive a high school diploma, a student entering grade 9 in the 2014-15 school year and thereafter must complete:

1. Requirements of the foundation high school program under 19 Administrative Code 74.12 [see Foundation High School Program, below];
2. Testing requirements for graduation under 19 Administrative Code Chapter 101 [see EKB]; and
3. Demonstrated proficiency, in grade 8 or higher, as determined by the district, in delivering clear verbal messages; choosing effective nonverbal behaviors; listening for desired results; applying valid critical-thinking and problem-solving processes; and identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.

A student shall enroll in the courses necessary to complete the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement.

*Education Code 28.025(c); 19 TAC 74.11(a), (d)*

*Foundation High  
School Program*

A student must earn at least 22 credits to complete the foundation high school program and must demonstrate proficiency in the following core courses:

1. English language arts — 4 credits;
2. Mathematics — 3 credits;
3. Science — 3 credits;
4. Social Studies — 3 credits;
5. Languages other than English — 2 credits;
6. Physical Education — 1 credit;
7. Fine Arts — 1 credit; and
8. Elective courses — 5 credits.

*19 TAC 74.12(a)-(b)*

*Endorsements*

A student shall specify in writing an endorsement the student intends to earn upon entering grade 9. *19 TAC 74.13(a)*

A student may earn any of the following endorsements:

1. Science, technology, engineering, and mathematics (STEM);
2. Business and industry;
3. Public services;
4. Arts and humanities; and
5. Multidisciplinary studies.

A district must make at least one endorsement available to students. A district that offers only one endorsement curriculum must offer multidisciplinary studies.

To earn an endorsement a student must demonstrate proficiency in the curriculum requirements for the foundation high school program and, in accordance with 19 Administrative Code 74.13(e), earn:

1. A fourth credit in mathematics;
2. An additional credit in science; and
3. Two additional elective credits.

A course completed as part of the four courses needed to satisfy an endorsement requirement may also satisfy a requirement under the foundation high school program, including an elective requirement. The same course may count as part of the set of four courses for more than one endorsement.

A district shall permit a student to enroll in courses under more than one endorsement before the student's junior year and to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated.

A student must earn at least 26 credits to earn an endorsement, but a student is not entitled to remain enrolled to earn more than 26 credits.

A district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in 19 Administrative Code Chapters 110-117, 127, and 130 are followed.

*19 TAC 74.13(a)-(d); Education Code 28.025*

For more information on endorsements, including the requirements for specific endorsements, see 19 Administrative Code 74.13(e)-(g).

Exception

A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:

1. The student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
2. The student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by TEA, allowing the student to graduate under the foundation high school program without earning an endorsement.

*19 TAC 74.11(e)*

*Distinguished  
Level of  
Achievement*

A student may earn a distinguished level of achievement by successfully completing the curriculum requirements for the foundation high school program and the curriculum requirements for at least one endorsement, including four credits in science and four credits in mathematics, including Algebra II. *19 TAC 74.11(f)*

*Algebra II  
Notification*

Not later than September 1 of each school year, a district shall notify by regular mail or email the parent of or other person standing in parental relation to each student enrolled in grade 9 or above that the student is not required to complete an Algebra II course to graduate under the foundation high school program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course, including the impact on eligibility for:

1. Automatic college admission under Education Code 51.803; and
2. Certain financial aid authorized under Title 3 of the Education Code.

*Education Code 28.02123*

*Prerequisites*

A student may not be enrolled in a course that has a required prerequisite unless:

1. The student has completed the prerequisite course(s);
2. The student has demonstrated equivalent knowledge as determined by the district; or

3. The student was already enrolled in the course in an out-of-state, an out-of-country, or a Texas nonpublic school and transferred to a Texas public school prior to successfully completing the course.

A district may award credit for a course a student completed without having met the prerequisites if the student completed the course in an out-of-state, an out-of-country, or a Texas nonpublic school where there was not a prerequisite.

*19 TAC 74.11(j)-(k)*

*Dual Credit  
Courses*

Courses offered for dual credit at or in conjunction with an institution of higher education (IHE) that provide advanced academic instruction beyond, or in greater depth than, the essential knowledge and skills for the equivalent high school course required for graduation may satisfy graduation requirements, including requirements for required courses, advanced courses, and courses for elective credit as well as requirements for endorsements. *19 TAC 74.11(i)*

*Core Curriculum  
College Courses*

A district shall permit a student to comply with the curriculum requirements under the foundation high school program by successfully completing appropriate courses in the core curriculum of an IHE. A student who has completed the core curriculum of an IHE in accordance with Education Code 61.822, as certified by the IHE in accordance with Education Code 4.28:

1. Is considered to have earned an endorsement by successfully completing the appropriate courses for that endorsement;
2. Is considered to have earned a distinguished level of achievement under the foundation high school program; and
3. Is entitled to receive a high school diploma.

*19 TAC 74.11(o)*

*Languages Other  
Than English*

Students may earn credit for languages other than English in accordance with 19 Administrative Code 74.12(b)(5).

A student who successfully completes a dual language immersion program may satisfy one credit of the two credits required in a language other than English in accordance with 19 Administrative Code 74.12(b)(5)(F).

*19 TAC 74.12(b)(5)*

A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English. *19 TAC 74.12(b)(5)(G)*

*Physical  
Education*

The required credit may be selected from one full credit or a combination of two half credits from two different courses from the following courses:

1. Lifetime Fitness and Wellness Pursuits;
2. Lifetime Recreation and Outdoor Pursuits; and
3. Skill-Based Lifetime Activities.

*Other Physical  
Education  
Activities*

In accordance with local district policy, the required physical education credit may be earned through completion of any TEKS-based course that meets the requirement for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement. [See Restrictions, below]

In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

1. Athletics;
2. Junior Reserve Officer Training Corps (JROTC); and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
  - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
  - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the required physical education courses may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions

All substitution activities permitted by local district policy must include at least 100 minutes of moderate to vigorous physical activity per five-day school week.

No more than four substitution credits may be earned through any combination of substitutions listed above.

Credit may not be earned more than once for the Lifetime Fitness and Wellness Pursuits course or the Skill-Based Lifetime Activities course. Credit may not be earned more than twice for the Lifetime Recreation and Outdoor Pursuits course.

Student with  
Disability or  
Illness

A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, social studies, or a course that is offered for credit as provided by Education Code 28.002(g-1) for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:

1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;
2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or
3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.

*19 TAC 74.12(b)(6); Education Code 28.025(b-10)-(b-11)*

*Community-  
Based Fine Arts  
Programs*

In accordance with local district policy, the required fine arts credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled.

In accordance with local policy, credit may be earned through participation in the community-based fine arts program only if the program meets each of the following requirements:

1. The district must apply to the commissioner for approval of the community-based fine arts program;
2. The board must certify that the program provides instruction in the essential knowledge and skills for fine arts as defined by 19 Administrative Code Chapter 117, Subchapter C;
3. The district must document student completion of the approved activity;
4. The program must be organized and monitored by appropriately trained instructors;
5. The fine arts program may be provided on or off a school campus and outside the regular school day; and
6. Students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program.

The district shall require that instructors of the community-based fine arts program provide the district, at its request, the information necessary to obtain the criminal history record information required for school personnel in accordance with 19 Administrative Code Chapter 153, Subchapter DD, if the community-based program is offered on campus.

*Education Code 28.025(b-9); 19 TAC 74.12(b)(7)(B), .1030*

*Performance  
Acknowledgments*

In accordance with the requirements of 19 Administrative Code 74.14, a student may earn a performance acknowledgment on the student's transcript for:

1. Outstanding performance:
  - a. In a dual credit course;
  - b. In bilingualism and biliteracy;
  - c. On a College Board advanced placement test or international baccalaureate examination;

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GRADUATION

EIF  
(LEGAL)

- d. On an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
  - e. On an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
2. Earning a state-recognized or nationally or internationally recognized business or industry certification or license.

*Education Code 28.025(c-5); 19 TAC 74.14*

Students Who  
Entered Grade 9  
Before the 2014-15  
School Year

*Minimum High  
School Program*

All credit for graduation must be earned no later than grade 12. *19 TAC 74.61(b), .71(b)*

A student entering grade 9 prior to the 2014-15 school year who does not choose to complete the curriculum requirements for high school graduation under the foundation high school program must enroll in the courses necessary to complete the curriculum requirements for the Recommended High School Program or the Advanced/Distinguished Achievement High School Program, unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program, and the student:

1. Is at least 16 years of age;
2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or
3. Has failed to be promoted to the 10th grade one or more times as determined by the school district.

Students with  
Disabilities

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

Applicability

A student who was permitted to take courses under the Minimum High School Program prior to the 2009-10 school year may remain in the Minimum High School Program.

*19 TAC 74.61(c), (d), .71(c), (d)*

Requirements

A student must earn at least 22 credits to complete the Minimum High School Program.

A student who entered grade 9 in the 2012-13 or 2013-14 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.72.

A student who enters grade 9 before the 2012-13 school year must meet the applicable program requirements in 19 Administrative Code Chapter 74, Subchapters D-F.

*Education Code 28.025; 19 TAC 74.62, .72*

*Recommended  
High School  
Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.73. *Education Code 28.025; 19 TAC 74.63, .73*

*Advanced /  
Distinguished  
Achievement  
High School  
Program*

A student who entered grade 9 in the 2012-13 or 2013-14 school year must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.74. *Education Code 28.025; 19 TAC 74.64, .74*

*Substitutions*

No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State Board rule. *19 TAC 74.63(d), .64(e), .73(d), .74(e)*

*AP or IB Courses*

College Board advanced placement and international baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. *19 TAC 74.61(k), .71(i)*

*Reading*

A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district:

1. Adopts policies to identify students in need of additional reading instruction;
2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and
3. Monitors instructional activities to ensure that student needs are addressed.

Reading credits may be selected from Reading I, II, or III.

*19 TAC 74.61(h), .71(f)*

*College Courses* A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an IHE. 19 TAC 74.61(l), .71(j)

*Physical Education Substitutions* In accordance with local district policy, credit for any physical education course may be earned through participation in the following activities:

Other Physical Activity

1. Athletics;
2. JROTC; and
3. Appropriate private or commercially sponsored physical activity programs conducted on or off campus. A district must apply to the commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
  - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
  - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

In accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:

1. Drill team;
2. Marching band; and
3. Cheerleading.

Restrictions	<p>All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.</p> <p>No more than four substitution credits may be earned through any combination of substitutions listed above.</p>
<i>Student with Disability or Illness</i>	<p>A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit in English language arts, mathematics, science, or social studies for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student's ability to participate in physical activity must be made by:</p> <ol style="list-style-type: none"><li>1. The student's ARD committee if the student receives special education services under Education Code Chapter 29, Subchapter A;</li><li>2. The committee established for the student under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) if the student does not receive special education services under Education Code Chapter 29, Subchapter A but is covered by the Rehabilitation Act of 1973; or</li><li>3. A committee, established by the district, of persons with appropriate knowledge regarding the student if each of the committees described above is inapplicable. This committee must follow the same procedures required of an ARD or a Section 504 committee.</li></ol>
<i>Student with Physical Limitations</i>	<p>If a student entering grade 9 during the 2007-08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity.</p> <p><i>Education Code 28.025(b-10)-(b-11); 19 TAC 74.62(b)(7), .63(b)(7), .64(b)(7), .72(b)(6), .73(b)(6), .74(b)(6)</i></p>
<b>Transfers from Out-of-State or Nonpublic Schools</b>	<p>Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enrollment may be satisfied through credit by examination, correspon-</p>

dence courses, distance learning, or completing the course, according to the provisions of 19 Administrative Code 74.26. 19 TAC 74.11(g) [See EHDB, EHDC, EHDE, and EI]

**Graduation of  
Students Receiving  
Special Education  
Services**

Modified Curriculum  
and Content

Modified curriculum and modified content refer to any reduction of the amount or complexity of the required knowledge and skills in 19 Administrative Code Chapters 110-117, 126-128, and 130. Substitutions that are specifically authorized in statute or rule must not be considered modified curriculum or modified content. 19 TAC 89.1070(k)

Employability and  
Self-Help Skills

Employability and self-help skills are those skills directly related to the preparation of students for employment, including general skills necessary to obtain or retain employment. 19 TAC 89.1070(i)

Summary of  
Academic  
Achievement and  
Evaluation

A summary of academic achievement and functional performance must be provided prior to exit from public school for students who meet one of the following conditions:

1. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(1) or who has exceeded the maximum age eligibility as described by 19 Administrative Code 89.1035; or
2. A student who has met requirements for graduation specified in 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C). A student meeting this condition is entitled to an evaluation as described by 34 C.F.R. 300.305(e)(1).

The summary of performance must include recommendations on how to assist the student in meeting the student's postsecondary goals, as required by 34 C.F.R. 300.305(e)(3). This summary must also consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. Students who meet graduation requirements under 19 Administrative Code 89.1070(b)(2) or (b)(3)(A), (B), or (C) and who will continue enrollment in public school to receive special education services aligned to their transition plan will be provided the summary of performance upon exit from the public school system. These students are entitled to participate in commencement ceremonies and receive a certificate of attendance after completing four years of high school.

19 TAC 89.1070 (f)-(h)

*Graduation  
Criteria*

A student who receives special education services may graduate and be awarded a diploma if the student meets one of the following conditions:

1. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; satisfactorily completed credit requirements for graduation under the foundation high school program applicable to students in general education; and demonstrated satisfactory performance as established in Education Code Chapters 28 and 39, on the required EOC assessment instruments, which could include meeting the requirements of 19 Administrative Code 89.1070(d).
2. The student has demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130; the student has satisfactorily completed credit requirements for graduation under the foundation high school program specified in 19 Administrative Code 74.12 applicable to students in general education; and the student's ARD committee has determined that satisfactory performance, beyond what would otherwise be required in 19 Administrative Code 89.1070(b)(1) and (d), on the required EOC assessment instruments is not required for graduation.
3. The student has satisfactorily completed credit requirements for graduation under the foundation high school program, one or more of which contain modified curriculum that is aligned to the standards applicable to students in general education; demonstrated mastery of the required state standards (or district standards if greater) in 19 Administrative Code Chapters 110-117, 126-128, and 130 in accordance with modified content and curriculum expectations established in the student's IEP; and demonstrated satisfactory performance on the required EOC assessment instruments, unless the student's ARD committee has determined that satisfactory performance on the required EOC assessment instruments is not required for graduation. The student must also successfully complete the student's IEP and meet one of the following conditions:
  - a. Consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;
  - b. Consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help

skills that do not require direct ongoing educational support of the local school district; or

- c. The student has access to services or other supports that are not within the legal responsibility of public education, including employment or postsecondary education established through transition planning.

When a student receives a diploma under item 2 or 3(a), (b), or (c), above, the ARD committee must determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

*19 TAC 89.1070(b), (j)*

*Endorsements*

A student who is enrolled in a special education program may earn an endorsement on the student's transcript by:

1. Successfully completing, with or without modification of the curriculum:
  - a. The curriculum requirements identified by the SBOE for the foundation high school program; and
  - b. The additional endorsement curriculum requirements prescribed by the SBOE; and
2. Successfully completing all curriculum requirements for that endorsement adopted by the SBOE:
  - a. Without modification of the curriculum; or
  - b. With modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee.

The ARD committee of a student in a special education program shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.

*Education Code 28.025(c-7)-(c-8), 19 TAC 89.1070(c)*

**Graduation of  
Military Dependents**

Course Waiver

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

Transfers During  
Senior Year

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

Substitute Passing  
Standard

The commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the 10th-grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

*Education Code 162.002 art. VII, A, C [See FDD]*

**Graduation of  
Student Who Is  
Homeless or in  
Conservatorship of  
DFPS**

If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred. *Education Code 28.025(i)*

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**Note:** The Board has adopted an [innovation plan](#)<sup>1</sup> that affects application of provisions in this legally referenced policy.

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**Agreement Between Districts**

The boards of two or more adjoining school districts or the boards of county school trustees of two or more adjoining counties may, by agreement and in accordance with Education Code 25.032-.034, arrange for the transfer and assignment of any student from the jurisdiction of one board to that of another. In the case of the transfer and assignment of a student under this provision, the participating governing boards shall also agree to the transfer of school funds or other payments proportionate to the transfer of attendance. *Education Code 25.035*

**Initiated by Student or Parent**

Any student, other than a high school graduate, who is under 21 years of age and eligible for enrollment on September 1, may transfer to another Texas district, provided that both the receiving district and the applicant's parent, guardian, or person having lawful control agree in writing to the transfer.

Discipline and  
Threat Assessment  
Records

In the case of a transfer under this provision, a child's district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Education Code 37.115 [see FFB].

Effective August 1, 2025, a district shall utilize Sentinel to securely transfer any threat assessment conducted on a student to a receiving district when a student transfers to a new district [see CKA]. All threat assessments for a student are subject to the transfer requirement. Any threat assessments conducted prior to August 1, 2025, that are associated with a student transfer shall be uploaded into Sentinel in a manner determined by the Texas Education Agency (TEA).

*Education Code 25.036; 19 TAC 103.1213(e)(1)(B)* [See FD for placement of transfer students.]

**Transfer to a District Offering In-Person Instruction**

If a district provides notice to the parent or person standing in parental relation to a student enrolled in the district of the district's intent to offer only virtual instruction for more than one grading period during a school year, the student may transfer for that school year to another district that offers in-person instruction during that school year and accepts the student's transfer.

"Virtual instruction" means instructional activities delivered to students primarily over the internet.

A student who transfers to another school district under this section may not be charged tuition. The student is included in the average daily attendance of the district in which the student attends school.

*Education Code 25.045*

**Basis for Transfer**

A board or its designee must make transfer decisions on an individual basis and may not consider as a factor in arriving at any decision regarding assignments any matter relating to the national origin of the student or the student's ancestral language. *Education Code 25.032* [See FDAA]

**Transportation**

A board may establish and operate an economical public school transportation system outside the district if students enrolled in the district reside outside the district and the district meets the requirements of Education Code 34.007(a)(3) [see CNA]. *Education Code 34.007(a)*

**Funding for Transfers**

Upon the filing and certification of any transfer, the state per capita apportionment shall transfer with the student. For purposes of computing state allotments to districts eligible under the Foundation School Program, the student's attendance prior to the date of transfer shall be counted by the sending district and the student's attendance after transfer shall be counted by the receiving district. *Education Code 25.037*

**Credits and Records**

Credits earned in local credit courses may be transferred at the enrolling district's discretion. Transfer students shall not be prohibited from attending school pending receipt of transcripts or academic records from the district the student previously attended. *19 TAC 74.26(a)(1)*

Nonpublic Schools

Records and transcripts of students from Texas nonpublic schools or from out of state or out of the country (including foreign exchange students) shall be evaluated, and students shall be placed promptly in appropriate classes. A district may use a wide variety of methods to verify the content of courses for which a transfer student has earned credit. *19 TAC 74.26(a)(2)*

**Tuition Fee for Transfer Students**

A receiving district may charge a tuition fee to the extent that the district's actual expenditure per student in average daily attendance exceeds the sum of state available school fund apportionment benefits transferred under Education Code 25.037. However, unless a tuition fee is prescribed and set out in a transfer agreement prior to its execution by the parties, no increase in tuition charge shall be made for the year of that transfer that exceeds the tuition charge, if any, of the preceding school year. *Education Code 25.038*

**Transfer by  
Servicemember  
Request**

On request of a servicemember who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another school district under an agreement under Education Code 25.035 [see Agreement Between Districts, above].

"Servicemember" means an active duty member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Texas National Guard.

A transfer under this provision must be to the campus or district, as applicable, selected by the servicemember making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

*Education Code 25.0344*

**Transfer by Peace  
Officer Request**

On request of a peace officer who is a parent of or person standing in parental relation to a student, the board or the board's designee shall transfer the student to another district campus or to another district under an agreement under Education Code 25.035.

"Peace officer" has the meaning assigned by Occupations Code 1701.001.

A transfer under this provision must be to the campus or school district, as applicable, selected by the peace officer making the request.

A district is not required to provide transportation to a student who transfers to another campus or district under this provision.

*Education Code 25.0344*

**Transfers to  
Adjoining States**

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**Note:** The following provision applies to a district located on the border of an adjoining state.

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Any student who would be entitled to attend the public school of any district situated on the border of Louisiana, Arkansas, Oklahoma, or New Mexico and who may find it more convenient to attend the public school in a district in one of those contiguous states, may have the state and county per capita apportionment of the available school funds paid to the school district of the contiguous state and may have additional tuition, if necessary, paid by the district of residence on such terms as may be agreed upon by the trustees of the receiving district and the trustees of the residence district. *Education Code 25.040*

**Contracts for  
Education Outside  
Districts**

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**Note:** The following section applies only to districts that do not offer all grades, kindergarten-grade 12.

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A district that does not offer each grade, kindergarten-grade 12, may provide by contract for students residing in the district who are at grade levels not offered by the district to be educated at those grade levels in one or more other districts. In each contract, the districts also shall agree to the transfer of school funds or other payments proportionate to the transfer of attendance.

Tuition

The district in which the students reside shall pay tuition to any district with which it has a contract under this section for each of its students attending school in that district at a grade level for which the district has contracted. The amount of the tuition paid may not exceed the greater of the amount provided for by Education Code 25.038 [see above], or an amount specified by commissioner rule [see below].

A district is not required to pay tuition to any district with which it has not contracted for the attendance by any of its students at a grade level for which it has contracted under this provision with another district.

A contract under this provision may not be for a period exceeding five years.

*Education Code 25.039*

*Definitions*

“Home district” means a district of residence of a transferring student.

“Receiving district” means a district to which a student is transferring for the purpose of obtaining an education.

“Tuition” means an amount charged to the home district by the receiving district to educate the transfer student.

*Tuition Allotment  
of the Home  
District*

For the purposes of calculating the tuition allotment of the home district as authorized by Education Code 48.154, the amount of tuition that may be attributed to a home district for a transfer student in payment for that student’s education may not exceed an amount per enrollee calculated for each receiving district. The calculated limit applies only to tuition paid to a receiving district for the education of a student at a grade level not offered in the home district. Tuition may be set at a rate higher than the calculated limit if both districts enter a written agreement, but the calculated tuition limit will be used in the calculation of the tuition allotment for the home district. The calculation will use the most currently available data in an ongoing school year to determine the limit that applies to the

subsequent school year. For purposes of this provision, the number of students enrolled in a district will be appropriately adjusted to account for students ineligible for the Foundation School Program funding and those eligible for half-day attendance.

*Calculated  
Tuition Limit*

The calculated tuition limit is the sum of the excess maintenance and operations (M&O) revenue per enrollee and the excess debt revenue per enrollee, as calculated in 19 Administrative Code 61.1012(b)(2)-(3).

*Notification and  
Appeal Process*

In the spring of each school year, the commissioner will provide each district with its calculated tuition limit and a worksheet with a description of the derivation process. A district may appeal to the commissioner if it can provide evidence that the use of projected student counts from the LPE in making the calculation is so inaccurate as to result in an inappropriately low authorized tuition charge and undue financial hardship. A district that used significant nontax sources to make any of its debt service payments during the base year for the computation may appeal to the commissioner to use projections of its tax collections for the year for which the tuition limit will apply. The commissioner's decision regarding an appeal is final.

*19 TAC 61.1012*

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<sup>1</sup> Innovation Plan: <https://www.florenceisd.net/>



**Safe Schools Data**

The Superintendent shall ensure that the District complies with Texas Education Agency (TEA) guidelines for the collection and maintenance of data regarding:

1. Mandatory expellable offenses committed at school or at a school-related or school-sponsored activity, on or off school property [see FOD]; and
2. Any student who becomes a victim of one of the following violent criminal offenses while on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property:
  - a. Attempted murder;
  - b. Indecency with a child;
  - c. Aggravated kidnapping;
  - d. Aggravated assault on someone other than a District employee or volunteer;
  - e. Sexual assault or aggravated sexual assault against someone other than a District employee or volunteer;
  - f. Aggravated robbery;
  - g. Continuous sexual abuse of a young child or disabled individual; or
  - h. Bullying.

**School Safety Transfers**

The parent of a student who becomes a victim of a violent criminal offense as described in the state guidance for unsafe school choice options or who is assigned to a campus identified by TEA as persistently dangerous shall be offered a transfer to a safe public or charter school within the District.

For each transfer requested, the District shall explore transfer options, as appropriate. Options may include a transfer agreement with another school district.

**From a Persistently Dangerous School**

The parent of a student attending a school identified as persistently dangerous shall be provided notification of his or her right to request a transfer. Notification shall occur at least 14 days prior to the start of the school year or, for a student enrolling subsequently, upon the student's enrollment.

The parent must submit to the Superintendent an application for transfer. The Superintendent shall complete the transfer prior to the beginning of the school year, if applicable, or within 14 calendar days of the request for a subsequently enrolling student.

Any transfer arranged for a student from a campus identified by TEA as persistently dangerous shall be renewed so long as the campus from which the student transferred retains that designation.

The District shall maintain, in accordance with the District's record retention schedule, documentation of notification to parents of the transfer option, transfer applications submitted, and action taken.

For a Victim of a  
Violent Criminal  
Offense

Within 14 calendar days after a violent criminal offense described above occurs in or on the premises of the school the student attends or while attending a school-sponsored or school-related activity, on or off school property, the District shall notify the parent of a student who is a victim of the offense of the parent's right to request a transfer. The parent must submit to the Superintendent an application for transfer. The Superintendent shall approve or disapprove the request within 14 calendar days of its submission.

Any transfer arranged for a student who was a victim of a violent crime as described above shall be renewed so long as the threat to the student exists at the campus to which the student would typically be assigned.

For each offense, the District shall maintain for at least five years documentation of the nature and date of the offense, notification to the parent of the transfer option, transfer applications submitted, action taken, and other relevant information regarding the offense.

**Additional Transfer  
Options**

In circumstances described by Education Code 25.0341, a parent of a student who has been the victim of a sexual assault, regardless of whether the offense occurred on or off school property, may request a transfer of the parent's child or the student assailant from the same campus.

[For other transfer provisions, see also FDA and FDB.]

**Absences  
Considered**

Except as otherwise provided by law, all absences incurred while enrolled in the District shall be considered in determining whether a student has been in attendance for 90 percent of the days the class is offered.

**Attendance  
Committees**

The Board authorizes the establishment of an attendance committee or as many attendance committees as necessary for efficient implementation of state law.

The Superintendent is authorized to make the specific appointments in accordance with legal requirements.

**Parental Notice of  
Excessive Absences**

A student and the student's parent or guardian shall be given written notice prior to and at such time when a student's attendance in any class drops below 90 percent of the days the class is offered.

**Methods for  
Regaining Credit or  
Awarding a Final  
Grade**

When a student's attendance drops below 90 percent but remains at least at 75 percent of the days the class is offered, the student may earn credit for the class or a final grade by completing a plan approved by the principal. This plan must provide for the student to meet the instructional requirements of the class as determined by the principal.

If the student fails to successfully complete the plan, or when a student's attendance drops below 75 percent of the days the class is offered, the student, parent, or representative may request award of credit or a final grade by submitting a written petition to the appropriate attendance committee.

A petition for credit or a final grade may be filed in accordance with administrative regulations. The attendance committee shall review the student's entire attendance record and the reasons for absences and shall determine whether to award credit or a final grade. [See Imposing Conditions for Awarding Credit or a Final Grade, below]

Regardless of whether a petition is filed, the attendance committee may also review the records of all students whose attendance drops below 90 percent of the days the class is offered.

A student who has lost credit or has not received a final grade because of excessive absences may regain credit or be awarded a final grade by fulfilling the requirements established by the attendance committee.

**Personal Illness**

The principal or attendance committee may require verification from a health-care provider in accordance with administrative regulations as a condition of classifying an absence for personal illness as one for which there are extenuating circumstances.

**Best Interest Standard**

In reaching consensus regarding a student's absences and how the student can be awarded credit or a final grade, the attendance committee shall attempt to ensure that its decision is in the best interest of the student. The Superintendent shall develop administrative regulations to document the attendance committee's decision.

**Guidelines on Extenuating Circumstances**

The attendance committee shall consider whether a student has mastered the essential knowledge and skills and maintained passing grades in the course or subject.

When makeup work is completed satisfactorily, the attendance committee shall consider extracurricular absences and other excused absences as days of attendance for award of credit or a final grade. [See FEA]

The attendance committee shall consider whether the reasons for the absences were out of the parent's or student's control and whether documentation for the absence is acceptable.

The student or parent shall be given an opportunity to present any information to the committee about the absences and to discuss ways to earn or regain credit or be awarded a final grade.

**Imposing Conditions for Awarding Credit or a Final Grade**

The attendance committee or principal, as applicable, is not required to assign a student to attend a specified program for an amount of time equivalent to the student's absences (i.e., "seat time").

The attendance committee or principal, as applicable, shall consider the student's unique circumstances and, if necessary, shall impose other conditions for awarding credit or a final grade that permit the student to meet the instructional requirements of the class. Conditions may include:

1. Maintaining attendance standards for the rest of the semester.
2. Completing additional assignments, as specified by the committee or teacher.
3. Attending tutorial sessions as scheduled.
4. Completing other instructional programs, as specified by the committee.
5. Taking an examination to earn credit. [See EHDB]

In all cases, the student must earn a passing grade in order to receive credit.

**Appeal Process**

A parent or student may appeal the decision of the attendance committee in accordance with FNG(LOCAL).

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**Consent to Medical Treatment**

The school in which a minor student is enrolled may consent to medical, dental, psychological, and surgical treatment of that student, provided all of the following conditions are met:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.
3. Written authorization to consent has been received from that person.

*Family Code 32.001(a)(4)*

**Form of Consent**

Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment. The consent must contain:

1. The name of the student.
2. The name of one or both parents, if known, and the name of the managing conservator or guardian of the student, if either has been appointed.
3. The name of the person giving consent and the person's relation to the student.
4. A statement of the nature of the medical treatment to be given.
5. The date on which the treatment is to begin.

*Family Code 32.002*

**Minor's Consent to Treatment**

A minor may consent to medical, dental, psychological, and surgical treatment furnished by a licensed physician or dentist if the minor:

1. Is 16 years of age and residing separate and apart from the minor's parents, managing conservator, or guardian, with or without the consent of the parents, conservator, or guardian and regardless of the duration of the residence, and is managing his or her own financial affairs, regardless of the source of the income;
2. Consents to the diagnosis and treatment of any infectious, contagious, or communicable disease required to be reported to the Texas Department of State Health Services (DSHS), including all reportable diseases under Health and Safety Code 81.041;

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3. Is unmarried and pregnant, and consents to hospital, medical, or surgical treatment, other than abortion, related to her pregnancy; or
4. Consents to examination and treatment for drug or chemical addiction, drug or chemical dependency, or any other condition directly related to drug or chemical use.

*Family Code 32.003; Planned Parenthood of Cent. Mo. v. Danforth, 428 U.S. 52 (1976); Bellotti v. Baird, 443 U.S. 622 (1979)*

**Telehealth in  
Medicaid Covered  
Services**

Telemedicine medical services and telehealth services authorized as Texas Medicaid covered services must meet the conditions specified in 1 Administrative Code 354.1432(5). 1 TAC 354.1432(5)

**Administering  
Medication**

Upon adoption of policies concerning the administration of medication to students by district employees, the district, its board, and its employees are immune as described below, provided:

1. The district has received a written request to administer the medication from the parent, legal guardian, or other person having legal control of the student.
2. When administering prescription medication, the medication is administered either:
  - a. From a container that appears to be the original container and to be properly labeled; or
  - b. From a properly labeled unit dosage container filled by a registered nurse or another qualified district employee, as determined by district policy, from a container that appears to be the original container and to be properly labeled.

**By Volunteer  
Professionals**

If a district provides liability insurance for a licensed physician or registered nurse who provides volunteer services to the district, a board may allow the physician or nurse to administer to any student nonprescription medication or medication currently prescribed for the student by the student's personal physician.

**Immunity from Civil  
Liability**

A district, a board, and its employees shall be immune from civil liability for damages or injuries resulting from the administration of medication to a student in accordance with this policy.

*Education Code 22.052(a)-(b)*

[See DG regarding protection of nurses for refusal to perform acts.]

**Self-Administration  
of Asthma or  
Anaphylaxis  
Medicine**

A student with asthma or anaphylaxis may possess and self-administer prescription asthma or anaphylaxis medicine while on school property or at a school-related event or activity if:

1. The medicine has been prescribed for that student as indicated by the prescription label on the medicine;
2. The student has demonstrated to the student's physician or other licensed health-care provider and the school nurse, if available, the skill level necessary to self-administer the prescription medication, including the use of any device required to administer the medication;
3. The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health-care provider; and
4. A parent of the student provides to the school:
  - a. Written authorization, signed by the parent, for the student to self-administer the prescription medicine while on school property or at a school-related event or activity; and
  - b. A written statement, signed by the student's physician or other licensed health-care provider, that states:
    - (1) That the student has asthma or anaphylaxis and is capable of self-administering the medicine;
    - (2) The name and purpose of the medicine;
    - (3) The prescribed dosage for the medicine;
    - (4) The times at which or circumstances under which the medicine may be administered; and
    - (5) The period for which the medicine is prescribed.

The physician's statement must be kept on file in the school nurse's office, or, if there is no school nurse, in the office of the principal of the school the student attends.

[See FFAF for care of students with diagnosed food allergies at risk for anaphylaxis.]

**No Waiver of  
Immunity**

The provisions above neither waive any liability or immunity nor create any liability for or a cause of action against a district, a board, or its employees.

*Education Code 38.015*

**Sunscreen Products** A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use. This provision does not waive any immunity from liability of a district, its board, or its employees; or create any liability for or a cause of action against a district, its board, or its employees. *Education Code 38.021*

**Dietary Supplements** A district employee commits a Class C misdemeanor offense if the employee:

1. Knowingly sells, markets, or distributes a dietary supplement that contains performance enhancing compounds to a primary or secondary education student with whom the employee has contact as part of the employee's school district duties; or
2. Knowingly endorses or suggests the ingestion, intranasal application, or inhalation of a dietary supplement that contains performance enhancing compounds by a primary or secondary education student with whom the employee has contact as part of the employee's school district duties.

*Education Code 38.011(a), (c)*

**Prescription Medication and Special Education Students** An employee of a district is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services.

*20 U.S.C. 1412(a)(25)*

[See FFEB for information regarding psychotropic drugs and psychiatric evaluations]

**Low-THC Cannabis** A district may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Texas Compassionate-Use Act. *Health and Safety Code 487.201*

**Dextromethorphan  
(Certain Cold  
Medication)**

A district may not adopt or enforce an ordinance, order, rule, regulation, or policy that governs the sale, distribution, or possession of dextromethorphan. *Health and Safety Code 488.005*

**Maintenance and  
Administration of  
Opioid Antagonists**

Each district shall adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists at each campus in the district that serves students in grades 6 through 12 and may adopt and implement such a policy at each campus in the district, including campuses serving students in a grade level below grade 6.

The policy adopted must:

1. Provide that school personnel and school volunteers who are authorized and trained may administer an opioid antagonist to a person who is reasonably believed to be experiencing an opioid-related drug overdose;
2. Require that each school campus subject to a policy adopted under this provision have one or more school personnel members or school volunteers authorized and trained to administer an opioid antagonist present during regular school hours;
3. Establish the number of opioid antagonists that must be available at each campus at any given time; and
4. Require that the supply of opioid antagonists at each school campus subject to a policy adopted under this provision must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an opioid antagonist.

*Education Code 38.222(a), (c); 25 TAC 40.84(b)-(c); 19 TAC 103.1103*

Definitions

“Authorized health-care provider” means a physician, as defined in Education Code 38.201, or person who has been delegated prescriptive authority by a physician under Occupations Code Chapter 157.

“Campus” means a unit of a district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

“Opioid antagonist” as defined in Health and Safety Code 483.101, means any drug that binds to opioid receptors and blocks or otherwise inhibits the effects of opioids acting on those receptors.

“Opioid-related drug overdose” as defined in Health and Safety Code 483.101, means a condition, evidenced by symptoms of extreme physical illness, decreased level of consciousness, constriction of the pupils, respiratory depression, or coma, that a layperson would reasonably believe to be the result of the consumption or use of an opioid.

*25 TAC 40.82(2)-(3), (5)-(6)*

Maintenance

Once a district adopts an opioid antagonist medication policy, a campus implementing an opioid policy must stock opioid antagonist medication.

Prescription

A campus must obtain a prescription from a physician or a person who has been delegated prescriptive authority to stock, possess, and maintain the established number of doses of opioid antagonists as determined by a district, on each campus as described in Education Code 38.225 (Prescription of Opioid Antagonists).

The campus must renew this prescription or obtain a new prescription annually.

The number of additional doses may be determined by an individual campus review led by a physician or a person who has been delegated prescriptive authority.

*25 TAC 40.85(a)-(b)*

Standing Order

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe opioid antagonists in the name of a school district. *Education Code 38.225(a); 25 TAC 40.85(c)*

Storage of Medication

The unassigned opioid antagonist medication must be stored in a secure location and be easily accessible, in accordance with the manufacturer's guidelines and local policy of the district.

Disposal

Used, unassigned opioid antagonists are considered infectious waste and must be disposed of according to the school's blood-borne pathogen control policy.

Expired, unassigned opioid antagonists must be disposed of in accordance with the Federal Drug Administration's disposal of unused medications guidelines and local policy of the district.

*25 TAC 40.85(d)-(f)*

Reporting Requirement

The campus must submit the report no later than the 10th business day after the date a school personnel member or school volunteer administers an opioid antagonist in accordance with the unassigned opioid antagonist medication policy.

The report shall be submitted to the following individuals and entities:

1. The district;
2. The physician or other person who prescribed the opioid antagonist; and
3. The commissioner of DSHS.

Notifications to the commissioner of DSHS must be submitted on the designated electronic form available on DSHS School Health Program website found at [dshs.texas.gov](https://dshs.texas.gov).

*25 TAC 40.87(b)-(c)*

The school shall report the following information:

1. The age of the person who received the administration of the opioid antagonist;
2. Whether the person who received the administration of the opioid antagonist was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the opioid antagonist was administered;
4. The number of doses of opioid antagonist administered;
5. The title of the person who administered the opioid antagonist; and
6. Any other information required by the commissioner of education.

*Education Code 38.223(b)*

Records Retention

Records relating to implementing and administering the district unassigned opioid antagonist medication policy must be retained per the campus record retention schedule. *25 TAC 40.87(a)*

Training

A district that adopts an opioid antagonist policy is responsible for training school personnel and school volunteers in the administration of an opioid antagonist. *Education Code 38.224(a)*

Training must include information on:

1. Recognizing the signs and symptoms of an opioid-related drug overdose;
2. Responding to an opioid-related drug overdose and administering an opioid antagonist;

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3. Implementing emergency procedures, after administering an opioid antagonist;
4. Understanding the medical purpose and misuse of opioids; and
5. Properly disposing of used or expired opioid antagonists.

Training must:

1. Be provided annually in a formal training session or through online education, including practicing the administration of an opioid antagonist with an opioid antagonist trainer device; and
2. Be provided in accordance with the policy adopted under Education Code 21.4515.

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers who are trained and authorized to administer the unassigned opioid antagonist medication on the campus.

*25 TAC 40.86(b)-(c)*

Gifts, Grants, and  
Donations

A district may accept gifts, grants, donations, and federal and local funds to implement these provisions. *Education Code 38.226*

Immunity

A person who in good faith takes, or fails to take, any action under Education Code Chapter 38, Subchapter E-1 is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.227. *Education Code 38.227*

**Maintenance and  
Administration of  
Epinephrine Auto-  
Injectors**

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**Note:** The following provisions apply only to a district that adopts an unassigned epinephrine auto-injector policy.

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A district may adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district.

If a policy is adopted, the policy:

1. Must provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus; and
2. May provide that school personnel and school volunteers who are authorized and trained may administer an epinephrine auto-injector to a person who is reasonably believed to be ex-

periencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

A district that adopts a policy must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open. The supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

*Education Code 38.208*

A district that chooses to adopt and implement a written unassigned epinephrine auto-injector policy under Education Code Chapter 38, Subchapter E is not required to create an additional policy for care of certain students at risk for anaphylaxis under Education Code 38.0151 [see FFAF]. *25 TAC 40.62(c)*

A district may develop, as part of the policy, provisions for additional doses to be stocked and utilized at off-campus school events, or in transit to or from school events. *25 TAC 40.65(a)(2)*

Definitions

*All Hours the  
Campus Is Open*

“All hours the campus is open” is defined as, at a minimum, during regular on-campus school hours, and when school personnel are physically on site for school-sponsored activities.

*Campus*

A “campus” is defined as a unit of a school district that has an assigned administrator, has enrolled students who are counted for average daily attendance, has assigned instructional staff, provides instructional services to students, has one or more grades in the range from early childhood education through grade 12 or is ungraded, and complies with relevant Texas laws.

*Unassigned  
Epinephrine  
Auto-Injector*

An “unassigned epinephrine auto-injector” is an epinephrine auto-injector prescribed by an authorized health-care provider in the name of the school issued with a non-patient-specific standing delegation order for the administration of an epinephrine auto-injector, issued by a physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157.

*25 TAC 40.63(1), (4), (11)*

Prompt Notification

Local emergency medical services must be promptly notified by the school when an individual is suspected of experiencing anaphylaxis and when an epinephrine auto-injector is administered. If the trained school personnel or school volunteer is the only individual available to notify emergency medical services, the trained individ-

ual should administer the unassigned epinephrine auto-injector before notifying emergency medical services.

The parent, legal guardian, or emergency contact must be promptly notified by the school when an unassigned epinephrine auto-injector is utilized on their child as soon as is feasible during the emergency response to suspected anaphylaxis.

*25 TAC 40.65(e)-(f)*

Records

School records of the administration of the unassigned epinephrine auto-injector and suspected anaphylaxis must be provided to the parent or guardian of the recipient upon request.

Records relating to implementation and administration of the school's unassigned epinephrine auto-injector policy shall be retained per the record retention schedule for records of public school districts found in 13 Administrative Code 7.125 [see CPC].

*25 TAC 40.65(f)-(g)*

Reports

Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with district policy, the school shall send a report to the school district; the physician who prescribed the epinephrine auto-injector; and the commissioner of state health services.

The report must include the following information:

1. The age of the person who received the administration of the epinephrine auto-injector;
2. Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor;
3. The physical location where the epinephrine auto-injector was administered;
4. The number of doses of epinephrine auto-injector administered;
5. The title of the person who administered the epinephrine auto-injector; and
6. Any other information required by the commissioner of education.

*Education Code 38.209*

Notifications to the commissioner of DSHS shall be submitted on the designated electronic form available on the DSHS School Health Program website. *25 TAC 40.68(b)*

Assignment of  
Trained Individuals

At each campus in which a school adopts an unassigned epinephrine auto-injector policy, the principal may assign school personnel or school volunteers to be trained to administer unassigned epinephrine auto-injectors or seek school personnel or school volunteers who volunteer to be trained to administer unassigned epinephrine auto-injectors.

In order to increase the number of trained individuals in the administration of unassigned epinephrine auto-injectors, schools may distribute to school personnel or school volunteers in the district, at least once per school year, a notice that includes a description of the request seeking volunteers to be trained to administer an epinephrine auto-injector to a person believed to be experiencing anaphylaxis and a description of the training that the school personnel or school volunteers will receive in the administration of epinephrine with an auto-injector.

*25 TAC 40.66(a)-(b)*

Signed Statement

Trained school personnel or school volunteers who administer the unassigned epinephrine auto-injector must submit a signed statement indicating that they agree to perform the service of administering an unassigned epinephrine auto-injector to a student or individual that may be experiencing anaphylaxis. *25 TAC 40.66(c)*

Training

A district that adopts an unassigned epinephrine auto-injector written policy is responsible for training school personnel and school volunteers in the administration of an unassigned epinephrine auto-injector.

Training must include information on:

1. Recognizing the signs and symptoms of anaphylaxis;
2. Administering an epinephrine auto-injector;
3. Implementing emergency procedures, if necessary, after administering an epinephrine auto-injector; and
4. Properly disposing of used or expired epinephrine auto-injectors.

Training must be provided in accordance with the district professional development policy [see DMA].

*Education Code 38.210(a), (b)*

Each assigned school personnel or school volunteer shall receive initial training and an annual refresher training.

Training:

1. Shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention;
2. May be provided in a formal face-to-face training session or through an online education course;
3. Must include information on properly inspecting unassigned epinephrine auto-injectors for usage and expiration; and
4. Must include information about promptly notifying local emergency medical services.

*25 TAC 40.67(1)-(2), (5)*

The initial training must include hands-on training with an epinephrine auto-injector trainer. The annual refresher training must include a hands-on demonstration of administration skills.

Each school campus shall maintain training records and make available upon request a list of those school personnel or school volunteers trained and authorized to administer the unassigned epinephrine auto-injector on the campus.

*25 TAC 40.67(3)-(4), (6)*

Standing Orders

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe epinephrine auto-injectors in the name of a district in accordance with law. *Education Code 38.211(a)*

A district shall obtain a prescription from an authorized health-care provider each year, to stock, possess, and maintain at least one unassigned adult epinephrine auto-injector pack (two doses) on each school campus.

A school may choose to stock unassigned pediatric epinephrine auto-injector packs, based on the need of the school's population.

*25 TAC 40.65(a)-(a)(1)*

Epinephrine  
Coordinator

The superintendent will designate appropriate school personnel to coordinate and manage policy implementation, including training of school personnel, and the acquisition or purchase, usage, expiration, and disposal of unassigned epinephrine auto-injectors. Throughout the school calendar year, the designated school per-

	<p>sonnel must coordinate with each campus to ensure that the unassigned epinephrine auto-injectors are checked monthly for expiration and usage and the findings are documented. <i>25 TAC 40.65(b)</i></p>
Notice to Parents	<p>If a district implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district shall provide written notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. <i>Education Code 38.212</i></p> <p>A district shall provide electronic or written notice to the parent or guardian of each student.</p> <p>If a district changes or discontinues the policy under this subchapter, written or electronic notice detailing the change or discontinuation must be provided to the parent or guardian of each student within 15 calendar days.</p> <p><i>25 TAC 40.69</i></p>
Storage	<p>Unassigned epinephrine auto-injectors shall be stored in a secure, easily accessible area for an emergency, in accordance with manufacturer's guidelines. It is recommended that the school administrator develop a map to be placed in high traffic areas that indicates the location of the unassigned epinephrine auto-injectors on each school campus. It is recommended that the map also indicates the locations of the automated external defibrillator (AED). <i>25 TAC 40.65(h)</i></p>
Replacement	<p>The district shall develop a plan to replace, as soon as reasonably possible, any unassigned epinephrine auto-injector that is used or close to expiration. <i>25 TAC 40.65(i)</i></p>
Disposal	<p>Used unassigned epinephrine auto-injectors shall be considered infectious waste and shall be disposed of according to the school's bloodborne pathogen control policy.</p> <p>Expired unassigned epinephrine auto-injectors shall be disposed of according to the school's medication disposal policy.</p> <p><i>25 TAC 40.65(j)-(k)</i> [See DBB]</p>
Gifts, Grants, and Donations	<p>A district may accept gifts, grants, donations, and federal and local funds to implement its policy. <i>Education Code 38.213</i></p>

**Maintenance and  
Administration of  
Medication for  
Respiratory Distress**

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**Note:** The following provisions apply only to a district that adopts a policy on medication for respiratory distress.

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A district may adopt and implement a policy regarding the maintenance, administration, and disposal of unassigned medication for respiratory distress at each campus in the district. *Education Code 38.208(a-1); 25 TAC 40.44(a)*

If a policy is adopted, the policy must provide that school personnel and school volunteers who are authorized and trained may administer medication for respiratory distress to a person reasonably believed to be experiencing respiratory distress on a school campus, or at a school-sponsored or school-related activity on or off school property. *Education Code 38.208(b-1); 25 TAC 40.44(a)(1)(C)*

In developing the policy, a district may consider performing a review to include:

1. Consultation with school nurses, the local school health advisory committee, local health-care providers, or any department or organization involved with student well-being;
2. Campus geography; and
3. Student population size.

*19 TAC 40.44(b)*

An adopted unassigned medication for respiratory distress policy must be publicly available. *25 TAC 40.44(d)*

Definitions

“School personnel” means an employee of a district. The term includes a member of the board.

“School volunteer” means a person providing services for or on behalf of a district, on the premises of the district or at a school-sponsored or school-related activity on or off school property, who does not receive compensation in excess of reimbursement for expenses.

“Unassigned medication for respiratory distress” means albuterol, levalbuterol, or another medication based on the best available medical evidence for the treatment of respiratory distress that is:

1. Delivered by metered-dose inhaler (MDI) with a spacer (valved holding chamber) or by a nebulizer as a rescue medication;
2. Prescribed by an authorized health-care provider in the name of the district;

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3. Issued with a non-patient-specific standing delegation order for the administration of a medication for respiratory distress; and
4. Issued by an authorized health-care provider.

*Education Code 38.201(3-a), (6), 22.053(b); 25 TAC 40.42(8), (10), (12)*

Each Campus  
During Regular  
School Hours

Each district that adopts a policy must require that each campus have one or more school personnel or school volunteers authorized and trained to administer unassigned medication for respiratory distress present during regular school hours, which means at least 30 minutes before the first bell to 30 minutes after the last bell of the school day. *Education Code 38.208(d-1); 25 TAC 40.42(5), 40.44(a)(1)(C)*

A “campus” is defined as a geographic unit of a district that:

1. Has an assigned administrator;
2. Has enrolled students who are counted for average daily attendance;
3. Has assigned instructional staff;
4. Provides instructional services to students;
5. Has one or more grades in the range from early childhood education through grade 12 or is ungraded; and
6. Is subject to Texas laws.

*25 TAC 40.42(2)*

Medication  
Inventory

Subject to the availability of funding, a district that adopts a policy must allow for treatment of multiple students and secure or obtain at least:

1. One MDI with appropriate spacers (valved holding chambers) to accommodate the developmental needs of the student population; or
2. At least five vials of nebulizer solution with appropriate nebulizer-required equipment to accommodate the developmental needs of the student population.

*25 TAC 40.44(a)(2)*

In addition to the minimum number of doses described above, the number of additional doses may be determined by an individual campus review led by an authorized health-care provider. *25 TAC 40.45(b)(2)*

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Designated  
Campus  
Administrator

A district that adopts a policy must include in the policy the designated campus administrator to coordinate and manage policy implementation for each campus, which includes:

1. Conducting a review at the campus to determine the need for additional doses;
2. Training school personnel and school volunteers;
3. Acquiring or purchasing, maintaining, storing, and using unassigned medication for respiratory distress, subject to available campus funding; and
4. Disposing of expired unassigned medication for respiratory distress.

*25 TAC 40.44(c)(1)*

Notification  
Procedures

Each district that adopts a policy must include in the policy the procedures for notifying a parent, prescribing authorized health-care provider, and the student's primary health-care provider when unassigned medication for respiratory distress is administered. *25 TAC 40.44(c)(4)*

Referral Required

If unassigned medication for respiratory distress is administered to a student whose parent or guardian has not provided notification to the school that the student has been diagnosed with asthma, the school must refer the student to the student's primary care provider on the day the medication for respiratory distress is administered and inform the student's parent or guardian regarding the referral. The referral must include:

1. The symptoms of respiratory distress observed;
2. The name and dosage of the unassigned medication for respiratory distress administered to the student;
3. Any patient care instructions given to the student; and
4. Information about the purpose and use of an asthma action plan and medical authorization for schools, including a blank copy of the plan and authorization the provider completes and returns to the school.

If a student who has received medication for respiratory distress does not have a primary care provider or the parent or guardian of the student has not engaged a primary care provider for the student, the student's parent or guardian must receive information to assist the parent or guardian in selecting a primary care provider for the student.

*Education Code 38.208(b-2)-(b-3); 25 TAC 40.44(c)(6)-(7)*

Storage	<p>The supply of medication for respiratory distress at each campus must be stored in accordance with the manufacturer's guidelines and local policy of the district in a secure location and be easily accessible to authorized school personnel and school volunteers. <i>Education Code 38.208(e-1); 25 TAC 40.45(d)</i></p> <p>The location of the unassigned medication for respiratory distress must be specified in the policy. <i>25 TAC 40.44(c)(3)</i></p>
Disposal	<p>The policy must include a plan to check inventory of unassigned medication for respiratory distress for expiration at least twice during the school year, to replace, as soon as reasonably possible, and to document the findings. <i>25 TAC 40.44(c)(5)</i></p> <p>Expired unassigned medication for respiratory distress and other used or expired supplies must be disposed of in accordance with the manufacturer's guidelines and local policy of the district. <i>25 TAC 40.45(e)</i></p>
Records Retention	<p>Records relating to implementing and administering the district's unassigned medication for respiratory distress policy must be retained per the campus record retention schedule. <i>25 TAC 40.47(a)</i></p>
Training	<p>Each district that adopts a policy for the administration of medication for respiratory distress is responsible for training school personnel and school volunteers in the administration of medication for respiratory distress. Each authorized school personnel or school volunteer must receive initial training and an annual refresher training. The training must:</p> <ol style="list-style-type: none"><li>1. Include information on recognizing the signs and symptoms of respiratory distress;</li><li>2. Include information on administering medication for respiratory distress;</li><li>3. Include information on implementing emergency procedures, if necessary, after administering medication for respiratory distress;</li><li>4. Include information on proper sanitization, reuse, and disposal of medication for respiratory distress;</li><li>5. Cover the authorized health-care provider's standing order;</li><li>6. Include processes to follow-up with the prescribing authorized health-care provider and the student's primary health-care provider;</li><li>7. Provide information on the report required after administering unassigned medication [see below];</li></ol>

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8. Include information on the district's adopted unassigned medication for respiratory distress policy;
9. Incorporate hands-on training with unassigned medication for respiratory distress; and
10. Inform school personnel or school volunteers of the purpose and use of asthma action plans.

*Education Code 38.210(a-1); 25 TAC 40.46(a)*

Training must be provided in a formal training session or through online education and must be provided in accordance with the district professional development policy [see DMA]. *Education Code 38.210(b)*

The policy must include a list of trained and authorized school personnel and school volunteers available to administer unassigned medication for respiratory distress. *25 TAC 40.44(c)(2)*

Each campus must maintain training records and must make available upon request a list of school personnel and school volunteers trained and authorized to administer unassigned medication for respiratory distress at the campus or at a school-sponsored event. *25 TAC 40.46(b)*

Reporting  
Requirement

Not later than the 10th business day after the date a school personnel member or school volunteer administers medication for respiratory distress to a person experiencing respiratory distress, the school shall report the following information to the district, the physician or other person who prescribed the medication for respiratory distress, and the commissioner of state health services:

1. The age of the person who received the administration of the medication for respiratory distress;
2. Whether the person who received the administration of the medication for respiratory distress was a student, a school personnel member or school volunteer, or a visitor;
3. The dosage of the medication for respiratory distress administered;
4. The title of the person who administered the medication for respiratory distress; and
5. Any other information required by the commissioner.

Notifications to the commissioner of state health services must be submitted on the designated electronic form available on the DSHS School Health Program website found at [dshs.texas.gov](https://dshs.texas.gov).

*Education Code 38.2091; 25 TAC 40.47*

**No Negative Fiscal Impact**

The policy may not require a district to purchase prescription medication for respiratory distress or require any other expenditure related to the maintenance or administration of medication for respiratory distress that would result in a negative fiscal impact on the district or school. *Education Code 38.208(f)*

**Standing Order**

A physician or person who has been delegated prescriptive authority under Occupations Code Chapter 157 may prescribe medication for respiratory distress in the name of a school district. *Education Code 38.211(a)*

Each district campus in a district that adopts a policy for the administration of medication for respiratory distress must obtain a prescription from an authorized health-care provider to stock, possess, and maintain unassigned medication for respiratory distress at each campus and any equipment necessary to administer the medication. The campus must renew this prescription or obtain a new prescription annually. *25 TAC 40.45(b)*

**Notice to Parents**

If a district implements a policy for the maintenance, administration, and disposal of medication for respiratory distress, the district shall provide written or electronic notice of the policy to a parent or guardian of each student enrolled in the district. Notice must be provided before the policy is implemented by the district and before the start of each school year. *Education Code 38.212; 25 TAC 40.48(a)*

If a district changes or discontinues the unassigned medication for respiratory distress policy, the campus must provide written or electronic notice detailing the change or discontinuation of the policy to a parent or guardian of each student within 15 calendar days after the change or discontinuation. *25 TAC 40.48(b)*

**Refusal to Administer**

A school personnel member or school volunteer may not be subject to any penalty or disciplinary action for refusing to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress, as applicable, in accordance with a policy for the maintenance and administration of epinephrine auto-injectors or a policy for medication for respiratory distress. *Education Code 38.208(d-2)*

**Immunity from Liability**

A person who in good faith takes, or fails to take, any action related to Education Code Chapter 38, Subchapter E, related to the maintenance and administration of epinephrine auto-injectors and medi-

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ation for respiratory distress, is immune from civil or criminal liability or disciplinary action resulting from that action or failure to act as described by Education Code 38.215 and 25 Administrative Code 40.49. *Education Code 38.215; 25 TAC 40.71*

**Threat Assessment**

Definitions

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

1. Specific interventions, including mental health or behavioral supports;
2. In-school suspension;
3. Out-of-school suspension; or
4. The student’s expulsion or removal to a disciplinary alternative education program (DAEP) or a juvenile justice alternative education program (JJAEP).

“Team” means a threat assessment and safe and supportive school team established by the board under Education Code 37.115.

*Education Code 37.115(a)*

Threat Assessment  
and Safe and  
Supportive Schools  
Team

The board shall establish a threat assessment and safe and supportive school team to serve at each campus of the district and shall adopt policies and procedures for the teams.

The team is responsible for developing and implementing the safe and supportive school program in compliance with Texas Education Agency (TEA) rules at the district campus served by the team.

The policies and procedures adopted under Education Code 37.115 must:

1. Be consistent with the model policies and procedures developed by the Texas School Safety Center (TxSSC) [see Education Code 37.220];
2. Require each team to complete training provided by the TxSSC or a regional education service center (ESC) regarding evidence-based threat assessment programs;
3. Require each team established under this section to report the required information regarding the team’s activities to TEA [see Reporting to TEA, below];
4. Require each district campus to establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate school employee; and

5. Provide for:
  - a. A district employee who reports a potential threat to a team to elect for the employee's identity to be confidential and not subject to disclosure Government Code Chapter 552 (Public Information Act), except as necessary for the team, the district, or law enforcement to investigate the potential threat; and
  - b. The district to maintain a record of the identity of a district employee who elects for the employee's identity to be confidential.

Membership                      The superintendent shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a district, provided that each district campus is assigned a team.

Oversight  
Committee                      The superintendent may establish a committee, or assign to an existing committee established by the district, the duty to oversee the operations of teams established for the district. A committee with oversight responsibility must include members with expertise in human resources, education, special education, counseling, behavior management, school administration, mental health and substance use, school safety and security, emergency management, and law enforcement.

Team Duties                      Each team shall:

1. Conduct a threat assessment that includes assessing and reporting individuals who make threats of violence or exhibit harmful, threatening, or violent behavior in accordance with district policies and procedures; and gathering and analyzing data to determine the level of risk and appropriate intervention, including:
  - a. Referring a student for mental health assessment; and
  - b. Implementing an escalation procedure, if appropriate, based on the team's assessment, in accordance with district policy;
2. Provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

3. Support the district in implementing the district's multihazard emergency operations plan [see CKC].

Use of Sentinel  
Assessment  
Instrument, Manual,  
and Field Guide

Effective August 1, 2025, when conducting a threat assessment, members of a threat assessment team shall utilize the threat assessment instrument, manual, and field guide in Sentinel [see CKA], which are consistent with the model policies published by the TxSSC. *19 TAC 103.1213(e)(1)(A)*

Parental  
Participation

Before a team may conduct a threat assessment of a student, the team must notify the parent of or person standing in parental relation to the student regarding the assessment. In conducting the assessment, the team shall provide an opportunity for the parent or person to participate in the assessment, either in person or remotely, and to submit to the team information regarding the student.

After completing a threat assessment of a student, the team shall provide to the parent of or person standing in parental relation to the student the team's findings and conclusions regarding the student.

*Consent for  
Mental Health-  
Care Service*

A team may not provide a mental health-care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or the person standing in parental relation to the student before providing the mental health-care service. The consent must be submitted on a form developed by the district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

*Education Code 37.115(c)-(g)*

Determination of  
Risk

On determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent. If the individual is a student, the superintendent shall immediately attempt to inform the parent or person standing in parental relation to the student. These requirements do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.

A team identifying a student at risk of suicide shall act in accordance with the district's suicide prevention program. If the student at risk of suicide also makes a threat of violence to others, the team shall conduct a threat assessment in addition to actions taken in accordance with the district's suicide prevention program.

A team identifying a student using or possessing tobacco, drugs, or alcohol shall act in accordance with district policies and procedures related to substance use prevention and intervention.

*Education Code 37.115(h)-(j)*

Recordkeeping

Materials and information provided to or produced by a team during a threat assessment of a student under this provision must be maintained in the student's school record until the student's 24th birthday. *Education Code 37.115(j-1)*

[For information regarding the transfer of threat assessment records between school districts, see FD and FDA.]

Reporting to TEA

A team must report to TEA in accordance with TEA-developed guidelines the following information regarding the team's activities and other information for each campus the team serves:

1. The occupation of each person appointed to the team;
2. The number of threats and description of the type of threats reported to the team;
3. The outcome of each assessment made by the team, including:
  - a. Any disciplinary action taken, including a change in school placement;
  - b. Any action taken by law enforcement; or
  - c. A referral to or change in counseling, mental health, special education, or other services;
4. The total number, disaggregated by student gender, race, and status as receiving special education services, being at risk of dropping out of school, being in foster care, experiencing homelessness, being a dependent of military personnel, being pregnant or a parent, having limited English proficiency, or being a migratory child, of, in connection with an assessment or reported threat by the team:
  - a. Citations issued for Class C misdemeanor offenses;
  - b. Arrests;
  - c. Incidents of uses of restraint;
  - d. Changes in school placement, including placement in a JJAEP or DAEP;
  - e. Referrals to or changes in counseling, mental health, special education, or other services;

- f. Placements in in-school suspension or out-of-school suspension and incidents of expulsion;
  - g. Unexcused absences of 15 or more days during the school year; and
  - h. Referrals to juvenile court for truancy; and
5. The number and percentage of school personnel trained in:
- a. A best-practices program or research-based practice under Education Code 38.351 [see FFEB], including the number and percentage of school personnel trained in suicide prevention or grief and trauma-informed practices;
  - b. Mental health or psychological first aid for schools;
  - c. Training relating to the safe and supportive school program; or
  - d. Any other program relating to safety identified by the commissioner.

*Education Code 37.115(k)*



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**Removal Under  
Student Code of  
Conduct**

The Student Code of Conduct must specify conditions that authorize or require a principal or other appropriate administrator to transfer a student to a disciplinary alternative education program (DAEP). *Education Code 37.001(a)(2)*

**Mandatory  
Placement in DAEP**

A student shall be removed from class and placed in a DAEP if the student engages in conduct described in Education Code 37.006 that requires placement, subject to the requirements of Education Code 37.009(a) [see Process for Removal and Mitigating Factors, below]. *Education Code 37.006*

[For additional factors that must be considered in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program (JJAEP), see FO and the Student Code of Conduct.]

**School-Related  
Misconduct**

A student shall be removed from class and placed in a DAEP if the student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.

A student shall also be removed from class and placed in a DAEP if the student commits the following on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Engages in conduct that contains the elements of assault, under Penal Code 22.01(a)(1).
3. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of:
  - a. A controlled substance, as defined by the Texas Controlled Substances Act, Health and Safety Code Chapter 481, or by 21 U.S.C. 801, et seq., excluding marijuana, as defined by Health and Safety Code 481.002, or tetrahydrocannabinol, as defined by Department of Public Safety rule;
  - b. A dangerous drug, as defined by the Texas Dangerous Drug Act, Health and Safety Code Chapter 483.
4. Possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana or tetrahydrocannabinol, as defined above;

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5. Possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Health and Safety Code 161.081 [see FNCD];
6. Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code 1.04, or commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.
7. Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Health and Safety Code 485.031 through 485.034.
8. Engages in conduct that contains the elements of the offense of public lewdness under Penal Code 21.07.
9. Engages in conduct that contains the elements of the offense of indecent exposure under Penal Code 21.08.
10. Engages in conduct that contains the elements of the offense of harassment under Penal Code 42.07(a)(1), (2), (3), or (7) against an employee of the district.

*Education Code 37.006(a)*

*Exception*

Removal to a DAEP for school-related misconduct is not required if the student is expelled for the same conduct. *Education Code 37.006(m)*

Retaliation

Except where a student engages in retaliatory acts against a district employee for which expulsion is mandatory [see FOD], a student shall be removed from class and placed in a DAEP if the student engages in conduct on or off school property containing the elements of retaliation under Penal Code 36.06, against any school employee. *Education Code 37.006(b)*

Conduct Unrelated to School

In addition to the circumstances listed above, a student shall be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

1. The student receives deferred prosecution under Family Code 53.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03;
2. A court or jury finds that the student has engaged in delinquent conduct under Family Code 54.03 for conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03; or

3. The superintendent or designee has a reasonable belief that the student has engaged in conduct defined as a felony offense in Penal Code Title 5 or the felony offense of aggravated robbery under Penal Code 29.03.

*Education Code 37.006(c)*

*Reasonable  
Belief*

In determining whether there is a reasonable belief that a student has engaged in conduct defined as a felony offense, a superintendent or a superintendent's designee may consider all available information and must consider the information furnished under Code of Criminal Procedure Article 15.27 other than information requested under Code of Criminal Procedure Article 15.27(k-1). *Education Code 37.006(e); Code of Criminal Procedure 15.27(a)* [See GRAA]

*Title 5 Felonies*

The following are felony offenses listed in Penal Code, Title 5, Offenses Against the Person.

1. Murder. *Penal Code 19.02*
2. Capital Murder. *Penal Code 19.03*
3. Manslaughter. *Penal Code 19.04*
4. Criminally Negligent Homicide. *Penal Code 19.05*
5. Unlawful Restraint, if:
  - a. The person restrained was younger than 17 years of age; or
  - b. The actor recklessly exposes the victim to a substantial risk of serious bodily injury; restrains an individual the actor knows is a public servant while the public servant is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty; or while in custody restrains any other person. *Penal Code 20.02*
6. Kidnapping. *Penal Code 20.03*
7. Aggravated Kidnapping. *Penal Code 20.04*
8. Smuggling of Persons. *Penal Code 20.05*
9. Continuous Smuggling of Persons. *Penal Code 20.06*
10. Trafficking of Persons. *Penal Code 20A.02*
11. Continuous Trafficking of Persons. *Penal Code 20A.03*

12. Continuous Sexual Abuse of Young Child or Disabled Individual. *Penal Code 21.02*
13. Bestiality. *Penal Code 21.09*
14. Indecency with a Child. *Penal Code 21.11*
15. Improper Relationship between Educator and Student. *Penal Code 21.12*
16. Invasive Visual Recording. *Penal Code 21.15*
17. Unlawful Disclosure or Promotion of Intimate Visual Material. *Penal Code 21.16*
18. Voyeurism, if the victim was younger than 14 years of age at the time of the offense. *Penal Code 21.17*
19. Sexual Coercion. *Penal Code 21.18*
20. Assault, if the offense is punishable as a felony. *Penal Code 22.01*
21. Sexual Assault. *Penal Code 22.011*
22. Aggravated Assault. *Penal Code 22.02*
23. Aggravated Sexual Assault. *Penal Code 22.021*
24. Injury to a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.04*
25. Abandoning or Endangering a Child, Elderly Individual, or Disabled Individual. *Penal Code 22.041*
26. Deadly Conduct, if the person knowingly discharges a firearm at or in the direction of one or more individuals, or at or in the direction of a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. *Penal Code 22.05*
27. Terroristic Threat, if the actor threatens to commit any offense involving violence to any person or property with intent to:
  - a. Place any person in fear of imminent serious bodily injury if the actor knows the person is a peace officer or judge;
  - b. Prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public

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place if the prevention or interruption causes pecuniary loss of \$1,500 or more to the owner;

- c. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
- d. Place the public or a substantial group of the public in fear of serious bodily injury; or
- e. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision. *Penal Code 22.07*

28. Aiding Suicide, if the conduct causes suicide or attempted suicide that results in serious bodily injury. *Penal Code 22.08*

29. Tampering with Consumer Product. *Penal Code 22.09*

30. Harassment by Persons in Certain Facilities or of Public Servant. *Penal Code 22.11*

**Sexual Assault of  
Another Student**

A student shall be removed from class and placed in a DAEP or juvenile justice alternative education program (JJAEP) if:

- 1. The student was convicted of, received adjudication for, or was placed on probation for sexual assault of another student who was a young child or disabled individual while the students were assigned to the same campus, regardless of whether the assault occurred on or off school property;
- 2. The parent of the victim of the assault has requested that the student be transferred to a campus other than that to which the victim is assigned; and
- 3. There is only one campus in a district serving the grade level in which the student is enrolled.

*Education Code 25.0341, 37.0051(a)* [See FDE at Sexual Assault Transfer—Transfer of Assailant]

A limitation imposed by Education Code Chapter 37 on the length of placement in a DAEP or a JJAEP does not apply to a placement under this provision. *Education Code 37.0051(b)*

**Permissive Removal  
Non-Title 5 Felony**

A student may be removed from class and placed in a DAEP based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if:

- 1. The superintendent or designee has a reasonable belief [see Reasonable Belief, above] that the student has engaged in

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conduct defined as a felony offense other than aggravated robbery under Penal Code 29.03, or those offenses listed in Penal Code Title 5 [see above at Title 5 Felonies]; and

2. The continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

*Education Code 37.006(d)-(e)*

**Bullying**

A student may be removed from class and placed in a DAEP if the student:

1. Engages in bullying that encourages a student to commit or attempt to commit suicide;
2. Incites violence against a student through group bullying; or
3. Releases or threatens to release intimate visual material of a minor or student who is 18 years of age or older without the student's consent.

Nothing in this provision exempts a school from reporting a finding of intimate visual material of a minor.

*Definitions*

Bullying

"Bullying" has the meaning assigned by Education Code 37.0832. [See FFI]

Intimate Visual  
Material

"Intimate visual material" has the meaning assigned by Civil Practice and Remedies Code 98B.001.

*Education Code 37.0052*

**One Year After  
Conduct**

A principal or other appropriate administrator may, but is not required to, remove a student to a DAEP for off-campus conduct, for which removal would otherwise be required, if the principal or other appropriate administrator did not have knowledge of the conduct before the first anniversary of the date the conduct occurred. *Education Code 37.006(n)*

**Certain  
Organization and  
Gang Membership  
and Solicitation**

A board or an educator shall recommend placing in DAEP any student who commits the misdemeanor offenses described in Education Code 37.121(a) and (c), regarding membership in or solicitation to join a public school fraternity, sorority, secret society, or gang [see FNCC]. *Education Code 37.121(b)*

**Older Students**

A person who is 21 years of age or older and is admitted by a district for the purpose of completing the requirements for a diploma is not eligible for placement in a DAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in such conduct, the

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	district shall revoke the student's admission. <i>Education Code 25.001(b-1)</i>
<b>Placement of Younger Students</b>	A student who is younger than 10 shall be removed from class and placed in a DAEP if the student engages in conduct for which expulsion would be required by Section 37.007. <i>Education Code 37.006(f), .007(e)</i> [See FOD]
Students Younger Than Six	Notwithstanding any other provision of the Education Code, a student who is younger than six years of age may not be removed from class and placed in a DAEP, except that a student younger than six years of age who has been expelled pursuant to the Gun Free Schools Act [see FOD] shall be provided educational services in a DAEP. <i>Education Code 37.006(l), .007(e)(2)</i>
<b>Process for Removal Conference</b>	Not later than the third class day after a student is removed by a teacher or by the school principal or other appropriate administrator, the campus behavior coordinator (CBC) or other appropriate administrator shall schedule a conference among the CBC or other appropriate administrator, the student's parent or guardian, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. The student may not be returned to the regular class pending the conference.
Mitigating Factors	Before ordering removal, the CBC must consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the decision of the behavior coordinator concerns a mandatory or discretionary action.
Order	Following the conference, and whether or not each requested person is in attendance after valid attempts to require the person's attendance, the CBC, after considering any mitigating factors under Education Code 37.001(a)(4) [see FO], shall order the placement of the student for a period consistent with the Student Code of Conduct.
Appeal	If district policy allows a student to appeal to the board or the board's designee a decision of the CBC or other appropriate administrator, the decision of the board or the board's designee is final and may not be appealed.  <i>Education Code 37.009(a)</i> [See Student Code of Conduct]

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**Right to Request a  
Special Education  
Evaluation**

On the placement of a student in a DAEP, the district shall provide information to the student's parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student under Education Code 29.004 [see EHBA]. *Education Code 37.006(p)*

**Term of Removal**

The period of the placement after removal may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees. *Education Code 37.009(a)*

A board or designee shall set a term for a student's placement in a DAEP. If the period of placement is inconsistent with the guidelines in the Student Code of Conduct, the order must give notice of the inconsistency. The period of placement in a DAEP may not exceed one year unless, after a review, a district determines that the student is a threat to the safety of other students or to district employees or extended placement is in the best interest of the student. *Education Code 37.009(d)*

Beyond Grading  
Period or 60 Days

If placement in a DAEP is to extend beyond 60 days or the end of the next grading period, whichever is earlier, the student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before a board or designee.

*No Appeal*

Any decision of a board or designee concerning placement beyond 60 days or the end of the next grading period is final and cannot be appealed.

*Education Code 37.009(b)*

Beyond End of  
School Year

Before a student may be placed in a DAEP for a period that extends beyond the end of the school year, a board or designee must determine that:

1. The student's presence in the regular classroom program or at the student's regular campus presents a danger of physical harm to the student or another individual; or
2. The student has engaged in serious or persistent misbehavior that violates the Student Code of Conduct.

*Education Code 37.009(c)*

Order of Removal

A board or designee shall deliver to the student and the student's parent or guardian a copy of the order placing the student in a DAEP. *Education Code 37.009(g)*

Not later than the second business day after the date of the removal conference, a board or designee shall deliver a copy of the order placing the student in a DAEP and any information required

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under Family Code 52.04 to the authorized officer of the juvenile court in the county in which the juvenile resides. *Education Code 37.010(a)*

*Activities*

The terms of a placement under Education Code 37.006 must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.006(g)*

In addition to any notice required under Code of Criminal Procedure 15.27 [see GRAA], a principal or designee shall inform each educator who has responsibility for, or is under the direction and supervision of an educator who has responsibility for, the instruction of a student who has engaged in conduct for which DAEP placement must or may be ordered.

Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law. An educator's certificate may be suspended or revoked for intentional failure to keep such information confidential.

*Education Code 37.006(o)*

**DAEP at Capacity**

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.006(a)(2)(C-1) (possession or use of marijuana), (C-2) (possession, use, delivery of an e-cigarette), (D) (delivery of alcohol), or (E) (abuse of volatile chemical), the student shall be placed in in-school suspension; and if a position becomes available in the program before the expiration of the period of the placement, transferred to the program for the remainder of the period.

Placement of  
Student Who  
Engaged in Violent  
Conduct

If a DAEP is at capacity at the time a CBC is deciding placement for a student who engaged in conduct described under Education Code 37.007 that constitutes violent conduct [see below at Determination of Violent Conduct], a student who has been placed in the program for conduct described under Education Code 37.006(a)(2)(C-1), (C-2), (D), or (E) (above) may be removed from the program and placed in in-school suspension to make a position in the program available for the student who engaged in violent conduct. If removed from the program and a position in the program becomes available before the expiration of the period of the placement, the student shall be returned to the program for the remainder of the period.

Determination of  
Violent Conduct

Violent conduct means an act by a student against another person that is intended to result in physical harm, bodily injury, or assault or a threat that reasonably places the other person in fear of immi-

nent physical harm, bodily injury, or assault. A CBC may determine whether a specific instance of conduct listed below rises to the level of violent conduct for purposes of determining placement in a DAEP.

1. The student engages in conduct involving a public school that contains the elements of the offense of false alarm or report under Penal Code 42.06, or terroristic threat under Penal Code 22.07.
2. While on or within 300 feet of school property, or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of assault under Penal Code 22.01(a)(1), including when committed as an act of retaliation against an employee or volunteer, as described in Education Code 37.007(d).
3. While on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in conduct that contains the elements of the offense of deadly conduct under Penal Code 22.05.
4. While within 300 feet of school property, or when committed as an act of retaliation against an employee or volunteer, whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:
  - a. Conduct that contains the elements of the offense of unlawful carrying of weapons under Penal Code 46.02;
  - b. An offense relating to prohibited weapons under Penal Code 46.05;
  - c. Aggravated assault under Penal Code 22.02;
  - d. Sexual assault under Penal Code 22.011;
  - e. Aggravated sexual assault under Penal Code 22.021;
  - f. Arson under Penal Code 28.02;
  - g. Murder under Penal Code 19.02;
  - h. Capital murder under Penal Code 19.03;
  - i. Criminal attempt to commit murder or capital murder under Penal Code 15.01;
  - j. Indecency with a child under Penal Code 21.11;

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- k. Aggravated kidnapping under Penal Code 20.04;
  - l. Aggravated robbery under Penal Code 29.03;
  - m. Manslaughter under Penal Code 19.04;
  - n. Criminally negligent homicide under Penal Code 19.05;
  - o. Continuous sexual abuse of a young child or an individual with disabilities under Penal Code 21.02;
  - p. Selling, giving, delivering to another person, possessing, using, or being under the influence of a controlled substance or dangerous drug, excluding marijuana or tetrahydrocannabinol; or
  - q. Possessing a firearm, as defined by 18 U.S.C. 921.
5. The student engages in conduct against another student, without regard to whether the conduct occurs on or off school property or while attending a school-sponsored or school-related activity on or off school property, that contains the elements of:
- a. The offense of aggravated assault under Penal Code 22.02;
  - b. Sexual assault under Penal Code 22.011;
  - c. Aggravated sexual assault under Penal Code 22.021;
  - d. Murder under Penal Code 19.02;
  - e. Capital murder under Penal Code 19.03; or
  - f. Criminal attempt to commit murder or capital murder under Penal Code 15.01.
6. While placed in a DAEP and on the program campus, the student engages in documented serious misbehavior despite documented behavioral interventions.

*Education Code 37.009(a-1)-(a-2); 19 TAC 103.1205*

**Completion of  
Proceedings Upon  
Withdrawal**

If a student withdraws from a district before an order for placement in a DAEP is entered, the principal or board, as appropriate, may complete the proceedings and enter an order. If the student re-enrolls in the district the same or subsequent school year, the district may enforce the order at that time except for any period of the placement that has been served by the student in another district that honored the order. If the principal or board fails to enter an order after the student withdraws, the next district in which the stu-

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dent enrolls may complete the proceedings and enter an order. *Education Code 37.009(i)*

**Enrollment in  
Another District**

If a student placed in a DAEP enrolls in another district before the expiration of the placement, a board shall provide to the district in which the student enrolls a copy of the placement order at the same time it provides other records. The district in which the student enrolls shall inform each educator who will have responsibility for, or will be under the direction and supervision of an educator who will have responsibility for, the instruction of the student of the contents of the placement order. Each educator shall keep the information confidential from any person not entitled to the information, except that the educator may share the information with the student's parent or guardian as provided by state or federal law.

The district in which the student enrolls may continue the placement or allow the student to attend regular classes without completing the period of placement. [See FO] The district in which the student enrolls may take any of these actions if:

1. The student was placed in a DAEP by an open-enrollment charter school and the charter school provides the district a copy of the placement order; or
2. The student was placed in a DAEP by a district in another state and:
  - a. The out-of-state district provides a copy of the placement order; and
  - b. The grounds for placement are the same as grounds for placement in the enrolling district.

*Education Code 37.008(j)*

**Out-of-State  
Placement**

If a student was placed in a DAEP in another state for more than one year and the enrolling district continues the placement under Education Code 37.008(j), the enrolling district shall reduce the period of placement so that the aggregate period does not exceed one year unless the enrolling district determines that:

1. The student is a threat to the safety of other students or to district employees; or
2. Extended placement is in the best interest of the student.

*Education Code 37.008(j-1)*

**Court-Ordered  
Placement**

Unless a board and the juvenile board for the county in which a district's central administrative office is located have entered into a memorandum of understanding concerning the juvenile probation

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department's role in supervising and providing other support services for students in DAEP programs:

1. A court may not order a student expelled under Section 37.007 to attend a school district DAEP as a condition of probation;
2. A court may not order a student to attend a DAEP without a district's consent, until the student has successfully completed any sentencing requirements, if the court has ordered the student to attend a DAEP as a condition of probation once during a school year and the student is referred to juvenile court again during that school year.

*Education Code 37.010(c)-(d)*

School Activities

Any court placement in a DAEP must prohibit the student from attending or participating in school-sponsored or school-related activities. *Education Code 37.010(e)*

Placement After  
Court Disposition

After the student has successfully completed any court disposition requirements, including conditions of deferred prosecution or conditions required by the prosecutor or probation department, a district may not refuse to admit the student if the student meets the requirements for admission into the public schools. A district may place the student in the DAEP.

Notwithstanding Education Code 37.002(d) [see FOA], the student may not be returned to the classroom of the teacher under whose supervision the offense occurred without that teacher's consent. The teacher may not be coerced to consent.

*Education Code 37.010(f)*

**Not Guilty/  
Insufficient  
Evidence/Charges  
Dropped**

The office of the prosecuting attorney or the office or official designated by the juvenile board shall, within two working days, notify the school district that removed a student to a DAEP under Education Code 37.006 if:

1. Prosecution of a student was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication, or deferred prosecution will be initiated; or
2. A court or jury found the student not guilty or made a finding the child did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed with prejudice.

On receipt of the notice, the superintendent or designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The superin-

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tendent or designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third class day after the superintendent or designee receives notice from the office or official designated by the court.

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

*Education Code 37.006(h); Code of Criminal Procedure 15.27(g)*

Appeal After  
Placement Upheld

The student or the student's parent or guardian may appeal a superintendent's decision to the board. The student may not be returned to the regular classroom pending the appeal. A board shall, at the next scheduled meeting, review the notice provided by the office of the prosecuting attorney or the office or official designated by the juvenile board; receive information from the student, the student's parent or guardian, and the superintendent or designee; and confirm or reverse the superintendent's decision. The board shall make a record of the proceedings.

If a board confirms the decision, the board shall inform the student and the student's parent or guardian of the right to appeal to the commissioner of education. The student may not be returned to the regular classroom pending the appeal to the commissioner.

*Education Code 37.006(i)-(j)*

**120-Day Review of  
Status**

A student placed in a DAEP shall be provided a review of the student's status, including a review of the student's academic status, by a board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parent or guardian, shall review the student's progress toward meeting high school graduation requirements and shall establish a specific graduation plan for the student. The district is not required to provide a course in the DAEP, except as required by Education Code 37.008(l). [See FOCA] At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus. The student may not be returned to the classroom of the teacher who removed the student without that teacher's consent. The teacher may not be coerced to consent.

*Education Code 37.009(e)*

**Additional  
Proceedings**

If, during the term of placement, a student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted and the prin-

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cipal or board, as appropriate, may enter an additional order. *Education Code 37.009(j)*

**Reporting**

A district may include the number of students removed to a DAEP in its annual performance report. *Education Code 39.306(e)(5)*  
[See AIB]

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**Note:** See FOF for provisions concerning students with disabilities.

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**Students with  
Disabilities Under  
Section 504**

A district shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 C.F.R. 104.35(a)*

A district may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the district would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*

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**Note:** The provisions below apply only to students eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA).

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**Students Receiving  
Special Education  
Services**

ARD Committee  
Required

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (ARD) committee. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations. *Education Code 37.004(a)-(b)*

The methods adopted in the Student Code of Conduct [see FO] for discipline management and for preventing and intervening in student discipline problems must provide that a student who is enrolled in the special education program may not be disciplined for bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. *Education Code 37.001(b-1)*

DAEP Placement  
Not Solely for  
Educational  
Purposes

A student with a disability who receives special education services may not be placed in a disciplinary alternative education program (DAEP) solely for educational purposes. A teacher in a DAEP who has a special education assignment must hold an appropriate certificate or permit for that assignment. *Education Code 37.004(c)-(d)*

**Removal for 10 Days  
or Less**

School personnel may remove a student with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*

STUDENT DISCIPLINE  
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Services During Removal	A district is required to provide services during the period of removal if the district provides services to a child without disabilities who is similarly removed. <i>34 C.F.R. 300.530(d)</i>
<b>Subsequent Removals of 10 Days or Less</b>	School personnel may remove the student for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement (see below). <i>34 C.F.R. 300.530(b)(1)</i>
Services During Removal	After a student has been removed from his or her current placement for 10 school days in the same school year, during any subsequent removal of 10 consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program (IEP). <i>20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4)</i>
Notice of Procedural Safeguards	Not later than the date on which the decision to take the disciplinary action is made, a district shall notify the student's parents of the decision and of all procedural safeguards [see EHBAE]. <i>20 U.S.C. 1415(k)(1)(H)</i>
<b>Removals That Are a Change in Placement</b>	<p>Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review.</p> <p>Any disciplinary action regarding the student shall be determined in accordance with federal law and regulations, including laws or regulations requiring the provision of functional behavioral assessments; positive behavioral interventions, strategies, and supports; behavioral intervention plans; and the manifestation determination review [see Manifestation Determination, below].</p> <p><i>Education Code 37.004(b)</i></p>
Behavior Assessment and Intervention	<p>If a district takes a disciplinary action regarding a student with a disability who receives special education services that constitutes a change in placement under federal law, the district shall:</p> <ol style="list-style-type: none"><li>1. Not later than the 10th school day after the change in placement:<ol style="list-style-type: none"><li>a. Seek consent from the student's parent or person standing in parental relation to the student to conduct a functional behavioral assessment of the student, if a functional behavioral assessment has never been conducted</li></ol></li></ol>

on the student or the student's most recent functional behavioral assessment is more than one year old; and

- b. Review any previously conducted functional behavioral assessment of the student and any behavior improvement plan or behavioral intervention plan developed for the student based on that assessment; and
2. As necessary, develop a behavior improvement plan or behavioral intervention plan for the student if the student does not have a plan or, if the student has a behavior improvement plan or behavioral intervention plan, revise the student's plan.

*Education Code 37.004(b-1)*

Change in  
Placement

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than 10 consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than 10 school days in a school year;
  - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
  - c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

The district determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. The district's determination is subject to review through due process and judicial proceedings.

*34 C.F.R. 300.536*

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates a code of student conduct. *20 U.S.C. 1415(k)(1)(A)*

Manifestation  
Determination

Within 10 school days of any decision to change the placement of a student because of a violation of a code of student conduct, a district, parents, and relevant members of the ARD committee (as determined by the parent and the district) shall review all relevant information in the student's file, including the student's IEP, any

teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of the district's failure to implement the IEP.

If the district, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

If the district, the parent, and relevant members of the ARD committee determine the conduct was the direct result of the district's failure to implement the IEP, the district must take immediate steps to remedy those deficiencies.

*20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e)*

Not a Manifestation

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c)*

Expulsion

In a county with a juvenile justice alternative education program (JJAEP) [see FODA], a district must invite the administrator of the JJAEP or the administrator's designee to an ARD committee meeting convened to discuss the discretionary expulsion under Education Code 37.007 of a student with a disability. The district must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. A copy of the student's current IEP must be provided to the JJAEP representative with the notice. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP representative may participate in the meeting to the extent that the meeting relates to the student's placement in the JJAEP and implementation of the student's current IEP in the JJAEP. *19 TAC 89.1052*

*Services During  
Removal*

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.

2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)-(2)*

For a student with a disability who was expelled under a discretionary expulsion under Education Code 37.007, an ARD committee meeting must be convened to reconsider placement of the student in the JJAEP if the JJAEP provides written notice to the district of specific concerns that the student's education or behavioral needs cannot be met in JJAEP.

The district must invite the JJAEP administrator or the administrator's designee to the meeting and must provide written notice of the meeting at least five school days before the meeting or a shorter timeframe agreed to by the student's parents. If the JJAEP representative is unable to attend the ARD committee meeting, the representative must be given the opportunity to participate in the meeting through alternative means, including conference telephone calls. The JJAEP may participate in the meeting to the extent that the meeting relates to the student's continued placement in JJAEP.

*19 TAC 89.1052*

Manifestation

If the district, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA), unless the district had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan (BIP) for the student; or
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at Special Circumstances, below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent and the district agree to a change in placement as part of the modification of the BIP.

*20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f)*

STUDENT DISCIPLINE  
STUDENTS WITH DISABILITIES

FOF  
(LEGAL)

**Special  
Circumstances**

School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the Texas Education Agency (TEA) or a school district;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of TEA or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of TEA or the district.

*20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g)*

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2)*

Services During  
Removal

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1)*

**Appeals**

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. A district that believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others may request a hearing. *20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151* [See EHBAE]

Placement During  
Appeals

When an appeal has been requested by a parent or a district, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever oc-

curs first, unless the parent and district agree otherwise. *20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533*

**Reporting Crimes**

Federal law does not prohibit a district from reporting a crime committed by a student with a disability to appropriate authorities. If a district reports a crime, the district shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the district reported the crime. A district may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA). *20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535* [See FL]

**Students Not Yet Identified**

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if a district had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a)*

District Knowledge

A district shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the district, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other district personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of the district.

*20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b)*

Exception

A district shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

*20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c)*

If a district does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

*20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d)*

**Behavior  
Management  
Techniques**

It is the policy of the state to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities. *Education Code 37.0021(a); 19 TAC 89.1053(j)*

[For restrictions on aversive techniques, see FO.]

**Rules on Restraint  
and Seclusion**

The commissioner by rule shall adopt procedures for the use of restraint and time-out by a district employee or volunteer or an independent contractor of a district in the case of a student with a disability receiving special education services. The procedures must be consistent with Education Code 37.0021(d). *Education Code 37.0021(d)*

**School Peace  
Officers**

This provision and any rules or procedures adopted under this provision apply to a peace officer only if the peace officer:

1. Is employed or commissioned by a district; or
2. Provides, as a school resource officer, a regular police presence on a district campus under a memorandum of understanding between the district and a local law enforcement agency.

*Education Code 37.0021(h); 19 TAC 89.1053(m)*

**Exceptions**

Education Code 37.0021 (use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided above [see School Peace Officers] and by

Education Code 37.0021(i) [see Restraint, Documentation, below];

2. Juvenile probation, detention, or corrections personnel; or
3. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

*Law Enforcement Duties*

“Law enforcement duties” means activities of a peace officer relating to the investigation and enforcement of state criminal laws and other duties authorized by the Code of Criminal Procedure.

*Education Code 37.0021(b)(4), (g); 19 TAC 89.1053(m), (n)*

Further, Education Code 37.0021 does not prevent a student’s locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, “weapon” includes any weapon described under Education Code 37.007(a)(1). [See FNCG]

*Education Code 37.0021(f)*

*Peace Officer or Security Personnel Use of Restraint or Taser*

A peace officer performing law enforcement duties or school security personnel performing security-related duties on school property or at a school-sponsored or school-related activity must not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below, unless the student poses a serious risk of harm to the student or another person [see FO defining Taser]. *19 TAC 89.1053(l)*

Confinement

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a)*

Seclusion

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

“Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and

2. Contains less than 50 square feet of space.

*Education Code 37.0021(b)(2)*

Restraint

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body. *19 TAC 89.1053(b)(2)*

The following provisions do not apply to the use of physical force or a mechanical device that does not significantly restrict the free movement of all or a portion of the student’s body. Restraint that involves significant restriction as referenced above does not include:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a student to promote safety (e.g., holding a student’s hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the IEP as required by 34 C.F.R. 300.324(a)(2)(i) to promote student learning and reduce and/or prevent the need for ongoing intervention; or
4. Seat belts and other safety equipment used to secure students during transportation.

*19 TAC 89.1053(f)*

*Limitations on  
Use of Restraint*

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

*19 TAC 89.1053(c)*

<i>Emergency</i>	<p>“Emergency” means a situation in which a student’s behavior poses a threat of:</p> <ol style="list-style-type: none"><li>1. Imminent, serious physical harm to the student or others; or</li><li>2. Imminent, serious property destruction.</li></ol> <p><i>19 TAC 89.1053(b)(1)</i></p>
<i>Training</i>	<p>Training for school employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(d).</p>
<i>Documentation</i>	<p>In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the documentation and notification requirements set forth at 19 Administrative Code 89.1053(e).</p> <p>A district shall report electronically to TEA, in accordance with standards provided by commissioner rule, information relating to the use of restraint by a peace officer performing law enforcement duties on school property or during a school-sponsored or school-related activity. The report must be consistent with the requirements adopted by commissioner rule for reporting the use of restraint involving students with disabilities.</p> <p><i>Education Code 37.0021(i)</i></p>
Time-Out	<p>“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:</p> <ol style="list-style-type: none"><li>1. That is not locked; and</li><li>2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.</li></ol> <p><i>19 TAC 89.1053(b)(3)</i></p>
<i>Limitations on Use of Time-Out</i>	<p>A school employee, volunteer, or independent contractor may use time-out with the following limitations:</p> <ol style="list-style-type: none"><li>1. Physical force or threat of physical force shall not be used to place a student in time-out.</li><li>2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student’s IEP and/or behavior improvement plan or behavioral intervention plan if it is utilized</li></ol>

on a recurrent basis to increase or decrease targeted behavior.

3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

*19 TAC 89.1053(g)*

*Training*

Training for school employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 Administrative Code 89.1053(h).

*Documentation*

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP and/or behavior improvement plan or behavioral intervention plan. If a student has a behavior improvement plan or behavioral intervention plan, the district must document each use of time-out prompted by a behavior of the student specified in the student's behavior improvement plan or behavioral intervention plan, including a description of the behavior that prompted the time-out. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

*19 TAC 89.1053(i)*

### PROPOSED REVISIONS 5.28.25

No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

#### **Medication Provided by Parent**

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, upon a parent's written request, when properly labeled and in the original container.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

#### **Medication Provided by District**

Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student.

##### *Athletic Program*

The District shall purchase nonprescription medication that may be used to prevent or treat illness or injury in the District's athletic program. Only a licensed athletic trainer or a physician licensed to practice medicine in the state of Texas may administer this medication and may do so only if:

1. The District has prior written consent for medication to be administered [see Medical Treatment, below]; and
2. The administration of a medication by an athletic trainer is in accordance with a standing order or procedures approved by a physician licensed to practice medicine in the state of Texas.

##### *Epinephrine*

The District authorizes school personnel who have agreed in writing and been adequately trained to administer an unassigned epinephrine auto-injector in accordance with law and this policy. Administration of epinephrine shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing anaphylaxis.

##### *On Campus*

Authorized and trained individuals may administer an unassigned epinephrine auto-injector at any time to a person experiencing anaphylaxis on a school campus.

WELLNESS AND HEALTH SERVICES  
MEDICAL TREATMENT

FFAC  
(LOCAL)

The District shall ensure that at each campus a sufficient number of authorized individuals are trained to administer epinephrine so that at least one trained individual is present on campus during all hours the campus is open. In accordance with state rules, the campus shall be considered open for this purpose during regular on-campus school hours and whenever school personnel are physically on site for school-sponsored activities.

*Maintenance,  
Availability, and  
Training*

The Superintendent shall develop administrative regulations designating a coordinator to manage policy implementation and addressing annual training of authorized individuals in accordance with law; procedures for auto-injector use; and acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned epinephrine auto-injectors at each campus.

*Notice to Parents*

In accordance with law, the District shall provide notice of the policy to parents regarding the epinephrine program, including notice of any change to or discontinuation of this program.

Opioid Antagonist

This provision shall be applicable to every campus.

*On Campus*

The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related overdose.

Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours.

*Maintenance,  
Availability,  
Training, and  
Reporting*

Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available.

All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist.

The Superintendent shall develop administrative regulations addressing acquisition, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and emergency notification requirements.

Medication for  
Respiratory Distress

The District authorizes school personnel who have been adequately trained to administer unassigned medication for respiratory distress in accordance with law and this policy. Administration of this type of medication shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing respiratory distress.

On-Campus

Authorized and trained individuals may administer unassigned medication for respiratory distress at any time a person is experiencing this type of distress on a school campus.

The District shall ensure that at each campus a sufficient number of authorized individuals are trained to administer this medication so that at least one trained individual is present on campus during regular school hours as defined in state rules.

Maintenance,  
Availability, and  
Training

The Superintendent shall develop administrative regulations:

1. Designating a coordinator to manage policy implementation;
2. Addressing annual training of authorized individuals in accordance with law;
3. Listing the trained individuals authorized to administer unassigned medication for respiratory distress;
4. Addressing procedures for use; and
5. Addressing acquisition or purchase, maintenance, expiration, disposal, and availability of unassigned medication for respiratory distress at each campus.

Notice to Parents

In accordance with law, the District shall provide notice of the policy to parents regarding the administration of unassigned medication to a person experiencing respiratory distress, including notice of any change to or discontinuation of these provisions.

After  
Administration of  
Medication

After the administration of unassigned medication to a student experiencing respiratory distress, the coordinator shall provide written notice to the student's parent, the health-care provider authorizing the unassigned medication for respiratory distress, and the student's primary health-care provider.

**Psychotropics**

Except as permitted by law, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

**Medical Treatment**

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

Florence ISD  
246902

WELLNESS AND HEALTH SERVICES  
MEDICAL TREATMENT

FFAC  
(LOCAL)

The District shall seek appropriate emergency care for a student as required or deemed necessary.



## LEASE AGREEMENT

This Lease Agreement (“**Agreement**”) is entered into between the **FLORENCE INDEPENDENT SCHOOL DISTRICT** (“**DISTRICT**” or “**LESSOR**” or “**Florence ISD**”), a political subdivision and independent school district of the State of Texas, and **EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD.** (“**LESSEE**” or “**CHILDCARE PROVIDER**”), a licensed child care program operating in the State of Texas with an effective date of August 1, 2025 Both Parties will be collectively referred to as the “**Parties.**”

### I. RECITALS

**WHEREAS**, Florence ISD is a political subdivision and independent school district located in Florence, Texas;

**WHEREAS**, the mission of Florence ISD is to have a collaborative partnership of dedicated students, staff, families, and community members. Florence ISD provides a safe, engaging learning environment with equitable support, high expectations, and diversified instruction. Florence ISD builds a strong foundation for life-long learning, preparing all students for a successful future;

**WHEREAS**, there are no current childcare facilities in Florence, Texas;

**WHEREAS**, the presence of a childcare facility on school district grounds will provide support to both students, staff, and our community;

**WHEREAS**, Florence ISD is the owner of certain property (“**Property**”) described as follows: the old Florence Elementary School located at 304 College Avenue, Florence, Texas 76527;

**WHEREAS**, Florence ISD’s use of the Property for classroom space or other educational purposes is not currently needed to benefit District’s students for direct instruction, and Florence ISD is not currently using the Property for such educational purposes;

**WHEREAS**, EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD., is a Texas-licensed childcare provider whose mission is to touch the lives of children in a positive, safe, and esteem-building environment while providing educational challenges to enhance their learning experience;

**WHEREAS**, EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD., provides instructional and childcare services for children ages six (6) weeks through five (5) years of age and pick up/after school care which includes homework time, centers and outdoor play for children ages five (5) years to twelve (12) years of age;

**WHEREAS**, Florence ISD desires to lease the Property in exchange for various goods and services to be provided by EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD., for the benefit of the Florence ISD’s students and employees;

**WHEREAS**, EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD. has proposed to use the Property as a location for its childcare services program and to install a childcare facility to be used by members of the community including District students and their children, District employees, at a designated District location;

**WHEREAS**, Florence ISD has negotiated valuable consideration for use of its designated facilities for the childcare program, thereby expanding the existing services available to its students and staff of Florence ISD;

**WHEREAS**, the Board of Trustees has determined that the value of the goods and services which EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD. has contracted to provide by execution of this Agreement, will meet or exceed the fair market rental value of the leased space within the Property;

**WHEREAS**, the Board of Trustees has determined that there is a legitimate public purpose in leasing the Property to EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD. for the intended purpose, as EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD. will provide convenient childcare services to Florence ISD students and their children, Florence ISD employees, and enabling Florence ISD to fulfill overall childcare needs on its campuses;

**WHEREAS**, the Board of Trustees has determined that Florence ISD will receive value in the form of increased availability of childcare services, and a reduction in student and staff absenteeism due to childcare needs;

**WHEREAS**, it is the mutual intent of the Parties hereto to operate their respective programs in such a coordinated manner to maximize the delivery of educational and childcare services to staff and students at Florence ISD and to meet all requirements placed upon the respective Parties by the program which they operate; and,

**NOW THEREFORE**, for and in consideration of the tasks performed by both of the Parties and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, **FLORENCE ISD** and **EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD.** hereby agree to the following operating terms and conditions:

<b>II. TERMS OF AGREEMENT</b>
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**1. LEASED PREMISES:**

**1.1** The DISTRICT and LESSEE hereby agree that, on the terms and conditions set forth herein, the DISTRICT shall lease to LESSEE, and LESSEE shall lease from the DISTRICT, certain District facilities located at **304 College Avenue, Florence, Texas 76527**. The Leased Premises shall specifically include the portion of the attached exhibit identified as **Exhibit A**, which is incorporated herein by reference for all purposes (“Leased Premises”).

**1.2** In addition to use of the Leased Premises, personal property of the DISTRICT that is already located in the Leased Premises may be used (including access to the hook-up for a washer/dryer that will be located in the old Florence Elementary School). Parking facilities and outdoor space of a size and allocation at Leased Premises and any other facility that is approved by the DISTRICT (“Other Leased Facilities”) may be used by LESSEE and its employees. The parties may expand or reduce the amount of the space allotted to use by LESSEE during the term of this Agreement as mutually determined and agreed upon in writing.

**1.3** Access to the DISTRICT’s other facilities will not be provided to LESSEE; however, access to these areas may be granted by the DISTRICT on a case-by-case basis, with a prior written agreement executed between the Parties. Except as provided in this Article 1.1, unless designated as “Leased Premises” or as “Other Leased Facilities” in Section 1.2 above or as otherwise agreed in writing by the Parties, LESSEE shall not have the right to use or enjoy such property of the DISTRICT.

**2. TERM:**

**2.1** The term of this Agreement shall be for one (1) calendar year, commencing on the date of execution (the “Effective Date”). This Agreement may be renewed for additional one (1) year terms, subject to approval of the Board of Trustees. All terms provided herein shall remain in place for all subsequent renewal terms unless otherwise amended.

**2.2** Either Party may terminate this Agreement, without penalty, with or without cause, upon thirty (30) calendar days’ written notice to the other Party.

**2.3 Certificate of Occupancy:** Unless the parties agree otherwise, LESSEE is responsible for obtaining a certificate of occupancy for the leased premises if required by a governmental body.

**3. PERMITTED USE:**

**3.1** LESSEE may occupy and use the Leased Premises solely for its authorized purpose under this Agreement. LESSEE may use the leased premises for the following purpose and no other:

**Childcare services for children ages six (6) weeks through five (5) years of age and pick-up/after school care for children ages five (5) years to twelve (12) years of age and services ancillary thereto.**

To the extent LESSEE wishes to use the Leased Premises from its originally stated purpose, LESSEE must seek approval from the DISTRICT in advance of such use. Any direct additional costs incurred by the DISTRICT as a result of the permitted use by LESSEE will be reimbursed to the DISTRICT by LESSEE.

**3.2** LESSEE shall use and occupy the Leased Premises in compliance with all applicable laws and state regulations.

**3.3** LESSEE acknowledges that it is an experienced business or organizational entity and that it has conducted an investigation of the Leased Premises in order to satisfy itself as to whether the Leased Premises meet all federal, state, and local standards applicable to the activities taking place in the Leased Premises. It will be LESSEE’s responsibility to ensure that the Leased Premises comply with all federal, state, and local standards and insurance requirements applicable to its activities taking place in or on the Leased Premises.

**3.4** Unless otherwise specified in this Agreement or otherwise agreed to in writing by the Parties, LESSEE will operate and conduct its business in the Leased Premises during business hours that are typical of the industry in which LESSEE represents it operates.

**3.5** In lieu of a rental payment to the DISTRICT, LESSEE shall provide the following:

- a. **Priority Enrollment.** LESSEE shall administer enrollment for childcare services in accordance with the following priority tiers:
- **First Priority:** Employees of DISTRICT (“District Staff”) shall receive first priority for all enrollment slots.
  - **Second Priority:** Members of the general public may be considered for remaining available slots after District Staff have been given an opportunity to enroll their children.

LESSEE agrees to notify District Staff of open enrollment at least ten (10) business days prior to opening registration to the general public.

- b. **Discounted Rates.** LESSEE shall provide a discounted rate to District Staff as follows:
- Once enrollment reaches 30 students, LESSEE shall provide a discount of Fifty Dollars (\$50.00) per week for students 18 months to 5 years old for full time enrollment.
  - Once enrollment reaches 30 students, LESSEE shall provide a discount of Twenty Dollars (\$20.00) per week for students 18 months to 5 years old for before or after school enrollment.
  - Once enrollment reaches 80 students, LESSEE shall provide a discount of fifty percent (50%) off the standard published rates for students 18 months to 5 years old for full time enrollment.
  - Once enrollment reaches 80 students, LESSEE shall provide a \$30 per week discount for before and after school care.

To qualify for the discount, Eligible Staff must submit reasonable proof of current employment with the DISTRICT, which may include a current employee badge or paystub. LESSEE shall apply the discount at the time of enrollment and shall not retroactively apply the discount to prior months of service.

- c. **Compliance with Non-Discrimination Laws.** Nothing in this Agreement shall be interpreted to authorize enrollment or pricing practices that violate applicable federal or state non-discrimination laws. The parties agree that the priority and discount structure described herein is reasonably related to the DISTRICT’s public purpose of supporting its educational mission by promoting employee retention, attendance, and family engagement.
- d. **Annual Review and Adjustment.** The priority enrollment and discount provisions shall be reviewed by the parties annually and may be adjusted by written mutual agreement, provided that any such changes do not impair existing contractual obligations to enrolled families.

The services shall be provided consistently with the following responsibilities:

- LESSEE shall be responsible for obtaining all necessary consent and childcare on-boarding documents in order to provide childcare services.

- LESSEE shall be responsible for training and employing staff and personnel for its on-site childcare facility and to implement required background checks and employment protocols.
- LESSEE shall obtain and maintain all the necessary certificates, licenses, permits required by state and federal laws and to comply with all state and federal laws in order to operate its childcare facility.
- LESSEE shall have full authority and responsibility for the childcare and quality standards.
- LESSEE shall designate an individual to serve as a liaison between LESSEE and the DISTRICT.

LESSEE represents and warrants that it is fully qualified, certified, and licensed to perform any and all services generally performed by LESSEE in its usual line of business.

**3.6** LESSEE may not use or permit any part of the Leased Premises to be used for:

- a) any activity which is a nuisance or is offensive, noisy, or dangerous;
- b) any activity that interferes with any of LESSEE's normal business operations or the DISTRICT's management of the Leased Premises;
- c) any activity that violates any applicable law, regulation, zoning ordinance, restrictive covenant, governmental order, or this Agreement;
- d) any hazardous activity that would require any insurance premium on the Leased Premises to increase or that would void any such insurance;
- e) any activity that violates any applicable federal, state, or local law, including but not limited to those laws related to air quality, water quality, hazardous materials, wastewater, waste disposal, air emissions, or other environmental matters;
- f) the permanent or temporary storage of any hazardous materials; ("Hazardous materials" means any pollutant, toxic substance, hazardous waste, hazardous material, hazardous substance, solvent, or oil as defined by any federal, state, or local environmental law, regulation, ordinance, or rule existing as of the date of this lease or later enacted.)
- g) any activity that would be considered illegal or unauthorized under state or federal law.

**3.7** The DISTRICT does not represent or warrant that the Leased Premises conform to applicable restrictions, zoning ordinances, setback lines, parking requirements, impervious ground cover ratio requirements, and other matters that may relate to LESSEE's intended use. LESSEE must satisfy itself that the Leased Premises may be used as LESSEE intends by independently investigating all matters related to the use of the Leased Premises. LESSEE agrees that it is not relying on any warranty or representation made by the DISTRICT concerning the use of the Leased Premises.

**3.8 Shared Use:** LESSEE understands that disputes regarding use of any shared spaces may arise during the term of this lease. Lessee agrees to work in good faith to resolve disputes in an equitable manner.

**3.9 Signs.** LESSEE may not post or paint any signs or place any decorations outside the Leased Premises or on the Leased Premises without the DISTRICT'S written consent. DISTRICT may remove any unauthorized sign or decorations, and LESSEE will promptly reimburse the DISTRICT for its cost to remove any unauthorized sign or decorations. Any authorized sign must comply with all laws, restrictions, zoning ordinances, and any governmental order relating to signs on the Leased Premises or Property. The DISTRICT may temporarily remove any authorized sign to complete repairs or alterations to the Leased Premises or the Property. By providing written notice to LESSEE before this lease ends, the DISTRICT may require LESSEE, upon move-out and at LESSEE'S expense, to remove, without damage to the Property or Leased Premises, any or all signs or decorations that were placed on the Property or Leased Premises by or at the request of LESSEE. Any signs or decorations that the DISTRICT does not require

LESSEE to remove and that are fixtures, become the property of the DISTRICT and must be surrendered to DISTRICT at the time this lease ends.

**4. MOVE-IN AND MOVE-OUT CONDITION(S)**

**4.1 Move-In:** LESSEE has inspected the Leased Premises and accepts it in its present (“as-is”) condition. The DISTRICT has made no express or implied warranties as to the condition or permitted use of the Leased Premises.

**4.2 Move-Out:** At the time this lease ends, LESSEE will surrender the Leased Premises in the same condition as when received, except all changes that the DISTRICT previously approved. LESSEE will leave the Leased Premises in a clean condition free of all trash, debris, personal property, hazardous materials, and environmental contaminants. If LESSEE leaves any personal property in the Leased Premises after LESSEE surrenders possession of the Leased Premises, the DISTRICT may: (1) require LESSEE, at LESSEE’s expense, to remove the personal property by providing written notice to LESSEE; or (2) retain such personal property as forfeited property to the DISTRICT.

**5. RENT AND SECURITY DEPOSIT**

**5.1** In lieu of rent, LESSEE will provide childcare services as set out above in Section 3.5.

**5.2** All other sums due under this Agreement shall be made to the DISTRICT at the following address, or such other address as the DISTRICT may designate in writing:

**Florence ISD  
Attn: Superintendent Rick Kirkpatrick  
306 College Avenue  
Florence, TX 76527**

**5.3** Upon execution of this lease, LESSEE shall pay to the DISTRICT at the address above a deposit in the amount of One Thousand and No/100 Dollars (\$1,000.00) as a security deposit. The DISTRICT may apply the security deposit to any amounts owed by LESSEE under this lease, including to repair any damages to the Leased Premises upon the termination of this lease. Within sixty (60) days after LESSEE surrenders the Leased Premises and provides the DISTRICT written notice of LESSEE’S forwarding address, the DISTRICT will refund the security deposit less any amounts applied toward amounts owed by LESSEE or other charges authorized by this lease.

**6. COSTS AND UTILITIES:**

**6.1** The party designated below will pay for the following utilities charged to the Leased Premises:

ITEM	Check the box to indicate which Party is Responsible		
	DISTRICT	LESSEE	NOT APPLICABLE
(1) Water		X	
(2) Sewer		X	
(3) Electric		X	
(4) Gas		X	

ITEM	Check the box to indicate which Party is Responsible		
	DISTRICT	LESSEE	NOT APPLICABLE
(5) Telephone	<b>X</b>		
(6) Trash /Waste Management Services		<b>X</b>	
(7) Janitorial/Custodial Services		<b>X</b>	
(8) Other: _____			

*Note: For internet – see section 6.4 below.*

The DISTRICT will invoice LESSEE for the utilities pursuant to this Section. LESSEE will not pay the providers directly. The meters and accounts for utilities will remain under the name of the DISTRICT.

**6.2** The DISTRICT shall not be liable for any loss, injury or damage to person or property caused by or resulting from any variation, interruption, or failure of utilities due to any cause whatsoever, and rent shall not abate as a result thereof, except due to the intentional misconduct or gross negligence of the DISTRICT. LESSEE shall be responsible for determining whether available utilities and their capacities will meet LESSEE’s needs. LESSEE should determine if all necessary utilities are available to the Leased Premises and are adequate for LESSEE’s intended use.

**6.3 Meals/Other Services:** Upon execution of a separate agreement, the DISTRICT may agree to provide meal services to LESSEE for a set fee or cost. Such an agreement will be entered into separately and will run concurrently with the remaining term of this Agreement, including any renewals thereof.

**6.4 Internet Services.** Upon request, the DISTRICT may agree to provide internet services (including WiFi wireless connectivity) to LESSEE on the Leased Premises for an additional cost otherwise LESSEE is responsible for securing its own internet capabilities. Under this lease agreement, the parties agree to the following:

*(Check only one)*

- \_\_\_\_\_ LESSEE will not utilize the DISTRICT’S internet services  
  X   LESSEE will utilize the DISTRICT’S internet services at an additional cost of Eighty and \$80.00 and No/100 Dollars (\$80.00) per month, which shall be paid at the same time as Rent.

If LESSEE opts to utilize the DISTRICT’s internet, then the following provisions apply:

- a. The internet service is provided as an amenity to LESEE and is not included in the rent. However, the DISTRICT makes no guarantees regarding the speed, availability, or reliability of the internet connection.
- b. **Proper Use:** LESSEE agrees to use the provided internet service responsibly and lawfully. LESSEE shall not use the internet service for any illegal or unauthorized purposes, including but not limited to: downloading or distributing copyrighted material without permission; engaging in activities that may harm the network, such as introducing viruses or engaging in hacking; and or using the internet for commercial purposes not expressly allowed under this Lease Agreement.
- c. **Compliance with ISP Terms:** LESSEE agrees to comply with the terms of service of the DISTRICT’s internet service provider (ISP). Any violation of the ISP’s terms that results in

- penalties or additional costs to the DISTRICT will be the responsibility of the LESSEE.
- d. **Security:** LESSEE is responsible for ensuring the security of any devices connected to the internet network provided by the DISTRICT. The DISTRICT is not responsible for any damages, loss of data, or security breaches experienced by the LESSEE while using the internet.
  - e. **Limitations on Liability:** The DISTRICT shall not be liable for any interruption, failure, or malfunction of the internet service. LESSEE acknowledges that the internet service may be unavailable at times for maintenance or other reasons beyond the DISTRICT's control. In such cases, LESSEE shall not be entitled to any reduction in rent or compensation.
  - f. **Termination of Access:** The DISTRICT reserves the right to suspend or terminate LESSEE's access to the internet service in the event of non-payment of rent, breach of this provision, or other violations of this Lease Agreement. Such suspension or termination will not relieve the LESSEE. The DISTRICT may also terminate internet services at any time for convenience by providing LESSEE thirty (30) days written notice.
  - g. **Indemnification: LESSEE AGREES TO INDEMNIFY AND HOLD THE DISTRICT HARMLESS FROM ANY CLAIMS, DAMAGES, OR LEGAL ACTIONS ARISING FROM THE LESSEE'S USE OR MISUSE OF THE INTERNET SERVICE.**

**7. MAINTENANCE AND REPAIRS**

**7.1 Cleaning:** LESSEE must keep the Leased Premises clean and sanitary and promptly dispose of all garbage in appropriate receptacles. LESSEE will provide, at its expense, maintenance and repair services to the Leased Premises that are customary and ordinary for the property type.

**7.2 Repairs of Conditions:** LESSEE party must promptly notify LESSOR of any damaged property needing repair. LESSOR will make timely repairs and any costs associated with the repairs will be billed to LESSEE.

**7.3 List of Responsibilities:** Except as otherwise provided herein, the party designated below, at its expense, is responsible to maintain and repair the following specified items in the Leased Premises (if any). The specified items must be maintained in clean and good operable condition. If a governmental regulation or order requires a modification to any of the specified items, the party designated to maintain the item must complete and pay the expense of the modification. The specified items include and relate only to real property in the Leased Premises. LESSEE is responsible for the repair and maintenance of its personal property. LESSEE must promptly notify DISTRICT of any item that is in need of repair and that is the DISTRICT's responsibility to repair. All requests for repairs to DISTRICT must be in writing. *(Check all that apply.)*

Category	Responsible Party		
	N/A	District	Lessee
1. Foundation, exterior walls, roof, and other structural components		X	
2. Glass and windows			X
3. Fire protection equipment		X	
4. Exterior & overhead doors, including closure devices, molding, locks, and hardware		X	
5. Grounds maintenance, including landscaping			X
6. Parking areas and walks		X	
7. Plumbing systems, drainage systems and sump pumps		X	
8. Electrical systems, mechanical systems		X	

9. Ballast and lamp replacement		X	
10. Heating, Ventilation and Air Conditioning (HVAC) systems		X	
11. HVAC system replacement		X	
12. Signs and lighting (District-operated)		X	
13. Extermination and pest control, excluding wood-destroying insects			X
14. Wood-destroying insect treatment and repairs			X
15. Other:			

**8. INSURANCE AND INDEMNIFICATION:**

**8.1** Throughout the Term of this Agreement, LESSEE shall maintain, at its sole cost and expense, a policy or policies of general comprehensive liability insurance insuring LESSEE, the DISTRICT, and the DISTRICT’s affiliates against any and all liability for injury to or death of a person or persons and for damage to or destruction of property occasioned by or arising out of or in connection with the use or occupancy of the Leased Premises by LESSEE or by the condition of the Leased Premises.

During the time this lease is in effect, LESSEE must, at LESSEE’s sole expense, maintain in full force and effect from an insurer authorized to operate in Texas:

- a) **Commercial General Liability:** Commercial General Liability insurance naming Florence Independent School District as an additional insured with policy limits on an occurrence basis in a minimum amount of \$1,000,000.
- b) **Personal Property:** Personal property damage insurance for the business operations being conducted in the Leased Premises and contents in the leased premises in an amount sufficient to replace such contents after a casualty loss.

District must be listed as an additional insured. Prior to the commencement of this lease agreement, LESSEE shall provide the DISTRICT with a copy of all insurance certificates evidencing the required coverage. If the insurance coverage is renewed or changes in any manner or degree at any time this lease is in effect, LESSEE must not later than 10 days after the renewal or change, provide the DISTRICT a copy of an insurance certificate evidencing the renewal or change. LESSEE must also deliver a copy of the most current Certificate of Insurance at the beginning of each year of this lease – on **July 31<sup>st</sup>** of each year.

**LESSEE must provide thirty (30) days’ notice of cancellation to the DISTRICT and further require any and all coverage providers insuring the Leased Premises to notify the District at least thirty (30) days in advance of cancellation of any insurance coverage.**

**If LESSEE fails to maintain the required insurance in full force and effect at all times this lease is in effect, the DISTRICT may but is not required to purchase insurance that will provide the DISTRICT with the same coverage required herein and LESSEE must immediately reimburse the DISTRICT for any such expense; or the DISTRICT may immediately terminate this Agreement upon the LESSEE’s failure to provide a valid Certificate of Insurance.**

**8.2 Natural Disaster Damages:** If a hurricane or other natural disaster (which is defined as including but is not limited to: coastal flooding, cold wave, drought, earthquake, hail, heat wave, hurricane

(tropical cyclone), ice storm, fire, landslide, lightning, riverine flooding, strong wind, tornado, typhoon, tsunami, wildfire, seismic activity, winter weather, etc.) damages LESSEE's personal belongings, LESSEE understands and agrees that the DISTRICT is not responsible or liable for any such damages and it is LESSEE's sole obligation to ensure that the insurance policy covers the loss of any of LESSEE's personal property. In the event a natural disaster causes damage to the Leased Premises that makes the property unusable or uninhabitable, then the lease agreement automatically terminates. LESSEE understands and agrees that in the event of any damage or destruction of the Leased Premises, LESSEE is solely responsible for any repair, restoration, replacement or rebuilding the Leased Premises if LESSEE decides to continue to use the Leased Premises following an event that renders the Property unusable or uninhabitable. The DISTRICT is not obligated to make any repairs to the property at any time. Further, LESSEE understands and agrees that it is its sole responsibility to insure the property against any natural disasters including tornados or other weather events.

**8.3** If the property suffers any damage that makes the Leased Premises unusable or unsuitable for its current condition, the DISTRICT may choose to repair the Leased Premises and/or make other arrangements with LESSEE to use a different portion of the Property or the DISTRICT may in its sole discretion immediately terminate the lease agreement.

**8.4** The limits of said insurance required by this Agreement or as carried by LESSEE shall not, however, limit the liability of LESSEE nor relieve LESSEE of any obligation hereunder. All insurance to be carried by LESSEE shall be primary to and not contributory with any similar insurance carried by DISTRICT, whose insurance shall be considered excess insurance only.

**8.5** To the extent allowable under the laws and regulations governing the writing of insurance within the state of Texas, LESSEE releases DISTRICT and its agents and employees from all liability to the DISTRICT, or anyone claiming through or under it, by way of subrogation or otherwise, for any loss or damage to property caused by or resulting from risks insured against under this lease, pursuant to insurance policies carried by LESSEE which is in force at the time of the loss or damage. LESSEE will request that its insurance carrier include in policies provided pursuant to this Agreement an endorsement recognizing this waiver of subrogation.

**8.6 LESSEE's Obligation. TO THE EXTENT ALLOWED BY LAW, LESSEE HEREBY AGREES TO INDEMNIFY, DEFEND AND HOLD DISTRICT AND ITS OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, MORTGAGEES, AND MANAGEMENT COMPANY AND THEIR RESPECTIVE EMPLOYEES, AGENTS, OWNERS, OFFICERS AND DIRECTORS (COLLECTIVELY THE "DISTRICT PARTIES") HARMLESS FROM AND AGAINST ANY AND ALL DAMAGES, LOSSES, COSTS, EXPENSES, OBLIGATIONS, FINES, CLAIMS AND LIABILITIES (INCLUDING REASONABLE ATTORNEY'S FEES AND COURT COSTS) SUFFERED BY ANY DISTRICT AND/OR THE DISTRICT PARTIES AS A RESULT OF, CAUSED BY, ARISING OUT OF, OR IN ANY WAY RELATING TO (A) NON-COMPLIANCE WITH OR VIOLATION OF ANY LEGAL REQUIREMENTS APPLICABLE TO THE PREMISES, LESSEE, OR LESSEE'S USE AND OCCUPANCY OF THE PREMISES; (B) ARISING BECAUSE OF ANY BODILY INJURY, DEATH AND/OR DAMAGE TO PROPERTY WITHIN THE PREMISES; (C) THE USE, GENERATION, STORAGE, TREATMENT, OR TRANSPORTATION, OR THE DISPOSAL OR OTHER RELEASE INTO THE ENVIRONMENT, OF ANY HAZARDOUS SUBSTANCES BY LESSEE OR ITS EMPLOYEES, AGENTS, OR CONTRACTORS; (D) ANY INJURY OR DAMAGE TO ANY PERSON OR PROPERTY, OCCURRING IN OR ABOUT THE PREMISES, INCLUDING, WITHOUT LIMITATION, INJURY AND/OR DAMAGE CAUSED BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF DISTRICT AND/OR ANY OF THE OTHER DISTRICT PARTIES; AND (E)**

ARISING BECAUSE OF ANY BODILY INJURY, DEATH AND/OR DAMAGE TO PROPERTY OCCURRING OUTSIDE OF THE PREMISES BUT WITHIN THE BUILDING, BUT ONLY IF SUCH CLAIM IS THE RESULT OF ANY NEGLIGENCE OR WILLFUL MISCONDUCT OF LESSEE, ITS SUBLESSEES, LICENSEES, AND CONCESSIONAIRES (WHERE PERMITTED PURSUANT TO THIS LEASE) AND THEIR RESPECTIVE EMPLOYEES, AGENTS, CONTRACTORS, OFFICERS, AND DIRECTORS. The provisions of this Section shall survive the expiration or termination of this Lease.

**8.7 Exemption of DISTRICT's Liability.** IF THE PREMISES, OR ANY PART THEREOF, IS DAMAGED BY FIRE OR OTHER CAUSE AGAINST WHICH LESSEE IS REQUIRED TO CARRY INSURANCE PURSUANT TO THIS LEASE, DISTRICT PARTIES SHALL NOT BE LIABLE TO LESSEE OR TO ANY LESSEE PARTY FOR ANY LOSS, COST OR EXPENSE ARISING OUT OF OR IN CONNECTION WITH SUCH DAMAGE INCLUDING (WITHOUT LIMITATION) ANY RIGHT TO RECOVER ANY DEDUCTIBLE. LESSEE HEREBY RELEASES DISTRICT PARTIES FROM ANY LIABILITY, CLAIM OR ACTION ARISING OUT OF OR IN CONNECTION WITH SUCH DAMAGE AND WAIVES AND RELEASES ANY RIGHT OF SUBROGATION THAT ANY INSURER OF LESSEE WOULD, BUT FOR THIS WAIVER, HAVE AGAINST DISTRICT PARTIES, INCLUDING (WITHOUT LIMITATION) ANY CLAIM FOR ANY DEDUCTIBLE. FURTHERMORE, DISTRICT PARTIES SHALL NOT BE LIABLE TO LESSEE FOR LOSS, INJURY, OR DAMAGE WHICH MAY BE SUSTAINED BY ANY PERSON, GOODS, WARES, MERCHANDISE OR PROPERTY OF LESSEE, ITS AGENTS, CONTRACTORS, EMPLOYEES, INVITEES OR CUSTOMERS, OR ANY OTHER PERSON IN OR ABOUT THE PREMISES, CAUSED BY OR RESULTING FROM FIRE, STEAM, ELECTRICITY, GAS, WATER, OR RAIN, WHICH MAY LEAK OR FLOW FROM OR INTO ANY PART OF THE PREMISES, OR FROM THE BREAKAGE, LEAKAGE, OBSTRUCTION OR OTHER DEFECTS OF THE PIPES, SPRINKLERS, WIRES, APPLIANCES, PLUMBING, AIR CONDITIONING OR LIGHTING FIXTURES OF THE SAME, WHETHER SUCH DAMAGE OR INJURY RESULTS FROM CONDITIONS ARISING WITHIN THE PREMISES OR OTHER PORTIONS OF THE PREMISES, OR FROM ANY OTHER SOURCE. DISTRICT PARTIES SHALL NOT BE LIABLE TO LESSEE OR TO ANY LESSEE PARTY FOR ANY DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY ACT OR OMISSION OF ANY OTHER LESSEE OF THE BUILDING. DISTRICT PARTIES SHALL NOT BE LIABLE TO LESSEE FOR LOSSES DUE TO THEFT OR BURGLARY OR FOR DAMAGES ARISING OUT OF WRONGFUL ACTS OF THIRD PARTIES.

**8.8** To the extent permitted by law, the DISTRICT is NOT responsible to LESSEE or LESSEE's employees, patrons, guests, or invitees for any damages, injuries, or losses to person or property caused by: (a) an act, omission, or neglect of: LESSEE; LESSEE's agent(s); LESSEE's guest; LESSEE's employees; LESSEE's patrons; LESSEE's invitees; or any other lessee on the Property; (b) fire, flood, water leaks, ice, snow, hail, winds, explosion, smoke, riot, strike, interruption of utilities, theft, burglary, robbery, assault, vandalism, other persons, environmental contaminants, or other occurrences or casualty losses.

**8.9** The provisions of this Section 8 shall survive the termination of this Agreement.

**9. ALTERATIONS, ADDITIONS, and IMPROVEMENTS:** LESSEE shall not make any alterations, additions or improvements to the Leased Premises without the prior written consent of the DISTRICT. Any such approved alterations, additions or improvements to the Leased Premises shall become a part of the Leased Premises, and shall become the property of the DISTRICT upon termination of this Agreement, unless such additions, improvements, or alterations are not considered affixed to the property and LESSEE can remove the property with no damage or negative effects to the Leased Premises or such

damage can be and is repaired to the same or better condition as that portion of the Leased Premises was delivered to LESSEE. Requests or notices of this nature should be submitted to the DISTRICT's Superintendent's Office.

**10. RIGHT OF ENTRY:** In the event that emergency repairs to the Leased Property are required, DISTRICT may enter the property immediately, and without notice to LESSEE. In all other circumstances, the DISTRICT may enter the Leased Premises for inspection, repair, alterations, or improvement of the Leased Premises (or other reasonable purpose) but will provide LESSEE with 24-hours' notice of its intention to enter the Leased Property. The DISTRICT will not unreasonably interfere with LESSEE business operations during entry of the property.

**11. ABANDONMENT:** If LESSEE moves from the property prior to termination of this Agreement, the DISTRICT shall have the right to enter the Leased Premises (and may, at DISTRICT's sole discretion, terminate this Agreement prior to the end of the Term) without relieving LESSEE of its obligations under this Agreement.

**12. DEFAULT:**

**12.1** In the event that LESSEE defaults in the performance of any obligation under this Agreement, including abandonment of the property, the DISTRICT shall provide LESSEE with written notice of the default. If the default in performance by LESSEE is not cured **within thirty (30) days** after receipt of notice of default from the DISTRICT, the DISTRICT may, without limiting its remedies under applicable law, terminate this Agreement (at which time LESSEE shall vacate the property and return it to the DISTRICT in a condition that is substantially similar to that which existed at the beginning of the Term, ordinary wear and tear excepted, within the same thirty (30) day period).

**12.2** The District shall retain the right to compensation for all amounts due and owed by LESSEE to the DISTRICT under this Agreement if LESSEE terminates this Agreement in accordance with the terms hereof. Any such items of personal property not removed by the lease termination date will become DISTRICT's property on that date.

**13. SALE OF LEASED PREMISES:**

**13.1** Should the District elect to sell the Leased Premises, the DISTRICT agrees to notify LESSEE of its intent to do so in order to provide LESSEE with the opportunity to offer to purchase the property by submitting a sealed bid in accordance with the DISTRICT's real estate sales process.

**13.2** In the event the DISTRICT sells the Leased Premises, the DISTRICT shall be relieved and released from any liability under any and all of its covenants and obligations under the Lease and the Lease will be deemed terminated, and the covenants and obligations will not carry over to the purchaser of the Property.

**13.3** If the DISTRICT sells the Leased Premises to someone other than LESSEE, LESSEE will be provided no less than **thirty (30) days' notice** of any such impending sale to vacate the Leased Premises.

**14. NO WAIVER:** In the event that either party fails to enforce any obligation of the other party under this Agreement when performance is due, such delay or failure to enforce shall not constitute a waiver of its right to seek full performance at any future time.

**15. NOTICE:** Notice under this Agreement shall be given in writing, U.S. Mail (certified mail, return receipt requested), postage pre-paid and addressed as noted below, and shall be effective **three (3) days**

after the date upon which notice is given:

**DISTRICT:**

Florence ISD  
Attn: Superintendent Rick Kirkpatrick  
306 College Avenue  
Florence, TX 76527  
Phone: (254) 793-2850

**LESSEE:**

Education Connection Preschool and Child Care Solutions, Ltd.  
Attn: Tracy Hanson  
1020 Trimmier Road  
Killeen, Texas 76541  
Phone: (254) 290-9299

16. **EARLY TERMINATION:** LESSEE or the DISTRICT may terminate this Agreement, with or without cause, prior to the end of the initial Term or any renewal term upon thirty (30) days' written notice to the other party.

17. **NO ASSIGNMENT OR SUBLEASE:** LESSEE may not assign or sublease under this Agreement, in whole or in part, without the prior written consent of the DISTRICT, which shall not be unreasonably withheld.

18. **ENTIRE AGREEMENT:** This Agreement reflects the entire agreement between the DISTRICT and LESSEE with respect to the Leased Premises, and there are no oral representations, warranties, agreements or promises pertaining to this Agreement or to any expressly mentioned exhibits not incorporated in writing in this Agreement. This Agreement may be amended only by an instrument in writing signed by the District and Lessee.

19. **VENUE/JURISDICTION:** The parties hereto agree that the venue for adjudicating any such dispute hereunder shall be the applicable state court of competent jurisdiction sitting in Williamson County, Texas. This Agreement shall be governed by the laws of the state of Texas (without regard to the conflict of provisions thereof).

20. **ATTORNEYS' FEES:** In the event it is necessary or reasonable for either Party to retain the services of an attorney in connection with the interpretation or enforcement of any provision hereof due to a dispute between the Parties, the party prevailing in such dispute shall be entitled to collect from the other party, including costs and attorneys' fees determined by the trier of fact to be reasonable and just.

21. **END OF TERM:** Upon the termination of this Agreement, whether this Agreement expires in accordance with its terms or if it is terminated prior to the expiration of the Term, LESSEE shall surrender the Leased Premises to the DISTRICT in condition similar to that which existed at the beginning of the Term, ordinary wear and tear excepted, unless otherwise permitted in writing by the DISTRICT.

22. **SUBORDINATION:** This lease and all related subleases shall be subject and subordinate at all times to the lien of any mortgages and/or ground rents and/or other encumbrances now or hereafter placed on the Leased Premises without the necessity of any further instrument or act on the part of LESSEE to effectuate such subordination, but LESSEE covenants and agrees to execute and deliver upon demand such further instrument or instruments evidencing such subordination of this lease to the lien of any such mortgage or mortgages and/or ground rent and/or other encumbrances as shall be desired by any mortgagee

or proposed mortgagee or by any person.

23. **SUCCESSORS:** This Lease Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors, assigns and legal representatives.

24. **SEVERABILITY:** The provisions of this agreement are severable and the invalidity or unenforceability of any provision hereof shall not affect the validity or enforceability of any other provision. It is the intention of the parties that each provision hereof be construed in a manner designed to effectuate the purposes of such provision to the maximum extent enforceable under applicable law.

25. **SUBLETTING AND ASSIGNMENT:** The DISTRICT may assign this lease to any subsequent owner of the Property by providing prior written notice to LESSEE and securing LESSEE's written consent, and LESSEE will not unreasonably withhold consent. LESSEE may not assign this lease or sublet any part of the leased premises without the DISTRICT's written consent. An assignment of this lease or subletting of the leased premises without the DISTRICT's written consent is voidable by the DISTRICT. If LESSEE assigns this lease or sublets any part of the leased premises, LESSEE will remain liable for all of LESSEE's obligations under this lease regardless if the assignment or sublease is made with or without the consent of the DISTRICT.

26. **NO WAIVER OF IMMUNITY:** No party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, its officers, employees, and agents as a result of the execution of this Agreement and the performance of the covenants contained herein. Nothing herein shall be construed as a consent to suit.

27. **RELATIONSHIP OF PARTIES:** Nothing in this agreement shall be deemed to create a partnership, agency, or joint venture relationship between the LESSEE and the DISTRICT.

28. **REQUIRED NOTIFICATIONS/FILINGS:** Prior to entering into this Agreement, LESSEE must comply and file a Form 1295 Certificate of Interested Parties with the Texas Ethics Commission online: <https://www.ethics.state.tx.us/>. LESSEE must also complete a Form CIQ, Conflict of Interest Questionnaire and comply with all requirements under Chapter 176, Local Government Code (*see*: <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>). Failure to comply with either requirement and the law will render this Agreement void.

29. **EXECUTION OF DOCUMENTS:** Electronic signature via e-mail, facsimile, or other electronic means shall be binding on the parties and shall be effective upon receipt of an electronic copy of the agreement by the Parties, evidencing the signature of both Parties. The parties hereby enter into this Agreement, on the later of the dates set forth below, each through its fully authorized signatory.

**AGREED TO BY DISTRICT:**

**FLORENCE INDEPENDENT SCHOOL DISTRICT, (“LESSOR”)**

an independent school district and political subdivision of the State of Texas

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**AGREED TO BY LESSEE:**

**EDUCATION CONNECTION PRESCHOOL AND CHILD CARE SOLUTIONS, LTD**, a licensed child care program operating in the State of Texas (“LESSEE”)

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Taxpayer ID #: \_\_\_\_\_

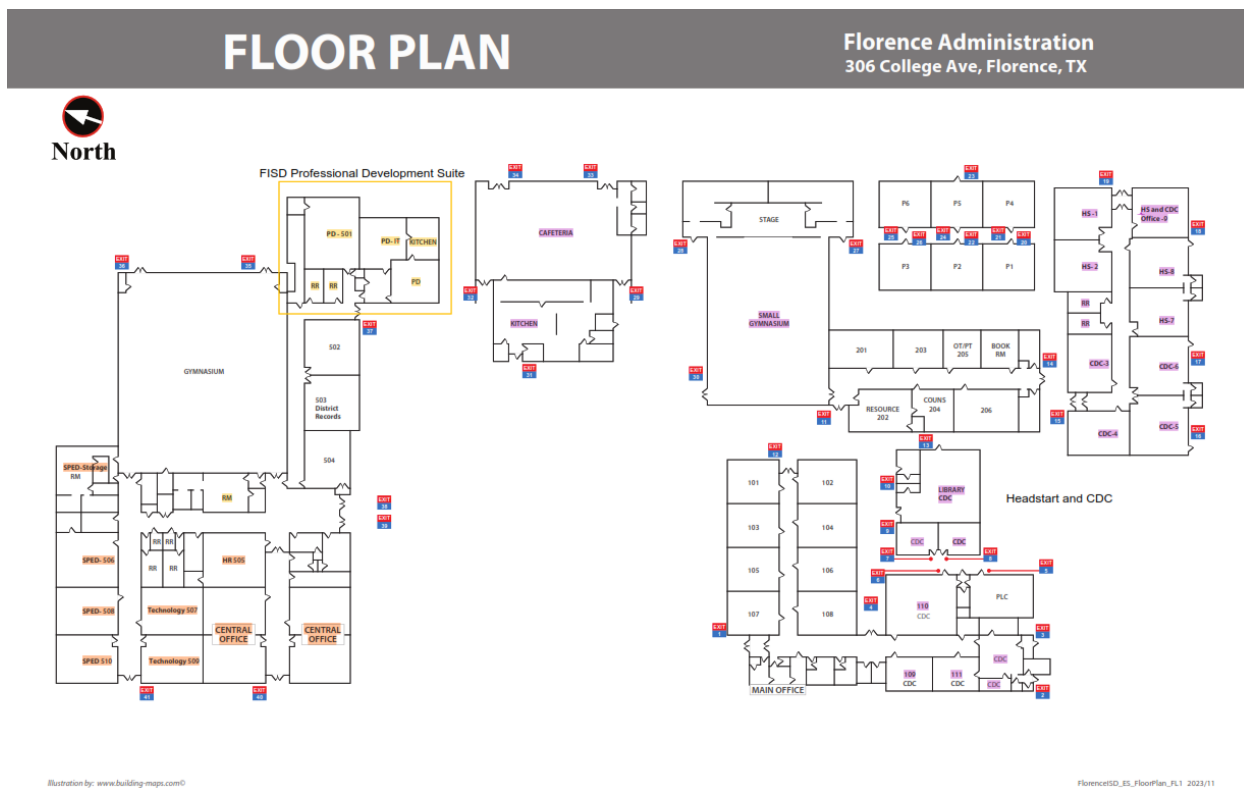
Operation #: **1586638** (Texas Department of Health and Human Services)

# EXHIBIT A TO LEASE AGREEMENT

## Location of Leased Premises:

Florence Elementary School  
306 College Avenue  
Florence, Texas 76527  
Phone: (254) 793-2497

The LESSEE may be assigned a space within the Florence Elementary School labeled “CDC”. LESSEE will be informed of the assigned space(s) within the building before formally occupying the premises. Lessee will share office space with another Lessee within the Florence Elementary School and have access to the restrooms and the school cafeteria.



## MEMORANDUM OF UNDERSTANDING

### Agreement Between the Florence Independent School District and the Florence Police Department for the Police and School Cooperation Program

THIS AGREEMENT, made and entered into this 14<sup>th</sup> day of July 2025, by and between the FLORENCE INDEPENDENT SCHOOL DISTRICT, (hereinafter referred to as "Florence ISD") and the FLORENCE POLICE DEPARTMENT (hereinafter referred to as "Florence PD"), sets forth the specific terms and conditions by which the Police and School Cooperation Program (hereinafter referred to as the "PSCP") will be administered for the 2025-2026 school year, and subsequent years, if applicable. The Florence ISD Superintendent and the Florence PD Chief of Police will act as the main liaisons to this agreement and will meet annually to assess this agreement.

#### SERVICE

Pursuant to Chapter 791, Texas Government Code, the Texas Interlocal Cooperation Act (the "Cooperation Act") the parties are empowered to contract with each other for the performance of governmental functions, including police protection, and as permitted in 8 37.081 of the Texas Education Code.

#### ASSUMPTIONS

- A. Florence ISD and the Florence PD share a mutual goal of ensuring a learning environment in Florence ISD that is free from the fear of crime, violence and victimization by providing law enforcement and related services to the public schools of Florence, Texas; and
- B. Florence ISD and the Florence PD recognize the potential outstanding public safety benefits that the PSCP will provide to the students, teachers, and staff of the public school system and all the citizens of Florence Texas; and
- C. Florence ISD and the Florence PD desire to build and maintain a positive relationship between Police Officers and the youth of our community; and
- D. The best interests of Florence ISD, the Florence PD, the city of Florence, and the entire community will be served by establishing these programs.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, Florence ISD and the Florence PD hereby agree as follows:

## ARTICLE I

The PSCP is hereby established in the public school system of Florence, Texas for the 2025-2026 school year, and each subsequent year if renewed under the terms of this Agreement, in accordance with the dates in the school calendar, as approved by the Florence ISD Board of Trustees and communicated to the Florence PD.

## ARTICLE II

The Florence PD shall provide the following, which are deemed necessary to the success of the Program and the performance to the duties of the officer:

### A. Number and Assignment of Officers

1. The Florence PD will provide three (3) regularly employed PSCP officers to be assigned to each of the Florence High School, Florence Middle School, and Florence Elementary School campuses.
2. All officers assigned to Florence ISD campuses shall be Officers employed by the Florence PD, shall be certified Peace Officers for the State of Texas, and shall meet all requirements as set forth by the Texas Commission on Law Enforcement Officers (TCOLE), the City of Florence, and the Florence PD.

### B. Supervision

1. The day-to-day operational and administrative control of the officer will be the responsibility of the Florence PD. Responsibility for the officer's conduct, both personally and professionally, shall remain with the Florence PD. Should the Florence ISD have any problems with an officer, they will report such problems to the Florence PD.
2. The Florence PD shall provide supervisory personnel to oversee the PSCP program. The Florence PD shall assign the Florence Chief of Police as the supervisor to oversee the officers listed above.

### C. Equipment

1. Florence PD uniforms.
2. Standard duty gear.
3. 800 MHz radio.
4. Vehicle and all costs associated with the operation and maintenance of the vehicle.
5. All City software applications.

D. Training

1. All training required by TCOLE for officers of the State of Texas.
2. Funding of all training, and all costs related to said training, in areas deemed necessary by the Florence PD and/or required by state law.
3. Annual Florence PD and PSCP orientation/training.

ARTICLE III

Florence ISD shall provide the following, which are deemed necessary for the success of the Program and to the performance of the required duties of the officer:

A. Facilities & Equipment

1. Access to an air-conditioned and properly lit private office, with a telephone that may be used for general business purposes.
2. A location for files, records, and evidence that can be properly locked and secured, to be used for school officials to store records and any evidence to be turned over to law enforcement.
3. Secretarial assistance on an as needed basis, limited to tasks required by law and/or that does not interfere with the secretary's normal work duties.
4. Office supplies, such as paper, note pads, access to a copier/printer, etc.

B. Personnel

1. Provision of signed written statements or oral accounts by Florence ISD employees who witness criminal acts or other matters requiring attention or action by the PSCP Officer.
2. Opportunity for an officer to address teachers and school administrators regarding criminal justice or safety matters relating to students, teachers, or staff during a time or times that are mutually agreed upon and scheduled by Florence ISD staff and the Florence PD.
3. Communication to the Program Supervisor of any expectations or requested changes to the Program in current or future years.

C. Funding

1. Florence ISD shall provide funding for Florence ISD Resource Officers to cover the direct costs of three SRO salaries, benefits, and health insurance. The funding provided will cover the 2025-2026 school year.

2. Florence ISD shall pay \$66,956.98 for the salary, benefits, and insurance coverage of SRO Officer 1 for the school year 2025-2026.
3. Florence ISD shall pay \$71,908.80 for the salary, benefits, and insurance coverage of SRO Officer 2/Supervisor for the school year 2025-2026.
4. Florence ISD shall pay \$66,956.98 for the salary, benefits, and insurance coverage of SRO Officer 3 for the school year 2025-2026.
5. Florence ISD shall have the option of making monthly payments to the City of Florence to reimburse the direct costs of salaries, benefits, and insurance for the SRO officers or to make a one-time payment to the City of Florence in the amount of \$205,822.76, that shall be paid to the City of Florence no later than August 12, 2025.

#### ARTICLE IV

Duties of the Officers and Supervisor involved in the program shall include, but are not limited to the following:

A. Duties of Officers Assigned to Florence ISD

The following shall be in addition to, and not in lieu of, and will in no way relieve the Florence PD of its obligation to provide, routine patrol services on the same basis as are provided to other School campuses or other properties within the City of Florence, Texas.

1. Enforcement duties and responsibilities of the PSCP Officer:
  - a. Protection of the lives and property of the students, teachers, staff members and visitors of the Florence High School Campus, Florence Middle School, and other Florence school campuses as directed.
  - b. Enforcement of Federal, State and Local criminal laws and ordinances.
  - c. Investigations of criminal activity and accidents occurring at assigned campuses.
  - d. Provision of traffic control during the arrival and departure of students on an as needed basis, based upon law enforcement and school district determination of need.

- e. Provision of assistance to other law enforcement officers, provided such assistance does not interfere with the officer's assigned duties on his or her campus.
- f. The PSCP Officer shall not act as a school disciplinarian. However, if the principal believes an incident is a violation of the law, the principal may contact the PSCP Officer and the PSCP Officer shall then determine whether law enforcement action is appropriate.
- g. Prompt notification to the Florence ISD Administration of any law enforcement action taken.
- h. Enforcement of District rules and removal of violators at the request of a Florence ISD administrator, to the extent permitted by law.
- i. Notification to the campus principal prior to requesting additional police assistance, when practicable.
- j. Coordination of activities with the campus principal and staff members concerned.
- k. Coordination with and request for permission from Florence ISD Administration prior to enacting any program within Florence ISD.
- l. Participation in individual and small group discussions with students, in order to further establish rapport with the students.
- m. Accessibility for conferencing with students, parents, and faculty members in order to assist with law enforcement or crime prevention issues.
- n. Maintaining familiarity with all community agencies offering assistance to youths and their families, such as mental health clinics, drug treatment centers, etc., such that the PSCP Officer can make referrals to such agencies when necessary and act as a resource person to the students, faculty, and staff of Florence ISD.
- o. Assistance to the campus principal with identifying situations or school protocol, on campus or during school sponsored events, that have potential to become a dangerous situation and development of action plan(s) that help prevent or minimize negative impacts.
- p. Maintenance of detailed and accurate records of the operation of the Police and School Cooperation Program.

- q. Maintaining a presence and visibility on all school campuses at all times when students are present.
  - r. Provision of assistance if problems arise in common areas of the campuses, inside and outside, except that PSCP Officers shall not perform routine administrative duties such as lunchroom duty, acting as a hall monitor, bus duty, or other administrative monitoring duties.
2. Instructional responsibility of the PSCP Officer at secondary campuses:
- a. Guest speaking roles on a non-full-time basis, to provide instruction relevant to district needs as listed below.
  - b. Provision of a variety of specialized, short-term law-related presentations available to the high school faculty and students.
  - c. Development of expertise in various subjects that can be presented to students, including basic understanding of law, the role of the police officer and the police force mission, and other topics that relate to student or school safety.
3. Duties and Responsibilities of Supervisor:
- a. Program development and administration.
  - b. Approval of reports, oversight of problem-solving efforts, provision of leadership, training, direction, and evaluations,
  - c. Establishment of rapport with Florence ISD campus Principals.
  - d. Performance of scheduled and non-scheduled visits to Florence ISD campuses.
  - e. Acting as a Liaison with Florence ISD Principals.

## ARTICLE V

### Dismissal of PSCP Officer

- A. In the event a campus principal or other Florence ISD Administrator believes that an assigned Officer is not effectively performing his or her duties, the campus Principal or other Administrator shall notify the Superintendent in an attempt to correct the situation.

- B. If concerns about an assigned officer cannot be resolved, the Principal or other Florence ISD Administrator may recommend to the Superintendent that the officer be removed from his or her assigned campus.
- D. The Chief of Police and the Superintendent of Schools shall jointly determine the status of the Officer and a replacement shall be made if the Officer is removed from Florence ISD.
- E. The Florence Chief of Police may dismiss or reassign an Officer based upon Department Rules, Regulations and/or General Orders or when it is in the best interest of Florence ISD or the City.
- F. In the event of a long-term absence by an Officer, the Florence PD shall provide a temporary replacement for the Officer within thirty (30) school days of receiving notice of such until such time as the Officer resumes their duties.

#### ARTICLE VI

##### Termination of Agreement

This agreement may be terminated by either party upon thirty (30) days written notice that either party has failed to substantially perform in accordance with the terms and conditions of this Agreement, and an attempt to mediate the issue has proven unsuccessful.

Either party, upon ninety (90) days written notice, may terminate this Agreement without cause. Termination of this Agreement may only be accomplished as provided herein.

#### ARTICLE VII

##### Notices

Any and all notices or any other communication herein required or permitted shall be in writing, and may be effected by personal delivery, or by registered or certified mail, return receipt requested, at the address of the respective parties indicated below:

Superintendent Rick Kirkpatrick  
Florence Independent School District  
306 College Ave  
Florence, Texas 76527

Chief Wayne Thompson  
Florence Police Department  
PO Box 430  
Florence, Texas 76527

## ARTICLE VIII

### Good Faith

Florence ISD, the Florence PD, their agents and employees agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by negotiation. Each party hereto acknowledges and represents that their respective governing body has duly authorized this Agreement.

## ARTICLE IX

### Entire Agreement

This document constitutes the full understanding of the parties and supersedes all prior understandings and agreements between the parties. No terms, conditions, understandings or agreement purporting to modify or vary the terms of this document shall be binding unless hereafter made in writing and signed by the parties to be charged.

## ARTICLE X

### Non-Assignment

This Agreement, and each and every covenant herein, shall not be capable of assignment, unless the express written consent of Florence ISD and the Florence PD is obtained.

## ARTICLE XI

### Invalid Provisions

Any clause, sentence, paragraph or article of this Agreement which is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect shall not be deemed to impair, invalidate, or nullify the remainder of this Agreement,

## ARTICLE XII

### Applicable Laws

This Agreement shall be construed in accordance with the laws and constitutions of the United States and the State of Texas. All obligations hereunder are performable in Williamson County, Texas, and venue for any action arising hereunder shall be in Williamson County, Texas.

ARTICLE XIII

Renewal of Agreement

Unless written notice of a party's intent not to renew this Agreement is given to the other party before the date of termination, this Agreement will be presented to Florence ISD Board for approval prior to the start of each school year for an additional one (1) year term beginning on August 1 and terminating on May 31 of the ensuing year.

ARTICLE XIV


Merger

This Agreement constitutes a final written expression of all the terms of this Agreement and is a complete and exclusive statement of those terms.

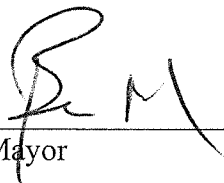
IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized officers.

Signed, this 14<sup>th</sup> day of JULY 2025, for the 2025-2026 school year.

\_\_\_\_\_  
Superintendent- Florence ISD

 Wayne K. Thompson  
Chief of Police- Florence Police Dept.

\_\_\_\_\_  
School Board President

  
\_\_\_\_\_  
Mayor

**APPLICATION AND CERTIFICATE FOR PAYMENT**

\*\* Braun & Butler Construction will never request an ACH payment or change to current ACH information via email or USPS letter. Please inquire if approached in this manner \*\*

TO OWNER: Florence Independent School District PROJECT: Florence High School Band Hall  
 306 College Avenue 401 FM 970  
 Florence, Texas 76527 Florence, Texas 76527  
 FROM CONTRACTOR: ARCHITECT: V.L.K Architects Inc.  
 Braun and Butler Construction, Inc. 2700 Via Fortuna, Ste. 230  
 300 Hazelwood Street, Ste. 100 Leander, Texas 78641 Austin, Texas 78746  
**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown, in connection with the Contract.  
 Continuation sheets are attached.

1. ORIGINAL CONTRACT SUM \$3,875,036.00

2. Net Change by Change Orders \$624,855.22

3. CONTRACT SUM TO DATE proof \$0.00 \$4,499,891.22

4. TOTAL COMPLETED & STORED TO DATE \$4,499,891.22  
 5% of Construction Work \$0.00  
 Total Retainage \$0.00

6. TOTAL EARNED LESS RETAINAGE \$4,499,891.22

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$4,274,896.66

8. CURRENT PAYMENT DUE \$224,994.56

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$642,922.00	\$0.00
Total approved this Month	\$0.00	\$18,066.78
<b>TOTALS</b>	<b>\$642,922.00</b>	<b>\$18,066.78</b>
NET CHANGES by Change Order		\$624,855.22

APPLICATION NO: 14  
 PERIOD TO: 06/30/25  
 PROJECT NO: 012309  
 CONTRACT DATE: 09/27/22  
 Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents; that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Braun and Butler Construction, Inc.

By: Walt Foster Date: 7-7-2025

State of Texas  
 County of Williamson  
 Subscribed and sworn to before me this 7 day of July 2025

Notary Public: [Signature]  
 My Commission expires: 11.29.27  


**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.  
**AMOUNT CERTIFIED** \$224,994.56  
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation sheets that are changed to conform to the amount certified.)

ARCHITECT: V.L.K.

By: [Signature] Date: 7.6.25  
 This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

OWNER: Florence Independent School District  
 By: \_\_\_\_\_ Date: \_\_\_\_\_



**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED (D+E+F)	% (G / C)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION							
33	SITE WORK / BLDG PAD PREP	\$91,869.00	\$91,869.00		\$0.00	\$0.00	\$91,869.00	100%	\$0.00	\$0.00
34										
35	SANITARY SEWER WASTEWATER									
36	WASTEWATER MATERIALS	\$59,771.00	\$59,771.00		\$0.00	\$0.00	\$59,771.00	100%	\$0.00	\$0.00
37	WASTEWATER LABOR	\$64,129.00	\$64,129.00		\$0.00	\$0.00	\$64,129.00	100%	\$0.00	\$0.00
38										
39	STORM DRAINAGE									
40	STORM SEWER SYSTEM MATERIALS	\$11,610.00	\$11,610.00		\$0.00	\$0.00	\$11,610.00	100%	\$0.00	\$0.00
41	STORM SEWER SYSTEM LABOR	\$5,707.00	\$5,707.00		\$0.00	\$0.00	\$5,707.00	100%	\$0.00	\$0.00
42										
43	DOMESTIC WATER									
44	DOMESTIC WATER MATERIALS	\$54,516.00	\$54,516.00		\$0.00	\$0.00	\$54,516.00	100%	\$0.00	\$0.00
45	DOMESTIC WATER LABOR	\$30,384.00	\$30,384.00		\$0.00	\$0.00	\$30,384.00	100%	\$0.00	\$0.00
46										
47	CONCRETE									
48										
49	FOUNDATION	\$132,560.00	\$132,560.00		\$0.00	\$0.00	\$132,560.00	100%	\$0.00	\$0.00
50	SITE REBAR	\$5,000.00	\$5,000.00		\$0.00	\$0.00	\$5,000.00	100%	\$0.00	\$0.00
51	DRAINAGE STRUCTURES	\$5,000.00	\$5,000.00		\$0.00	\$0.00	\$5,000.00	100%	\$0.00	\$0.00
52	SIDEWALKS/HC RAMPS	\$20,000.00	\$20,000.00		\$0.00	\$0.00	\$20,000.00	100%	\$0.00	\$0.00
53	CONCRETE PAVEMENT / APRONS	\$10,000.00	\$10,000.00		\$0.00	\$0.00	\$10,000.00	100%	\$0.00	\$0.00
54	CURBS	\$11,000.00	\$11,000.00		\$0.00	\$0.00	\$11,000.00	100%	\$0.00	\$0.00
55										
56	SPOILS HAUL OFF	\$10,000.00	\$10,000.00		\$0.00	\$0.00	\$10,000.00	100%	\$0.00	\$0.00
57										
58	GROUTING	\$3,000.00	\$3,000.00		\$0.00	\$0.00	\$3,000.00	100%	\$0.00	\$0.00
59										
60	MASONRY									
61	LABOR	\$24,333.75	\$24,333.75		\$0.00	\$0.00	\$24,333.75	100%	\$0.00	\$0.00
62	MATERIAL	\$29,741.25	\$29,741.25		\$0.00	\$0.00	\$29,741.25	100%	\$0.00	\$0.00
63										
64	STRUCTURAL STEEL FRAMING									
65	DETAIL STRUCTURAL STEEL	\$18,815.00	\$18,815.00		\$0.00	\$0.00	\$18,815.00	100%	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall

APPLICATION NO: 14

401 FM 970

PERIOD TO: 6/30/2025

CONTRACTOR: Braun and Butler Construction, Inc.

PROJECT NO: 12309

300 Hazelwood Street Ste. 100 Leander, Texas 78641

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION			COMPLETED % (G / C)			
66	FURNISH STRUCTURAL STEEL	\$81,642.00	\$81,642.00	\$0.00	\$0.00	\$0.00	\$81,642.00	100%	\$0.00	\$0.00
67	FURNISH JOIST AND DECK	\$70,165.00	\$70,165.00	\$0.00	\$0.00	\$0.00	\$70,165.00	100%	\$0.00	\$0.00
68	FURNISH LADDER	\$2,415.00	\$2,415.00	\$0.00	\$0.00	\$0.00	\$2,415.00	100%	\$0.00	\$0.00
69	ERECT STRUCTURAL STEEL	\$43,720.00	\$43,720.00	\$0.00	\$0.00	\$0.00	\$43,720.00	100%	\$0.00	\$0.00
70	ERECT JOIST & DECK	\$29,147.00	\$29,147.00	\$0.00	\$0.00	\$0.00	\$29,147.00	100%	\$0.00	\$0.00
71	ERECT LADDER	\$2,736.00	\$2,736.00	\$0.00	\$0.00	\$0.00	\$2,736.00	100%	\$0.00	\$0.00
72										
73	Angle	\$4,840.00	\$4,840.00	\$0.00	\$0.00	\$0.00	\$4,840.00	100%	\$0.00	\$0.00
74										
75	<b>ROUGH CARPENTRY</b>									
76	LABOR	\$3,512.42	\$3,512.42	\$0.00	\$0.00	\$0.00	\$3,512.42	100%	\$0.00	\$0.00
77	MATERIAL	\$7,150.00	\$6,914.00	\$236.00	\$0.00	\$0.00	\$7,150.00	100%	\$0.00	\$0.00
78										
79	<b>ARCHITECTURAL WOODWORK</b>									
80	CNC/SHOP DRAWINGS	\$2,182.70	\$2,182.70	\$0.00	\$0.00	\$0.00	\$2,182.70	100%	\$0.00	\$0.00
81	LABOR	\$9,800.30	\$9,800.00	\$0.30	\$0.00	\$0.00	\$9,800.30	100%	\$0.00	\$0.00
82	MATERIALS	\$15,402.00	\$15,402.00	\$0.00	\$0.00	\$0.00	\$15,402.00	100%	\$0.00	\$0.00
83	STONE	\$9,790.00	\$9,790.00	\$0.00	\$0.00	\$0.00	\$9,790.00	100%	\$0.00	\$0.00
84										
85	<b>WATERPROOFING</b>									
86	WATER REPELLENTS	\$4,999.00	\$4,999.00	\$0.00	\$0.00	\$0.00	\$4,999.00	100%	\$0.00	\$0.00
87	BARRIERS	\$47,750.00	\$47,750.00	\$0.00	\$0.00	\$0.00	\$47,750.00	100%	\$0.00	\$0.00
88	METAL FLASHING AND TRIM	\$12,923.00	\$12,923.00	\$0.00	\$0.00	\$0.00	\$12,923.00	100%	\$0.00	\$0.00
89	THROUGH WALL FLASHING	\$10,379.00	\$10,379.00	\$0.00	\$0.00	\$0.00	\$10,379.00	100%	\$0.00	\$0.00
90	JOINT SEALANTS	\$4,783.00	\$4,783.00	\$0.00	\$0.00	\$0.00	\$4,783.00	100%	\$0.00	\$0.00
91										
92	<b>INSULATION</b>									
93		\$16,393.00	\$16,393.00	\$0.00	\$0.00	\$0.00	\$16,393.00	100%	\$0.00	\$0.00
94	<b>ROOFING AND SIDING PANELS</b>									
89	SHEET METAL TRIM	\$31,009.77	\$31,009.77	\$0.00	\$0.00	\$0.00	\$31,009.77	100%	\$0.00	\$0.00
90		\$16,083.77	\$16,083.77	\$0.00	\$0.00	\$0.00	\$16,083.77	100%	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 Contractor: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO.: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO.: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	COMPLETED & STORED TO DATE (D+E+F)			% (G / C)			
91	METAL WALL PANELS	\$29,599.30	\$29,599.30		\$0.00	\$0.00	\$29,599.30	100%	\$0.00	\$0.00
92	<b>MEMBRANE ROOFING</b>									
93	ROOF BLOCKING	\$19,944.15	\$19,944.15		\$0.00	\$0.00	\$19,944.15	100%	\$0.00	\$0.00
94	SINGLE PLY ROOFING	\$7,489.94	\$7,489.94		\$0.00	\$0.00	\$7,489.94	100%	\$0.00	\$0.00
95		\$85,405.81	\$85,405.81		\$0.00	\$0.00	\$85,405.81	100%	\$0.00	\$0.00
96		\$11,153.25	\$11,153.25		\$0.00	\$0.00	\$11,153.25	100%	\$0.00	\$0.00
97	<b>SUBMITTALS &amp; WARRANTIES</b>									
98	EQUIPMENT	\$3,787.38	\$3,787.00		\$0.38	\$0.00	\$3,787.38	100%	\$0.00	\$0.00
99		\$10,715.21	\$10,715.21		\$0.00	\$0.00	\$10,715.21	100%	\$0.00	\$0.00
100	<b>FIRE AND SMOKE PROTECTION</b>									
101		\$2,150.00	\$2,150.00		\$0.00	\$0.00	\$2,150.00	100%	\$0.00	\$0.00
102										
103	<b>HOLLOW METAL DOORS AND FRAMES</b>									
104	FRAME INSTALL	\$93,486.00	\$93,486.00		\$0.00	\$0.00	\$93,486.00	100%	\$0.00	\$0.00
105		\$6,840.00	\$6,840.00		\$0.00	\$0.00	\$6,840.00	100%	\$0.00	\$0.00
106	DOORS (INSTALL)	\$2,900.00	\$2,900.00		\$0.00	\$0.00	\$2,900.00	100%	\$0.00	\$0.00
107										
108	<b>OVERHEAD COILING DOORS</b>									
109	DOOR W/ CHAIN HOIST	\$13,870.00	\$13,870.00		\$0.00	\$0.00	\$13,870.00	100%	\$0.00	\$0.00
110	DOOR INSTAL LABOR	\$3,026.00	\$3,026.00		\$0.00	\$0.00	\$3,026.00	100%	\$0.00	\$0.00
111										
112	<b>ENTRANCES, STOREFRONTS</b>									
113	ALUMINUM FRAMES	\$18,730.00	\$18,730.00		\$0.00	\$0.00	\$18,730.00	100%	\$0.00	\$0.00
114	LABOR	\$13,660.00	\$13,660.00		\$0.00	\$0.00	\$13,660.00	100%	\$0.00	\$0.00
115	GLASS	\$15,660.00	\$15,660.00		\$0.00	\$0.00	\$15,660.00	100%	\$0.00	\$0.00
116	LABOR	\$12,500.00	\$12,500.00		\$0.00	\$0.00	\$12,500.00	100%	\$0.00	\$0.00
117										
118	<b>HARDWARE</b>									
119	INSTALL	\$54,020.00	\$54,020.00		\$0.00	\$0.00	\$54,020.00	100%	\$0.00	\$0.00
120	DRYWALL/FRAMING	\$6,240.00	\$6,240.00		\$0.00	\$0.00	\$6,240.00	100%	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 CONTRACTOR: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION		(G/C)			
121	METAL STUD FRAMING	\$88,415.00	\$88,415.00	\$0.00	\$0.00	\$88,415.00	100%	\$0.00	\$0.00
122		\$30,165.00	\$30,165.00	\$0.00	\$0.00	\$30,165.00	100%	\$0.00	\$0.00
123	SHEATHING	\$29,365.00	\$29,365.00	\$0.00	\$0.00	\$29,365.00	100%	\$0.00	\$0.00
124		\$7,155.00	\$7,155.00	\$0.00	\$0.00	\$7,155.00	100%	\$0.00	\$0.00
125	INSULATION	\$44,955.00	\$44,955.00	\$0.00	\$0.00	\$44,955.00	100%	\$0.00	\$0.00
126		\$11,785.00	\$11,785.00	\$0.00	\$0.00	\$11,785.00	100%	\$0.00	\$0.00
127	DRYWALL	\$34,450.00	\$34,450.00	\$0.00	\$0.00	\$34,450.00	100%	\$0.00	\$0.00
128		\$27,045.00	\$27,045.00	\$0.00	\$0.00	\$27,045.00	100%	\$0.00	\$0.00
129									
130	<b>CERAMIC TILING</b>								
131	CERAMIC WALLS	\$18,988.20	\$18,988.20	\$0.00	\$0.00	\$18,988.20	100%	\$0.00	\$0.00
132		\$15,535.80	\$15,535.80	\$0.00	\$0.00	\$15,535.80	100%	\$0.00	\$0.00
133	CEILINGS								
134	ACOUSTICAL GRID	\$12,510.00	\$12,510.00	\$0.00	\$0.00	\$12,510.00	100%	\$0.00	\$0.00
136		\$3,090.00	\$3,090.00	\$0.00	\$0.00	\$3,090.00	100%	\$0.00	\$0.00
137	ACOUSTICAL TILE	\$17,310.00	\$17,310.00	\$0.00	\$0.00	\$17,310.00	100%	\$0.00	\$0.00
139									
140	<b>SPECIALTY FLOORING</b>								
141	EPOXY FLOORING	\$11,720.50	\$11,720.50	\$0.00	\$0.00	\$11,720.50	100%	\$0.00	\$0.00
142		\$9,589.50	\$9,589.50	\$0.00	\$0.00	\$9,589.50	100%	\$0.00	\$0.00
143	<b>FLOORINGS</b>								
144	VCT, CARPET, BASE	\$15,940.10	\$15,940.10	\$0.00	\$0.00	\$15,940.10	100%	\$0.00	\$0.00
146		\$13,041.90	\$13,041.90	\$0.00	\$0.00	\$13,041.90	100%	\$0.00	\$0.00
147									
148	<b>ACOUSTIC PANELS/PYR</b>								
149	MATERIALS	\$12,800.00	\$12,800.00	\$0.00	\$0.00	\$12,800.00	100%	\$0.00	\$0.00
150	INSTALL	\$7,250.00	\$7,250.00	\$0.00	\$0.00	\$7,250.00	100%	\$0.00	\$0.00
151	<b>PAINTING AND COATING</b>								
152	TAPE FLOAT LABOR	\$14,540.00	\$14,540.00	\$0.00	\$0.00	\$14,540.00	100%	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION				
153	TAPE FLOAT MATERIALS	M \$3,789.00	\$3,789.00	\$0.00	\$0.00	\$3,789.00	\$0.00	\$0.00
154	1st COAT PAINT LABOR	L \$11,324.00	\$11,324.00	\$0.00	\$0.00	\$11,324.00	\$0.00	\$0.00
155	1st COAT PAINT MATERIALS	M \$4,653.00	\$4,653.00	\$0.00	\$0.00	\$4,653.00	\$0.00	\$0.00
156	2nd COAT PAINT LABOR	L \$4,400.00	\$4,400.00	\$0.00	\$0.00	\$4,400.00	\$0.00	\$0.00
157	2nd COAT PAINT MATERIALS	M \$1,240.00	\$1,240.00	\$0.00	\$0.00	\$1,240.00	\$0.00	\$0.00
158	PUNCH	\$4,053.00	\$4,053.00	\$0.00	\$0.00	\$4,053.00	\$0.00	\$0.00
159								
160	<b>SIGNAGE</b>							
161	SUBMITTALS AND MOB	\$1,400.00	\$1,400.00	\$0.00	\$0.00	\$1,400.00	\$0.00	\$0.00
162	ROOM ID SIGNAGE	M \$3,790.00	\$3,790.00	\$0.00	\$0.00	\$3,790.00	\$0.00	\$0.00
163		L \$2,190.00	\$2,190.00	\$0.00	\$0.00	\$2,190.00	\$0.00	\$0.00
164	ALUM LETTERS	M \$4,700.00	\$4,700.00	\$0.00	\$0.00	\$4,700.00	\$0.00	\$0.00
165		L \$2,630.00	\$2,630.00	\$0.00	\$0.00	\$2,630.00	\$0.00	\$0.00
166								
167	<b>ACCESSORIES</b>	\$24,454.00	\$24,454.00	\$0.00	\$0.00	\$24,454.00	\$0.00	\$0.00
168								
169	<b>CANOPIES</b>							
170	ABOVE DOORS (4 EA)	L \$8,952.00	\$8,952.00	\$0.00	\$0.00	\$8,952.00	\$0.00	\$0.00
171		M \$12,928.00	\$12,928.00	\$0.00	\$0.00	\$12,928.00	\$0.00	\$0.00
172	STAMPED ENGINEER DRAWINGS	\$8,000.00	\$8,000.00	\$0.00	\$0.00	\$8,000.00	\$0.00	\$0.00
173	MAIN ENTRY CANOPY	L \$12,960.00	\$12,960.00	\$0.00	\$0.00	\$12,960.00	\$0.00	\$0.00
174		M \$19,240.00	\$19,240.00	\$0.00	\$0.00	\$19,240.00	\$0.00	\$0.00
175								
176	<b>WINDOW TREATMENTS</b>							
177	WINDOW TREATMENTS	M \$12,857.00	\$12,857.00	\$0.00	\$0.00	\$12,857.00	\$0.00	\$0.00
178	INSTALLATION	L \$6,577.00	\$6,577.00	\$0.00	\$0.00	\$6,577.00	\$0.00	\$0.00
179								
180	<b>MUSIC STORAGE</b>	\$152,732.00	\$152,732.00	\$0.00	\$0.00	\$152,732.00	\$0.00	\$0.00
181								
182	<b>PLUMBING</b>							
183	ROUGH LABOR	L \$11,940.00	\$11,940.00	\$0.00	\$0.00	\$11,940.00	\$0.00	\$0.00
184	ROUGH MATERIAL	M \$44,520.00	\$44,519.00	\$1.00	\$0.00	\$44,520.00	\$0.00	\$0.00



**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 Contractor: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION				(G / C)	%		
209	WIRING DEVICES AND COVERS LABOR	\$4,752.00	\$4,752.00	\$0.00	\$0.00	\$0.00	\$4,752.00	100%	\$0.00	\$0.00
210	SITE UNDERGROUND MATERIAL	\$5,119.00	\$5,119.00	\$0.00	\$0.00	\$0.00	\$5,119.00	100%	\$0.00	\$0.00
211	SITE UNDERGROUND LABOR	\$8,379.00	\$8,379.00	\$0.00	\$0.00	\$0.00	\$8,379.00	100%	\$0.00	\$0.00
212	MISC MATERIAL	\$9,098.00	\$9,098.00	\$0.00	\$0.00	\$0.00	\$9,098.00	100%	\$0.00	\$0.00
213	MISC LABOR	\$3,346.00	\$3,346.00	\$0.00	\$0.00	\$0.00	\$3,346.00	100%	\$0.00	\$0.00
214	TEMP POWER EQUIPMENT	\$9,600.00	\$9,600.00	\$0.00	\$0.00	\$0.00	\$9,600.00	100%	\$0.00	\$0.00
215	EQUIPMENT	\$8,400.00	\$8,400.00	\$0.00	\$0.00	\$0.00	\$8,400.00	100%	\$0.00	\$0.00
216										
217	<b>FIRE ALARM</b>									
218	DESIGN	\$3,100.00	\$3,100.00	\$0.00	\$0.00	\$0.00	\$3,100.00	100%	\$0.00	\$0.00
219	MOBILIZATION MATERIALS	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	100%	\$0.00	\$0.00
220	LABOR	\$19,552.00	\$19,552.00	\$0.00	\$0.00	\$0.00	\$19,552.00	100%	\$0.00	\$0.00
221		\$22,200.00	\$22,200.00	\$0.00	\$0.00	\$0.00	\$22,200.00	100%	\$0.00	\$0.00
220										
221	<b>STRUCTURED CABLING</b>	\$30,550.00	\$30,550.00	\$0.00	\$0.00	\$0.00	\$30,550.00	100%	\$0.00	\$0.00
222										
223	<b>AUDIO-VIDEO COMMUNICATIONS</b>									
224	AV LABOR	\$8,796.59	\$8,796.59	\$0.00	\$0.00	\$0.00	\$8,796.59	100%	\$0.00	\$0.00
225	AV MATERIAL	\$55,478.08	\$55,478.08	\$0.00	\$0.00	\$0.00	\$55,478.08	100%	\$0.00	\$0.00
226	AV LICENSES	\$1,058.99	\$1,058.99	\$0.00	\$0.00	\$0.00	\$1,058.99	100%	\$0.00	\$0.00
227	LARGE ENSEMBLE AV LABOR	\$4,032.21	\$4,032.21	\$0.00	\$0.00	\$0.00	\$4,032.21	100%	\$0.00	\$0.00
228	LARGE ENSEMBLE AV MATERIAL	\$21,618.78	\$21,618.78	\$0.00	\$0.00	\$0.00	\$21,618.78	100%	\$0.00	\$0.00
229	AV LIFT RENTAL	\$1,057.85	\$1,057.85	\$0.00	\$0.00	\$0.00	\$1,057.85	100%	\$0.00	\$0.00
230	AV PROGRAMMING	\$5,264.02	\$5,264.02	\$0.00	\$0.00	\$0.00	\$5,264.02	100%	\$0.00	\$0.00
232	AV DESIGN and SUBMITTALS	\$2,409.48	\$2,409.48	\$0.00	\$0.00	\$0.00	\$2,409.48	100%	\$0.00	\$0.00
234										
235	<b>ELECTRONIC SAFETY AND SECURITY</b>									
236	SECURITY MATERIAL	\$9,893.90	\$9,893.90	\$0.00	\$0.00	\$0.00	\$9,893.90	100%	\$0.00	\$0.00
237	SECURITY LABOR	\$4,045.76	\$4,045.76	\$0.00	\$0.00	\$0.00	\$4,045.76	100%	\$0.00	\$0.00
238	SUBMITTALS SECURITY	\$2,987.34	\$2,987.34	\$0.00	\$0.00	\$0.00	\$2,987.34	100%	\$0.00	\$0.00
239										
240	<b>ASPHALT PAVING</b>	\$14,531.00	\$14,531.00	\$0.00	\$0.00	\$0.00	\$14,531.00	100%	\$0.00	\$0.00



**CONTINUATION SHEET**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 CONTRACTOR: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 12309

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H % (G / C)	I BALANCE TO FINISH (C-G)	J RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION					
273	CO #2 Band Practice Field per PR 018	\$576,229.00	\$576,229.00	\$0.00	\$0.00	\$576,229.00	100%	\$0.00	\$0.00
274	CO #3 Return Unused Funds	(\$18,066.78)	\$0.00	(\$18,066.78)	\$0.00	(\$18,066.78)	100%	\$0.00	\$0.00
270									
271	GRAND TOTAL	\$4,499,891.22	\$4,499,891.22	\$0.00	\$0.00	\$4,499,891.22	100%	\$0.00	\$0.00

**CONTRACTOR'S CONTINGENCY EXPENDITURE REPORT**

PROJECT: Florence High School Band Hall  
 401 FM 970  
 CONTRACTOR: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 06/30/25  
 PROJECT NO: 012309  
 CONTRACT DATE: 09/27/22

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Total Contingency Amount \$100,000.00

**Pending Contingency Charges**

1	Construction Office Rental - Jan.	\$636.00
2	Plan Reproduction Overage	\$1,060.00
3	Construction Office Rental - Feb.	\$636.00
4	Construction office supplies	\$527.00
5	Foundation Termite PreTreat	\$1,760.00
6	Construction Office Rental March	\$636.00
7	Construction Office Rental April	\$636.00
8	Construction Office Rental May	<b>\$636.00</b>
9	Construction Office Rental June	\$636.00
10	Construction Office Rental July	\$636.00
11	Construction Office Rental August	\$636.00
12	Construction Office Rental Sept.	\$636.00
13	Construction Office Rental Oct.	\$636.00
14	Construction Office Rental Nov.	\$636.00
15	Lighting Controls Wired in lieu of VE wireless	\$3,294.00
17	Add Signage	\$930.00
18	Add Technology Drops	\$949.00
19	Relocate Fire Hydrant per Wil Co Fire Marshal Plan Review Comments	\$8,091.00
20	Remove Built In Desk - Credit	(\$5,763.00)
21	Structural Steel Embeds for Canopy Support Tubes - T&M TBD	\$488.00
22	VE Item savings for Lennox RTUs B3 and B5 change to Original Specified.	\$18,000.00
23	CFMF Exterior 23', 12 ga. Metal Studs per Clark Dietrich	\$10,247.00
24	Extension Cords for Temp Construction Power - Feed from CTE to Band Hall Bldg	\$388.00
25	PEC Meter Fee	\$372.77
26	Add 300' of screen to temp fence for separation from campus	\$1,350.00
27	Generator For Const Power - August	\$900.00
28	Furr Out Exterior Wall at Cabinet and Column Conflicts	\$828.00
29	(3) Additional Fire Extinguishers and Cabinets added to Conformance Plan Set	\$1,024.00
30	PEC Sept.	\$239.00
31	Fixture Change at Entry Canopy to 4' fixtures (4)	\$200.00
32	Add Carpet in Corridor in lieu of sealed concrete	\$3,634.00
33	Additional Exterior Graphics	\$46,839.00
34	Revised Window Shades - (credit)	(\$5,971.00)
35	PEC Oct. / Nov.	\$484.00
36	HVAC TAB - originally specified to be by owner	\$2,000.00
37	Water - City of Florence	\$539.00

**Total Uncommitted Contingency Balance \$594.23**

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### Contingency Charges Billed (month billed)

1	Construction Office Rental - Jan.	\$636.00
2	Plan Reproduction Overage	\$1,060.00
3	Construction Office Rental - Feb.	\$636.00
4	Construction office supplies	\$527.00
5	Foundation Termite PreTreat	\$1,760.00
6	Construction Office Rental March	\$636.00
7	Construction Office Rental April	\$636.00
8	Construction Office Rental May (May )	\$636.00
19	Relocate Fire Hydrant per Wil Co Fire Marshal Plan Review Comments (May)	\$8,091.00
23	CFMF Exterior 23', 12 ga. Metal Studs per Clark Dietrich (May)	\$10,247.00
24	Extension Cords for Temp Construction Power - Feed from CTE to Band Hall Bldg (	\$388.00
9	Construction Office Rental June (June)	\$636.00
25	PEC Meter Fee (june)	\$372.77
21	Structural Steel Embeds for Canopy Support Tubes - T&M (July)	\$488.00
10	Construction Office Rental July (July)	\$636.00
26	Add 300' of screen to temp fence for seperation from campus (July)	\$1,350.00
11	Construction Office Rental August	\$636.00
18	Add Technology Drops	\$949.00
22	VE Item savings for Lennox RTUs B3 and B5 change to Original Specified.	\$18,000.00
27	Generator For Const Power - August	\$900.00
28	Furr Out Exterior Wall at Cabnet and Column Conflicts - August	\$828.00
12	Construction Office Rental Sept.	\$636.00
29	(3) Addtl Fire Extinguishers and Cabinets added to Conformance Plan (Sept)	\$1,024.00
30	PEC Sept.	\$239.00
13	Construction Office Rental Oct. (oct)	\$636.00
20	Remove Built In Desk - Credit	(\$5,763.00)
15	Lighting Controls Wired in lieu of VE wireless	\$3,294.00
17	Add Signage	\$930.00
31	Fixture Change at Entry Canopy to 4' fixtures (4) (Oct)	\$200.00
14	Construction Office Rental Nov. (Dec)	\$636.00
32	Add Carpet in Corridor in leu of sealed concrete (dec)	\$3,634.00
33	Additional Exterior Graphics	\$46,839.00
34	Revised Window Shades - (credit) (dec)	(\$5,971.00)
35	PEC Oct. / Nov.	\$484.00
36	HVAC TAB - orginally speficed to by by owner	\$2,000.00
37	Water - City of Florence	\$539.00

Total Contractor's Contingency Expenditures Billed \$99,405.77

AFFIDAVIT AND PARTIAL LIEN WAIVER

To: 306 College Avenue  
Florence, Texas 76527

Date: 06/30/25

Project Name: Florence High School Band Hall

Scope of Work: \_\_\_\_\_

1	Original Contract Sum	\$3,875,036.00
2	Net Change by Approved Change Order	\$624,855.22
3	Contract Sum to Date	\$4,499,891.22
4	Total Completed and Stored to Date	\$4,499,891.22
5	Less Retainage @ 5%	\$0.00
6	Total Amount Due to Date	\$4,499,891.22
7	Less Previous Payments	\$4,274,896.66
8	Amount Due this Application	\$224,994.56

The Contractor hereby certifies, by signature, to the following:

- 1 All obligations of Contractor incurred in connection with Work covered by prior Applications for Payment for which payments have been received by Contractor have been paid (except as specifically disclosed below): and
- 2 Title to all Work; materials and equipment incorporated in said Work or covered by this Application for Payment, including stored materials on or off site as approved by Owner, will pass to the Owner at time of payment, free and clear of all liens, security interests and encumbrances (except as specifically disclosed below): and
- 3 For any stored materials approved for payment, the Contractor has purchased and maintained insurance for the storage facility to protect against fire, theft, damages due to theft, vandalism, collapse, malicious mischief, flood, and earthquake, and the insurance shall provide for the full cost of replacement of the materials stored on behalf of the Owner. The insurance shall identify the Owner as the Loss Payee in the event of a loss claim for the replacement value of the stored material. A copy of insurance shall be furnished upon demand by the Owner: and
- 4 All Work covered by this Application for Payment has been completed in accordance with the Contract Documents.

All laborers, subcontractors, materialmen, and all other persons or parties who have provide labor or materials through, for, or on behalf of Contractor to the above-noted construction project through the date covered by the last Application for Payment have been paid in full and Contractor is not aware of any claim for payment or lien by such person or party for Work performed through the date covered by the last Application for Payment except as follows:

Contractor hereby represents and warrants that it will use the funds to be paid herein for payment of all current or past due obligations arising from the Work performed on this project through the date of this Application for Payment before Contractor uses any such funds for any other purpose.

Contractor hereby acknowledges payment for all Work furnished by or through Contract on the above-noted project through the date above, except for applicable retainage described above, and hereby releases Owner with regard to payment for such Work and waives all claims for any lien which might arise as a result of Work performed on the project through the date above. Contractor indemnifies and holds Owner harmless from any liens, debts, or obligations that arise as a result of labor or materials provided by or through Contractor to the project through the date set out above, except for applicable retainage described above.

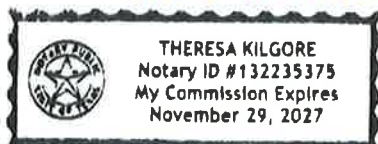
Contractor: Braun and Butler Construction, Inc.

Signature: Matt Harton

Printed Name: MATT HARTON

Title: PROJ. MGR

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me the undersigned notary on this 7 day of July, 2025, by Matt Harton of Braun and Butler Construction, Inc.



[Signature]  
Notary for the State of Texas

**APPLICATION AND CERTIFICATE FOR PAYMENT**

\*\* Braun & Butler Construction will never request an ACH payment or change to current ACH information via email or USPS letter. Please inquire if approached in this manner \*\*

TO OWNER: Florence Independent School District PROJECT: Florence High School Fieldhouse  
 306 College Avenue 401 FM 970  
 Florence, Texas 76527 Florence, Texas 76527  
 FROM CONTRACTOR: ARCHITECT: VLK Architects Inc.  
 Braun and Butler Construction, Inc. 2700 Via Fortuna, Ste 230  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641 Austin, Texas 78748

APPLICATION NO: 14 Distribution to:  
 PERIOD TO: 06/30/25 OWNER  
 PROJECT NO: 012310 ARCHITECT  
 CONTRACT DATE: 09/27/22 CONTRACTOR

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown, in connection with the Contract.  
 Continuation sheets are attached.

1. ORIGINAL CONTRACT SUM \$5,593,677.00

2. Net Change by Change Orders (\$64,642.06)

3. CONTRACT SUM TO DATE \$5,529,034.94

4. TOTAL COMPLETED & STORED TO DATE \$5,529,034.94

5. RETAINAGE: 5% of Construction Work \$0.00  
 Total Retainage \$0.00

6. TOTAL EARNED LESS RETAINAGE \$5,529,034.94

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$5,252,583.19

8. CURRENT PAYMENT DUE \$276,451.75

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$64,642.06
<b>TOTALS</b>	\$0.00	\$64,642.06
NET CHANGES by Change Order		(\$64,642.06)

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Braun and Butler Construction, Inc.

By: Matt Hester Date: 7-7-2025

State of Texas  
 County of Williamson  
 Subscribed and sworn to before me this 7 day of July 2025

Notary Public

My Commission expires: 11-29-27



**ARCHITECT'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that, to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$276,451.75

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation sheets that are changed to conform to the amount certified.)

ARCHITECT: VLK

By: [Signature] Date: 7.8.25

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

OWNER: Florence Independent School District

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

**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION				
1	GENERAL CONDITIONS Preconstruction	\$11,500.00	\$11,500.00	\$0.00	\$0.00	\$11,500.00	\$0.00	\$0.00
2	Senior Project Manager	\$11,250.00	\$11,250.00	\$0.00	\$0.00	\$11,250.00	\$0.00	\$0.00
3	Project Manager	\$54,000.00	\$54,000.00	\$0.00	\$0.00	\$54,000.00	\$0.00	\$0.00
4	Project Manager Truck Expense	\$9,600.00	\$9,600.00	\$0.00	\$0.00	\$9,600.00	\$0.00	\$0.00
5	Superintendent	\$158,400.00	\$158,400.00	\$0.00	\$0.00	\$158,400.00	\$0.00	\$0.00
6	Superintendent Truck Expense	\$21,600.00	\$20,729.00	\$871.00	\$0.00	\$21,600.00	\$0.00	\$0.00
7	Project Office Clerical Support	\$15,600.00	\$15,600.00	\$0.00	\$0.00	\$15,600.00	\$0.00	\$0.00
8	Dumpster Service	\$11,400.00	\$11,400.00	\$0.00	\$0.00	\$11,400.00	\$0.00	\$0.00
9	Intern Cleanup Labor	\$13,104.00	\$12,697.00	\$407.00	\$0.00	\$13,104.00	\$0.00	\$0.00
10	Mobilization/Demobilization	\$1,750.00	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$0.00	\$0.00
11	Telephone / Computer Service	\$6,188.00	\$6,188.00	\$0.00	\$0.00	\$6,188.00	\$0.00	\$0.00
12	Plan Reproduction	\$200.00	\$200.00	\$0.00	\$0.00	\$200.00	\$0.00	\$0.00
13	Chemical Toilets	\$8,800.00	\$6,845.00	\$1,955.00	\$0.00	\$8,800.00	\$0.00	\$0.00
14	Drinking Water	\$550.00	\$510.00	\$40.00	\$0.00	\$550.00	\$0.00	\$0.00
15	Rentals	\$2,700.00	\$2,622.00	\$78.00	\$0.00	\$2,700.00	\$0.00	\$0.00
16	Close Out Documents	\$250.00	\$250.00	\$0.00	\$0.00	\$250.00	\$0.00	\$0.00
17								
18								
19								
20	ALLOWANCES							
21								
22	CONTRACTOR'S CONTINGENCY	\$150,000.00	\$104,000.50	\$45,999.50	\$0.00	\$150,000.00	\$0.00	\$0.00
23								
24	PUBLIC NOTICE	\$600.00	\$600.00	\$0.00	\$0.00	\$600.00	\$0.00	\$0.00
25								
26	TCEQ APPLICATION / PLAN	\$1,500.00	\$1,500.00	\$0.00	\$0.00	\$1,500.00	\$0.00	\$0.00
27								
28	TCEQ INSPECTIONS	\$5,400.00	\$5,400.00	\$0.00	\$0.00	\$5,400.00	\$0.00	\$0.00
29								
30	REGISTERED SURVEYOR	\$5,250.00	\$5,250.00	\$0.00	\$0.00	\$5,250.00	\$0.00	\$0.00
31								
32	TEMPORARY FENCE	\$7,632.00	\$7,632.00	\$0.00	\$0.00	\$7,632.00	\$0.00	\$0.00



**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Contractor: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO.: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO.: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION						
59									
60	GROUTING	\$4,500.00	\$4,500.00		\$0.00	\$0.00	\$4,500.00	\$0.00	\$0.00
61									
62	<b>MASONRY</b>								
63	LABOR	\$48,810.00	\$48,810.00		\$0.00	\$0.00	\$48,810.00	\$0.00	\$0.00
64	MATERIALS	\$73,215.00	\$73,215.00		\$0.00	\$0.00	\$73,215.00	\$0.00	\$0.00
63									
64	MASONRY REBAR	\$2,600.00	\$2,600.00		\$0.00	\$0.00	\$2,600.00	\$0.00	\$0.00
65									
66	METAL FABRICATIONS	\$9,992.80	\$9,992.80		\$0.00	\$0.00	\$9,992.80	\$0.00	\$0.00
67	BOLLARDS	\$4,167.20	\$4,167.20		\$0.20	\$0.00	\$4,167.20	\$0.00	\$0.00
68									
69	<b>ROUGH CARPENTRY</b>								
70	MATERIALS	\$4,000.00	\$4,000.00		\$0.00	\$0.00	\$4,000.00	\$0.00	\$0.00
71	INSTALLATION	\$2,590.00	\$2,590.00		\$0.00	\$0.00	\$2,590.00	\$0.00	\$0.00
72									
73	<b>ARCHITECTURAL WOODWORK</b>								
74	CNC/SHOP DRAWINGS	\$5,111.30	\$5,111.30		\$0.00	\$0.00	\$5,111.30	\$0.00	\$0.00
75	MATERIALS - TRAINING ROOM	\$5,429.00	\$5,429.00		\$0.00	\$0.00	\$5,429.00	\$0.00	\$0.00
76	MATERIALS - WOMENS OFFICE	\$7,837.30	\$7,837.30		\$0.00	\$0.00	\$7,837.30	\$0.00	\$0.00
77	MATERIALS - MENS OFFICE	\$11,762.95	\$11,762.95		\$0.00	\$0.00	\$11,762.95	\$0.00	\$0.00
78	CONFERENCE	\$1,940.20	\$1,940.20		\$0.00	\$0.00	\$1,940.20	\$0.00	\$0.00
79	MATERIALS- Misc Womens	\$3,947.30	\$3,947.30		\$0.00	\$0.00	\$3,947.30	\$0.00	\$0.00
880	MATERIALS - Misc. Mens	\$3,726.00	\$3,726.00		\$0.00	\$0.00	\$3,726.00	\$0.00	\$0.00
81	INSTALLATION	\$7,666.95	\$7,666.95		\$0.00	\$0.00	\$7,666.95	\$0.00	\$0.00
82	STONE	\$3,692.00	\$3,692.00		\$0.00	\$0.00	\$3,692.00	\$0.00	\$0.00
83									
84	<b>WATERPROOFING</b>								
85	WATER REPELLENTS	\$3,878.00	\$3,878.00		\$0.00	\$0.00	\$3,878.00	\$0.00	\$0.00
86	BARRIERS	\$48,972.00	\$48,972.00		\$0.00	\$0.00	\$48,972.00	\$0.00	\$0.00
87	SHEET METAL FLASHING AND TRIM	\$16,182.00	\$16,182.00		\$0.00	\$0.00	\$16,182.00	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Contractor: Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641  
 APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	% (G / C)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION					
88	THROUGH-WALL FLASHING AT BASE OF MASONRY	\$9,670.00	\$9,670.00	\$0.00	\$0.00	\$9,670.00	100%	\$0.00	\$0.00
90	FIRE AND SMOKE PROTECTION	\$2,380.00	\$2,380.00	\$0.00	\$0.00	\$2,380.00	100%	\$0.00	\$0.00
92	JOINT PROTECTION	\$7,905.00	\$7,905.00	\$0.00	\$0.00	\$7,905.00	100%	\$0.00	\$0.00
94	HOLLOW METAL DOORS AND FRAMES	\$74,988.00	\$74,988.00	\$0.00	\$0.00	\$74,988.00	100%	\$0.00	\$0.00
96	H/M FRAME INSTALL	\$10,800.00	\$10,800.00	\$0.00	\$0.00	\$10,800.00	100%	\$0.00	\$0.00
97	DOORS (INSTALL)	\$1,620.00	\$1,620.00	\$0.00	\$0.00	\$1,620.00	100%	\$0.00	\$0.00
98	HARDWARE INSTALL	\$6,300.00	\$6,300.00	\$0.00	\$0.00	\$6,300.00	100%	\$0.00	\$0.00
99									
100	<b>OVERHEAD COILING DOORS</b>								
101	(3) 8'0" X 9'10" ESD20 W/CHAIN HOIST	\$20,805.00	\$20,805.00	\$0.00	\$0.00	\$20,805.00	100%	\$0.00	\$0.00
102	(1) 8'0" X 8'0" ESD20 W/CHAIN HOIST	\$6,055.00	\$6,055.00	\$0.00	\$0.00	\$6,055.00	100%	\$0.00	\$0.00
103	(1) 8'0" X 7'0" ESD20 W/CHAIN HOIST EQUIP	\$5,075.00	\$5,075.00	\$0.00	\$0.00	\$5,075.00	100%	\$0.00	\$0.00
104		\$7,375.00	\$7,375.00	\$0.00	\$0.00	\$7,375.00	100%	\$0.00	\$0.00
105									
106	<b>GLASS</b>								
107	ENTRANCES, STOREFRONTS								
108	ALUMINIUM FRAMES	\$21,165.00	\$21,165.00	\$0.00	\$0.00	\$21,165.00	100%	\$0.00	\$0.00
109		\$14,150.00	\$14,150.00	\$0.00	\$0.00	\$14,150.00	100%	\$0.00	\$0.00
110	GLASS	\$11,780.00	\$11,780.00	\$0.00	\$0.00	\$11,780.00	100%	\$0.00	\$0.00
111		\$9,645.00	\$9,645.00	\$0.00	\$0.00	\$9,645.00	100%	\$0.00	\$0.00
112	MIRRORS	\$4,450.00	\$4,450.00	\$0.00	\$0.00	\$4,450.00	100%	\$0.00	\$0.00
113									
114	<b>DRYWALL/FRAMING</b>								
115	METAL STUD GRAMING	\$129,150.00	\$129,150.00	\$0.00	\$0.00	\$129,150.00	100%	\$0.00	\$0.00
116		\$56,150.00	\$56,150.00	\$0.00	\$0.00	\$56,150.00	100%	\$0.00	\$0.00
117	SHEATHING	\$22,490.00	\$22,490.00	\$0.00	\$0.00	\$22,490.00	100%	\$0.00	\$0.00
118		\$7,185.00	\$7,185.00	\$0.00	\$0.00	\$7,185.00	100%	\$0.00	\$0.00



**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION	THIS APPLICATION				
147	PAINT MATERIALS	\$6,159.00	\$6,159.00	\$0.00	\$0.00	\$6,159.00	\$0.00	\$0.00
148	EXPOSED STRUCTURE LABOR	\$6,259.00	\$6,259.00	\$0.00	\$0.00	\$6,259.00	\$0.00	\$0.00
149	EXPOSEDD STRUCTURE MATERIALS	\$2,409.00	\$2,409.00	\$0.00	\$0.00	\$2,409.00	\$0.00	\$0.00
150	FINAL PUNCH	\$4,820.00	\$4,820.00	\$0.00	\$0.00	\$4,820.00	\$0.00	\$0.00
151	<b>SIGNAGE</b>							
152	SUBMITTALS AND MOBILIZATION	\$800.00	\$800.00	\$0.00	\$0.00	\$800.00	\$0.00	\$0.00
154	ROOM ID SIGNAGE MATERIAL	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$6,000.00	\$0.00	\$0.00
155	INSTALLATION	\$1,200.00	\$1,200.00	\$0.00	\$0.00	\$1,200.00	\$0.00	\$0.00
156								
157	<b>ACCESSORIES</b>	\$45,352.00	\$45,352.00	\$0.00	\$0.00	\$45,352.00	\$0.00	\$0.00
158								
159	<b>LOCKERS</b>	\$190,443.00	\$190,443.00	\$0.00	\$0.00	\$190,443.00	\$0.00	\$0.00
160								
	<b>COMMERCIAL EQUIPMENT - To Be</b>							
161	Deleted	\$5,798.00	\$0.00	\$5,798.00	\$0.00	\$5,798.00	\$0.00	\$289.90
162								
163	Tables)	\$36,248.00	\$36,248.00	\$0.00	\$0.00	\$36,248.00	\$0.00	\$0.00
164								
165	<b>WINDOW TREATMENTS</b>							
166	WINDOW TREATMENTS	\$8,143.00	\$4,010.00	\$4,133.00	\$0.00	\$8,143.00	\$0.00	\$0.00
167	INSTALLATION	\$3,000.00	\$1,544.00	\$1,456.00	\$0.00	\$3,000.00	\$0.00	\$0.00
168								
169	PEMB - MAT'L	\$347,508.00	\$347,508.00	\$0.00	\$0.00	\$347,508.00	\$0.00	\$0.00
170	PEMB - INSTALL	\$117,250.00	\$117,250.00	\$0.00	\$0.00	\$117,250.00	\$0.00	\$0.00
171	CANOPIES AT ENTRY DOORS	\$5,700.00	\$5,700.00	\$0.00	\$0.00	\$5,700.00	\$0.00	\$0.00
172	ANCHOR BOLTS	\$2,300.00	\$2,300.00	\$0.00	\$0.00	\$2,300.00	\$0.00	\$0.00
173								
173	<b>PLUMBING</b>							
174	ROUGH LABOR	\$27,540.00	\$27,540.00	\$0.00	\$0.00	\$27,540.00	\$0.00	\$0.00
175	ROUGH MATERIAL	\$103,060.00	\$103,058.00	\$2.00	\$0.00	\$103,060.00	\$0.00	\$0.00
176	TOP OUT LABOR	\$63,220.00	\$63,220.00	\$0.00	\$0.00	\$63,220.00	\$0.00	\$0.00

**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)	H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION						
177	TOP OUT MATERIAL	\$157,560.00	\$157,560.00		\$0.00	\$0.00	\$157,560.00	\$0.00	\$0.00
178	SET OUT LABOR	\$14,170.00	\$14,170.00		\$0.00	\$0.00	\$14,170.00	\$0.00	\$0.00
179	SET OUT MATERIAL	\$113,750.00	\$113,750.00		\$0.00	\$0.00	\$113,750.00	\$0.00	\$0.00
180	OFCI INSTALL	\$750.00	\$750.00		\$0.00	\$0.00	\$750.00	\$0.00	\$0.00
181	<b>PROPANE TANKS - BY OWNER</b>								
182	<b>HVAC</b>								
183	<b>MOBILIZATION AND SUBMITTALS</b>								
184	<b>EQUIPMENT</b>								
185	<b>GRILLES AND FANS</b>								
186	<b>SHEET METAL FABRICATION</b>								
187	<b>SHEET METAL FIELD</b>								
188	<b>PIPING</b>								
189	<b>START-UP</b>								
190	<b>SUBCONTRACTOR - INSULATION</b>								
191	<b>RENTALS</b>								
192	<b>ELECTRICAL</b>								
193	<b>MOBILIZATION</b>								
194	<b>RACEWAY, FITTINGS AND BOXES</b>								
195	<b>WIRE AND CABLE</b>								
196	<b>GEAR/DISTRIBUTION</b>								
197	<b>FIXTURES</b>								
198									
199									
200									
201									
202									
203									
204									
205									
206									
207									
208									

**CONTINUATION SHEET**

PROJECT: Florence High School Fieldhouse  
 401 FM 970  
 Braun and Butler Construction, Inc.  
 300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
 PERIOD TO: 6/30/2025  
 PROJECT NO: 012310

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS APPLICATION	F MATERIALS STORED (NOT IN D OR E)	G TOTAL COMPLETED & STORED TO DATE (D+E+F)		H BALANCE TO FINISH (C-G)	I RETAINAGE
			FROM PREVIOUS APPLICATION					% (G/C)		
209	WIRING DEVICES AND COVERS	\$846.00	\$846.00		\$0.00	\$0.00	\$846.00	100%	\$0.00	\$0.00
210		\$3,837.00	\$3,837.00		\$0.00	\$0.00	\$3,837.00	100%	\$0.00	\$0.00
211	SITE UNDERGROUND	\$10,973.00	\$10,973.00		\$0.00	\$0.00	\$10,973.00	100%	\$0.00	\$0.00
212		\$22,355.00	\$22,355.00		\$0.00	\$0.00	\$22,355.00	100%	\$0.00	\$0.00
213	MISC	\$10,098.00	\$10,098.00		\$0.00	\$0.00	\$10,098.00	100%	\$0.00	\$0.00
214		\$5,907.00	\$5,907.00		\$0.00	\$0.00	\$5,907.00	100%	\$0.00	\$0.00
215	TEMP POWER	\$9,600.00	\$9,600.00		\$0.00	\$0.00	\$9,600.00	100%	\$0.00	\$0.00
216	EQUIPMENT	\$7,200.00	\$7,200.00		\$0.00	\$0.00	\$7,200.00	100%	\$0.00	\$0.00
217										
218	<b>FIRE ALARM</b>									
219	DESIGN	\$3,000.00	\$3,000.00		\$0.00	\$0.00	\$3,000.00	100%	\$0.00	\$0.00
220	MOBILIZATION	\$500.00	\$500.00		\$0.00	\$0.00	\$500.00	100%	\$0.00	\$0.00
221	MATERIALS	\$25,639.00	\$25,639.00		\$0.00	\$0.00	\$25,639.00	100%	\$0.00	\$0.00
222	LABOR	\$25,400.00	\$25,400.00		\$0.00	\$0.00	\$25,400.00	100%	\$0.00	\$0.00
223	CLOSEOUTS	\$100.00	\$100.00		\$0.00	\$0.00	\$100.00	100%	\$0.00	\$0.00
224										
225	<b>STRUCTURED CABLING</b>	\$37,300.00	\$37,300.00		\$0.00	\$0.00	\$37,300.00	100%	\$0.00	\$0.00
226										
227	<b>ACCESS CONTROL SYSTEM</b>									
228	FIELD HOUSE SECURITY MATERIAL	\$19,173.47	\$19,173.47		\$0.00	\$0.00	\$19,173.47	100%	\$0.00	\$0.00
229	FIELD HOUSE SECURITY LABOR	\$8,644.32	\$8,644.32		\$0.00	\$0.00	\$8,644.32	100%	\$0.00	\$0.00
230	SUBMITTALS SECURITY	\$3,608.21	\$3,608.21		\$0.00	\$0.00	\$3,608.21	100%	\$0.00	\$0.00
231										
232	<b>ASPHALT PAVING</b>	\$39,671.00	\$39,671.00		\$0.00	\$0.00	\$39,671.00	100%	\$0.00	\$0.00
233										
234	<b>STRIPING/TRAFFIC SIGNAGE</b>	\$7,750.00	\$7,750.00		\$0.00	\$0.00	\$7,750.00	100%	\$0.00	\$0.00
235										
236	<b>PERMANENT FENCE</b>									
237	8' CHAINLINK (2) WALK GATES	\$10,372.76	\$10,372.76		\$0.00	\$0.00	\$10,372.76	100%	\$0.00	\$0.00
238	8' BLACK CHAINLINK (1) EGRESS GATE @WEST	\$15,559.12	\$15,559.12		\$0.00	\$0.00	\$15,559.12	100%	\$0.00	\$0.00
239		\$7,708.98	\$7,708.98		\$0.00	\$0.00	\$7,708.98	100%	\$0.00	\$0.00





## CONTRACTOR'S CONTINGENCY EXPENDITURE REPORT

PROJECT: Florence High School Fieldhouse  
401 FM 970  
CONTRACTOR: Braun and Butler Construction, Inc.  
300 Hazelwood Street Ste. 100 Leander, Texas 78641

APPLICATION NO: 14  
PERIOD TO: 06/30/25  
PROJECT NO: 012310  
CONTRACT DATE: 09/27/22

		Total Contingency Amount	\$150,000.00
<b>Pending Contingency Charges</b>			
1	Construciton Office Half Rental - Jan.	\$636.00	
2	Construction Office Rental - Feb.	\$636.00	
3	Construction office supplies	\$85.00	
4	Foundation Termite PreTreat	\$2,400.00	
5	Add Waterline to Connecting Point at HS (shown but not existing)	\$6,816.00	
6	Relocate Practice Fields Irrigation BFP, Valves, and Line extended (not shown)	\$1,316.00	
7	Construciton Office Half Rental - Mar	\$636.00	
8	Construction Office Half Rental - April	\$636.00	
9	Construction Office Half Rental - May	\$636.00	
10	Construction Office Half Rental - June	\$636.00	
11	Construction Office Half Rental - July	\$636.00	
12	Construction Office Half Rental - Aug	\$636.00	
13	Construction Office Half Rental - Sept.	\$636.00	
14	Construction Office Half Rental - Oct.	\$636.00	
15	Construction Office Half Rental - Nov.	\$636.00	
16	Construction Office Rental - Dec.	\$1,272.00	
17	Lighting Contols - wired in lieu of VE wireless	\$5,240.00	
18	Additional Signage	\$930.00	
19	Additional Technology Drops	\$2,026.00	
20	Relocate Flre Hydrant for Fire Marshal Comments	\$6,820.00	
21	Gate Knox Lock	\$440.00	
22	Anchor Bolts' Actual Cost Overage from GMP amount (\$3763- \$2300)	\$1,463.00	
23	Plumbing and Concrete ReWork Costs for Directed Plumbing Fixture Changes due	\$3,662.50	
24	CMU Wall top of wall bracing to PEMB	\$3,243.00	
25	Access Control change to Continental	\$700.00	
26	Gas For Generator	\$91.00	
27	PEC Meter Cost	\$372.00	
27.01	PEC Temp Power Cost - July / August (Aug Pay App)	\$988.00	
27.1	PEC Cost Sept.	\$429.00	
28	Additional Bollards at Propane Tank Pad per supplier req's / specs	\$1,824.00	
29	Light Fixtures change to 8' as requested in weight room	\$7,097.00	
30	Add Opening at B102 Training Room. HM Frame, Wood Door w/ Narrow Lite, Hdw.	\$2,846.00	
31	Coaches' Offices Flooring Change to Carpet	\$3,486.00	
32	Water Supply to Traing Whirlpool / Ice Tub	\$19,158.00	
33	Additional Exterior Signage	\$18,027.00	
34	HVAC TAB to be by owner per specs	\$2,800.00	
35	At Laundry Room pass thrugh, provide matching quartz sill	\$929.00	
36	Construction Office Rental - Feb.- Mar.	\$2,544.00	
<b>Total Uncommitted Contingency Balance</b>			<b>\$45,999.50</b>

### Contingency Charges Billed (month pay app)

1	Construciton Office Half Rental - Jan.	\$636.00
2	Construction Office Rental - Feb.	\$636.00

3	Construction office supplies	\$85.00
4	Foundation Termite PreTreat	\$2,400.00
5	Add Waterline to Connecting Point at HS (shown but not existing)	\$6,816.00
6	Relocate Practice Fields Irrigation BFP, Valves, and Line extended (not shown)	\$1,316.00
7	Construction Office Half Rental - Mar	\$636.00
8	Construction Office Half Rental - April (April)	\$636.00
22	Anchor Bolts' Actual Cost Overage from GMP amount (\$3763- \$2300) (April)	\$1,463.00
23	Plumbing and Concrete ReWork Costs for Directed Plumbing Fixture Changes due	\$3,662.50
9	Construction Office Half Rental - May (May)	\$636.00
20	Relocate Fire Hydrant for Fire Marshal Comments(May)	\$6,820.00
10	Construction Office Half Rental - June (June)	\$636.00
21	Gate Knox Lock (June)	\$440.00
26	Gas For Generator (June)	\$91.00
27	PEC Meter Cost (June)	\$372.00
11	Construction Office Half Rental - July	\$636.00
28	Additional Bollards at Propane Tank Pad per supplier req's / specs (July)	\$1,824.00
12	Construction Office Half Rental - Aug (aug Pay App)	\$636.00
27.01	PEC Temp Power Cost - July / August (Aug Pay App)	\$988.00
30	Add Opening at B102 Training Room. HM Frame, Wd Dr w/ Narrow Lite, Hdwr (Aug)	\$2,846.00
24	CMU Wall top of wall bracing to PEMB (Structural Welded by CMP)	\$3,243.00
25	Access Control change to Continental	\$700.00
13	Construction Office Half Rental - Sept.	\$636.00
27.1	PEC Cost Sept.	\$429.00
29	Light Fixtures change to 8' as requested in weight room	\$7,097.00
14	Construction Office Half Rental - Oct. (Oct.)	\$636.00
17	Lighting Contols - wired in lieu of VE wireless	\$5,240.00
15	Construction Office Half Rental - Nov.	\$636.00
31	Coaches' Offices Flooring Change to Carpet	\$3,486.00
18	Additional Signage (Dec)	\$930.00
19	Additional Technology Drops (Dec)	\$2,026.00
16	Construction Office Rental - Dec.	\$1,272.00
32	Water Supply to Traing Whirlpool / Ice Tub	\$19,158.00
33	Additional Exterior Signage	\$18,027.00
34	HVAC TAB to be by owner per specs	\$2,800.00
35	At Laundry Room pass trthrough, provide matching quartz sill	\$929.00
36	Construction Office Rental - Feb.- Mar.	\$2,544.00

Total Contractor's Contingency Expenditures Billed \$104,000.50

AFFIDAVIT AND PARTIAL LIEN WAIVER

To: 306 College Avenue  
Florence, Texas 76527

Date: 06/30/25

Project Name: Florence High School Fieldhouse

Scope of Work: \_\_\_\_\_

1	Original Contract Sum	\$5,593,677.00
2	Net Change by Approved Change Order	(\$64,642.06)
3	Contract Sum to Date	\$5,529,034.94
4	Total Completed and Stored to Date	\$5,529,034.94
5	Less Retainage @ 5%	\$0.00
6	Total Amount Due to Date	\$5,529,034.94
7	Less Previous Payments	\$5,252,583.19
8	Amount Due this Application	\$276,451.75

The Contractor hereby certifies, by signature, to the following:

- 1 All obligations of Contractor incurred in connection with Work covered by prior Applications for Payment for which payments have been received by Contractor have been paid (except as specifically disclosed below): and
- 2 Title to all Work; materials and equipment incorporated in said Work or covered by this Application for Payment, including stored materials on or off site as approved by Owner, will pass to the Owner at time of payment, free and clear of all liens, security interests and encumbrances (except as specifically disclosed below): and
- 3 For any stored materials approved for payment, the Contractor has purchased and maintained insurance for the storage facility to protect against fire, theft, damages due to theft, vandalism, collapse, malicious mischief, flood, and earthquake, and the insurance shall provide for the full cost of replacement of the materials stored on behalf of the Owner. The insurance shall identify the Owner as the Loss Payee in the event of a loss claim for the replacement value of the stored material. A copy of insurance shall be furnished upon demand by the Owner: and
- 4 All Work covered by this Application for Payment has been completed in accordance with the Contract Documents.

All laborers, subcontractors, materialmen, and all other persons or parties who have provide labor or materials through, for, or on behalf of Contractor to the above-noted construction project through the date covered by the last Application for Payment have been paid in full and Contractor is not aware of any claim for payment or lien by such person or party for Work performed through the date covered by the last Application for Payment except as follows:

Contractor hereby represents and warrants that it will use the funds to be paid herein for payment of all current or past due obligations arising from the Work performed on this project through the date of this Application for Payment before Contractor uses any such funds for any other purpose.

Contractor hereby acknowledges payment for all Work furnished by or through Contract on the above-noted project through the date above, except for applicable retainage described above, and hereby releases Owner with regard to payment for such Work and waives all claims for any lien which might arise as a result of Work performed on the project through the date above. Contractor indemnifies and holds Owner harmless from any liens, debts, or obligations that arise as a result of labor or materials provided by or through Contractor to the project through the date set out above, except for applicable retainage described above.

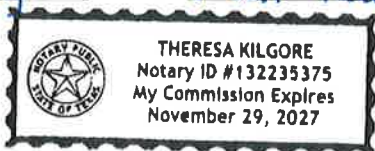
Contractor: Braun and Butler Construction, Inc.

Signature: *Matt Harton*

Printed Name: MATT HARTON

Title: PROJ MGR

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me the undersigned notary on this 7 day of July, 2025, by Matt Harton of Braun and Butler Construction, Inc.



*[Signature]*  
Notary for the State of Texas

### PROPOSED REVISIONS 7.11.25

<b>Persons Age 21 and Over</b>	The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.
<b>Registration Forms</b>	The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.
Proof of Residency	In accordance with administrative regulations, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency. The District may investigate stated residency as necessary.
<b>Minor Living Apart</b>	A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.
Person Standing in Parental Relation	
Misconduct	A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.
Exceptions	Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.
Extracurricular Activities	The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.
<b><u>Students Not Enrolled</u></b>	<a href="#"><u>A student enrolled in a private school, including a homeschool, shall not be eligible for concurrent enrollment in the District nor for participation in curricular or extracurricular activities. [See EEL and FM]</u></a>
<b>Nonresident Student in Grandparent's After-School Care</b>	The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.  The Superintendent shall have authority to approve or deny such admissions requests in accordance with this policy.
Substantial After-School Care	For the purpose of admission under this provision, a substantial amount of after-school care shall consist of at least three hours per school day for five days during the regular school week.

A student enrolled under this provision may continue in enrollment so long as the grandparent provides this level of care.

The Superintendent shall have authority to waive these requirements on the basis of a student's extenuating circumstances.

**"Accredited" Defined**

For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.

**Grade-Level Placement**

Accredited Schools

The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

Nonaccredited Schools

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

**Transfer of Credit**

Accredited Texas Public Schools

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

Other Accredited or Nonaccredited Schools

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit.

ADMISSIONS

FD  
(LOCAL)

Transition  
Assistance

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student's available records and other relevant information to ensure credit, including proportionate credit, is awarded appropriately for all subjects and courses taken prior to enrollment.

[See EI]

**Withdrawal**

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]

**PROPOSED REVISIONS 7.11.25**

**Extracurricular  
Activity Absences**

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board.

The District shall not limit an eligible student's absences related to participation in extracurricular activities. [See [Record of Absences in FM\(LEGAL\)](#)]

[\[For eligibility of a private school student, including a homeschool student, to participate in extracurricular activities, see FD\(LOCAL\).\]](#)

**Use of District  
Facilities**

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.



# FLORENCE

## INDEPENDENT SCHOOL DISTRICT

Rick Kirkpatrick, Superintendent

Inspire • Empower • Achieve

In accordance with Senate Bill 401 passed in the 89<sup>th</sup> Legislative Session, Florence ISD allows participation of homeschooled students in UIL sports and activities.

Homeschool students who wish to represent Florence ISD in UIL sports and activities must meet the following guidelines at all times:

1. Homeschool participants must live within the boundaries of Florence ISD and must annually provide proof of residency, unless requested more frequently.
2. Homeschool participants cannot have been previously enrolled in any public school during the same academic year in which they are seeking homeschool participation.
3. In order to participate in UIL activities during the first nine weeks of the school year, homeschool students must demonstrate grade-level academic proficiency on any nationally recognized, norm-referenced assessment instrument, such as the Iowa Test of Basic Skills, Stanford Achievement Test, California Achievement Test, or Comprehensive Test of Basic Skills. A non-enrolled student demonstrates the required academic proficiency by achieving a composite, core, or survey score that is within the average or higher than average range of scores, as established by the applicable testing service. Testing and any associated cost are the responsibility of the homeschool student. Test results showing proficiency will be accepted for the current and one subsequent year.
4. Homeschool students will be required to follow the same rules and procedures as any other student and will be required to complete a Previous Athletic Participation Form (PAFP) and will be subject to eligibility rules, including the 15-day rule, if applicable. If the student moved into the district attendance zone within the previous 12 months, a full hearing of the District Executive Committee for that sport will be required for varsity participation.
5. Homeschool students must meet all team and activity requirements that apply to enrolled students, including attendance in the athletic or class period, attendance at practices, games, meets and performances, qualifications, responsibilities, standards of behavior, and standards of performance as determined by coaches and sponsors.
6. Homeschool students are responsible for providing their own transportation to and from class periods and practices.
7. Homeschool students are required to abide by the FISD Student Code of Conduct, FISD Student Handbook, and the handbook specific to each sport or activity. Failure to abide by these expectations will result in removal from the sport or activity for the remainder of the academic year.
8. Homeschool students may not participate in both UIL and homeschool league sports and activities. To do so is a violation of the UIL Constitution.



# FLORENCE

## INDEPENDENT SCHOOL DISTRICT

Rick Kirkpatrick, Superintendent

Inspire • Empower • Achieve

9. Homeschool students may not receive accelerated physical education skill or strength training exceeding 60 minutes during the school day.
10. Homeschool students must be fully immunized as required for all enrolled students or must present a certificate or statement that for medical reason or reasons of conscience, including a religious belief, the student will not be immunized. For exceptions based on conscience, only official forms issued by the Texas Department of State Health Services (DSHS), Immunization Branch, can be honored by the District.

### Additional Rules

1. Homeschool students can arrive no earlier than five minutes prior to the start of the athletic or class period and must leave campus within five minutes of the end of the athletic or class period. FISD is not responsible for supervision of homeschool students except during the athletic or class period.
2. Homeschool students can arrive no earlier than five minutes prior to the start of afterschool practice (unless previous arrangements have been made with the head coach of the sport) and must be picked up within ten minutes of the scheduled end time of the afterschool practice.
3. Homeschool students can arrive no earlier than five minutes before the scheduled time set by the coach or sponsor to leave for an event or game and must be picked up no more than 15 after arriving back to the campus.
4. While on campus during the school day, students must abide by the dress code as published in the FISD Student Handbook.

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**PROPOSED POLICY 7.11.25**

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**Note:** For searches of personal communication devices or other personal electronic devices, see FNF.

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**Personal  
Communication  
Devices**

A student who violates this policy or any regulations shall be subject to discipline in accordance with the Board-adopted Student Code of Conduct.

Prohibited Use

A student in grade 6-12 shall not use a personal communication device on school property during the school day. While on school property the student shall store any personal communication device in accordance with administrative regulations.

Prohibited Possession

A student in pre-kindergarten-grade 5 is prohibited from possessing or using a personal communication device on school property during the school day.

Exceptions

A student shall be authorized to possess or use a personal communication device on school property during the school day only under the following circumstances:

1. The student's use is necessary for implementation of the student's individualized education program, a 504 plan, or a similar program or plan;
2. The student's use is required due to a documented need based on a directive from a qualified physician; or
3. The student's use is necessary to comply with a health or safety requirement imposed by law or as part of the District or campus safety protocols.

Confiscation

An authorized District employee shall confiscate a student's personal communication device that is used in violation of this policy or any applicable regulations.

If a personal communication device is not retrieved, the District shall dispose of the device after providing the notice required by law.

Implementation

The Superintendent shall develop regulations to implement this policy.

Compliance

Annually, the Superintendent shall report to the Board on the implementation and compliance of this policy.



## **Professional / Consulting Services for Special Education RFQ 2025-0001**

Florence Independent School District will be accepting Requests for Qualifications for contracted special education services, including but not limited to occupational therapy, physical therapy, LSSP, psychological, speech, diagnostic, and evaluative, until 2:00 pm, July 8, 2025.

Qualification statements may be hand carried or mailed in a sealed envelope/package clearly marked with "RFQ for Special Education Services," your company's name, and return address. Addressed to: Florence Independent School District, Special Education Services, Eric Banfield, 306 College Ave., Florence, Texas, 76527.

Vendors will remain for three years commencing with date of Board approval. In addition, there is an option to renew for an additional two years if Florence ISD wishes to do so and if all key parties agree.

Florence ISD reserves the right to suspend or delete consultants throughout the term of this contract.

Proposers are reminded that verbal responses are not binding - only questions answered in writing will be binding. The District must receive requests for clarification on bid specifications in writing no later than **JUNE 27, 2025**, at 3 PM. E-mail your questions to Eric Banfield at ebanfield@florenceisd.net. You may also fax your questions to 254-793-2850, but email is the preferred media.

### **GENERAL INFORMATION**

We are in need for professionals to provide services to Florence ISD students that require assistance in various areas. We are looking for a person(s) that can fulfill the following needs.

#### **I. SCOPE OF SERVICES:**

The District requires professional skills that provide the following:

##### **1 Individual Contracted Professional Services**

###### **Speech Language Pathologist, Occupational Therapist, and Physical Therapist**

Scope of Work: Provide direct and indirect speech, occupational or physical therapy services to students ages 3-21 in the school setting at various locations throughout the District. Follow all district, state and federal guidelines and procedures.

Preferred Qualifications: Licensed by the State of Texas in the appropriate area: Two (2) years experience in the educational setting preferred. Speech Pathologist must have or be eligible for the Certificate of Clinical Competence from the American Speech-Language Hearing Association or equivalent.

### **Educational Diagnosticians, Licensed Specialist in School Psychology**

Scope of Work: Perform psycho educational and psychological evaluation for special education eligibility; consult with staff and parents on an as-needed basis. Follow state and federal guidelines and best practices for evaluation of students with special needs and district criteria and procedures. Attend IEP meetings as requested. Psychologists provide counseling services as directed by the District. Follow all district, state and federal guidelines and procedures.

Preferred Qualifications: State Certified Educational Diagnostician, Licensed Specialist in School Psychology (Texas).

### **Behavior Consultant/ABA Therapist**

Scope of Work: Provide evaluation, direct, and consultative services to students with behavioral concerns in various locations and school settings throughout the district. Provide consultation and training to district staff as requested by District. Follow all district, state and federal guidelines and procedures, using district forms and materials.

Preferred Qualifications: Minimum of Bachelor's degree, Master's degree in related area preferred. Certification as BCBA or BCaBA a plus. Minimum of 3 years of experience preferred working with students with a variety of disabilities including Autism and emotional disturbance is required.

## **2. Agencies That Provide Contracted Professional Services**

Scope of Work: To supply personnel in professional areas as described above that have been adequately trained and who possess the knowledge necessary to perform assigned tasks in a manner that meets industry standards.

Preferred Qualifications: Licensed or Certified by the State of Texas in the appropriate professional area for which they are assigned.

## **II. Qualifications:**

The candidate/agency will submit documentation for all certifications, licenses, or degrees, upon approval by District, for each area of expertise.

### **III. EVALUATION CRITERIA**

The District will consider the criteria listed in Texas Education code 44.031 (b) with the emphasis being placed on Reputation, Experience, Qualifications, Value and how well the Professional / Consultant meets the needs of the District.

The District reserves the right to accept or reject any and all qualifications, to waive any technicalities, to be the sole judge of quality and equality, and to accept the qualifications of the proposers that are in the best interest of the District.

The District may elect to interview some of the submitting firms and will notify the firm(s) of scheduling. There is to be no contact by the firm or its agents with members of the Florence ISD Board of Trustees prior to an interview. The qualifications of any firm or agent that contacts the Board shall be rejected.

### **IV. FORMAT FOR SUBMISSIONS**

One (1) original copy of the submission must be provided in a sealed envelope and manually signed in ink by a person having the authority to submit information and qualifications.

Initial submissions must be received by Florence ISD, by August 12, 2021 no later than 2:00 PM. Central Standard Time. There will be no public opening or review of submissions.

Consultants should feel free to make suggestions for changes in any area contained in these specifications. The District will evaluate such recommendations as possible amendments to the final contract and suggestions in this area are encouraged.

Submissions shall be divided into tabbed, marked sections including but not limited to each of the following. Provide any supplemental information you consider relevant or beneficial in any category.

- A. Experience** – Provide a letter of introduction of your organization, with a brief description of your experience, degrees and certifications, your business processes, and any other information that you wish to be considered. In the letter, be sure that you designate which of the categories of services that you are proposing.

- B. Scope of Services.** Include an explanation of services offered and your billing procedure. We are not asking for your fees at this time.

Describe your approach to providing the required services, your overall consulting approach and plan for implementation. Also describe any additional services you wish to offer.

- C. References.**

Submissions shall include a list of at least three (3) references for which similar services or projects have been performed. Include name of firm, contact person, address, telephone number, description of service or project that was performed, and when it was performed. Be sure to provide only the most current contact information.

In addition, list the school districts served by your organization.

- D. Supporting Materials.**

Submissions may include any descriptive literature or other supporting materials you would like to provide to support the qualification.

**E. Additional Documents**

The following documents are provided with the RFQ package.

- Felony Conviction Notice
- Non-Collusion Affidavit
- Historically Underutilized Business Certification (HUBS)
- Federal Debarment Form
- Certificate of Residency
- Conflict of Interest Questionnaire
- Disclosure of Interested Parties\* (Online)
- Criminal History Certification
- W-9

## **V. OTHER NOTICES FOR CONTRACTS UTILIZING STATE OR FEDERAL FUNDS**

**DISCLOSURE OF INTERESTED PARTIES.\*** In accordance with LGC 2252.908, the awarded Vendor is required to submit to the Texas Ethics Commission a fully executed Form 1295 electronically at

[https://www.ethics.state.tx.us/whatsnew/elf\\_info\\_form1295.htm](https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm). The Texas Ethics Commission WILL NOT accept a paper submittal. Upon submittal of that form to the Texas Ethics Commission, the awarded Vendor MUST forward a copy of the submitted form to the Director of Purchasing. The District must then go to the Texas Ethics Commission and acknowledge that you have submitted Form 1295. We have 30 days from Board award date to have this process completed.

**Criminal History Background Searches.** Senate Bill 9 directs school district contractors to obtain state and national criminal history background searches on their employees who will have direct contact with students. ALL vendors who will be working directly around or with students will need to have a completed background search on file.

**Compliance with Texas Government Code Chapter 2270.** Pursuant to Texas Government Code Chapter 2270, if this contract is valued at \$100,000 or more and if Independent Contractor has at least ten (10) full-time employees, then Independent Contractor represents and warrants to the District that the Independent Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement. This section does not apply to a sole proprietorship.

**Compliance with Texas Government Code Chapters 2252.** In compliance with Chapter 2252 of the Texas Government Code, Independent Contractor certifies that it does not engage in business with Iran, Sudan, or any foreign terrorist organization. Independent Contractor also certifies that for the length of any resulting contract with the District, Independent Contractor will not engage in any business with Iran, Sudan, or any foreign terrorist organization.

**Compliance with Texas Government Code Chapters 2274 and 809.** Pursuant to Texas Government Code Chapters 2274 and 809, if the contract is valued at \$100,000 or more and if Independent Contractor has at least ten (10) full-time employees, then Independent Contractor represents and warrants to the District that the Independent Contractor does not boycott energy companies and will not boycott energy companies during the term of the contract. The Independent Contractor represents and warrants to the District that the Independent Contractor does not discriminate against firearm entities or firearm trade associations and will not discriminate against firearm entities or firearm trade associations during the term of the contract. This provision does not apply to sole proprietorships.

**Non-Appropriation Clause.** The parties acknowledge that the funding of this Agreement is contained in the School's annual budget and is subject to the approval of the School Board in each fiscal year. The Parties further agree that should the governing body of the School fail to approve a budget that includes sufficient funds for the continuation of this Agreement, this Agreement shall automatically terminate and the school shall then have no further obligation to the Contractor.

EQUAL EMPLOYMENT OPPORTUNITIES: Contractor acknowledges that Owner, as an independent school district, is a political subdivision of the State of Texas and has certain requirements concerning equal employment and affirmative action under state and federal law, and shall comply with all applicable laws, regulations and special requirements under such federal and state laws, and the Contract Documents regarding equal employment opportunity and affirmative action programs.

Force majeure. If by reason of force majeure, the District is rendered wholly or in part unable to carry out its obligations under this Agreement, then such party shall give notice and full particulars of the force majeure in writing to Independent Contractor within a reasonable time after the party becomes aware of a force majeure event. So far as the District is affected by force majeure event, it shall be suspended during the continuance of the inability then claimed. The term force majeure as employed herein is an event or circumstance which is beyond the control and without the fault or negligence of the party affected and which by the exercise of reasonable diligence the party affected was unable to prevent; provided that such event or circumstance is limited to the following: (a) complete inaccessibility to the venue at which Services were to be performed; (b) riot, war, invasion, act of foreign enemies, hostilities, acts of terrorism, curtailment of major national transportation systems, and governmental act (including but not limited to state, federal, and /or local authority related to the COVID-19 pandemic); (c) earthquakes, flood, fire, tornado, fire or other physical natural disaster; (d) any strike or labor disturbance; (e) act of authority whether lawful or unlawful, compliance with any law or governmental order, rule, regulation or direction, curfew restriction, expropriation, compulsory acquisition, seizure of works or requisition; (e) plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine or other employee restrictions, including but not limited to the COVID-19 pandemic; (f) the event is made impracticable if act(s)/circumstance(s) cause performance to become substantially more difficult, complex or challenging, such as an excessive or unreasonable increase in performance costs or if increased costs make performance commercially senseless. It is understood and agreed that settlement of strikes and lockouts shall be entirely within the discretion of the party having the difficulty, and that the above requirements that any Force Majeure shall be remedied with all reasonable dispatch and shall not require the settlement of strikes and/or lockouts by acceding to the demands of the opposing party or parties when such settlement is objectively unfavorable in the judgment of the party having the difficulty.

Assignment. This Agreement may not be assigned by either party without the prior written consent of the other party.

CANCELLATION OR TERMINATION The Owner may, without cause, order the Contractor in writing to suspend services for such period of time as the Owner may determine. The District reserves the right to cancel contracts at any time during the term without cause. Notification will be submitted in writing no less than thirty (30) days prior to the effective date. Upon receipt of such notice from the District, Vendor shall not thereafter incur, and FISH shall have no liability for, any costs under this solicitation that are not necessary for actual performance of the request between the date of the notice of termination for convenience and the effective date of that termination for convenience. In the event of a termination for convenience hereunder, FISH shall have no liability to Vendor for lost or anticipated profit resulting there from..

FISD shall have the right to terminate for default all or any part of this contract if vendor breaches any of the terms hereof. Such right of termination is in addition to and not in lieu of any other remedies which FISD may have in law or equity. FISD may terminate the contract and debar the vendor for future "bidding" for violations of the federal requirements including, but not limited to, "Equal Employment Opportunity Act"

FEDERAL TERMS: Independent Contractor agrees and certified compliance with the Federal Terms and Conditions attached to the District's RFQ, including but not limited to the following:

1. That all services will be completed during the effective dates of the contract.
2. That all services will be paid only upon receipt of a proper invoice that coincides with the contract upon verification that the services were satisfactorily performed in accordance with the description in the contract. For ongoing services, payment may be made at the end of every month upon receipt of the invoice. Independent Contractors will not be paid in advance.
3. Invoices provided by the contractor will include the list of services provided, dates of services, and location(s) where services were provided during the billing period.
4. The District agrees that it complies with the regulations pertaining to procurement in 2 C.F.R. § 200.318- .323.
5. The District agrees that complies with the provisions in 2 C.F.R. § 200.459 pertaining to allowable professional service costs.
6. The agreement is for only reasonable, necessary, and allocable services to be provided in accordance with the funding sources that will be charged.
7. The District agrees that the administrative costs charged to the grant in the contract will be reasonable and must comply with any statutory limitations for administrative costs specified in the federal program funding source.
8. The Federal Terms and Conditions are incorporated by reference herein and attached as Exhibit D.

## FELONY CONVICTION NOTICE

Statutory citation covering notification of criminal history of contractor is found in the Texas Education Code, Section 44.034. Following is an example of a felony conviction notice:

### FELONY CONVICTION NOTIFICATION

State of Texas Legislative Senate Bill No. 1, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must

I, the undersigned agent for the firm named below, certify that the information concerning notification of felony convictions has been reviewed by me and the following information furnished is true and to the best of my knowledge.

**Vendor's Name:** \_\_\_\_\_

**Authorized Companies Official (Printed):** \_\_\_\_\_

A. My firm is a publicly held corporation; therefore, this reporting requirement is not applicable.

Signature of Company Official: \_\_\_\_\_

B. My firm is not owned nor operated by anyone who has been convicted of a felony.

Signature of Company Official: \_\_\_\_\_

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony.

Name of Felon(s): \_\_\_\_\_

Details of Conviction(s): \_\_\_\_\_

Signature of Company Official:

\_\_\_\_\_

**FLORENCE INDEPENDENT SCHOOL DISTRICT  
NON-COLLUSION AFFIDAVIT**

STATE OF TEXAS :

COUNTY OF \_\_\_\_\_

\_\_\_\_\_, of lawful age, being duly sworn, on oath says, that (s)he is the agent authorized by this document to submit the attached Request for Qualifications. Affiant further states that the document has not been a party to any collusion among submitters in restraint of freedom of competition by agreement to submission at a fixed price or to refrain from submitting; or with any District employee, Board Trustee, or benefit consultant as to quantity, quality, or price in the prospective contract, or any other terms of said prospective contract; or in any discussions or actions between submitter and any District employee, Board Trustee, or benefit consultant concerning exchange of money or other things of value for special consideration in the letting of this contract.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title of Above Signature

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Notary Public

State of \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

## FEDERAL DEBARMENT OR SUSPENSION CERTIFICATION FORM

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transaction to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement of goods or services equal to or in excess of \$100,000. Vendors receiving individual awards of \$100,000 or more and all sub-recipients must certify that the organizations and its principals are not suspended or debarred.

By submitting this offer and signing this certificate, this bidder/proposer:

- (1) Certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Firm's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Authorized Company Official's Name: \_\_\_\_\_  
*(Typed or printed)*

Title of Authorized Representative: \_\_\_\_\_  
*(Typed or printed)*

Signature of Authorized Company Official: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**EXHIBIT C**  
**AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES FOR FLORENCE INDEPENDENT SCHOOL DISTRICT – CHRI FORM**

**FLORENCE INDEPENDENT SCHOOL DISTRICT**

**CRIMINAL HISTORY RECORD INFORMATION  
FOR CONTRACTED SERVICES**

**CONFIDENTIAL**

The Texas Education Code Section 22.083 authorizes the District to obtain criminal history information on an employee of, or applicant for employment by, a person that contracts with the District to provide services if: the employee or applicant has or will have continuing duties related to the contracted services and the duties are or will be performed on school property or at another location where students are regularly present.

The information requested below is necessary to obtain criminal history record information.

Vendor Name: \_\_\_\_\_

Campus/Department Originating the Contract / Service: \_\_\_\_\_

Last Name: \_\_\_\_\_ First Name \_\_\_\_\_ MI: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Sex: ( ) Male ( ) Female Ethnicity: \_\_\_\_\_

I hereby authorize the FLORENCE Independent School District to obtain from any law enforcement agency or criminal justice agency all criminal history record information that relates to me, through fingerprinting. I understand that the information provided about age, sex, and ethnicity will not be used to determine eligibility for award of a contract but will be used solely for the purpose of obtaining criminal history record information.

I further understand it is my responsibility to comply with Senate Bill 9 and the Texas Education Agency procedures including payment of necessary fees associated with this process. As part of being a contractor/vendor for Florence ISD, you are required to follow and abide by District policy located on the Florence ISD website

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Disqualifying criminal history: (1) a conviction or other criminal history information designated by the District; or (2) one of the following offenses, if at the time of the offense, the victim was under 18 or enrolled in a public school: (a) a felony offense under Title 5, Texas Penal Code; (b) an offense for which a defendant is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure; (c) an equivalent offense under federal law or the laws of another state.

**EXHIBIT B**  
**AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES FOR FLORENCE INDEPENDENT**  
**SCHOOL DISTRICT - CONFIDENTIALITY AGREEMENT**

**Confidential Student Information Agreement**

Independent Contractor agrees that Independent Contractor and its employees, agents, and/or representatives may receive access to student information for certain students of the Florence Independent School District ("District"), pursuant to the Agreement for Contracted Services between Independent Contractor and the District ("Agreement").

Independent Contractor agrees and understands that information concerning any individual student is to be held in strictest confidence and assures that procedures are in place for monitoring and protecting confidentiality of student information. All media that contain individual student records will be kept in a secure area.

In addition, Independent Contractor agrees that any data sets or output reports that its employees, agents, and/or representatives may generate with individual student data are confidential. Independent Contractor will not disclose to any unauthorized person any data sets or reports with individual student data which is obtained or devised. Independent Contractor agrees to be responsible for any access by tracking access to student identifiable information through the use of password(s).

Independent Contractor understands that any unauthorized disclosure of confidential student information is illegal as provided in FERPA and its implementing regulations. FERPA is specifically incorporated into the Texas Public Information Act as an exception to records which are subject to disclosures to the public (Texas Government Code, Chapter 552).

Agreed to by Independent Contractor:

Date: \_\_\_\_\_

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT D**  
**AGREEMENT FOR INDEPENDENT CONTRACTOR SERVICES FOR FISD - FEDERAL TERMS AND CONDITIONS**

**FEDERAL TERMS AND CONDITIONS**

**EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR)**

**Contracts Under Federal Awards – Required Terms and Conditions**

Pursuant to 2 CFR § 200.326, all contracts, including small purchases, awarded by the District ("DISTRICT") and the DISTRICT's subcontractors shall contain the procurement provisions of Appendix II to Part 200, as applicable. Accordingly, in addition to other terms and conditions herein provided, the following provisions are incorporated into the Agreement, as applicable, and Contractor agrees to comply with these provisions:

- (A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- Pursuant to Federal Rule (A) above, when the DISTRICT expends federal funds, the DISTRICT reserves all rights and privileges under the applicable laws and regulations with respect to this procurement in the event of breach of contract by either party.
- (B) All contracts in excess of \$10,000.00 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- Pursuant to Federal Rule (B) above, when the DISTRICT expends federal funds, the DISTRICT reserves the right to immediately terminate any agreement in excess of \$10,000 resulting from this procurement process in the event of a breach or default of the agreement by Vendor in the event Vendor fails to: (1) meet schedules, deadlines, and/or delivery dates within the time specified in the procurement solicitation, contract, and/or a purchase order; (2) make any payments owed; or (3) otherwise perform in accordance with the contract and/or the procurement solicitation. The DISTRICT also reserves the right to terminate the contract immediately, with written notice to vendor, for convenience, if the DISTRICT believes, in its sole discretion that it is in the best interest of the DISTRICT to do so. Vendor will be compensated for work performed and accepted and goods accepted by the DISTRICT as of the termination date if the contract is terminated for convenience of the DISTRICT. Any award under this procurement process is not exclusive and the DISTRICT reserves the right to purchase goods and services from other vendors when it is in the DISTRICT's best interest.
- (C) Equal Employment Opportunity. Except as otherwise provided under 41 C.F.R. Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 C.F.R. Part 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 F.R. 12319, 12935, 3 C.F.R. Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 C.F.R. part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
- Pursuant to Federal Rule (C) above, when the DISTRICT expends federal funds on any federally assisted construction contract, the equal opportunity clause is incorporated by reference herein.
- (D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000.00 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 C.F.R. Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or sub-recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- (E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000.00 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- Pursuant to Federal Rule (E) above, when the DISTRICT expends federal funds, Vendor certifies that Vendor will be in compliance with all applicable provisions of the Contract Work Hours and Safety Standards Act during the term of an award for all contracts by the DISTRICT resulting from this procurement process.
- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 C.F.R. § 401.2(a) and the recipient or sub-recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or sub-recipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

Pursuant to Federal Rule (K) above, when federal funds are expended by the DISTRICT, Vendor certifies that during the term of an award for all contracts by the DISTRICT resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (K) above.

- (L) Domestic Preferences for Procurements - §200.322. (a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. (b) For purposes of this section: (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Pursuant to the Federal Rule above, the DISTRICT has a preference for goods, products, or materials produced in the United when spending federal funds. Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (L) above.

- (M) Procurement of Recovered Materials. For all contracts greater than \$10,000.00, Vendor agrees to comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act and any implementing regulations where applicable and provide such information and certifications as the DISTRICT may require to confirm estimates and otherwise comply. The requirements of Section 6002 includes (1) procuring only items designated in guidelines of the Environmental Protection Agency ("EPA") at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000.00 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000.00; (2) procuring solid waste management services in a manner that maximizes energy and resource recovery; and (3) establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Pursuant to the Federal Rule above, when federal funds are expended by the DISTRICT, as required by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6962(c) (3) (A) (i)), the vendor certifies, by signing this document, that the percentage of recovered materials content for EPA-designated items to be delivered or used in the performance of the contract will be at least the amount required by the applicable contract specifications or other contractual requirements.

- (N) Small, Minority, Women's Business Enterprises, and Labor Surplus Affirmative Steps. If any subcontracts are to be let by the Contractor, Contractor will be required to shall take affirmative steps to encourage participation by and facilitate contracting with small and minority businesses, women's business enterprises and labor surplus area business firms as set out in 2 C.F.R. 200.321. The affirmative steps include the following: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of

Commerce; (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

- (O) Records Retention Requirements for Contracts Involving Federal Funds. When federal funds are expended by DISTRICT for any contract resulting from this procurement process, Vendor agrees to comply with the record retention requirements detailed in 2 CFR § 200.333. Vendor further certifies that it will retain all records as required by 2 CFR § 200.333 for a period of three years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.
- (P) Equal Employment Statement. It is the policy of DISTRICT not to discriminate on the basis of race, color, national origin, sex, religion, age, (applies to individuals who are 40 years of age or older), disability, or genetic information in its programs. Vendor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. Provider will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Vendor agrees not to discriminate against any employee or applicant for employment to be employed in the performance of this Contract, with respect to hire, tenure, terms, conditions and privileges of employment, or a matter directly or indirectly related to employment, because of age (except where based on a bona fide occupational qualification), sex (except where based on a bona fide occupational qualification) or race, color, religion, national origin, or ancestry. Vendor further agrees that every subcontract entered into for the performance of this Contract shall contain a provision requiring non-discrimination in employment herein specified, binding upon each subcontractor. Breach of this covenant may be regarded as a material breach of the Contract.
- (Q) Certification of Access to Records - 2 C.F.R. § 200.336. Vendor agrees that the DISTRICT's Inspector General or any of their duly authorized representatives shall have access to any books, documents, papers and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under the Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.
- (R) Copyright. All contracts paid from state or federal grants administered by the Texas Education Agency ("TEA") must retain copyright for TEA and for the federal government (if a federally funded contract) unless otherwise negotiated in writing with TEA. Pursuant to the provisions in 2 C.F.R. 200.315, title to intangible property vests in the DISTRICT as long as such property is used for authorized purposes. However, TEA and the federal awarding agency reserve a royalty-free, nonexclusive and irrevocable right to reproduce, public, or otherwise use the work for federal purposes, and to authorize others to do so.
- (S) Certification of Compliance with the Energy Policy and Conservation Act. When DISTRICT expends federal funds for any contract resulting from this procurement process, Vendor certifies that it will comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18).
- (T) Certification of Compliance with Buy America Provisions. DISTRICT has a preference for domestic end products for supplies acquired for use in the United States when spending federal funds (purchases that are made with non-federal funds or grants are excluded from the Buy America Act).

Pursuant to Federal Rule (F) above, when federal funds are expended by the DISTRICT, Vendor certifies that during the term of an award for all contracts by the DISTRICT resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (F) above.

- (G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (“EPA”).

Pursuant to Federal Rule (G) above, when federal funds are expended by the DISTRICT, Vendor certifies that during the term of an award for all contracts by the DISTRICT resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (G) above.

- (H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (*see* 2 C.F.R. 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (“SAM”), in accordance with the OMB guidelines at 2 C.F.R. 180 that implement Executive Orders 12549 (3 C.F.R. part 1986 Comp., p. 189) and 12689 (3 C.F.R. part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contain the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

Pursuant to Federal Rule (H) above, when federal funds are expended by the DISTRICT, Vendor certifies that during the term of an award for all contracts by the DISTRICT resulting from this procurement process, Vendor certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

- (I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000.00 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

Pursuant to Federal Rule (I) above, when federal funds are expended by MISD, Vendor certifies that during the term and after the awarded term of an award for all contracts by MISD resulting from this procurement process, the vendor certifies that it is in compliance with all applicable provisions of the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). The undersigned further certifies that:

- (1) No Federal appropriated funds have been paid or will be paid for on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with the awarding of a Federal contract, the making of a Federal grant, the making of a Federal loan, the entering into a cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence

an officer or employee of any agency, a Member of Congress, an officer or employee of congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying”, in accordance with its instructions.

- (3) The undersigned shall require that the language of this certification be included in the award documents for all covered sub-awards exceeding \$100,000 in Federal funds at all appropriate tiers and that all subrecipients shall certify and disclose accordingly.

- (J) Contract Cost and Price - §200.323. (a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals. (b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles. (d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

Pursuant to Federal Rule (J) above, when federal funds are expended by the DISTRICT, Vendor certifies that during the term of an award for all contracts by the DISTRICT resulting from this procurement process, Vendor agrees to comply with all applicable requirements as referenced in Federal Rule (J) above.

- (K) Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment - §200.216. Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to: (1) Procure or obtain; (2) Extend or renew a contract to procure or obtain; or (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities). (i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities). (ii) Telecommunications or video surveillance services provided by such entities or using such equipment. (iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country. In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained. See Public Law 115-232, section 889 for additional information. See also §200.471.

- Vendor certifies that it is in compliance with all applicable provisions of the Buy America Act.
- (U) For all professional services contracts paid with federal funds, the contract contains the following provisions:
1. All services will be completed during the effective dates of the contract.
  2. All services will be paid only upon receipt of a proper invoice that coincides with the contract upon verification that the services were satisfactorily performed in accordance with the description in the contract. For ongoing services, payment may be made at the end of every month upon receipt of the invoice. Contractors will not be paid in advance.
  3. The invoice provided by the contractor will include the list of services provided, dates of services, and location(s) where services were provided during the billing period.
  4. The DISTRICT complies with the regulations pertaining to procurement in 2 C.F.R. § 200.318 - .323.
  5. The DISTRICT complies with the provisions in 2 C.F.R. § 200.459 pertaining to allowable professional service costs.
  6. The contract will identify the funding source(s) that will be charged for the services provided, including the specific amount and/or percentage of the total contract amount to be charged to each funding source.
  7. The contract will identify and list only reasonable, necessary, and allocable services to be provided in accordance with the funding sources that will be charged.
  8. The administrative costs charged to the grant in the contract must be reasonable and must comply with any statutory limitations for administrative costs specified in the federal program funding source.
- (V) Applicability to Subcontractors. Vendor agrees that all contracts it awards pursuant to the contract shall be bound by the foregoing terms and conditions.
- (W) The Vendor also represents and warrants compliance with all applicable federal, state, and local laws, rules, regulations, and ordinances. It is further acknowledged that Vendor certifies compliance with all provisions, laws, acts, regulations, etc. as specifically noted below:
1. Americans with Disabilities Act, P. L. 101-336, 42 U.S.C. section 12101, and the regulations effectuating its provisions contained in 28 C.F.R. Parts 35 and 36, 29 C.F.R. Part 1630, and 47 C.F.R. Parts 0 and 64.
  2. Title VI of the Civil Rights Act of 1964, as amended (prohibition of discrimination by race, color, or national origin), and the regulations effectuating its provisions contained in 34 C.F.R. Part 100.
  3. Title IX of the Education Amendments of 1972, as amended (prohibition of sex discrimination in educational institutions), and the regulations effectuating its provisions contained in 34 C.F.R. Part 106, if the Vendor is an educational institution.
  4. Section 504 of the Rehabilitation Act of 1973, as amended (nondiscrimination on basis of handicapping condition), and the regulations effectuating its provisions contained in 34 C.F.R. Part 104.
  5. Age Discrimination Act of 1975, as amended (prohibition of discrimination on basis of age), and any regulations issued thereunder, including the provisions contained in 34 C.F.R. Part 110.
  6. Family Educational Rights and Privacy Act ("FERPA") of 1975, as amended (ensures access to educational records for students and parents while protecting the privacy of such records), and any regulations issued thereunder, including Privacy Rights of Parents and Students (34 C.F.R. Part 99), if the Vendor is an educational institution (20 U.S.C. 1232g).
  7. Section 509 of H.R. 5233, as incorporated by reference in P. L. 99-500 and P. L. 99-591 (prohibition against the use of federal grant funds to influence legislation pending before Congress).
  8. Pro-Children Act of 2001, which states that no person shall permit smoking within any indoor facility owned or leased or contracted and utilized for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children (P. L. 107-110, Section 4303[a]). In addition, no person shall permit smoking within any indoor facility (or portion of such a facility) owned or leased or contracted and utilized for the provision of regular or routine health care or day care or early childhood development (Head Start) services (P. L. 107-110, Section 4303[b][1]). Any failure to comply with a prohibition in this Act shall be considered to be a violation of this Act, and any person subject to such prohibition who commits such violation may be liable to the United States for a civil penalty, as determined by the Secretary of Education (P. L. 107-110, Section 4303[c][1]).
  9. Buy America Act: DISTRICT, to the greatest extent practicable, has a preference for domestic end goods, products, or materials for supplies acquired for use in the United States when spending federal funds (purchases that are made with non-federal funds or grants are excluded from the Buy America Act). The Vendor certifies that it is in compliance with the Buy America Act in that each end product purchased under any federally funded supply contract exceeding \$2,500.00 is considered to have been substantially produced or manufactured in the United States. End products exempt from this requirement are those for which the cost would be unreasonable, products manufactured in the U.S. that are not of satisfactory quality, or products for which the agency head determines that domestic preference would be inconsistent with the public interest. The Vendor also certifies that documentation will be maintained that documents compliance with this requirement (FAR 25.1-25.2).
  10. P.L. 103-227, Title X, Miscellaneous Provisions of the GOALS 2000: Educate America Act; P.L. 103- 382, Title XIV, General Provisions of the Elementary and Secondary Education Act, as amended; and General Education Provisions Act, as amended.
  11. Prohibition of Text Messaging and E-mailing while Driving during Official Federal Grant Business: Personnel funded from federal grants and their subcontractors and subgrantees are prohibited from text messaging while driving an organization-owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using organization-supplied electronic equipment to text message or email while driving. Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership On Reducing Text Messaging While Driving," October 1, 2009 (pursuant to provisions attached to federal grants funded by the U.S. Department of Education).
  12. Trafficking Victims Protection Act of 2000 ("TVPA"), as amended (22 U.S.C. 7104[g]): In accordance with 2 C.F.R. 175, this award may be terminated unilaterally, without penalty, if Contractor or an employee of Contractor violates any of the applicable prohibitions of this award term through conduct that is either associated with performance under this award or imputed to Contractor using the standards and due process for imputing the conduct of an individual to an organization that are provided in 34 C.F.R. 85.630. Contractor and Contractor's employees may not (i) Engage in severe forms of trafficking in persons during the period of time that the award is in effect; (ii) Procure a commercial sex act during the period of time the award is in effect; or (iii) Use forced labor in the performance of the award or subaward.
  13. Fair Labor Standards Act (29 U.S.C. 207), as applicable, and their implementing regulations in 29 CFR 500-899.
  14. Energy Policy and Conservation Act (42 USC 6321 et seq.; 49 CFR Part 18) and the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the EPCA



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

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

The school year to which this agreement applies is the **2025-2026** (the “school year”).

The agreement is for **FLORENCE INDEPENDENT SCHOOL DISTRICT** School District (“the district”), with a county-district number of **246902**, to purchase attendance credit from the state for the school year.

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

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

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

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

Date:

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Signature of President, Board of Trustees

Date:

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Signature of Secretary, Board of Trustees

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Signature of Superintendent

Date:

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Typed Name of Superintendent

Date:

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Signature of Commissioner of Education or Designee



### FISD RESIGNATIONS

First	Last	Resigned	First Day Work	Last Day of Work	Job Title	Campus	Reason
Jennifer	Michalewicz	6/29/2025	8/6/2019	6/20/2025	Special Programs Coordinator	District	Employment at another district

7/10/2025

Strategy: Develop and implement district-wide systems to maximize student growth through effective instruction.

Semester / year	Action Step	Resources	Person Responsible for Monitoring	Measurement	Completion	Notes
Summer 2024	Train [as needed] honors and advanced course teachers.	Special Programs Director, ESC Region 13, professional associations, the Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	List of teachers trained	75	
Summer 2024	Update Gifted and Talented hour requirements.	Special Programs Director, ESC Region 13, professional associations, the Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	List of teachers trained	75	
Fall 2024	Measure the effectiveness of the Florence Instructional Framework training.	Sign-in sheets, effectiveness measure	Assistant Superintendent of Curriculum and Instruction	Training effectiveness measured	100	
Fall 2024	Update, as needed, membership in the Highly-Effective Instruction Committee.	Campus staff, district staff	Assistant Superintendent, Curriculum and Instruction	Committee membership updated, as needed	100	
Fall 2024	Schedule meetings of the Highly-Effective Instruction Committee.	District calendar	Assistant Superintendent, Curriculum and Instruction	Meetings scheduled	100	*Scheduled
Fall 2024	Implement the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented	100	
Fall 2024	Implement instructional feedback tool into scheduled instructional feedback per campus.	Florence Instructional Framework, feedback tool, campus administrators	Campus administrators	Feedback given	100	
Fall 2024	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training for staff.	Desired outcomes from training, effectiveness measure from administrator training	Highly-Effective Instruction Committee	Training effectiveness measure revised, as needed	50	
Fall 2024	Train current staff on the Florence Instructional Framework.	Instructional Framework materials	Assistant Superintendent of Curriculum and Instruction	Sign-in sheets	100	

Fall 2024	Train new teachers on Florence Instructional Framework.	Instructional Framework materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets	100	
Fall 2024	Collect data on the effectiveness of the Florence Instructional Framework training.	Survey, sign-in sheets	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness data collected	50	
Fall 2024	Integrate emergent bilingual best practices into instructional feedback tool/form.	Bilingual ESL Coordinator and campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Emergent Bilingual best practices integrated	100	
Fall 2024	Train all campus staff on the Language acquisition and teaching strategies for Emergent Bilingual students (ongoing training provided).	Bilingual ESL Coordinator, ELPS, assistant principals, campus administration	Bilingual ESL Coordinator	Sign-in sheets	100	
Fall 2024	Measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Sign-in sheets, technology, training effectiveness measure	Bilingual ESL Coordinator	Training effectiveness measured	50	
Fall 2024	Set calendar for campus walkthroughs to ensure Emergent Bilingual guidelines are being met.	ESC Region 13, campus administrators	Bilingual ESL Coordinator	Data from instructional feedback tool	100	
Spring 2025	Ongoing implementation of the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented	100	
Spring 2025	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Campus administration	Feedback given	100	
Spring 2025	Collect impact data on the Florence Instructional Framework.	Student achievement impact data	Campus administration	Impact data collected	50	
Spring 2025	Survey teachers on instructional feedback tool.	Google Form, campus administrators	Campus administration	Survey data collected	0	
Spring 2025	Collect data on the Instructional Feedback Tool.	Populated instructional data, survey data, campus administrators	Campus administration	Data collected	0	
Spring 2025	Design professional development based on instructional feedback tool data.	Campus instructional data	Campus administration	Professional development planned and scheduled	0	

Spring 2025	Review and revise, as needed, the Florence Instructional Framework.	Impact data, Florence Instructional Framework	Highly-Effective Instruction Committee	Florence Instructional Framework revised, as needed	75	
Spring 2025	Update, as needed, the integration of Emergent Bilingual instructional best practices in the Florence Instructional Framework.	Emergent Bilingual best practices, Florence Instructional Framework, ESL Bilingual Coordinator	Bilingual ESL Director	Florence Instructional Framework revised, as needed	100	
Spring 2025	Review and revise, as needed, the way to measure the impact of implementing the Florence Instructional Framework on student achievement.	Desired outcomes for student achievement, current impact data measure	Assistant Superintendent of Curriculum and Instruction designee	Impact data measure revised, as needed	50	
Fall 2025	Review and revise, as needed, the instructional feedback tool aligned to the instructional framework.	Florence Instructional Framework materials, electronic forms, current instructional feedback tool	Assistant Superintendent of Curriculum and Instruction designee	Feedback tool revised, as needed		Moved to Fall 2025
Fall 2025	Update, plan and schedule a training for administrators on the Florence Instructional Framework and feedback tool.	Training effectiveness data, current training materials, updated Florence Instructional Framework, updated electronic forms, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		Moved to Fall 2025
Summer 2025	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training.	Current training effectiveness measure, desired outcomes from training	Highly-Effective Instruction Committee	Training effectiveness measure revised, as needed		
Summer 2025	Measure the effectiveness of the Florence Instructional Framework training.	Sign-in sheets, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Spring 2025	Modify master schedules for department and team collaboration.	Campus master schedules, campus administrators, teacher leaders	Campus administration	Master schedules modified	100	
Spring 2025	Set professional development calendar, including special populations, for coming year.	Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, The Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	Annual comprehensive professional development calendar planned	100	
Spring 2025	Establish cyclical calendar for set emerging bilingual professional development for whole group at campus level.	ESC Region 13, LPAC coordinators, T-TESS, Eduphoria, district professional development calendar	Bilingual ESL Coordinator	Professional development cycle established	100	
Spring 2025	Implement the English as a second language certification requirement (within 1st year of hire).	Bilingual ESL Coordinator, ESL Academy	Bilingual ESL Coordinator	List of teachers on waiver	100	
Spring 2025	Update, plan, and schedule an English as a second language academy (3 days for all uncertified teachers).	Bilingual ESL Coordinator, ESL Academy, list of teachers on waiver, district calendar	Bilingual ESL Coordinator	Academy planned and scheduled	100	

Spring 2025	Review and develop a district-wide uniform lesson plan format and best practice guideline, including English Language Proficiency standards and expectations for administration review	Team leads, instructional coaches, campus administration, current guidelines for each campus, ELPS, Bilingual ESL Coordinator	Assistant Superintendent of Curriculum and Instruction	Florence Lesson Plan practice developed	50	
Summer 2025	Adapt and adjust, as needed, the identified instructional framework to meet the needs of Florence I.S.D.	Instructional framework	Highly-Effective Instruction Committee	Florence Instructional Framework developed		
Summer 2025	Identify need for district gifted and talented teacher and program.	ESC Region 13, local school districts, comparable schools in the area, survey current staff as well as GT families on satisfaction with current program	Special Programs Director	Need identified		
Summer 2025	Update, as needed, and schedule professional development to train teachers on the Florence Instructional Framework.	ESC Region 13, training effectiveness data, Florence Instructional Framework, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2025	Update, as needed, and schedule the new teacher orientation to include the Florence Instructional Framework.	Previous year's training, effectiveness data, Florence Instructional Framework materials	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2025	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training for staff.	Desired outcomes from training, effectiveness measure from administrator training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure revised, as needed		
Summer 2025	Update, as needed, plan, and schedule professional development on Language acquisition and teaching strategies for Emergent Bilingual students for instructional staff and administrators	Previous training, training effectiveness data, ELPS, district calendar, Bilingual ESL Coordinator	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2025	Review and revise, as needed, the way to measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Training effectiveness measure, desired outcomes from training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measured revised, as needed		
Summer 2025	Conduct an English as a Second Language Academy (3 day, all uncertified teachers).	Region 13, Bilingual ESL Coordinator, list of uncertified teachers	Bilingual ESL Coordinator	Sign-in sheets		
Summer 2025	Track the effectiveness of the English as a Second Language Academy.	Percentage of uncertified teachers removed from the TEA waiver	Bilingual ESL Coordinator	Effectiveness tracked		
Summer 2025	Plan and schedule professional development on the district-wide lesson plan format and practice (guideline), including ELPS and expectations for administration review.	Team leads, instructional coaches, campus administration, lesson plan format and policy, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Lesson plan training planned and scheduled		
Summer 2025	Create a way to measure the effectiveness of the lesson plan professional development.	Desired outcomes from training, technology	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure created		

Summer 2025	Research different data protocols.	<i>Driven by Data, DataWise, ESC Region 13 Data Dig training, Eduphoria</i>	Assistant Superintendent of Curriculum and Instruction	Research conducted		
Summer 2025	Identify a data protocol for Florence ISD.	Data protocol research	Assistant Superintendent of Curriculum and Instruction	Data protocol identified		
Summer 2025	Plan and schedule a training on the Florence Data Protocol for administrators.	District calendar, Florence Data Protocol	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2025	Train all honors and advanced course teachers.	Special Programs Director, ESC Region 13, professional associations, the Office of Special Education Programs (OSEP), College Board	Assistant Superintendent of Curriculum and Instruction	List of teachers trained		
Fall 2025	Plan and schedule a training on the Florence Data Protocol for teachers.	District calendar, Florence Data Protocol	Highly-Effective Instruction Committee	Training planned and scheduled		
Fall 2025	Design a way to measure the effectiveness of the Florence Data Protocol training.	Desired outcomes from training.	Highly-Effective Instruction Committee	Training effectiveness measure designed		
Fall 2025	Update, as needed, membership in the Highly-Effective Instruction Committee.	Campus staff, district staff	Assistant Superintendent, Curriculum and Instruction	Committee membership updated, as needed		
Fall 2025	Schedule meetings of the Highly-Effective Instruction Committee.	District calendar	Assistant Superintendent of Curriculum and Instruction	Meetings scheduled		
Fall 2025	Continuous implementation of the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		
Fall 2025	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Campus administrators	Feedback given		
Fall 2025	Review, with current staff, the Florence Instructional Framework.	Instructional Framework Materials	Highly-Effective Instruction Committee	Sign-in sheets		
Fall 2025	Train new teachers on Florence Instructional Framework.	Instructional Framework Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		

Fall 2025	Collect data on the effectiveness of the Florence Instructional Framework training.	Training effectiveness measure, sign-in sheets, technology	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2025	Train all campus staff on the Language acquisition and teaching strategies for Emergent Bilingual students.	Bilingual ESL Coordinator, ELPS, assistant principals, campus administration	Bilingual ESL Coordinator	Sign-in sheets		
Fall 2025	Measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Sign-in sheets, technology, training effectiveness measure	Bilingual ESL Coordinator	Training effectiveness measured		
Fall 2025	Set calendar for campus walkthroughs to ensure emergent bilingual guidelines are being met.	TEA, Special Programs Director, ESL Bilingual Coordinator, Region 13, the Office of Special Education Programs (OSEP)	Bilingual ESL Coordinator	Walk through data		
Fall 2025	Train all administrators on the Florence Lesson Plan practice and expectations for review.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Administrators signed		
Fall 2025	Train all teachers on Lesson Plan expectations, including ELPS inclusion.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2025	Measure the effectiveness of the Lesson Plan professional development.	Sign-in sheets, technology, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Fall 2025	Train new teachers on lesson plan expectation, including ELPS, as part of new teacher orientation.	ELPS, lesson plan template, instructional coaches, ESL Bilingual Coordinator	Assistant Superintendent of Curriculum and Instruction designee	New teachers trained		
Fall 2025	Implement the Florence Lesson Plan practice.	Lesson plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Policy implemented		
Fall 2025	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction designee	Lesson Plan practice monitored		
Fall 2025	Train administrators on the Florence Data Protocol.	Data Protocol Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2025	Train staff on the Florence Data Protocol.	Data Protocol Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		

Fall 2025	Collect data on the effectiveness of the Data Protocol training.	Effectiveness measure, sign-in sheets	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2025	Utilize data protocols.	Florence Data Protocol, assessment data, campus leaders	Assistant Superintendent of Curriculum and Instruction	Data Protocol utilized		
Spring 2026	Ongoing implementation of the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		
Spring 2026	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Feedback given		
Spring 2026	Collect impact data on the Florence Instructional Framework.	Student achievement impact data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		
Spring 2026	Survey teachers on instructional feedback tool.	Google Form, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Survey data collected		
Spring 2026	Collect data on the Instructional Feedback Tool.	Populated instructional data, survey data, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Data collected		
Spring 2026	Design professional development based on instructional feedback tool data.	Campus instructional data and campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Professional development planned and scheduled		
Spring 2026	Review and revise, as needed, the Florence Instructional Framework.	Impact data, Florence Instructional Framework	Assistant Superintendent of Curriculum and Instruction	Florence Instructional Framework revised, as needed		
Spring 2026	Update, as needed, the integration of Emergent Bilingual instructional best practices in the Florence Instructional Framework.	Emergent Bilingual best practices, Florence Instructional Framework, ESL Bilingual Coordinator	Bilingual ESL Coordinator	Florence Instructional Framework revised, as needed		
Spring 2026	Review and revise, as needed, the Florence Instructional Framework to include research based best instructional strategies for the gifted and talented population.	The Office of Special Education Programs (OSEP)	Highly-Effective Instruction Committee	Florence Instructional Framework revised, as needed		
Spring 2026	Review and revise, as needed, the way to measure the impact of implementing the Florence Instructional Framework on student achievement.	Desired outcomes for student achievement, current impact data measure	Highly-Effective Instruction Committee	Impact data measure revised, as needed		

Spring 2026	Review and revise, as needed, the instructional feedback tool aligned to the instructional framework.	Florence Instructional Framework materials, electronic forms, current instructional feedback tool	Highly-Effective Instruction Committee	Feedback tool revised, as needed		
Spring 2026	Update, plan and schedule a training for administrators on the Florence Instructional Framework and feedback tool.	Training effectiveness data, current training materials, updated Florence Instructional Framework, updated electronic forms, district calendar	Assistant Superintendent of Curriculum and Instruction	Training planned and scheduled		
Spring 2026	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training.	Current training effectiveness measure, desired outcomes from training	Highly-Effective Instruction Committee	Training effectiveness measure revised, as needed		
Spring 2026	Train all campus administrators on the Florence Instructional Framework and feedback tool.	Instructional Framework materials, trainer	Highly-Effective Instruction Committee	Sign-in sheets		
Spring 2026	Measure the effectiveness of the Florence Instructional Framework training.	Sign-in sheets, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Spring 2026	Review and modify, as needed, the master schedules for department and team collaboration.	Campus master schedules, campus administrators, teacher leaders	Campus principals	Master schedules modified, as needed		
Spring 2026	Set professional development calendar, including special populations, for coming year.	Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, The Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	Annual comprehensive professional development calendar planned		
Spring 2026	Establish cyclical calendar for set emerging bilingual professional development for whole group at campus level.	ESC Region 13, LPAC coordinators, T-TESS, Eduphoria, district professional development calendar	Bilingual ESL Coordinator	Professional development cycle established		
Spring 2026	Implement the English as a second language certification requirement (within 1st year of hire).	Bilingual ESL Coordinator, ESL Academy	Bilingual ESL Coordinator	List of teachers on waiver		
Spring 2026	Update, plan, and schedule an English as a second language academy (3 days for all uncertified teachers).	Bilingual ESL Coordinator, ESL Academy, list of teachers on waiver, district calendar	Bilingual ESL Coordinator	Academy planned and scheduled		
Spring 2026	Implement the Florence Lesson Plan practice.	Lesson plan template, expectations	Assistant Superintendent of Curriculum and Instruction	Policy implemented		
Spring 2026	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction	Lesson Plan practice monitored		

Spring 2026	Collect data on the impact of implementing the Florence Lesson Plan practice and expectations for review.	Student achievement data, administrator feedback, teacher feedback	Assistant Superintendent of Curriculum and Instruction designee	Data collected		
Spring 2026	Review and revise, as needed, the Florence Lesson Plan practice, including English Language Proficiency standards and expectations for administration review.	Current Florence Lesson Plan practice, impact data, ELPS, Bilingual ESL Coordinator	Highly-Effective Instruction Committee	Florence Lesson Plan practice revised, as needed		
Spring 2026	Utilize the Florence Data Protocol.	Florence Data Protocol, assessment data, campus leaders	Assistant Superintendent of Curriculum and Instruction	Florence Data Protocol utilized		
Spring 2026	Collect student achievement impact data on implementing the Florence Data Protocol.	Student achievement data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		
Summer 2026	Update, as needed, and schedule professional development to train teachers on the Florence Instructional Framework.	ESC Region 13, training effectiveness data, Florence Instructional Framework, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2026	Update, as needed, and schedule the new teacher orientation to include the Florence Instructional Framework.	Previous year's training, effectiveness data, Florence Instructional Framework materials	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2026	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training for staff.	Desired outcomes from training, effectiveness measure from administrator training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure revised, as needed		
Summer 2026	Train new teachers on Florence Instructional Framework.	Instructional Framework Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Summer 2026	Collect data on the effectiveness of the Florence Instructional Framework training.	Training effectiveness measure, sign-in sheets, technology	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness data collected		
Summer 2026	Update, as needed, plan, and schedule professional development on Language acquisition and teaching strategies for Emergent Bilingual students for instructional staff and administrators	Previous training, training effectiveness data, ELPS, district calendar, Bilingual ESL Coordinator	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2026	Review and revise, as needed, the way to measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Training effectiveness measure, desired outcomes from training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measured revised, as needed		
Summer 2026	Conduct an English as a Second Language Academy (3 day, all uncertified teachers).	Region 13, Bilingual ESL Coordinator, list of uncertified teachers	Bilingual ESL Coordinator	Sign-in sheets		

Summer 2026	Track the effectiveness of the English as a Second Language Academy.	Percentage of uncertified teachers removed from the TEA waiver	Bilingual ESL Coordinator	Effectiveness tracked		
Summer 2026	Plan and schedule professional development on the district-wide lesson plan format and practice (guideline), including ELPS and expectations for administration review.	Team leads, instructional coaches, campus administration, lesson plan format and policy, district calendar	Assistant Superintendent of Curriculum and Instruction	Lesson plan training planned and scheduled		
Summer 2026	Create a way to measure the effectiveness of the lesson plan professional development.	Desired outcomes from training, technology	Highly-Effective Instruction Committee	Training effectiveness measure created		
Summer 2026	Review and revise, as needed, the Florence ISD data protocol.	Florence ISD data protocol	Highly-Effective Instruction Committee	Data protocol revised, as needed		
Summer 2026	Update, plan, and schedule a training on the Florence Data Protocol for administrators.	District calendar, Florence Data Protocol	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2026	Update, plan, and schedule a training on the Florence Data Protocol for teachers.	District calendar, Florence Data Protocol	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2026	Review and revise, as needed, the way to measure the effectiveness of the Florence Data Protocol training.	Desired outcomes from training.	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure revised, as needed		
Summer 2026	Develop instructional strategies in response to formative assessment data.	<i>Driven by Data, Data Wise, Formative Assessment, ESC Region 13 Data Dig</i>	Assistant Superintendent of Curriculum and Instruction designee	Instructional strategies developed		
Summer 2026	Plan and schedule a professional development for administrators and teachers on data disaggregation and how to use data for instruction.	District calendar, data disaggregation materials, Driven by Data, Data Wise, ESC Region 13 Data Dig	Assistant Superintendent of Curriculum and Instruction designee	Data training planned and scheduled		
Summer 2026	Create a way to measure the effectiveness of the data disaggregation training.	Desired outcomes from training, technology	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure created		
Summer 2026	Update training to meet Gifted and Talented hours requirements.	Special Programs Director, ESC Region 13, professional associations, the Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	List of teachers trained		
Fall 2026	Update, as needed, membership in the Highly-Effective Instruction Committee.	Campus staff, district staff	Assistant Superintendent, Curriculum and Instruction	Committee membership updated, as needed		

Fall 2026	Schedule meetings of the Highly-Effective Instruction Committee.	District calendar	Assistant Superintendent of Curriculum and Instruction designee	Meetings scheduled		
Fall 2026	Review, with current staff, the Florence Instructional Framework.	Instructional Framework Materials	Highly-Effective Instruction Committee	Sign-in sheets		
Fall 2026	Train new teachers on Florence Instructional Framework.	Instructional Framework Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2026	Collect data on the effectiveness of the Florence Instructional Framework training.	Training effectiveness measure, sign-in sheets, technology	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2026	Implement the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		
Fall 2026	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Feedback given		
Fall 2026	Train all campus staff on the Language acquisition and teaching strategies for Emergent Bilingual students.	Bilingual ESL Coordinator, ELPS, assistant principals, campus administration	Bilingual ESL Coordinator	Sign-in sheets		
Fall 2026	Train new teachers on ELPS lesson plan expectation as part of new teacher orientation.	ELPS	Bilingual ESL Coordinator	Sign-in sheets		
Fall 2026	Measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Sign-in sheets, technology, training effectiveness measure	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measured		
Fall 2026	Set calendar for campus walkthroughs to ensure emergent bilingual guidelines are being met.	TEA, Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, the Office of Special Education Programs (OSEP)	Bilingual ESL Coordinator	Walk through data		
Fall 2026	Train all administrators on the Florence Lesson Plan practice and expectations for review.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Administrators signed		
Fall 2026	Train all teachers on Lesson Plan expectations, including ELPS inclusion.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		

Fall 2026	Measure the effectiveness of the Lesson Plan professional development.	Sign-in sheets, technology, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Fall 2026	Train new teachers on ELPS lesson plan expectation, including ELPS, as part of new teacher orientation.	ELPS, lesson plan template, instructional coaches, ESL Bilingual Coordinator	Assistant Superintendent of Curriculum and Instruction designee	New teachers trained		
Fall 2026	Implement the Florence Lesson Plan practice.	Lesson plan template, expectations	Campus principals	Policy implemented		
Fall 2026	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction	Lesson Plan practice monitored		
Fall 2026	Train administrators on the Florence Data Protocol.	Data Protocol Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2026	Train staff on the Florence Data Protocol.	Data Protocol Materials	Highly-Effective Instruction Committee	Sign-in sheets		
Fall 2026	Collect data on the effectiveness of the Data Protocol training.	Effectiveness measure, sign-in sheets	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2026	Provide professional development on data disaggregation to all teachers and administrators.	Data disaggregation materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheet		
Fall 2026	Collect data on the effectiveness of the data disaggregation training.	Training effectiveness measure, sign-in sheets	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2026	Utilize the Florence Data Protocol.	Florence Data Protocol, assessment data, campus leaders	Assistant Superintendent of Curriculum and Instruction	Data Protocol utilized		
Fall 2026	Implement data disaggregation methods.	Assessment data, data disaggregation methods, campus administrators	Assistant Superintendent of Curriculum and Instruction	Data disaggregation implemented		
Spring 2027	Implement the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		

Spring 2027	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Feedback given		
Spring 2027	Collect impact data on the Florence Instructional Framework.	Student achievement impact data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		
Spring 2027	Survey teachers on instructional feedback tool.	Google Form, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Survey data collected		
Spring 2027	Collect data on the Instructional Feedback Tool.	Populated instructional data, survey data, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Data collected		
Spring 2027	Design professional development based on instructional feedback tool data.	Campus instructional data	Assistant Superintendent of Curriculum and Instruction designee	Professional development planned and scheduled		
Spring 2027	Review and revise, as needed, the Florence Instructional Framework.	Impact data, Florence Instructional Framework	Highly-Effective Instruction Committee	Florence Instructional Framework revised, as needed		
Spring 2027	Update, as needed, the integration of Emergent Bilingual instructional best practices in the Florence Instructional Framework.	Emergent Bilingual best practices, Florence Instructional Framework, ESL Bilingual Coordinator	Bilingual ESL Coordinator	Florence Instructional Framework revised, as needed		
Spring 2027	Review and revise, as needed, the Florence Instructional Framework to include research based best instructional strategies for the gifted and talented population.	The Office of Special Education Programs (OSEP)	Highly-Effective Instruction Committee	Florence Instructional Framework revised, as needed		
Spring 2027	Review and revise, as needed, the way to measure the impact of implementing the Florence Instructional Framework on student achievement.	Desired outcomes for student achievement, current impact data measure	Highly-Effective Instruction Committee	Impact data measure revised, as needed		
Spring 2027	Review and revise, as needed, the instructional feedback tool aligned to the instructional framework.	Florence Instructional Framework materials, electronic forms, current instructional feedback tool	Highly-Effective Instruction Committee	Feedback tool revised, as needed		
Spring 2027	Update, plan and schedule a training for administrators on the Florence Instructional Framework and feedback tool.	Training effectiveness data, current training materials, updated Florence Instructional Framework, updated electronic forms, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Spring 2027	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training.	Current training effectiveness measure, desired outcomes from training	Highly-Effective Instruction Committee	Training effectiveness measure revised, as needed		

Spring 2027	Train all campus administrators on the Florence Instructional Framework and feedback tool.	Instructional Framework materials, trainer	Assistant Superintendent of Curriculum and Instruction	Sign-in sheets		
Spring 2027	Measure the effectiveness of the Florence Instructional Framework training.	Sign-in sheets, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Spring 2027	Review and modify, as needed, the master schedules for department and team collaboration.	Campus master schedules, campus administrators, teacher leaders	Campus principals	Master schedules modified, as needed		
Spring 2027	Set professional development calendar, including special populations, for coming year.	Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, The Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	Annual comprehensive professional development calendar planned		
Spring 2027	Establish cyclical calendar for set emerging bilingual professional development for whole group at campus level.	ESC Region 13, LPAC coordinators, T-TESS, Eduphoria, district professional development calendar	Bilingual ESL Coordinator	Professional development cycle established		
Spring 2027	Implement the English as a second language certification requirement (within 1st year of hire).	Bilingual ESL Coordinator, ESL Academy	Bilingual ESL Coordinator	List of teachers on waiver		
Spring 2027	Update, plan, and schedule an English as a second language academy (3 days for all uncertified teachers).	Bilingual ESL Coordinator, ESL Academy, list of teachers on waiver, district calendar	Bilingual ESL Coordinator	Academy planned and scheduled		
Spring 2027	Implement the Florence Lesson Plan practice.	Lesson plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Policy implemented		
Spring 2027	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction designee	Lesson Plan practice monitored		
Spring 2027	Collect data on the impact of implementing the Florence Lesson Plan practice and expectations for review.	Student achievement data, administrator feedback, teacher feedback	Highly-Effective Instruction Committee	Data collected		
Spring 2027	Review and revise, as needed, the Florence Lesson Plan practice, including English Language Proficiency standards and expectations for administration review.	Current Florence Lesson Plan practice, impact data, ELPS, Bilingual ESL Coordinator	Highly-Effective Instruction Committee	Florence Lesson Plan practice revised, as needed		
Spring 2027	Research different Professional Learning Community (PLC) frameworks.	Research, DuFour, Marzano	Assistant Superintendent of Curriculum and Instruction	Research conducted		

Spring 2027	Identify a Professional Learning Community (PLC) Framework for Florence ISD.	Professional Learning Community (PLC) framework resources, research	Assistant Superintendent of Curriculum and Instruction	Professional Learning Community framework identified		
Spring 2027	Utilize the Florence Data Protocol.	Florence Data Protocol, assessment data, campus leaders	Assistant Superintendent of Curriculum and Instruction	Florence Data Protocol utilized		
Spring 2027	Collect student achievement impact data on implementing the Florence Data Protocol.	Student achievement data	Highly-Effective Instruction Committee	Impact data collected		
Spring 2027	Implement data disaggregation methods.	Assessment data, data disaggregation methods, campus administrators	Assistant Superintendent of Curriculum and Instruction	Data disaggregation implemented		
Spring 2027	Collect student achievement impact data on implementing data disaggregation methods.	Student achievement data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		
Summer 2027	Update, as needed, and schedule professional development to train teachers on the Florence Instructional Framework.	ESC Region 13, training effectiveness data, Florence Instructional Framework, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Update, as needed, and schedule the new teacher orientation to include the Florence Instructional Framework.	Previous year's training, effectiveness data, Florence Instructional Framework materials	Highly-Effective Instruction Committee	Training planned and scheduled		
Summer 2027	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training for staff.	Desired outcomes from training, effectiveness measure from administrator training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure revised, as needed		
Summer 2027	Update, as needed, plan, and schedule professional development on Language acquisition and teaching strategies for Emergent Bilingual students for instructional staff and administrators	Previous training, training effectiveness data, ELPS, district calendar, Bilingual ESL Coordinator	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Review and revise, as needed, the way to measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Training effectiveness measure, desired outcomes from training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measured revised, as needed		
Summer 2027	Conduct an English as a Second Language Academy (3 day, all uncertified teachers).	Region 13, Bilingual ESL Coordinator, list of uncertified teachers	Bilingual ESL Coordinator	Sign-in sheets		
Summer 2027	Track the effectiveness of the English as a Second Language Academy.	Percentage of uncertified teachers removed from the TEA waiver	Bilingual ESL Coordinator	Effectiveness tracked		

Summer 2027	Plan and schedule professional development on the district-wide lesson plan format and practice (guideline), including ELPS and expectations for administration review.	Team leads, instructional coaches, campus administration, lesson plan format and policy, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Lesson plan training planned and scheduled		
Summer 2027	Create a way to measure the effectiveness of the lesson plan professional development.	Desired outcomes from training, technology	Highly-Effective Instruction Committee	Training effectiveness measure created		
Summer 2027	Attend a Professional Learning Community (PLC) Institute with key district leaders and campus leaders.	Professional Learning Community (PLC) Institute, district budget, identified participants	Assistant Superintendent of Curriculum and Instruction	Certificates of Attendance		
Summer 2027	Plan and schedule a training for administrators on the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) Framework, materials, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Plan and schedule a training for teachers on the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) Framework, materials, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Create a way to measure the effectiveness of the Professional Learning Community (PLC) Framework training.	Desired outcomes from training, technology	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure created		
Summer 2027	Review and revise, as needed, the Florence ISD data protocol.	Florence ISD data protocol	Highly-Effective Instruction Committee	Data protocol revised, as needed		
Summer 2027	Update, plan, and schedule a training on the Florence Data Protocol for administrators.	District calendar, Florence Data Protocol	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Update, plan, and schedule a training on the Florence Data Protocol for teachers.	District calendar, Florence Data Protocol	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Summer 2027	Review and revise, as needed, the way to measure the effectiveness of the Florence Data Protocol training.	Desired outcomes from training.	Highly-Effective Instruction Committee	Training effectiveness measure revised, as needed		
Summer 2027	Update, as needed, the list of instructional strategies in response to formative assessment data.	<i>Driven by Data, Data Wise, Formative Assessment, ESC Region 13 Data Dig</i>	Highly-Effective Instruction Committee	Instructional strategies updated, as needed		
Summer 2027	Plan and schedule a professional development for administrators and teachers on data disaggregation and how to use data for instruction.	District calendar, data disaggregation materials, Driven by Data, Data Wise, ESC Region 13 Data Dig	Assistant Superintendent of Curriculum and Instruction designee	Data training planned and scheduled		

Summer 2027	Create a way to measure the effectiveness of the data disaggregation training.	Desired outcomes from training, technology	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure created		
Summer 2027	Train all honors and advanced course teachers.	Special Programs Director, ESC Region 13, professional associations, the Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction Designee	List of teachers trained		
Fall 2027	Update, as needed, membership in the Highly-Effective Instruction Committee.	Campus staff, district staff	Assistant Superintendent, Curriculum and Instruction	Committee membership updated, as needed		
Fall 2027	Schedule meetings of the Highly-Effective Instruction Committee.	District calendar	Assistant Superintendent of Curriculum and Instruction	Meetings scheduled		
Fall 2027	Implement the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		
Fall 2027	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Feedback given		
Fall 2027	Implement peer observations using instructional feedback tool.	Instructional Feedback Tool, campus administrators, teacher leaders	Assistant Superintendent of Curriculum and Instruction designee	Peer observations implemented		
Fall 2027	Review training for current staff on the Florence Instructional Framework.	Instructional Framework Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2027	Train new teachers on Florence Instructional Framework.	Instructional Framework Materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2027	Collect data on the effectiveness of the Florence Instructional Framework training.	Training effectiveness measure, sign-in sheets, technology	Highly-Effective Instruction Committee	Training effectiveness data collected		
Fall 2027	Train all campus staff on the Language acquisition and teaching strategies for Emergent Bilingual students.	Bilingual ESL Coordinator, ELPS, assistant principals, campus administration	Bilingual ESL Coordinator	Sign-in sheets		
Fall 2027	Measure the effectiveness of the Language acquisition and teaching strategies for Emergent Bilingual students training.	Sign-in sheets, technology, training effectiveness measure	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measured		

Fall 2027	Set calendar for campus walkthroughs to ensure emergent bilingual guidelines are being met.	TEA, Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, the Office of Special Education Programs (OSEP)	Bilingual ESL Coordinator	Walk through data		
Fall 2027	Train all administrators on the Florence Lesson Plan practice and expectations for review.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Administrators signed		
Fall 2027	Train all teachers on Lesson Plan expectations, including ELPS inclusion.	Florence Lesson Plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2027	Measure the effectiveness of the Lesson Plan professional development.	Sign-in sheets, technology, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Fall 2027	Train new teachers on lesson plan expectation, including ELPS, as part of new teacher orientation.	ELPS, lesson plan template, instructional coaches, ESL Bilingual Coordinator	Assistant Superintendent of Curriculum and Instruction designee	New teachers trained		
Fall 2027	Implement the Florence Lesson Plan practice (guideline).	Lesson plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Policy implemented		
Fall 2027	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction designee	Lesson Plan practice monitored		
Fall 2027	Train administrators on the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) Framework, materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2027	Train teachers in the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) Framework materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Fall 2027	Establish and Implement the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) framework materials, campus administrators, teacher leaders	Assistant Superintendent of Curriculum and Instruction designee	PLC Framework implemented		
Fall 2027	Provide professional development on data disaggregation to all teachers and administrators.	Data disaggregation materials	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheet		
Fall 2027	Collect data on the effectiveness of the data disaggregation training.	Training effectiveness measure, sign-in sheets	Highly-Effective Instruction Committee	Training effectiveness data collected		

Fall 2027	Implement data disaggregation methods.	Assessment data, data disaggregation methods, campus administrators	Assistant Superintendent of Curriculum and Instruction	Data disaggregation implemented		
Fall 2027	Analyze formal and formative assessment data.	Assessment data spreadsheets, methods for data disaggregation, strategies, teachers, campus leaders	Assistant Superintendent of Curriculum and Instruction designee	Assessment data analyzed		
Spring 2028	Implement the Florence Instructional Framework.	Florence Instructional Framework, campus principals, instructional coaches, teachers	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework implemented		
Spring 2028	Conduct observations and feedback based upon the Florence Instructional Framework.	Florence Instructional Framework, feedback tool, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Feedback given		
Spring 2028	Collect impact data on the Florence Instructional Framework.	Student achievement impact data	Highly-Effective Instruction Committee	Impact data collected		
Spring 2028	Survey teachers on instructional feedback tool.	Google Form, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Survey data collected		
Spring 2028	Collect data on the Instructional Feedback Tool.	Populated instructional data, survey data, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Data collected		
Spring 2028	Design professional development based on instructional feedback tool data.	Campus instructional data	Assistant Superintendent of Curriculum and Instruction designee	Professional development planned and scheduled		
Spring 2028	Review and revise, as needed, the Florence Instructional Framework.	Impact data, Florence Instructional Framework	Highly-Effective Instruction Committee	Florence Instructional Framework revised, as needed		
Spring 2028	Update, as needed, the integration of Emergent Bilingual instructional best practices in the Florence Instructional Framework.	Emergent Bilingual best practices, Florence Instructional Framework, ESL Bilingual Coordinator	Bilingual ESL Coordinator	Florence Instructional Framework revised, as needed		
Spring 2028	Review and revise, as needed, the Florence Instructional Framework to include research based best instructional strategies for the gifted and talented population.	The Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction designee	Florence Instructional Framework revised, as needed		
Spring 2028	Review and revise, as needed, the way to measure the impact of implementing the Florence Instructional Framework on student achievement.	Desired outcomes for student achievement, current impact data measure	Highly-Effective Instruction Committee	Impact data measure revised, as needed		

Spring 2028	Review and revise, as needed, the instructional feedback tool aligned to the instructional framework.	Florence Instructional Framework materials, electronic forms, current instructional feedback tool	Highly-Effective Instruction Committee	Feedback tool revised, as needed		
Spring 2028	Update, plan and schedule a training for administrators on the Florence Instructional Framework and feedback tool.	Training effectiveness data, current training materials, updated Florence Instructional Framework, updated electronic forms, district calendar	Assistant Superintendent of Curriculum and Instruction designee	Training planned and scheduled		
Spring 2028	Review and revise, as needed, the way to measure the effectiveness of the Florence Instructional Framework training.	Current training effectiveness measure, desired outcomes from training	Assistant Superintendent of Curriculum and Instruction designee	Training effectiveness measure revised, as needed		
Spring 2028	Train all campus administrators on the Florence Instructional Framework and feedback tool.	Instructional Framework materials, trainer	Assistant Superintendent of Curriculum and Instruction designee	Sign-in sheets		
Spring 2028	Measure the effectiveness of the Florence Instructional Framework training.	Sign-in sheets, effectiveness measure	Highly-Effective Instruction Committee	Training effectiveness measured		
Spring 2028	Review and modify, as needed, the master schedules for department and team collaboration.	Campus master schedules, campus administrators, teacher leaders	Campus principals	Master schedules modified, as needed		
Spring 2028	Set professional development calendar, including special populations, for coming year.	Special Programs Director, ESL Bilingual Coordinator, ESC Region 13, The Office of Special Education Programs (OSEP)	Assistant Superintendent of Curriculum and Instruction	Annual comprehensive professional development calendar planned		
Spring 2028	Establish cyclical calendar for set emerging bilingual professional development for whole group at campus level.	ESC Region 13, LPAC coordinators, T-TESS, Eduphoria, district professional development calendar	Bilingual ESL Coordinator	Professional development cycle established		
Spring 2028	Implement the English as a second language certification requirement (within 1st year of hire).	Bilingual ESL Coordinator, ESL Academy	Bilingual ESL Coordinator	List of teachers on waiver		
Spring 2028	Update, plan, and schedule an English as a second language academy (3 days for all uncertified teachers).	Bilingual ESL Coordinator, ESL Academy, list of teachers on waiver, district calendar	Bilingual ESL Coordinator	Academy planned and scheduled		
Spring 2028	Implement the Florence Lesson Plan practice.	Lesson plan template, expectations	Assistant Superintendent of Curriculum and Instruction designee	Policy implemented		
Spring 2028	Monitor the implementation of the Florence Lesson Plan practice and expectations for review.	Lesson Plan template, campus administration	Assistant Superintendent of Curriculum and Instruction designee	Lesson Plan practice monitored		

Spring 2028	Collect data on the impact of implementing the Florence Lesson Plan practice and expectations for review.	Student achievement data, administrator feedback, teacher feedback	Highly-Effective Instruction Committee	Data collected		
Spring 2028	Review and revise, as needed, the Florence Lesson Plan practice, including English Language Proficiency standards and expectations for administration review.	Current Florence Lesson Plan practice, impact data, ELPS, Bilingual ESL Coordinator	Highly-Effective Instruction Committee	Florence Lesson Plan practice revised, as needed		
Spring 2028	Implement the Florence Professional Learning Community (PLC) Framework.	Professional Learning Community (PLC) Framework materials, campus administrators, teacher leaders	Assistant Superintendent of Curriculum and Instruction designee	PLC Framework implemented		
Spring 2028	Collect data on the impact on student achievement of implementing the Florence Professional Learning Community (PLC) Framework.	Student achievement data	Highly-Effective Instruction Committee	Impact data collected		
Spring 2028	Review and revise, as needed, the Florence Professional Learning Community (PLC) framework.	Florence Professional Learning Community (PLC) Framework, impact data	Assistant Superintendent of Curriculum and Instruction designee	Professional Learning Community framework revised, as needed		
Spring 2028	Plan to send additional staff to the Professional Learning Community (PLC) Institute.	District budget, staff list	Assistant Superintendent of Curriculum and Instruction	Staff invited to attend		
Spring 2028	Utilize the Florence Data Protocol.	Florence Data Protocol, assessment data, campus leaders	Assistant Superintendent of Curriculum and Instruction	Florence Data Protocol utilized		
Spring 2028	Collect student achievement impact data on implementing the Florence Data Protocol.	Student achievement data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		
Spring 2028	Implement data disaggregation methods.	Assessment data, data disaggregation methods, campus administrators	Assistant Superintendent of Curriculum and Instruction designee	Data disaggregation implemented		
Spring 2028	Analyze formal and formative assessment data.	Assessment data spreadsheets, methods for data disaggregation, strategies, teachers, campus leaders	Assistant Superintendent of Curriculum and Instruction designee	Assessment data analyzed		
Spring 2028	Collect student achievement impact data on implementing data disaggregation methods.	Student achievement data	Assistant Superintendent of Curriculum and Instruction designee	Impact data collected		



Florence I. S. D.  
STRATEGIC PLAN MONITORING GUIDE  
HIGH-QUALITY CURRICULUM & INSTRUCTIONAL MATERIALS

VISION: Florence I.S.D. inspires excellence and empowers each student to achieve their highest potential.

SMART Goal	How will you measure?	Who is responsible?	How often will you measure?	Baseline 2022-23	Fall 2023	Spring 2024	Fall 2024	Spring 2025	Fall 2025	Spring 2026	Fall 2026	Spring 2027	Fall 2027	Spring 2028
By 2028, 100% of Florence I.S.D. students will have equitable access to high-quality curriculum, instructional materials, and assessments to accomplish their post-secondary goals.	% of Curriculum Management Plan Complete	Asst Superintendent	Annually		5	30	45	60						
	Student Achievement Data (STAAR % All students meets and above)	Asst Superintendent	Annually											
	Percent of Graduates Meeting CCMR	HS Principal	Annually	49	50	87	77							

Adult Behaviors (Intermediate Outcomes)

Adult Behavior (Intermediate Outcomes) - What will you measure?	How will you measure?	Who is responsible?	How often will you measure?	Baseline 2022-23	Fall 2023	Spring 2024	Fall 2024	Spring 2025	Fall 2025	Spring 2026	Fall 2026	Spring 2027	Fall 2027	Spring 2028
Protect/Maximize Instructional Time	Master Schedule; Protocols	Campus Principal	Annually			100		100						
Implement the adopted curriculum	LW Data	Asst. Supt (Leadership Team)	Biannually			70	70							
Ensure access to related PL for effective curriculum implementation	PL Plan/Schedule	Asst. Supt (Leadership Team)	Annually			50	75							
Participate in PL related to curriculum materials	PL sign-in Sheets	Asst. Supt (Leadership Team)	Annually			50	60							
Monitor and update CCMR student progress	% of students with CCMR point	Campus Leadership Team	Biannually			100	100							

Knowledge, Skills, & Mindset (Short-term Outcomes)

Knowledge, Skills, & Mindset (Short-term Outcomes) - What will you measure?	How will you measure?	Who is responsible?	How often will you measure?	Baseline 2022-23	Fall 2023	Spring 2024	Fall 2024	Spring 2025	Fall 2025	Spring 2026	Fall 2026	Spring 2027	Fall 2027	Spring 2028
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Understand the non-negotiables or instructional priorities related to instructional time	Check for Understanding/ Observation	Asst.Supt	Annually			50	80								
Understand how to build a master schedule with limited human resources	Efficiency of Master Schedule	Asst.Supt	Annually			100	100								
Understand the adopted curriculum and associated resources	LWT data/student achievement data	Asst.Supt	Annually			50	75								
Understand the need for change	Questionnaire	Asst.Supt	Annually			0	Need-Survey								
Understand how to prepare students for CCMR indicator success	Staff passing practice test or skills test related to the indicator	High School Principal	Annually			50	50								

Strategy 2: Create a district-wide system to prepare all students for post-secondary options.

Semester / year	Action Step	Resources	Person Responsible for Monitoring	Measurement	Completion	Notes
Spring 2025	Review and revise, as needed, the process for auditing students who will reach College-Career-Military-Readiness (CCMR) requirements.	State requirements for CCMR credit, student list, technology	High School Principal	Process revised, as needed	100	
Summer 2025	Identify students who are not on track for College-Career-Military-Readiness (CCMR) credit by graduation.	Process to track students, student list	High School Principal	Students identified		Actively working on and anticipate identifying incoming 9th-12th in July 2024
Summer 2025	Ascertain which current Career Technical Education course pathways lead to an Industry Based Certification (IBC).	Course catalogue, IBC pathways	High School Principal designee	Current CTE course pathways which lead to IBCs identified		
Summer 2025	Investigate additional ways students can meet College-Career-Military-Readiness (CCMR) requirements.	Identified students, current course offerings	High School Principal designee	Ways to meet CCMR identified		
Fall 2025	Develop plan for elementary career awareness.	Career Awareness resource TWC	Elementary Principal	Completed plan		
Spring 2026	Review and revise, as needed, the process for tracking students who will reach College-Career-Military-Readiness (CCMR) requirements.	State requirements for CCMR credit, student list, technology	High School Principal	Process revised, as needed		
Spring 2026	Review Career-Technical Education (CTE) curriculum.	CTE Curriculum	Curriculum Council	Finalized curriculum		

Summer 2026	Identify students who are not on track for College-Career-Military-Readiness (CCMR) credit by graduation.	Process to track students, student list	High School Principal	Students identified		
Summer 2026	Review which current Career Technical Education course pathways lead to an Industry Based Certification (IBC).	Course catalogue, IBC pathways	High School Principal designee	Current CTE course pathways which lead to IBCs reviewed		
Summer 2026	Investigate additional ways students can meet College-Career-Military-Readiness (CCMR) requirements.	Identified students, current course offerings	High School Principal designee	Ways to meet CCMR identified		
Summer 2026	Identify students receiving dual credit to meet College-Career-Military-Readiness (CCMR) requirements.	Dual credit course enrollment	High School Principal designee	Students receiving dual credit identified		
Summer 2026	Investigate other dual credit options for students.	Partnering colleges	High School Principal designee	Dual credit options investigated		
Summer 2026	Adopt a Career-Technical Education (CTE) curriculum.	TEKS, resources	CTE Adoption Committee	Curriculum adopted		
Fall 2026	Explore Career-Technical Education (CTE) partnerships.	Local businesses	High School Principal	New partnerships explored		
Summer 2027	Identify students who are not on track for College-Career-Military-Readiness (CCMR) credit by graduation.	Process to track students, student list	High School Principal	Students identified		
Summer 2027	Review which current Career Technical Education course pathways lead to an Industry Based Certification (IBC).	Course catalogue, IBC pathways	High School Principal designee	Current CTE course pathways which lead to IBCs reviewed		
Summer 2027	Investigate additional ways students can meet College-Career-Military-Readiness (CCMR) requirements.	Identified students, current course offerings	High School Principal designee	Ways to meet CCMR identified		

Summer 2027	Identify students receiving dual credit to meet College-Career-Military-Readiness (CCMR) requirements.	Dual credit course enrollment	High School Principal designee	Students receiving dual credit identified		
Summer 2027	Investigate other dual credit options for students.	Partnering colleges	High School Principal designee	Dual credit options investigated		

Florence I.S.D.  
**ACTION STEPS TRACKER**  
**HUMAN CAPITAL SYSTEMS**

Strategy: Develop and implement a district-wide system to recruit, select, assign, induct, and retain a full staff of highly-effective professionals.

Semester / year	Action Step	Resources	Person Responsible for Monitoring	Measurement	Completion	Notes
Fall 2023	Create a Campus Principals.	Staff list	Superintendent designee	Campus Principals created	10	
Fall 2023	Schedule meetings of the Campus Principals.	District calendar	Campus Principals	Meetings scheduled	100	
Spring 2024	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled	50	Move to PCC.
Spring 2024	<del>Propose hiring a seasonal human resource staff to support busy season.</del>	<del>Contracted employee, district budget</del>	Chief Financial Officer	Seasonal employee hired		NOT NEEDED
Spring 2024	Develop procedure for interviewing at job fairs, including letter of intent.	Letter of intent, current procedures	Superintendent designee	Job fair interview procedure developed	50	
Spring 2024	Train staff for job fairs (etiquette, what to take, how to promote district, talking points).	Training documents, job fair dates, selected staff, campus administrators, district administrators	Human Resource Coordinator	Staff trained	50	
Spring 2024	Automate Exit Interview form to allow for data disaggregation to look for patterns.	Eduphoria	Positive Culture Committee	Exit interview data automated	0	
<b>Summer 2025</b>	Recognize Teacher Incentive Allotment designations.	Teacher Incentive Allotment designations	Teacher Incentive Allotment Committee	Teachers recognized		
Summer 2024	Research teacher mentor programs.	Research	Campus Principals	Research conducted	100	
Summer 2024	Develop guidelines and expectations for a Florence ISD Teacher Mentor Program.	Research of other mentor programs	Campus Principals	Florence ISD Teacher Mentor Program guidelines created	100	
Summer 2024	Contact teachers identified as highly effective to determine their willingness to serve as a mentor to a new to the district teacher.	Identified teachers, mentor program expectations	Campus Principals	Prospective mentors contacted	0	
Summer 2024	Host a meeting of highly effective teachers willing to serve as mentors to introduce training for mentoring.	Information on mentoring program for Florence ISD Teacher Mentor Program guidelines and expectations	Campus Principals	Meeting held	0	
Summer 2024	Create a survey about going through hiring process for recently hired staff.	Survey	Positive Culture Committee	Survey created	75	

Summer 2024	Gather survey feedback from current staff and teachers (0-3 years) about the hiring process.	Completed survey	Positive Culture Committee	Survey data gathered	0				
Summer 2024	Analyze data from the hiring survey.	Survey data	Positive Culture Committee	Data analyzed	0				
Summer 2024	Explore possible sites and social media platforms on which to post jobs, in addition to the district employment webpage.	Websites, member list serves	Positive Culture Committee	Job posting sites explored	75	Indeed, TASA, Reagon 13, linkedin, Still working on other social media platforms			
Fall 2024	Review and revise, as needed, membership in the Teacher Incentive Allotment (TIA) Committee.	Program teacher evaluation, Teacher Incentive Allotment requirements	Superintendent designee	Teacher Incentive Allotment Committee membership revised, as needed		not needed at this time.			
Fall 2024	Schedule meetings of the Teacher Incentive Allotment Committee.	District calendar	Teacher Incentive Allotment Committee	Meetings scheduled		not needed at this time.			
Fall 2024	Conduct Teacher Incentive Allotment stakeholder meetings.	Region 15 rural cohort	Teacher Incentive Allotment Committee	Meeting agenda		not needed at this time.			
Fall 2024	Update, as needed, membership in the Campus Principals.	Staff list	Superintendent designee	Campus Principals membership updated, as needed	100				
Fall 2024	Schedule meetings of the Campus Principals.	District calendar	Campus Principals	Meetings scheduled	100	Monthly part of curriculum cafe			
Fall 2025	Assign and introduce new to the district teachers with their mentor teacher.	Campus list of new teachers, trained mentors	Campus Principals	New teachers paired with mentors					
Fall 2025	Implement the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Fall 2024	Develop a survey for mentors and new teachers.	Google forms, Instructional Technologist	Campus Principals	Survey created	100				
Fall 2024	Update, as needed, membership in the Positive Culture Committee.	Staff list	Superintendent designee	Committee membership updated, as needed	100	PCC is currently under review for 2025			
Fall 2024	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled	100				
Fall 2024	Gather current exit interview data.	Exit interview data	Positive Culture Committee	Exit data gathered	0				
Fall 2024	Analyze current exit interview Fisd process to gather data on why staff leave.	Exit interview data	Positive Culture Committee	Exit interview data analyzed	0				
Fall 2024	Share information on why staff leave with Florence Leadership Team.	Analysis of exit interview data	Positive Culture Committee	Information shared	0				

Fall 2024	Provide salary data for all staff to TASB Human Resources.	Payroll system data	Chief Financial Officer	TASB Human Resources receives data	100				
Spring 2025	Review and revise, as needed, the framework that helps attract and retain high-performing teachers through the Teacher Incentive Allotment (TIA-Cohort G).	TEA chart, DMAC data, NWEA MAP data, MClass data, principals, Director of Curriculum and Instruction, Human Resource	Teacher Incentive Allotment Committee	Framework revised, as needed	50	in progress			
Spring 2025	Create growth measures for TIA-Cohort G.	Framework, examples from other districts, teacher committees, TIA website	Teacher Incentive Allotment Committee	Growth measures created	50				
Spring 2026	Continue implementation of the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Spring 2026	Send out survey to new teachers and mentor teachers to determine effectiveness.	Mentoring survey, list of new teachers and mentors	Campus Principals	Survey distributed					
Spring 2026	Identify a way to measure the impact of the Florence ISD Teacher Mentor Program.	Desired outcomes from mentoring, T TESS, student data, Mentoring data	Campus Principals	Impact measures identified					
Spring 2026	Collect data on the impact of the Florence ISD Teacher Mentor Program.	Identified program impact measure, list of teachers who had a mentor	Campus Principals	Impact data collected					
Spring 2025	Propose hiring a seasonal human resource staff to support busy season.	Contracted employee, district budget	Chief Financial Officer	Seasonal employee hired		not needed at this time.			
Spring 2025	Implement new hiring process.	New hiring process	Superintendent designee	New process implemented					
Spring 2025	Provide salary increase and market adjustment recommendations to TASB Human Resources.	Informal district surveys, local surveys	Superintendent designee	TASB Human Resources receives recommendations	50				
Spring 2025	Review TASB Human Resources Cost and Market - Peer Report.	TASB Report	Positive Culture Committee	Materials reviewed	50				
Spring 2025	Complete Texas Association of School Boards (TASB) Salary Survey.	Provide Florence I.S.D. current salary data to TASB, designated staff input	Superintendent designee	Survey completed	50				
Spring 2025	Analyze data from TASB Salary Survey and compare to current salary rates.	TASB survey, Florence I.S.D. salary scale	Positive Culture Committee	Data analyzed	50				
Spring 2025	Analyze and research benefit options.	TASB survey, benefit updates	Positive Culture Committee	Options analyzed	50				
Spring 2025	Analyze budget for possible bonus pay and incentives.	Budget records, Chief Financial Officer	Positive Culture Committee	Budget analyzed	50				
Spring 2025	Research opportunities for incentive pay.	Website	Positive Culture Committee	Research conducted	50				

Spring 2025	Propose possible bonus pay and incentive pay options.	Budget, staffing reports, Chief Financial Officer	Positive Culture Committee	Bonus pay proposed	50				
Spring 2025	Propose a budget for potential signing bonus for hard-to-fill positions and Florence High School graduates.	Budget projections, district budget, Chief Financial Officer	Positive Culture Committee	Budget for signing bonuses proposed	50				
Spring 2025	Review budget projections for the new year.	Enrollment and budget data with District Summary of Finance projections	Positive Culture Committee	Budget projections reviewed					
Spring 2025	Recommend adjustments, if needed, to the compensation and benefit package for the coming fiscal year.	TASB Report, budget projections, Chief Finance Officer	Positive Culture Committee	Compensation and budget package recommendations made					
Spring 2025	Present compensation and benefit package, possible signing bonuses, and incentive pay recommendation to the School Board for approval.	Final TASB HR Report, budget projections	Superintendent	Compensation and budget package, incentive pay, and signing bonus recommendation presented					
Spring 2025	Educate staff on compensation and benefit models.	TASB Human Resources, slides	Positive Culture Committee	Information shared with staff					
Spring 2025	Review and revise, as needed, the campus staffing needs assessment.	Staffing documents, enrollment numbers, current staff list, Human Resource Director	Positive Culture Committee	Needs assessment revised, as needed					
Spring 2025	Hold staffing meetings with campus administration and departments to identify and prioritize needs.	Campus needs assessment, campus administration, department heads, Leadership Team.	Positive Culture Committee	Staffing meetings held					
Spring 2025	Analyze the success of hiring at each attended job fair.	Hiring source of new employees, job fair attended, cost of attending job fairs	Positive Culture Committee	Job fair success analyzed	100	no one hired from job fair at this time			
Spring 2025	Identify job fairs to attend.	College websites, flyers	Positive Culture Committee	Job fairs identified	75				
Spring 2025	Review and revise, as needed, the procedures for interviewing at job fairs, including letter of intent.	Letter of intent, current procedures	Positive Culture Committee	Job fair interview procedures revised, as needed	50				
Spring 2025	Select staff to participate in job fairs.	Staff list, Positive Culture Committee	Superintendent designee	Staff selected	50				
Spring 2025	Train staff for job fairs (etiquette, what to take, how to promote district, talking points).	Training documents, job fair dates, selected staff, campus administrators, district administrators	Superintendent designee	Staff trained					
Spring 2025	Attend job fairs.	List of job fairs, selected staff, district marketing materials	Superintendent designee	List of job fairs attended					
Spring 2025	Review and revise, as needed, the automation of the Exit Interview form to allow for data disaggregation to look for patterns.	Eduphoria	Positive Culture Committee	Exit interview data automation revised, as needed					
Spring 2025	Explore moving new position request to earlier in the year.	Staff projections	Superintendent designee	Timing of new position request explored					

Summer 2025	Recognize Teacher Incentive Allotment designations.	Teacher Incentive Allotment designations	Teacher Incentive Allotment Committee	Teachers recognized					
Summer 2025	Create a data dashboard for Teacher Incentive Allotment data.	Eligible staff list, technology, TEA website, examples from other districts	Teacher Incentive Allotment Committee	Dashboard created					
Summer 2025	Review and revise, as needed, the way to identify highly-effective teachers.	Current way of identifying highly-effective teachers, T-TESS, student data, walk-through data, Teacher Incentive Allotment	Campus Principals	Identification of highly-effective teachers revised, as needed					
Summer 2025	Review and revise, as needed, the guidelines and expectations for a Florence ISD Teacher Mentor Program.	Research of other mentor programs	Campus Principals	Florence ISD Teacher Mentor Program guidelines revised, as needed					
Summer 2025	Contact teachers identified as highly effective to determine their willingness to serve as a mentor to a new to the district teacher.	Identified teachers, mentor program expectations	Campus Principals	Prospective mentors contacted					
Summer 2025	Host a meeting of highly effective teachers willing to serve as mentors to introduce training for mentoring.	Information on mentoring program for Florence ISD Teacher Mentor Program guidelines and expectations	Campus Principals	Meeting held					
Summer 2025	Review and revise, as needed, the survey about going thorough hiring process for recently hired staff.	Current survey	Positive Culture Committee	Survey revised, as needed					
Summer 2025	Gather survey feedback from current staff and teachers (0-3 years) about the hiring process.	Completed survey	Positive Culture Committee	Survey data gathered					
Summer 2025	Analyze data from the hiring survey.	Survey data	Positive Culture Committee	Data analyzed					
Summer 2025	Review and revise, as needed, the hiring practices and procedure for prospective employees and retain current employees.	Staff feedback on current and options from surrounding districts	Positive Culture Committee	Hiring practices revised, as needed					
Summer 2025	Present revised hiring process to Florence ISD leadership for consideration.	Revised procedure	Positive Culture Committee	Revised hiring process presented					
Summer 2025	Track the number of candidates hired at each job fair.	New employee list	Superintendent designee	Source of hired candidates tracked					
Summer 2025	Track "How Did You Find Us" component in Talent Ed to drive most effective recruiting locations, websites, word of mouth, social media, etc.	TalentEd	Positive Culture Committee	Recruiting locations tracked					
Summer 2025	Explore possible sites and social media platforms on which to post jobs, in addition to the district employment webpage.	Websites, member list serves	Positive Culture Committee	Job posting sites explored					
Summer 2025	Develop a list of realtors, daycare providers, and other community resources that can be handed to new employees.	Realtor list, day care list, other resources contact information	Positive Culture Committee	List created					
Summer 2025	Establish a specific tab or link on the district website for "Prospective Employees".	Items to include on the district website, Technology Director, Human Resource Director	Positive Culture Committee	Prospective employee link added to website					

Fall 2025	Conduct Teacher Incentive Allotment stakeholder meetings.	Region 15 rural cohort	Teacher Incentive Allotment Committee	Meeting agenda					
Fall 2025	Review Teacher Incentive Allotment data dashboard with all eligible staff.	Teacher Incentive Allotment eligible staff, Teacher Incentive Allotment data dashboard, campus principals	Chief Academic Officer	Dashboard reviewed					
Fall 2025	Update, as needed, membership in the Campus Principals.	Staff list	Superintendent designee	Campus Principals membership updated, as needed					
Fall 2025	Schedule meetings of the Campus Principals.	District calendar	Campus Principals	Meetings scheduled					
Fall 2025	Assign and introduce new-to-the-district teachers with their mentor teacher.	Campus list of new teachers, trained mentors	Campus Principals	New teachers paired with mentors					
Fall 2025	Implement the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Fall 2025	Review and revise, as needed, the survey for mentors and new teachers.	Google forms, Instructional Technologist	Campus Principals	Survey revised, as needed					
Fall 2025	Update, as needed, membership in the Positive Culture Committee.	Staff list	Superintendent designee	Committee membership updated, as needed					
Fall 2025	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled					
Fall 2025	Gather current exit interview data.	Exit interview data	Positive Culture Committee	Exit data gathered					
Fall 2025	Analyze current exit interview FISD process to gather data on why staff leave.	Exit interview data	Positive Culture Committee	Exit interview data analyzed					
Fall 2025	Share information on why staff leave with Florence Leadership Team.	Analysis of exit interview data	Positive Culture Committee	Information shared					
Fall 2025	Provide salary data for all staff to TASB Human Resources.	Payroll system data	Chief Financial Officer	TASB Human Resources receives data					
Fall 2025	Explore second-semester contingency positions, during budget process.	Budget documents, Leadership Team	Superintendent designee	Contingency positions explored					
Spring 2026	Update, as needed, membership in the Teacher Incentive Allotment (TIA) Committee.	Program teacher evaluation, Teacher Incentive Allotment requirements	Superintendent designee	Teacher Incentive Allotment Committee membership updated, as needed					
Spring 2026	Schedule meetings of the Teacher Incentive Allotment Committee.	District calendar	Teacher Incentive Allotment Committee	Meetings scheduled					

Spring 2026	Review and revise, as needed, the framework that helps attract and retain high-performing teachers through the Teacher Incentive Allotment (TIA-Cohort G).	TEA chart, DMAC data, NWEA MAP data, MClass data, principals, Director of Curriculum and Instruction, Human Resource	Teacher Incentive Allotment Committee	Framework revised, as needed					
Spring 2026	Review and revise, as needed, the growth measures for TIA-Cohort G.	Framework, examples from other districts, teacher committees, TIA website	Teacher Incentive Allotment Committee	Growth measures revised, as needed					
Spring 2026	Update, as needed, the Teacher Incentive Allotment data dashboard.	Teacher Incentive Allotment requirements, data dashboard	Teacher Incentive Allotment Committee	Teacher Incentive Allotment data dashboard revised, as needed					
Spring 2026	Continue implementation of the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Spring 2026	Send out survey to new teachers and mentor teachers to determine effectiveness.	Mentoring survey, list of new teachers and mentors	Campus Principals	Survey distributed					
Spring 2026	Identify a way to measure the impact of the Florence ISD Teacher Mentor Program.	Desired outcomes from mentoring, T TESS, student data, Mentoring data	Campus Principals	Impact measures identified					
Spring 2025	Collect data on the impact of the Florence ISD Teacher Mentor Program.	Identified program impact measure, list of teachers who had a mentor	Campus Principals	Impact data collected					
Spring 2026	Review and revise, as needed, the way to measure the impact of the Florence ISD Teacher Mentor Program.	Desired outcomes from mentoring, T TESS, student data, Mentoring data	Campus Principals	Impact measures revised, as needed					
Spring 2026	Propose hiring a human resource/communication director to support district human capital system needs.	Contracted employee, district budget	Chief Financial Officer	Director hired					
Spring 2026	Implement revised hiring process.	Revised hiring process	Human Resource Director	Revised process implemented					
Spring 2026	Provide salary increase and market adjustment recommendations to TASB Human Resources.	Informal district surveys, local surveys	Superintendent designee	TASB Human Resources receives recommendations					
Spring 2026	Review TASB Human Resources Cost and Market - Peer Report.	TASB Report	Positive Culture Committee	Materials reviewed					
Spring 2026	Complete Texas Association of School Boards (TASB) Salary Survey.	Provide Florence I.S.D. current salary data to TASB, designated staff input	Human Resources Director	Survey completed					
Spring 2026	Analyze data from TASB Salary Survey and compare to current salary rates.	TASB survey, Florence I.S.D. salary scale	Positive Culture Committee	Data analyzed					
Spring 2026	Analyze and research benefit options.	TASB survey, benefit updates	Positive Culture Committee	Options analyzed					
Spring 2026	Analyze budget for possible bonus pay and incentives.	Budget records, Chief Financial Officer	Positive Culture Committee	Budget analyzed					

Spring 2026	Research opportunities for incentive pay.	Website	Positive Culture Committee	Research conducted					
Spring 2026	Propose possible bonus pay and incentive pay options.	Budget, staffing reports, Chief Financial Officer	Positive Culture Committee	Bonus pay proposed					
Spring 2026	Propose a budget for potential signing bonus for hard-to-fill positions and Florence High School graduates.	Budget projections, district budget, Chief Financial Officer	Positive Culture Committee	Budget for signing bonuses proposed					
Spring 2026	Review budget projections for the new year.	Enrollment and budget data with District Summary of Finance projections	Positive Culture Committee	Budget projections reviewed					
Spring 2026	Recommend adjustments, if needed, to the compensation and benefit package for the coming fiscal year.	TASB Report, budget projections, Chief Finance Officer	Positive Culture Committee	Compensation and budget package recommendations made					
Spring 2026	Present compensation and benefit package, possible signing bonuses, and incentive pay recommendation to the School Board for approval.	Final TASB HR Report, budget projections	Superintendent	Compensation and budget package, incentive pay, and signing bonus recommendation presented					
Spring 2026	Educate staff on compensation and benefit models.	TASB Human Resources, slides	Positive Culture Committee	Information shared with staff					
Spring 2026	Review and revise, as needed, the campus staffing needs assessment.	Staffing documents, enrollment numbers, current staff list, Human Resource Director	Positive Culture Committee	Needs assessment revised, as needed					
Spring 2026	Hold staffing meetings with campus administration and departments to identify and prioritize needs.	Campus needs assessment, campus administration, department heads, Leadership Team	Positive Culture Committee	Staffing meetings held					
Spring 2026	Analyze the success of hiring at each attended job fair.	Hiring source of new employees, job fair attended, cost of attending job fairs	Positive Culture Committee	Job fair success analyzed					
Spring 2026	Identify job fairs to attend.	College websites, flyers	Positive Culture Committee	Job fairs identified					
Spring 2026	Review and revise, as needed, the procedures for interviewing at job fairs, including letter of intent.	Letter of intent, current procedures	Positive Culture Committee	Job fair interview procedures revised, as needed					
Spring 2026	Select staff to participate in job fairs.	Staff list, Positive Culture Committee	Human Resource Director	Staff selected					
Spring 2026	Train staff for job fairs (etiquette, what to take, how to promote district, talking points).	Training documents, job fair dates, selected staff, campus administrators, district administrators	Human Resources Director	Staff trained					
Spring 2026	Attend job fairs.	List of job fairs, selected staff, district marketing materials	Human Resource Director	List of job fairs attended					
Spring 2026	Review and revise, as needed, the automation of the Exit Interview form to allow for data disaggregation to look for patterns.	Eduphoria	Positive Culture Committee	Exit interview data automation revised, as needed					

Summer 2026	Recognize Teacher Incentive Allotment designations.	Teacher Incentive Allotment designations	Teacher Incentive Allotment Committee	Teachers recognized					
Summer 2026	Review and revise, as needed, the way to identify highly-effective teachers.	Current way of identifying highly-effective teachers, T-TESS, student data, walk-through data, Teacher Incentive Allotment	Campus Principals	Identification of highly-effective teachers revised, as needed					
Summer 2026	Review and revise, as needed, the guidelines and expectations for a Florence ISD Teacher Mentor Program.	Research of other mentor programs	Campus Principals	Florence ISD Teacher Mentor Program guidelines revised, as needed					
Summer 2026	Contact teachers identified as highly effective to determine their willingness to serve as a mentor to a new to the district teacher.	Identified teachers, mentor program expectations	Campus Principals	Prospective mentors contacted					
Summer 2026	Host a meeting of highly effective teachers willing to serve as mentors to introduce training for mentoring.	Information on mentoring program for Florence ISD Teacher Mentor Program guidelines and expectations	Campus Principals	Meeting held					
Summer 2026	Review and revise, as needed, the survey about going thorough hiring process for recently hired staff.	Current survey	Positive Culture Committee	Survey revised, as needed					
Summer 2026	Gather survey feedback from current staff and teachers (0-3 years) about the hiring process.	Completed survey	Positive Culture Committee	Survey data gathered					
Summer 2026	Analyze data from the hiring survey.	Survey data	Positive Culture Committee	Data analyzed					
Summer 2026	Review and revise, as needed, the hiring practices and procedure for prospective employees and retain current employees.	Staff feedback on current and options from surrounding districts	Positive Culture Committee	Hiring practices revised, as needed					
Summer 2026	Present revised hiring process to Florence ISD leadership for consideration.	Revised procedure	Positive Culture Committee	Revised hiring process presented					
Summer 2026	Track the number of candidates hired at each job fair.	New employee list	Human Resource Director	Source of hired candidates tracked					
Summer 2026	Track "How Did You Find Us" component in Talent Ed to drive most effective recruiting locations, websites, word of mouth, social media, etc.	TalentEd	Positive Culture Committee	Recruiting locations tracked					
Summer 2026	Explore possible sites and social media platforms on which to post jobs, in addition to the district employment webpage.	Websites, member list serves	Positive Culture Committee	Job posting sites explored					
Summer 2026	Update, as needed, the list of realtors, daycare providers, and other community resources that can be handed to new employees.	Realtor list, day care list, other resources contact information	Positive Culture Committee	List updated, as needed					
Summer 2026	Review and revise, as needed, the specific tab or link on the district website for "Prospective Employees".	Items to include on the district website, Technology Director, Human Resource Director	Positive Culture Committee	Prospective employee website link revised, as needed					
Summer 2026	Establish a committee of "Teachers Promoting Florence I.S.D.".	List of potential members	Positive Culture Committee	Committee established					

Fall 2026	Conduct Teacher Incentive Allotment stakeholder meetings.	Region 15 rural cohort	Teacher Incentive Allotment Committee	Meeting agenda					
Fall 2026	Update, as needed, membership in the Campus Principals.	Staff list	Human Resources Director	Campus Principals membership updated, as needed					
Fall 2026	Schedule meetings of the Campus Principals.	District calendar	Campus Principals	Meetings scheduled					
Fall 2026	Assign and introduce new-to- the-district teachers with their mentor teacher.	Campus list of new teachers, trained mentors	Campus Principals	New teachers paired with mentors					
Fall 2026	Implement the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Fall 2026	Review and revise, as needed, the survey for mentors and new teachers.	Google forms, Instructional Technologist	Campus Principals	Survey revised, as needed					
Fall 2026	Update, as needed, membership in the Positive Culture Committee.	Staff list	Human Resource Director	Committee membership updated, as needed					
Fall 2026	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled					
Fall 2026	Gather current exit interview data.	Exit interview data	Positive Culture Committee	Exit data gathered					
Fall 2026	Analyze current exit interview FISS process to gather data on why staff leave.	Exit interview data	Positive Culture Committee	Exit interview data analyzed					
Fall 2026	Share information on why staff leave with Florence Leadership Team.	Analysis of exit interview data	Positive Culture Committee	Information shared					
Fall 2026	Provide salary data for all staff to TASB Human Resources.	Payroll system data	Chief Financial Officer	TASB Human Resources receives data					
Fall 2026	Explore second-semester contingency positions, during budget process.	Budget documents, Leadership Team	Human Resource Director	Contingency positions explored					
Fall 2026	Develop a department staffing needs assessment.	Staffing documents, enrollment numbers, current staff list, Human Resource Director	Positive Culture Committee	Needs assessment created					
Spring 2027	Update, as needed, membership in the Teacher Incentive Allotment (TIA) Committee.	Program teacher evaluation, Teacher Incentive Allotment requirements	Human Resources Director	Teacher Incentive Allotment Committee membership updated, as needed					
Spring 2027	Schedule meetings of the Teacher Incentive Allotment Committee.	District calendar	Teacher Incentive Allotment Committee	Meetings scheduled					

Spring 2027	Update, as needed, the Teacher Incentive Allotment data dashboard.	Teacher Incentive Allotment requirements, data dashboard	Teacher Incentive Allotment Committee	Teacher Incentive Allotment data dashboard revised, as needed					
Spring 2027	Review and revise, as needed, the framework that helps attract and retain high-performing teachers through the Teacher Incentive Allotment (TIA-Cohort G).	TEA chart, DMAC data, NWEA MAP data, MClass data, principals, Director of Curriculum and Instruction, Human Resource	Teacher Incentive Allotment Committee	Framework revised, as needed					
Spring 2027	Review and revise, as needed, the growth measures for TIA-Cohort G.	Framework, examples from other districts, teacher committees, TIA website	Teacher Incentive Allotment Committee	Growth measures revised, as needed					
Spring 2027	Continue implementation of the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Spring 2027	Send out survey to new teachers and mentor teachers to determine effectiveness.	Mentoring survey, list of new teachers and mentors	Campus Principals	Survey distributed					
Spring 2027	Collect data on the impact of the Florence ISD Teacher Mentor Program.	Identified program impact measure, list of teachers who had a mentor	Campus Principals	Impact data collected					
Spring 2027	Review and revise, as needed, the way to measure the impact of the Florence ISD Teacher Mentor Program.	Desired outcomes from mentoring, T TESS, student data, Mentoring data	Campus Principals	Impact measure revised, as needed					
Spring 2027	Propose hiring a seasonal human resource staff to support busy season.	Contracted employee, district budget	Chief Financial Officer	Seasonal employee hired					
Spring 2027	Implement revised hiring process.	Revised hiring process	Human Resource Director	Revised process implemented					
Spring 2027	Provide salary increase and market adjustment recommendations to TASB Human Resources.	Informal district surveys, local surveys	Superintendent designee	TASB Human Resources receives recommendations					
Spring 2027	Review TASB Human Resources Cost and Market - Peer Report.	TASB Report	Positive Culture Committee	Materials reviewed					
Spring 2027	Complete Texas Association of School Boards (TASB) Salary Survey.	Provide Florence I.S.D. current salary data to TASB, designated staff input	Human Resources Director	Survey completed					
Spring 2027	Analyze data from TASB Salary Survey and compare to current salary rates.	TASB survey, Florence I.S.D. salary scale	Positive Culture Committee	Data analyzed					
Spring 2027	Analyze and research benefit options.	TASB survey, benefit updates	Positive Culture Committee	Options analyzed					
Spring 2027	Analyze budget for possible bonus pay and incentives.	Budget records, Chief Financial Officer	Positive Culture Committee	Budget analyzed					
Spring 2027	Research opportunities for incentive pay.	Website	Positive Culture Committee	Research conducted					

Spring 2027	Propose possible bonus pay and incentive pay options.	Budget, staffing reports, Chief Financial Officer	Positive Culture Committee	Bonus pay proposed					
Spring 2027	Propose a budget for potential signing bonus for hard-to-fill positions and Florence High School graduates.	Budget projections, district budget, Chief Financial Officer	Positive Culture Committee	Budget for signing bonuses proposed					
Spring 2027	Review budget projections for the new year.	Enrollment and budget data with District Summary of Finance projections	Positive Culture Committee	Budget projections reviewed					
Spring 2027	Recommend adjustments, if needed, to the compensation and benefit package for the coming fiscal year.	TASB Report, budget projections, Chief Finance Officer	Positive Culture Committee	Compensation and budget package recommendations made					
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Spring 2027	Identify job fairs to attend.	College websites, flyers	Positive Culture Committee	Job fairs identified					
Spring 2027	Review and revise, as needed, the procedures for interviewing at job fairs, including letter of intent.	Letter of intent, current procedures	Positive Culture Committee	Job fair interview procedures revised, as needed					
Spring 2027	Select staff to participate in job fairs.	Staff list, Positive Culture Committee	Human Resource Director	Staff selected					
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Spring 2027	Attend job fairs.	List of job fairs, selected staff, district marketing materials	Human Resource Director	List of job fairs attended					
Spring 2027	Review and revise, as needed, the automation of the Exit Interview form to allow for data disaggregation to look for patterns.	Eduphoria	Positive Culture Committee	Exit interview data automation revised, as needed					
Summer 2027	Recognize Teacher Incentive Allotment designations.	Teacher Incentive Allotment designations	Teacher Incentive Allotment Committee	Teachers recognized					

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Summer 2027	Host a meeting of highly effective teachers willing to serve as mentors to introduce training for mentoring.	Information on mentoring program for Florence ISD Teacher Mentor Program guidelines and expectations	Campus Principals	Meeting held					
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Summer 2027	Explore possible sites and social media platforms on which to post jobs, in addition to the district employment webpage.	Websites, member list serves	Positive Culture Committee	Job posting sites explored					
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Summer 2027	Review and revise, as needed, the specific tab or link on the district website for "Prospective Employees".	Items to include on the district website, Technology Director, Human Resource Director	Positive Culture Committee	Prospective employee website link revised, as needed					
Summer 2027	Update, as needed, membership in the committee of "Teachers Promoting Florence I.S.D.".	List of potential members	Positive Culture Committee	Committee membership updated, as needed					
Fall 2027	Conduct Teacher Incentive Allotment stakeholder meetings.	Region 15 rural cohort	Teacher Incentive Allotment Committee	Meeting agenda					

Fall 2027	Update, as needed, membership in the Campus Principals.	Staff list	Human Resources Coordinator	Campus Principals membership updated, as needed					
Fall 2027	Schedule meetings of the Campus Principals.	District calendar	Campus Principals	Meetings scheduled					
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Fall 2027	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled					
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Spring 2028	Schedule meetings of the Teacher Incentive Allotment Committee.	District calendar	Teacher Incentive Allotment Committee	Meetings scheduled					
Spring 2028	Update, as needed, the Teacher Incentive Allotment data dashboard.	Teacher Incentive Allotment requirements, data dashboard	Teacher Incentive Allotment Committee	Teacher Incentive Allotment data dashboard revised, as needed					

Spring 2028	Review and revise, as needed, the framework that helps attract and retain high-performing teachers through the Teacher Incentive Allotment (TIA-Cohort G).	TEA chart, DMAC data, NWEA MAP data, MClass data, principals, Director of Curriculum and Instruction, Human Resource	Teacher Incentive Allotment Committee	Framework revised, as needed					
Spring 2028	Review and revise, as needed, the growth measures for TIA-Cohort G.	Framework, examples from other districts, teacher committees, TIA website	Teacher Incentive Allotment Committee	Growth measures revised, as needed					
Spring 2028	Continue implementation of the Florence ISD Teacher Mentor Program.	Florence ISD Teacher Mentor Program guidelines	Campus Principals	Florence ISD Teacher Mentor Program implemented					
Spring 2028	Send out survey to new teachers and mentor teachers to determine effectiveness.	Mentoring survey, list of new teachers and mentors	Campus Principals	Survey distributed					
Spring 2028	Collect data on the impact of the Florence ISD Teacher Mentor Program.	Identified program impact measure, list of teachers who had a mentor	Campus Principals	Impact data collected					
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Spring 2028	Propose hiring a seasonal human resource staff to support busy season.	Contracted employee, district budget	Chief Financial Officer	Seasonal employee hired					
Spring 2028	Implement revised hiring process.	New hiring process	Human Resource Director	Revised process implemented					
Spring 2028	Provide salary increase and market adjustment recommendations to TASB Human Resources.	Informal district surveys, local surveys	Superintendent designee	TASB Human Resources receives recommendations					
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Spring 2028	Analyze data from TASB Salary Survey and compare to current salary rates.	TASB survey, Florence I.S.D. salary scale	Positive Culture Committee	Data analyzed					
Spring 2028	Analyze and research benefit options.	TASB survey, benefit updates	Positive Culture Committee	Options analyzed					
Spring 2028	Analyze budget for possible bonus pay and incentives.	Budget records, Chief Financial Officer	Positive Culture Committee	Budget analyzed					
Spring 2028	Research opportunities for incentive pay.	Website	Positive Culture Committee	Research conducted					
Spring 2028	Propose possible bonus pay and incentive pay options.	Budget, staffing reports, Chief Financial Officer	Positive Culture Committee	Bonus pay proposed					

Spring 2028	Propose a budget for potential signing bonus for hard-to-fill positions and Florence High School graduates.	Budget projections, district budget, Chief Financial Officer	Positive Culture Committee	Budget for signing bonuses proposed					
Spring 2028	Review budget projections for the new year.	Enrollment and budget data with District Summary of Finance projections	Positive Culture Committee	Budget projections reviewed					
Spring 2028	Recommend adjustments, if needed, to the compensation and benefit package for the coming fiscal year.	TASB Report, budget projections, Chief Finance Officer	Positive Culture Committee	Compensation and budget package recommendations made					
Spring 2028	Present compensation and benefit package, possible signing bonuses, and incentive pay recommendation to the School Board for approval.	Final TASB HR Report, budget projections	Superintendent	Compensation and budget package, incentive pay, and signing bonus recommendation presented					
Spring 2028	Educate staff on compensation and benefit models.	TASB Human Resources, slides	Positive Culture Committee	Information shared with staff					
Spring 2028	Review and revise, as needed, the campus staffing needs assessment.	Staffing documents, enrollment numbers, current staff list, Human Resource Director	Positive Culture Committee	Needs assessment revised, as needed					
Spring 2028	Hold staffing meetings with campus administration and departments to identify and prioritize needs.	Campus needs assessment, campus administration, department heads, Leadership Team.	Positive Culture Committee	Staffing meetings held					
Spring 2028	Analyze the success of hiring at each attended job fair.	Hiring source of new employees, job fair attended, cost of attending job fairs	Positive Culture Committee	Job fair success analyzed					
Spring 2028	Identify job fairs to attend.	College websites, flyers	Positive Culture Committee	Job fairs identified					
Spring 2028	Review and revise, as needed, the procedures for interviewing at job fairs, including letter of intent.	Letter of intent, current procedures	Positive Culture Committee	Job fair interview procedures revised, as needed					
Spring 2028	Select staff to participate in job fairs.	Staff list, Positive Culture Committee	Human Resource Director	Staff selected					
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Spring 2028	Attend job fairs.	List of job fairs, selected staff, district marketing materials	Human Resource Director	List of job fairs attended					
Spring 2028	Review and revise, as needed, the automation of the Exit Interview form to allow for data disaggregation to look for patterns.	Eduphoria	Positive Culture Committee	Exit interview data automation revised, as needed					

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Deborah Brennan (2024-10-07 18:18:26)

should this be cut and pasted into 2025?

Florence I.S.D.  
**ACTION STEPS TRACKER**  
**POSITIVE CULTURE**

Strategy: Develop a district-wide system to include all students, staff, families and community members in creating and maintaining a positive culture.

Semester / year	Action Step	Resources	Person Responsible for Monitoring	Measurement	Completion	Notes
Fall 2024	Update, as needed, membership in the Positive Culture Committee.	Teachers, staff, students, community, SHAC	Superintendent designee	Committee membership updated, as needed	100	Updated
Fall 2024	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled	100	All meetings scheduled
Fall 2024	Schedule the distribution of the Positive Culture Survey to stakeholders.	Social media, mass communication, survey, stakeholder list, Technology Director	Positive Culture Committee	Survey distributed	100	Creating positive culture survey
Fall 2024	Analyze Positive Culture Survey data.	Survey tools, survey data	Positive Culture Committee	Survey data analyzed	90	Waiting for FES Survey Results
Fall 2024	Update, as needed, membership in the Attendance Steering Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee membership updated, as needed	100	1/13/25 one member from Climate and culture committee will be part of the FISD Positive Culture Committee
Fall 2024	Schedule meetings of the Attendance Steering Committee.	District calendar	Attendance Steering Committee/PEIMS Coordinator	Meetings scheduled	100	at the end of each attendance report
Fall 2024	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented	100	We spoke with principals at the leadership meeting 8/23 and they agreed to continue campus attendance initiatives. Attendance Steering committee will continue to pull attendance reports to monitor campus data.
Spring 2025	Investigate how other districts address positive culture.	Research	Positive Culture Committee	Research data collected	50	Currently Researching surrounding districts
Spring 2025	Analyze the impact of positive culture and team-building activities.	Survey data	Positive Culture Committee	Activity impact analyzed	100	Survey Data

Spring 2025	Make recommendations to the District Leadership Team.	Research, presentation, survey data	Positive Culture Committee	Recommendations made	100	Florence Elementary representative- Sarah Hosman; Melanie Bowling Sub: Angela Gower
Spring 2025	Review staff needing Capturing Kids' Hearts training.	NTO survey, staff Excel tracking sheet	Positive Culture Committee	List of staff needing training	100	FISD List 2024-2025
Spring 2026	Schedule Capturing Kids' Hearts recharged training for all staff.	District budget, Capturing Kids' Hearts training schedule, district calendar	Positive Culture Committee	Training scheduled	100	FISD List 2024-2025
Spring 2025	Schedule initial Capturing Kids' Hearts training for staff who have not been trained.	District budget, Capturing Kids' Hearts training schedule	Positive Culture Committee	Training scheduled	100	FISD List 2024-2025 Thank you Jennifer!
Spring 2025	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented	100	FES, FMS, and FHS tracking their attendance initiatives
Spring 2025	Review staff needing CHAMPS initial training.	NTO survey, staff Excel tracking sheet	Positive Culture Committee	List of staff needing initial training	100	FISD List 2024-2025
Summer 2025	Review and revise, as needed, the Positive Culture Survey. (Collaborate with others, if necessary.)	Survey tools, Technology Director	Positive Culture Committee	Survey revised, as needed	100	Survey had been reviewed and revised by Assistant Superintendent and Superintendent.
<b>Summer 2025</b>	Schedule district appreciation days	District calendar/Flyer	Positive Culture Committee	Activities scheduled	75	Created list of Appreciation days, need to complete the flyer for Revision
Summer 2025	Provide professional development for any staff needing initial CHAMPS training.	List of staff needing initial training	Leadership Team	Sign-in sheets	100	July 30, 2025 FISD Offering CHAMPS initial training New to the district and current staff who didn't receive the training.
Summer 2025	Train (Recharge) all staff for Capturing Kids' Hearts.	Budget, Capturing Kids' Hearts trainers	Positive Culture Committee	Sign-in sheet	50	NTO will offer Capturing Kids Hearts introductory training. July 31st. Process Champions attended training June 5th, they will be the members on each campus who will build the campus morale committee and be models for CKH.
Summer 2025	Update the tracking sheet for staff trained in Capturing Kids' Hearts.	Excel tracking sheet, sign-in sheets from training	Positive Culture Committee	Tracking sheet updated	100	FISD List 2024-2025, NTO Introduction to CKH
Summer 2025	Create a calendar for positive culture activities/celebrations	District calendar, technology, Technology Director	Positive Culture Committee	Calendar created	75	Created draft list of events need to meet with committee to review and finalize.
Summer 2025	Plan off-campus team-building activities.	List of team-building activities, rewards for winning teams, district calendar	Positive Culture Committee	Activities planned	75	Draft for List of Events to be reviewed by committee for final dates and activities.

Summer 2025	Analyze attendance data to see the impact of the past year's initiatives.	Attendance data, list of initiatives implemented at each campus	Attendance Steering Committee	Data analyzed	100	Campuses focused on initiatives per grade level to encourage competition. FMS did dress up days, Pie the Principal, Recess, Kona Ice, Popcorn and Drink, if reached 95%. FHS holds clash of the classes and allows students to exempt from final exams. FES participates in dress up days, Principal Recognition, school shout outs.
Summer 2025	Gather information on attendance initiatives from other districts.	Research	Attendance Steering Committee	Information gathered	0	
Summer 2025	Develop recommendations to implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	List of recommendations	50	Reached out to principals for list of 2025-2026 attendance initiatives FHS: Clash of the Classes and exemptions from final exams. FMS: Grade level dress up days, Kona Ice, Recess, Snacks/treats at Tournaments. FES: School Shout outs, dress up days, Principal Recognition.
Summer 2025	Retread elementary and middle school for CHAMPS.	Budget, staff list, trainers	Leadership Team	Sign-in sheets	100	Principals will provide the retread during preservice on Campus day or in grade level teams.
Fall 2025	Update, as needed, membership in the Positive Culture Committee.	Teachers, staff, students, community, SHAC	Superintendent designee	Committee membership updated, as needed		
Fall 2025	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled		
Fall 2025	Schedule the Positive Culture Survey to be distributed to stakeholders.	Social media, mass communication, survey, stakeholder list, Technology Director	Positive Culture Committee	Survey distributed		
Fall 2025	Analyze Positive Culture Survey data.	Survey tools, survey data	Positive Culture Committee	Survey data analyzed		
Fall 2025	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		
Fall 2025	Plan and schedule staff mental health and wellness activities.	List of activities, volunteers, presenters, district calendar	Positive Culture Committee	Activities planned and scheduled		

Fall 2025	Create an activity calendar with staff mental health and wellness recommended activities.	List of activities, volunteers, presenters	Positive Culture Committee	Activity calendar created		
Fall 2025	Recommend Mental Health and Wellness Activity Calendar to the Leadership Team.	Activity calendar	Positive Culture Committee	Staff wellness calendar recommended		
Fall 2025	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity calendar	Positive Culture Committee	Participation log		
Fall 2025	Update, as needed, membership in the Attendance Steering Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee membership updated, as needed		
Fall 2025	Schedule meetings of the Attendance Steering Committee.	District calendar	Attendance Steering Committee	Meetings scheduled		
Fall 2025	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Fall 2025	Create a district-wide Behavior Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee sign-in sheet		
Fall 2025	Schedule meetings of the Behavior Committee.	District calendar	Behavior Committee	Meetings scheduled		
Fall 2025	Create a staff survey to address the effectiveness of CHAMPS.	Survey tool, elementary and middle school staff, Technology Director	Behavior Committee	Survey created		
Fall 2025	Distribute a CHAMPS survey to elementary and middle school staff.	Survey tool, elementary and middle school staff, Technology Department	Behavior Committee	Survey distributed		
Fall 2025	CHAMPS Recharge					
Fall 2025	Gather discipline referral data.	Discipline report, PEIMS, Skyward	Behavior Committee	Discipline data gathered		
Spring 2026	Investigate how other districts address positive culture.	Research	Positive Culture Committee	Research data collected		
Spring 2026	Analyze the impact of positive culture and team-building activities.	Survey data	Positive Culture Committee	Activity impact analyzed		

Spring 2026	Make recommendations to the District Leadership Team.	Research, presentation, survey data	Positive Culture Committee	Recommendations made		
Spring 2026	Review staff needing Capturing Kids' Hearts training.	NTO Survey, staff Excel tracking sheet	Positive Culture Committee	List of staff needing training		
Spring 2026	Schedule Capturing Kids' Hearts recharge training for all staff.	District budget, Capturing Kids' Hearts training schedule, district calendar	Positive Culture Committee	Training scheduled		
Spring 2026	Schedule initial Capturing Kids' Hearts training for staff who have not been trained.	District budget, Capturing Kids' Hearts training schedule	Positive Culture Committee	Training scheduled		
Spring 2026	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		
Spring 2026	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity Calendar	Positive Culture Committee	Participation log		
Spring 2026	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Spring 2026	Gather discipline referral data.	Discipline report, PEIMS, Skyward	Behavior Committee	Discipline data gathered		
Spring 2026	Analyze survey addressing effectiveness of CHAMPS.	Survey results	Behavior Committee	Survey results analyzed		
Spring 2026	Make recommendations to address needs for CHAMPS implementation or refresh (keep CHAMPS or get rid of it).	Survey results, Leadership Team meeting schedule	Behavior Committee	Recommendations made		
Spring 2026	Analyze data to determine behavior support needs.	Skyward, OnData Suite, PEIMS data	Behavior Committee	Discipline data		
Spring 2026	Research options to address behavior needs.	Research	Behavior Committee	Options researched		
Spring 2026	Make recommendations to improve student behavior.	Research options, behavior data	Behavior Committee	Recommendations made		
Spring 2026	Explore adding a Behavioral Management Unit (BMU).	Research possible advocates for the position, budget, discipline data	Behavior Committee	Behavioral Management Unit explored		

Spring 2026	Explore adding behavior support teachers (general education).	Budget, District Leadership Team, discipline data	Behavior Committee	Behavior support explored		
Spring 2026	Review staff needing CHAMPS training.	NTO survey, staff Excel tracking sheet	Behavior Committee	List of staff needing initial training		
Summer 2026	Review and revise, as needed, the Positive Culture Survey. (Collaborate with others, if necessary.)	Survey tools, Technology Director	Positive Culture Committee	Survey revised, as needed		
Summer 2026	Train staff needing initial Capturing Kids' Hearts.	Budget, Capturing Kids' Hearts trainers	Positive Culture Committee	Sign-in sheet		
Summer 2026	Update the tracking sheet for staff trained in Capturing Kids' Hearts.	Excel tracking sheet, sign-in sheets from training	Positive Culture Committee	Tracking sheet updated		
Summer 2026	Update the calendar for positive culture activities.	District calendar, technology, Technology Director	Positive Culture Committee	Calendar updated		
Summer 2026	Plan off-campus team-building activities.	List of team-building activities, rewards for winning teams, district calendar	Positive Culture Committee	Activities planned		
Summer 2026	Schedule off-campus team building activities.	District calendar	Positive Culture Committee	Activities scheduled		
Summer 2026	Analyze attendance data to see the impact of the past year's initiatives.	Attendance data, list of initiatives implemented at each campus	Attendance Steering Committee	Data analyzed		
Summer 2026	Gather information on attendance initiatives from other districts.	Research	Attendance Steering Committee	Information gathered		
Summer 2026	Develop recommendations to implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	List of recommendations		
Summer 2026	Create a Public Relations and Communications Committee.	Survey data	Superintendent Designee	Sign-in sheet		
Summer 2026	Schedule meetings of the Public Relations and Communications Committee.	District calendar	Public Relations and Communications Committee	Meetings scheduled		
Summer 2026	Find a translation service or program.	Internet, research	Public Relations and Communications Committee	List of Possible translation services		

Summer 2026	Review effectiveness of current communication methods.	Media outlet reports (school messenger, smores)	Public Relations and Communications Committee	Communication methods		
Summer 2026	Develop district-wide communication standards.	Principals, district leadership	Public Relations and Communications Committee	Clear standards and expectations for communication developed		
Summer 2026	Propose district-wide communication standards to the District Leadership Team for adoption.	Clear standards and expectations for communication, Leadership Team meeting schedule	Public Relations and Communications Committee	District-wide communication standards adopted		
Summer 2026	Implement approved recommendations for CHAMPS.	Teachers, campus leadership	Behavior Committee	Recommendations implemented		
Summer 2026	Provide professional development for any staff needing initial CHAMPS training.	List of staff needing initial training	Behavior Committee	Sign-in sheets		
Summer 2026	Train (Recharge) all staff for CHAMPS.	Budget, staff list, trainers	Behavior Committee	Sign-in sheets		
Summer 2026	Make recommendations addressing behavior support needs.	Behavior Intervention Plan (BIP) tracker, discipline data, special education lead	Behavior Committee	List of recommendations		
Summer 2026	Implement recommendations for behavior support.	Teachers, campus administrators, behavior recommendations	Behavior Committee	Behavior recommendations implemented		
Fall 2026	Update, as needed, membership in the Positive Culture Committee.	Teachers, staff, students, community, SHAC	Superintendent designee	Committee membership updated, as needed		
Fall 2026	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled		
Fall 2026	Schedule the Positive Culture Survey to be distributed to stakeholders.	Social media, mass communication, survey, stakeholder list, Technology Director	Positive Culture Committee	Survey distributed		
Fall 2026	Analyze Positive Culture Survey data.	Survey tools, survey data	Positive Culture Committee	Survey data analyzed		
Fall 2026	Analyze the impact of staff mental health and wellness activities.	List of activities, survey data	Positive Culture Committee	Impact analyzed		
Fall 2026	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		

Fall 2026	Plan and schedule staff mental health and wellness activities.	List of activities, volunteers, presenters, district calendar	Positive Culture Committee	Activities planned and scheduled		
Fall 2026	Create an activity calendar with staff mental health and wellness recommended activities.	List of activities, volunteers, presenters	Positive Culture Committee	Activity calendar created		
Fall 2026	Recommend Mental Health and Wellness Activity Calendar to the Leadership Team.	Activity calendar	Positive Culture Committee	Staff wellness calendar recommended		
Fall 2026	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity calendar	Positive Culture Committee	Participation log		
Fall 2026	Update, as needed, membership in the Attendance Steering Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee membership updated, as needed		
Fall 2026	Schedule meetings of the Attendance Steering Committee.	District calendar	Attendance Steering Committee	Meetings scheduled		
Fall 2026	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Fall 2026	Update, as needed, membership in the Public Relations and Communications Committee.	Survey data	Superintendent Designee	Membership updated, as needed		
Fall 2026	Schedule meetings of the Public Relations and Communications Committee.	District calendar	Public Relations and Communications Committee	Meetings scheduled		
Fall 2026	Recommend translation service and any changes to communication plan.	Research list of translation services/programs, list of changes which need to be eliminated	Public Relations and Communications Committee	Translation service recommended		
Fall 2026	Coordinate district events with campus leaders (such as HOCO Pep Rally and Bilingual Night).	List of district events, campus and groups involved	Public Relations and Communications Committee	Calendar list of district events		
Fall 2026	Plan language support for district events, such as registration.	List of translators per campus and district, district leadership, online resources for parents needing translation services	Public Relations and Communications Committee	Language support planned		
Fall 2026	Collect positive information about campus and district events and accomplishments.	Campus leaders, district leaders	Public Relations and Communications Committee	Information gathered		
Fall 2026	Seek out opportunities for positive media coverage.	Local news media, social media, website	Public Relations and Communications Committee	Positive information shared		

Fall 2026	Update, as needed, membership in the district-wide Behavior Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee sign-in sheet		
Fall 2026	Schedule meetings of the Behavior Committee.	District calendar	Behavior Committee	Meetings scheduled		
Fall 2026	Update, as needed, the staff survey to address the effectiveness of CHAMPS.	Survey tool, elementary and middle school staff, Technology Director	Behavior Committee	Survey updated, as needed		
Fall 2026	Distribute a CHAMPS survey to elementary and middle school staff.	Survey tool, elementary and middle school staff, Technology Department	Behavior Committee	Survey distributed		
Spring 2027	Investigate how other districts address positive culture.	Research	Positive Culture Committee	Research data collected		
Spring 2027	Analyze the impact of positive culture and team-building activities.	Survey data	Positive Culture Committee	Activity impact analyzed		
Spring 2027	Make recommendations to the District Leadership Team.	Research, presentation, survey data	Positive Culture Committee	Recommendations made		
Spring 2027	Review staff needing Capturing Kids' Hearts training.	NTO Survey, staff Excel tracking sheet	Positive Culture Committee	List of staff needing training		
Spring 2027	Schedule Capturing Kids' Hearts recharge training for all staff.	District budget, Capturing Kids' Hearts training schedule, district calendar	Positive Culture Committee	Training scheduled		
Spring 2027	Schedule initial Capturing Kids' Hearts training for staff who have not been trained.	District budget, Capturing Kids' Hearts training schedule	Positive Culture Committee	Training scheduled		
Spring 2027	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		
Spring 2027	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity Calendar	Positive Culture Committee	Participation log		
Spring 2027	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Spring 2027	Implement translation service and any new communication method.	District leadership, specific translation service	Public Relations and Communications Committee	Translation service implemented		

Spring 2027	Gather discipline referral data.	Discipline report, PEIMS, Skyward	Behavior Committee	Discipline data gathered		
Spring 2027	Analyze survey addressing effectiveness of CHAMPS.	Survey results	Behavior Committee	Survey results analyzed		
Spring 2027	Make recommendations to address needs for CHAMPS implementation or refresh (keep CHAMPS or get rid of it).	Survey results, Leadership Team meeting schedule	Behavior Committee	Recommendations made		
Spring 2027	Analyze data to determine behavior support needs.	Skyward, OnData Suite, PEIMS data	Behavior Committee	Discipline Data		
Spring 2027	Research options to address behavior needs.	Research	Behavior Committee	Options researched		
Spring 2027	Make recommendations to improve student behavior.	Research options, behavior data	Behavior Committee	Recommendations made		
Spring 2027	Explore or implement a Behavioral Management Unit (BMU).	Research possible advocates for the position, budget, discipline data	Behavior Committee	Behavioral Management Unit classroom explored or implemented		
Spring 2027	Review the need for adding behavior support teachers for general education.	District budget, discipline data	Behavior Committee	Behavior support reviewed		
Spring 2027	Review staff needing CHAMPS training.	NTO Survey, staff Excel tracking sheet	Behavior Committee	List of staff needing initial training		
Summer 2027	Review and revise, as needed, the Positive Culture Survey. (Collaborate with others, if necessary.)	Survey tools, Technology Director	Positive Culture Committee	Survey revised, as needed		
Summer 2027	Train (Recharge) all staff for Capturing Kids' Hearts.	Budget, Capturing Kids' Hearts trainers	Positive Culture Committee	Sign-in sheet		
Summer 2027	Update the tracking sheet for staff trained in Capturing Kids' Hearts.	Excel tracking sheet, sign-in sheets from training	Positive Culture Committee	Tracking sheet updated		
Summer 2027	Update the calendar for positive culture activities.	District calendar, technology, Technology Director	Positive Culture Committee	Calendar updated		
Summer 2027	Plan off-campus team-building activities.	List of team-building activities, rewards for winning teams, district calendar	Positive Culture Committee	Activities planned		

Summer 2027	Schedule off-campus team-building activities.	District calendar	Positive Culture Committee	Activities scheduled		
Summer 2027	Analyze attendance data to see the impact of the past year's initiatives.	Attendance data, list of initiatives implemented at each campus	Attendance Steering Committee	Data analyzed		
Summer 2027	Gather information on attendance initiatives from other districts.	Research	Attendance Steering Committee	Information gathered		
Summer 2027	Develop recommendations to implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	List of recommendations		
Summer 2027	Review and revise, as needed, the district-wide communication standards.	Principals, district leadership	Public Relations and Communications Committee	Clear standards and expectations for communication revised, as needed		
Summer 2027	Propose revised district-wide communication standards to the District Leadership Team for adoption.	Standards and expectations for communication, Leadership Team meeting schedule	Public Relations and Communications Committee	District-wide communication standards adopted		
Summer 2027	Develop a way of recognizing partnerships with outside entities.	List of partnerships	Public Relations and Communications Committee	Partnerships recognized		
Summer 2027	Provide professional development for any staff needing initial CHAMPS training.	List of staff needing initial training	Behavior Committee	Sign-in sheets		
Summer 2027	Train (Recharge) all staff for CHAMPS.	Budget, staff list, trainers	Behavior Committee	Exit ticket		
Summer 2027	Implement approved recommendations for CHAMPS.	Teachers, campus leadership	Behavior Committee	Recommendations implemented		
Summer 2027	Make recommendations addressing behavior support needs.	BIP tracker, discipline data, special education lead	Behavior Committee	List of recommendations		
Summer 2027	Implement recommendations for behavior support.	Teachers, campus administrators, behavior recommendations	Behavior Committee	Behavior recommendations implemented		
Fall 2027	Update, as needed, membership in the Positive Culture Committee.	Teachers, staff, students, community, SHAC	Superintendent designee	Committee membership updated, as needed		
Fall 2027	Schedule meetings of the Positive Culture Committee.	District calendar	Positive Culture Committee	Meetings scheduled		

Fall 2027	Schedule the Positive Culture Survey to be distributed to stakeholders.	Social media, mass communication, survey, stakeholder list, Technology Director	Positive Culture Committee	Survey distributed		
Fall 2027	Analyze Positive Culture Survey data.	Survey tools, survey data	Positive Culture Committee	Survey data analyzed		
Fall 2027	Analyze the impact of staff mental health and wellness activities.	List of activities, survey data	Positive Culture Committee	Impact analyzed		
Fall 2027	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		
Fall 2027	Plan and schedule staff mental health and wellness activities.	List of activities, volunteers, presenters, district calendar	Positive Culture Committee	Activities planned and scheduled		
Fall 2027	Create an activity calendar with staff mental health and wellness recommended activities.	List of activities, volunteers, presenters	Positive Culture Committee	Activity calendar created		
Fall 2027	Recommend Mental Health and Wellness Activity Calendar to the Leadership Team.	Activity calendar	Positive Culture Committee	Staff wellness calendar recommended		
Fall 2027	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity Calendar	Positive Culture Committee	Participation log		
Fall 2027	Update, as needed, membership in the Attendance Steering Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee membership updated, as needed		
Fall 2027	Schedule meetings of the Attendance Steering Committee.	District calendar	Attendance Steering Committee	Meetings scheduled		
Fall 2027	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Fall 2027	Update, as needed, membership in the Public Relations and Communications Committee.	Survey data	Superintendent Designee	Membership updated, as needed		
Fall 2027	Schedule meetings of the Public Relations and Communications Committee.	District calendar	Public Relations and Communications Committee	Meetings scheduled		
Fall 2027	Recommend translation service and any changes to communication plan.	Research list of translation services/programs, list of changes which need to be eliminated	Public Relations and Communications Committee	Translation service recommended		

Fall 2027	Coordinate district events with campus leaders (such as HOCO Pep Rally and Bilingual Night).	List of district events, campus and groups involved	Public Relations and Communications Committee	Calendar list of district events		
Fall 2027	Plan language support for district events, such as registration.	List of translators per campus and district, district leadership, online resources for parents needing translation services	Public Relations and Communications Committee	Language support planned		
Fall 2027	Collect positive information about campus and district events and accomplishments.	Campus leaders, district leaders	Public Relations and Communications Committee	Information gathered		
Fall 2027	Expand partnership with outside resources.	Contact list, community outreach	Public Relations and Communications Committee	List of new partnerships		
Fall 2027	Maintain partnership with outside resources (Ed Foundation, Adopt-a-School, etc.).	Current list of partnerships	Public Relations and Communications Committee	Partnerships maintained		
Fall 2027	Create a list of partnership involvement throughout the year.	List of partnerships	Public Relations and Communications Committee	List of partnerships created		
Fall 2027	Explore the idea of adding a Public Relations Director.	Budget, district leadership, data, social media data viewing usage	Public Relations and Communications Committee	Idea explored		
Fall 2027	Seek out opportunities for positive media coverage.	Local news media, social media, website	Public Relations and Communications Committee	Positive information shared		
Fall 2027	Update, as needed, membership in the district-wide Behavior Committee.	Teachers, assistant principals, district leadership	Superintendent designee	Committee sign-in sheet		
Fall 2027	Schedule meetings of the Behavior Committee.	District calendar	Behavior Committee	Meetings scheduled		
Fall 2027	Update, as needed, the staff survey to address the effectiveness of CHAMPS.	Survey tool, elementary and middle school staff, Technology Director	Behavior Committee	Survey updated, as needed		
Fall 2027	Distribute a CHAMPS survey to elementary and middle school staff.	Survey tool, elementary and middle school staff, Technology Department	Behavior Committee	Survey distributed		
Spring 2028	Investigate how other districts address positive culture.	Research	Positive Culture Committee	Research data collected		
Spring 2028	Analyze the impact of positive culture and team-building activities.	Survey data	Positive Culture Committee	Activity impact analyzed		

Spring 2028	Make recommendations to the District Leadership Team.	Research, presentation, survey data	Positive Culture Committee	Recommendations made		
Spring 2028	Review staff needing Capturing Kids' Hearts training.	NTO survey, staff Excel tracking sheet	Positive Culture Committee	List of staff needing training		
Spring 2028	Schedule Capturing Kids' Hearts recharge training for all staff.	District budget, Capturing Kids' Hearts training schedule, district calendar	Positive Culture Committee	Training scheduled		
Spring 2028	Schedule initial Capturing Kids' Hearts training for staff who have not been trained.	District budget, Capturing Kids' Hearts training schedule	Positive Culture Committee	Training scheduled		
Spring 2028	Implement approved recommendations for positive culture actions.	List of recommendations, calendar of activities	Positive Culture Committee	Positive culture activities implemented		
Spring 2028	Implement activities per the Mental Health & Wellness Activity Calendar.	Activity calendar	Positive Culture Committee	Participation log		
Spring 2028	Implement attendance initiative(s) at campus level.	Budget, Leadership Team, teachers, students, community	Attendance Steering Committee	Recommendations implemented		
Spring 2028	Implement translation service and any new communication method.	District leadership, specific translation service	Public Relations and Communications Committee	Translation service implemented		
Spring 2028	Gather discipline referral data.	Discipline report, PEIMS, Skyward	Behavior Committee	Discipline data gathered		
Spring 2028	Analyze survey addressing effectiveness of CHAMPS.	Survey results	Behavior Committee	Survey results analyzed		
Spring 2028	Make recommendations to address needs for CHAMPS implementation or refresh (keep CHAMPS or get rid of it).	Survey results, Leadership Team meeting schedule	Behavior Committee	Recommendations made		
Spring 2028	Analyze data to determine behavior support needs.	Skyward, OnData Suite, PEIMS data	Behavior Committee	Discipline data		
Spring 2028	Research options to address behavior needs.	Research	Behavior Committee	Options researched		
Spring 2028	Make recommendations to improve student behavior.	Research options, behavior data	Behavior Committee	Recommendations made		

Spring 2028	Explore or implement a Behavioral Management Unit (BMU).	Research possible advocates for the position, budget, discipline data	Behavior Committee	Behavioral Management Unit classroom explored or implemented		
Spring 2028	Review the need for adding behavior support teachers for general education.	District budget, discipline data	Behavior Committee	Behavior support reviewed		
Spring 2028	Review staff needing CHAMPS training.	NTO survey, staff Excel tracking sheet	Behavior Committee	List of staff needing initial training		