



**Regular Meeting Agenda
Thursday, August 5, 2021
LEO Conference Center
300 S. West Dr.
Leander, TX 78641
6:15 PM**

Doors will open to the public at 5:30 PM.

Members of the public may access this meeting via live stream at <https://youtu.be/wBZEJ3Tr7k0>. Please note, this link will not be active until approximately 5 minutes before the scheduled meeting time.

Citizens wishing to address the Board of Trustees may do so in-person at the meeting location noted on the agenda. In order to address the Board, individuals must sign up between 4:30 and 6:00 PM on the day of the meeting. Individuals are encouraged to sign up online at <https://bit.ly/3iXFE97>; however, hardcopy sign up forms will be available between 5:30 and 6:00 PM at the meeting location.

The notice for this meeting was posted in compliance with the Texas Open Meetings Act on July 30, 2021, at 5:40 PM.

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

- 1. CALL TO ORDER AND DECLARATION OF QUORUM**
- 2. OPENING CEREMONY**
 - A. Pledge of Allegiance
 - B. Moment of Silence
- 3. COMMUNICATIONS / ANNOUNCEMENTS**
 - A. Superintendent Remarks
 - B. Board Member Remarks
 1. Committee Updates 3
- 4. CITIZEN COMMENTS**

(See the notes at the top of the agenda for instructions on how to sign up and details regarding speaking.)
- 5. CONSENT AGENDA**
 - A. Consider Approval of Utility Easements at River Place Elementary 4
 - B. Consider Approval of Change to the September 2021 Regular Board Meeting Schedule 31
- 6. SUPERINTENDENT'S REPORT 32**
- 7. DISCUSSION / ACTION ITEMS**
 - A. STUDENT EXPERIENCE
 1. Consider Approval of Student Code of Conduct 47
 2. Report on STAAR Assessment Results 94
 3. English Language Arts Literature Review Process Update 108
 - B. GOVERNANCE
 1. Update on Superintendent Performance Goals 120
 2. Consider all matters incident and related to calling a bond election to be held by the Leander Independent School District, including the adoption of an order 135

pertaining thereto	
3. Consider Approval of Travis County Joint Elections Agreement	159
4. Discuss Endorsement of a Candidate for the TASB Board of Directors Region 13C Position	177
5. Review Novel Local Board Policy AEA - Educational Philosophy Educational Equity	190
6. Review Board Policy EF(LOCAL) and EMB(LOCAL)	196
C. OPERATIONS	
1. Consider Approval of Purchase of Attendance Credits and Delegation of Authority to Obligate the District	205
2. Discussion of an Ordinance Adopting the 2021 Property Tax Rate	208
3. Discussion of 87th Legislative Session Impact on Revenues	213
4. General Construction Update	216
8. CLOSED SESSION	
A. Texas Government Code 551.071: consultation with attorney regarding, pending or contemplated litigation, and/or attorney client privileged matter	
B. Texas Government Code 551.074: deliberation regarding resignations, terminations, employment, reassignments, duties, and evaluation of personnel and public officers	
C. Texas Government Code 551.0821: deliberation regarding matters whereby personally identifiable information regarding one or more students will be disclosed	
D. Texas Government Code 551.074: internal audit report regarding personnel information	
E. Texas Government Code 551.074: deliberation and consideration of employment of High School Athletic Coordinator/ Head Football Coach for Glenn High School	
9. ACTION PURSUANT TO CLOSED SESSION	
A. Consider Approval of Teacher and Administrator Contracts	
B. Consider Employment of High School Athletic Coordinator/ Head Football Coach for Glenn High School	
10. BOARD MEETING DEBRIEF	
11. ADJOURNMENT	

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting. [See BEC(LEGAL)]

Board Member Representation on Committees & Boards

LISD administrative committees on which Board Members currently serve:

- Board Operating Procedures Review Committee: Trish Bode and Anna Smith
- Community Based Accountability System Committee: Aaron Johnson, Christine Mauer and Anna Smith
- Community Curriculum Advisory Committee (CCAC): Gloria Gonzales-Dholakia and Elexis Grimes
- Equity and Diversity Advisory Committee: Gloria Gonzales-Dholakia and Christine Mauer
- Legislative Committee: Trish Bode, Elexis Grimes, Anna Smith
- Policy Review Committee: Aaron Johnson, Gloria Gonzales-Dholakia, Elexis Grimes
- School Health Advisory Committee (SHAC): Aaron Johnson
- School Safety and Security Committee (*Board President and one additional Board member required*): Board President Trish Bode and Elexis Grimes

Non-LISD committees/boards on which LISD Board members represent the District:

- City of Austin Regional Affordability Committee: Anna Smith
- City of Cedar Park Key 6: LISD Board President
- City of Leander Key 6: LISD Board President
- LEEF Board Ex-Officio Director: Elexis Grimes

Although not a committee, the Board's liaison to the Internal Auditor is Anna Smith.

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Consider Approval of Utility Easements at River Place Elementary
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Jimmy Disler
Attachments: Water and Wastewater Easement
Temporary Construction Easement
Affidavit of No Liens

Background Information:

MileStone Community Builders has requested that an easement be granted for the placement of a water and wastewater line through a small portion of LISD property at River Place Elementary. This easement would not negatively affect LISD property. As part of the tree mitigation in the easement agreement, the developer would plant a required number of trees on LISD property.

Administrative Recommendation:

Administration recommends the Board approve the utility agreements for River Place Elementary, as presented.

Sample Motion:

I move that the Board approve the utility agreements for River Place Elementary, as presented.

NOTICE OF CONFIDENTIALITY RIGHTS: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

WATER LINES AND WASTEWATER LINES EASEMENT WITH PERMITTED OBSTRUCTIONS

Date: _____

Grantor: LEANDER INDEPENDENT SCHOOL DISTRICT

Grantor's Address: P.O. Box 218
Leander, Texas 78646

City: CITY OF AUSTIN, TEXAS, a Texas home-rule municipal corporation situated in the counties of Hays, Travis, and Williamson

City's Address: P.O. Box 1088
Austin, Travis County, Texas 78767-1088

Easement Tract: All that parcel of land situated in Travis County, Texas, described in the attached **Exhibit A**

Easement Duration: Perpetual

Easement Purpose: To access, install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with, remove, and decommission the Facilities

Facilities: Raw, reclaimed and potable water lines and wastewater lines with all associated appurtenances

City Permit: The approved and released City of Austin Site No. SP-06-0595CX as the site plan is amended, revised, or corrected from time to time

Permitted Encumbrances: Any easements, liens, encumbrances, and other matters not subordinated to the Easement Tract and of record in the Real Property Records of the Texas county in which the Easement

City Reviewer Initials

Tract is located that are valid, existing, and affect the Easement Tract as of the Date

Non-Permitted Activity: Installation, construction, operation, use, maintenance, repair, modification, upgrade, and replacement of any structure, building, retaining wall, detention or water quality control, rainwater harvesting system, tree, or other similar improvement in the Easement Tract

Repairable Improvements: Irrigation systems which are installed perpendicular to the Facilities, asphalt or concrete walkways, driveways, parking areas, and access roads at grade level, and barbed-wire, chain-link or wooden fences which are installed parallel to the Facilities that do not interfere in any material way or are not inconsistent with the rights granted the City under this Easement for the Easement Purpose as determined by the City in its reasonable discretion

Grantor, for **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration paid to Grantor, the receipt and sufficiency of which is acknowledged by Grantor, **GRANTS, SELLS, AND CONVEYS** to the City a non-exclusive easement in, over, under, on, and across the Easement Tract for the Easement Purpose as may be necessary or desirable subject to the Permitted Encumbrances, together with (i) the right of ingress and egress at all times over, on, and across the Easement Tract for use of the Easement Tract for the Easement Purpose, (ii) the right to eliminate any encroachments in the Easement Tract that interfere in any material way or are inconsistent with the rights granted the City under this instrument for the Easement Purpose as determined by the City in its reasonable discretion, and (iii) any and all rights and appurtenances pertaining to use of the Easement Tract (collectively, the "**Easement**").

TO HAVE AND TO HOLD the Easement to the City and City's successors and assigns for the Easement Duration and Easement Purpose; provided, however, Grantor reserves the right to enter upon and use any portion of the Easement Tract and to install, construct, operate, use, maintain, repair, modify, upgrade, and replace within the Easement Tract the improvements allowed under the City Permit, but in no event shall Grantor, except with respect to the improvements allowed under the City Permit, enter upon or use any portion of the Easement Tract for any Non-Permitted Activity or in any other manner that interferes in any material way or is inconsistent with the rights granted the City under this Easement for the Easement Purpose as determined by City in its reasonable discretion. City shall be obligated to restore or replace to a good and functioning condition as determined by the City in its reasonable discretion only the Repairable Improvements which have been removed, relocated, altered, damaged, or destroyed as a result of City's use of the Easement Tract.

Grantor binds Grantor and Grantor's heirs, successors, and assigns to **WARRANT AND FOREVER DEFEND** the title to the Easement, subject to the Permitted Encumbrances, to the City against every person whomsoever lawfully claiming or to claim the Easement Tract or any part of the Easement Tract when the claim is by, through, or under Grantor, but not otherwise.

Except where the context otherwise requires, *Grantor* includes *Grantor's heirs, successors, and assigns* and *City* includes *City's employees, agents, consultants, contractors, successors, and assigns*; and where the context requires, singular nouns and pronouns include the plural.

--- The remainder of this page is intentionally blank ---

Executed effective the Date first above stated.

LEANDER INDEPENDENT SCHOOL DISTRICT

By: _____
Name: _____
Title: Superintendent

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary, on this day personally appeared _____, Superintendent of Leander Independent School District, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____.

[Seal]

Notary Public, State of Texas

APPROVED AS TO FORM:
CITY OF AUSTIN, TEXAS
LAW DEPARTMENT

REVIEWED:
CITY OF AUSTIN, TEXAS
AUSTIN WATER UTILITY

By: _____
Name: _____
Title: Assistant City Attorney

By: _____
Name: _____
Title: _____



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

EXHIBIT " A "

**(WATER LINES
AND
FORCE MAIN UTILITY EASEMENT)**

**PORTION OF LOT 2, BLOCK A
AUSTIN CHRISTIAN FELLOWSHIP
PHASE TWO SUBDIVISION**

**0.089 ACRE
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS**

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A DESCRIPTION OF 0.089 ACRE (APPROXIMATELY 3,885 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269 TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A, AUSTIN CHRISTIAN FELLOWSHIP PHASE TWO SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200700102, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS (OPRTCT), CONVEYED TO LEANDER INDEPENDENT SCHOOL DISTRICT TRUSTEE BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2006178894, OPRTCT; SAID 0.089 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch rebar with cap stamped "CHAPARRAL BOUNDARY" found on the southerly curving right-of-way line of the 0.371 acre street deed recorded in Document Number 2006241911, OPRTCT, being the southerly terminus of Sitio Del Rio Boulevard, as shown on said Austin Christian Fellowship Phase Two Subdivision, also being the westerly common corner of said Lot 2 and Lot 3, Block A of same;

THENCE with the curving north line of said Lot 2 and the curving southerly right-of-way line of said Sitio Del Rio Boulevard, to the right, having a radius of 71.00 feet, a delta angle of 39°46'46", an arc length of 49.29 feet, and a chord which bears South 41°07'34" West, a distance of 48.31 feet to the calculated northeast corner and **POINT OF BEGINNING** herein;

THENCE over and across said Lot 2, the following four (4) courses and distances:

1. South 14°10'52" East, a distance of 45.95 feet to a calculated angle point,
2. South 29°48'40" West, a distance of 30.81 feet to a calculated angle point,
3. South 14°10'52" East, a distance of 42.73 feet a calculated angle point, and

4. South 29°48'40" West, a distance of 21.44 feet to the calculated southeast corner, being on a south line of said Lot 2, same being a north line of said Lot 3; and from which point a ½-inch rebar with a cap stamped "CHAPARRAL BOUNDARY" found for an angle point on the common line of said Lot 2 and said Lot 3 bears South 62°07'16" East, a distance of 627.23 feet;

THENCE North 62°07'16" West, with the common line of said Lot 2 and said Lot 3, a distance of 30.52 feet to the calculated southwest corner; and from which point a ½-inch rebar with a capped stamped "CHAPARRAL BOUNDARY" found for an angle point on the common line of said Lot 2 and said Lot 3, bears North 62°07'16" West, a distance of 89.60 feet;

THENCE over and across said Lot 2, the following four (4) courses and distances:

1. North 29°48'40" East, a distance of 10.15 feet to a calculated angle point,
2. North 14°10'52" West, a distance of 42.73 feet to a calculated angle point,
3. North 29°48'40" East, a distance of 30.81 feet to a calculated angle point, and
4. North 14°10'52" West, a distance of 32.36 feet to the calculated northwest corner, being on the southerly curving right-of-way line of said 0.371 acre street deed and Sitio Del Rio Boulevard, same being a north line of said Lot 2;

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THENCE with the southerly curving right-of-way line of said 0.385 acre street deed and said Sitio Del Rio Boulevard, to the left, having a radius of 71.00 feet, a delta angle of 24°49'41", an arc length of 30.77 feet, and a chord which bears North 73°25'48" East, a distance of 30.53 feet to the **POINT OF BEGINNING**, containing 0.089 acre of land.

Surveyed on the ground January, 2007. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 759-011-UE_R2

Bryan D. Newsome 08 February 2021
Bryan D. Newsome Date
Registered Professional Land Surveyor
State of Texas No. 5657
TBPLS Firm No. 10124500



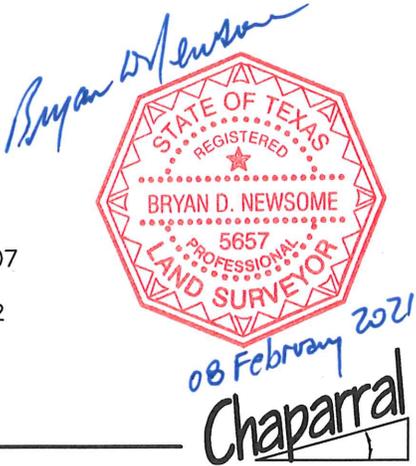
REFERENCES
TCAD Property ID# 75534
Austin Grid map D-32

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.089 ACRE (APPROXIMATELY 3,885 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269 TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A AUSTIN CHRISTIAN FELLOWSHIP PHASE TWO SUBDIVISION A SUBDIVISION RECORDED IN DOCUMENT NO. 200700102 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND CONVEYED TO LEANDER INDEPENDENT SCHOOL DISTRICT TRUSTEE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2006178894 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND	
● ^{CH}	1/2" REBAR WITH "CHAPARRAL" CAP FOUND
△	CALCULATED POINT
()	RECORD INFORMATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S14°10'52"E	45.95'
L2	S29°48'40"W	30.81'
L3	S14°10'52"E	42.73'
L4	S29°48'40"W	21.44'
L5	N62°07'16"W	30.52'
L6	N29°48'40"E	10.15'
L7	N14°10'52"W	42.73'
L8	N29°48'40"E	30.81'
L9	N14°10'52"W	32.36'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	71.00'	39°46'46"	49.29'	S41°07'34"W	48.31'
C2	71.00'	24°49'41"	30.77'	N73°25'48"E	30.53'



DATE OF SURVEY: January, 2007
 PLOT DATE: 12/11/2020
 DRAWING NO.: 759-011-UE_R2
 PROJECT NO.: 759-011
 T.B.P.L.S. FIRM NO. 10124500
 DRAWN BY: RGH
 SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)
 ATTACHMENTS: METES AND BOUNDS DESCRIPTION 759-011-UE_R2

3.78 AC
CITY OF AUSTIN
10105/253

SITIO DEL RIO BLVD.
(70' R.O.W.)
(100'/170')

LOT 1, BLOCK A AMENDED
PLT OF BLOCK A, LOTS 6
AND 10 TWENTY-TWO
TWENTY-TWO BUSINESS PARK
(200000317)



1" = 50'

0.371 ACRE
STREET DEED
DOC. NO.
2006241911

LOT 2
BLOCK A
LEANDER
INDEPENDENT
SCHOOL DISTRICT
(2006178894)
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

LOT 3
BLOCK A
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

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P.O.C.
CH

C1

P.O.B.

C2

WATER LINES AND
FORCE MAIN UTILITY
EASEMENT
0.089 ACRES
APPROX. 3,885 SQ. FT.

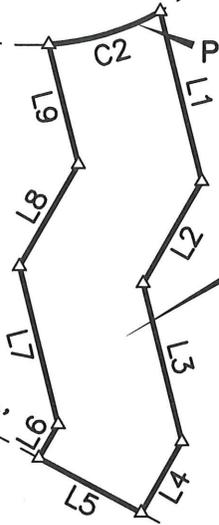
LOT 2
BLOCK A
LEANDER
INDEPENDENT
SCHOOL DISTRICT
(2006178894)
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

R.L. PREECE SURVEY NO. 2,
ABST. NO. 2269

LOT 3
BLOCK A
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

S62°07'16"E 627.23'

N62°07'16"W 89.60'



years from the Effective Date of this Temporary Easement. Notwithstanding the foregoing, termination shall be effective without need for further action by any party; however, Grantee may, without the joinder of Grantor, execute, acknowledge, and record a termination of this Temporary Easement upon its expiration or termination.

3. Limited Right of Use. Grantee and all its contractors must confine their work to the Temporary Easement Tract and may not use or enter any portion of Grantor's other property for access or any other purposes. Grantee will be responsible for either the immediate correction, of or prompt reimbursement to Grantor for, any damage to any property of Grantor or its invitees, guests, agents or employees caused by the activities of Grantee, or its assignees, agents, contractors or subcontractors.

4. Reservation of Rights. Grantor and Grantor's heirs, successors, and assigns retain the right to use all or part of the Temporary Easement Tract in conjunction with Grantee as long as such use by Grantor and Grantor's heirs, successors, and assigns does not interfere with the use of the Temporary Easement Tract by Grantee for the Easement Purpose during the term of the Temporary Easement as stated herein.

5. Hours of Work. Grantee hereby agrees that construction of the water and wastewater infrastructure within the Sitio Del Rio right-of-way shall occur (i) only during those periods which Grantor is not conducting any student activities, such as weekends, Grantor's summer break, winter break, spring break of each year, and in-service dates, which dates are established by Grantor's Board of Trustees, or (ii) during other periods of the year provided that no construction activity shall occur between the hours of 1 hour before the start of school classes and 1 hour after school classes end. Grantee shall provide at least thirty (30) days' advance notice to Grantor for any work within the Sitio Del Rio right-of-way, except in the case of an emergency where less notice is required, together with the estimated duration of such work. Hours of work shall also be in compliance with the Letter Agreement between the Parties dated _____, 2021 ("Letter Agreement"). Grantee must enforce this requirement on its contractors, subcontractors, and assignees.

6. Work Standards. All activities of Grantee and its contractors on or within the Temporary Easement must be performed in compliance with all laws and in a manner which does not cause any material or permanent damage to the Temporary Easement Tract or any of Grantor's other property. No fuel or hazardous material storage tanks may be placed on or within the Temporary Easement Tract. At all times, Grantee and its contractors must keep the Temporary Easement Tract in a neat, safe, and orderly condition. Grantee will promptly remove trash and other debris related to the work of Grantee at the request of Grantor.

7. Fencing. Grantee must fence the limits of the work area with temporary construction fencing, which must be six-foot chain link fence or better. All required fencing must be replaced and secured at the end of each work day. All gates in the construction fencing required to provide access to the work area must be locked when not actually in use by Grantee or its contractors and Grantor must be provided with a key or the combination to the locks.

8. Silt Fencing. At all times during any construction, silt fencing must be installed and maintained in good condition around the perimeter of the work area. Grantee will promptly

repair or replace silt fencing that is in poor condition or missing at the request of Grantor.

9. Tree Protection and Replacement. Grantee agrees to protect all oak and other hardwood trees within the Temporary Easement Tract and to require its contractors to install appropriate tree protection and to avoid damage to all such hardwood trees. Pursuant to the Austin City Code and Environmental Criteria Manual, Grantee is required to mitigate the removal of trees that are 8-inches or larger. Grantee hereby agrees that if the use of the Easement for the Easement Purpose causes the removal of any tree, regardless of its size, that it will mitigate such removal by planting trees (of a species reasonably requested by Grantor, and which would be warranted for a period of one year if cared for properly, and which planting would include the installation of a bubbler system into an existing LISD irrigation line) on the Grantor property of an equal amount of caliper inches as the trees removed (if any) at locations proposed by Grantor (whether such locations be the immediately adjacent school site, or other site owned by LISD). Any approved hardwood tree removal or tree trimming must be done in accordance with accepted horticultural practices, so as to prevent damage to or death of any hardwood trees and the spread of oak wilt. Grantee and its contractors must not pile spills or operate construction equipment in a manner that could damage any hardwood trees. Tree mitigation shall also be in compliance with the Letter Agreement.

10. Access. Access to the Temporary Easement Tract will be from Grantee Property or the public right of way and not over residential streets or over other property of Grantor. Grantee must enforce this requirement on its contractors, subcontractors, and assignees.

11. Restoration and Revegetation. Within two weeks of completion of construction of the fully paved emergency access easement across Grantor Property to access Grantee Property, or two weeks prior to the termination of this Temporary Easement, Grantee must, at its sole expense, remove all machinery, construction materials, refuse, debris, spoils, trash and any other materials and structures generated or placed by Grantee or any of its contractors on or within the Temporary Easement Tract and fill all trenches and restore the surface of the Temporary Easement Tract to substantially the condition which existed prior to commencement of the Temporary Easement. This restoration must include any necessary replacement of topsoil, revegetation of all disturbed areas, repair of any damage to the trails on Grantor's property and repair of any other property damaged or destroyed by Grantee or its contractors. This two-week period may be extended with the approval of Grantor and only to the extent necessary due to weather-related delays. Upon completion of any required revegetation, Grantee must remove all erosion control devices and materials.

12. INDEMNITY. GRANTEE WILL INDEMNIFY, DEFEND, AND HOLD HARMLESS GRANTOR AND GRANTOR'S EMPLOYEES AND AGENTS FROM AND AGAINST ANY LOSS, COST, EXPENSE, LIABILITY, OR DAMAGE (INCLUDING REASONABLE ATTORNEY'S FEES AND LITIGATION EXPENSES) CAUSED BY ANY ACT OR OMISSION OF GRANTEE AND/OR GRANTEE'S CONTRACTORS OR ANY OF THEIR EMPLOYEES, AGENTS, SUBCONTRACTORS, OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY THEM IN CONNECTION WITH EXERCISING ANY RIGHTS UNDER THIS EASEMENT, WHETHER SUCH LOSS, COST, EXPENSE, LIABILITY, OR DAMAGE ARISES OUT OF DAMAGE TO OR LOSS OF PROPERTY, INJURY, OR DEATH.

13. Notice. Any notice given under this Temporary Easement must be in writing and may be given: (i) by depositing it with Federal Express or another delivery service guaranteeing “next day delivery”, addressed to the Party to be notified and with all charges prepaid; or (ii) by personally delivering it to the Party, or any agent of the Party listed in this Temporary Easement. Notice given in any manner will be effective when received. For purposes of notice, the addresses of the Parties will, until changed as provided below, be as follows:

Grantor: Leander Independent School District
Attn: Jimmy Disler
P.O. Box 1088
Leander, Texas 78646
Email: jimmy.disler@leanderisd.org

Grantee: Milky Way Holdings GP, LLC
Attn: Garrett Martin
9111 Jollyville Road, Suite 111
Austin, Texas 78759
Email: garrett@mymilestone.com

with copy to: Jeffrey S. Howard
McLean & Howard
901 S. Mopac Expressway, Suite 2-225
Austin, Texas 78746
Email: jhoward@mcleanhowardlaw.com

14. Miscellaneous.

a. No modification of this Temporary Easement shall be effective unless it is in writing and is signed by the parties hereto or their respective heirs, successors, and assigns.

b. No waiver of any term or condition of this Temporary Easement shall be effective unless it is in writing and is signed by the person against whom enforcement of the waiver is sought, and then only in the particular circumstances specified. No failure by a person to exercise any right or privilege provided for herein, or to require timely performance of any obligation herein in strict accordance with the provisions hereof, shall preclude the exercise of such rights or privileges or the enforcement of such obligations in different circumstances or upon the reoccurrence of the same or similar circumstances. Moreover, the exercise of any remedy provided for at law, in equity, or herein shall not impliedly preclude the exercise of any other remedy except when, and then only to the extent that, the other remedy is expressly forbidden or limited by the provisions hereof.

c. If any term, provision, or covenant contained in this Temporary Easement shall be held invalid or unenforceable, the remainder of this Temporary Easement shall not be affected thereby, and each term, provision, and condition hereof shall be valid and enforceable to the fullest extent permitted by law.

d. This Easement shall be governed and construed in accordance with the laws of

the State of Texas. Any action brought to enforce or interpret the terms of this Easement shall be brought in a court of appropriate jurisdiction in Travis County, Texas.

e. In any action to enforce the provisions of this Temporary Easement, the non-prevailing party shall be obligated to pay the attorney's fees of the prevailing party or parties.

f. The captions of the paragraphs of this Temporary Easement are for convenience only and shall not be considered or referred to in resolving questions of interpretation or construction.

g. This Temporary Easement may be executed in multiple counterparts, each of which shall be deemed an original and all of which, together, shall constitute one and the same instrument.

[Remainder of Page Left Intentionally Blank]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed to be effective as of _____, 2021 (the "*Effective Date*").

GRANTOR:

LEANDER INDEPENDENT SCHOOL DISTRICT

By: _____
Name: _____
Title: Superintendent

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary, on this day personally appeared _____, Superintendent of Leander Independent School District, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____.

[Seal]

Notary Public, State of Texas

ACCEPTED AND AGREED:

GRANTEE:

**MILKY WAY HOLDINGS LTD.,
a Texas limited partnership**

By: Milky Way Holdings GP, LLC,
a Texas limited liability company,
its General Partner

By: Milestone Community Builders, LLC,
a Texas limited liability company,
its Manager

By: _____
Garrett S. Martin, President

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary, on this day personally appeared Garrett Martin, President of Milestone Community Builders, LLC, a Texas limited liability company, Manager of Milk Way Holdings GP, LLC, a Texas limited liability company, General Partner of Milky Way Holdings Ltd., a Texas limited partnership, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____.

[Seal]

Notary Public, State of Texas

Exhibit A



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**42.064 ACRES
R.L. PREECE SURVEY NO. 2
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 42.064 ACRES (APPROXIMATELY 1,832,316 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 79.9 ACRE TRACT CONVEYED TO BERTA BRADLEY BY EXECUTOR'S DEED DATED DECEMBER 31, 1990 AND RECORDED IN VOLUME 11345, PAGE 325 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; FURTHER BEING ALL OF THAT 40 ACRE TRACT DESCRIBED IN A DEED OF RECORD IN VOLUME 5094, PAGE 2176 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 119.32 ACRE TRACT DESCRIBED IN A DEED TO LANDRUM HICKMAN OF RECORD IN VOLUME 1869, PAGE 319 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 42.064 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton spindle found for the south corner of said 119.32 acre tract, being the called south corner of said 40 acre tract, same being the south corner of said 79.9 acre tract, also being in the west line of a 467.5 acre tract described in a deed to City of Austin Nature Conservancy, recorded in Volume 11848, Page 1718 of the Real Property Records of Travis County, Texas, and also being an angle point in the east line of a 91.585 acre tract, described in a deed to RP Preserve, Ltd. in Document No. 1999062334 of the Official Public Records of Travis County, Texas;

THENCE North 04°58'46" West, with the common line of said 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and the said 91.585 acre tract, at a distance of 1337.94 feet passing 0.13 feet right of a 1/2" rebar found for the called southeast corner of Lot 13, Block B, The Preserve at River Place Section 2, a subdivision of record in Document No. 200000178 of the Official Public Records of Travis County, Texas, and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and said Lot 13, at a distance of 536.53 feet passing 0.11 feet left of a 1/2" rebar with "TJ Dodd 1882" cap found for the called northeast corner of Lot 13, being the southeast terminus of Milky Way Drive (50' right-of-way width), and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and the east terminus of Milky Way Drive, at a distance of 56.81 feet passing 0.11 feet left of a 1/2" rebar found for the called northeast terminus of Milky Way Drive, same being the southeast corner of Lot 12, Block B, The Preserve at River Place Section 2, and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and said Lot 12, at a distance 418.54 feet, passing 0.16 feet left of a 1/2" rebar with "Sam" cap found for the called northeast corner of Lot 12, being the southeast corner of Lot 3, Block A, Austin Christian Fellowship Phase Two Subdivision, a subdivision of

record in Document No. 200700102 of the Official Public Records of Travis County, Texas, and continuing with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and said Lot 3, for a total distance of 2669.87 feet to a concrete monument found, for a corner of Lot 3, same being in the south line of a 3.75 acre tract described in a deed to Eugene Marcus Banes, III and Emily Puckett Barnes, recorded in Volume 3909, Page 1174 of the Deed Records of Travis County, Texas, from which a cotton spindle found for an angle point in the south line of said 3.75 acre tract, same being a north line of said Lot 3, bears South 66°43'57" West, a distance of 24.90 feet;

THENCE with the common line of the 119.32 acre tract, the 40 acre tract, the 79.9 acre tract and the 3.75 acre tract, the following two (2) course and distances:

1. North 55°29'35" East, a distance of 6.09 feet to a concrete monument found;
2. North 20°03'33" West, a distance of 199.09 feet to a calculated point for the northwest corner of said 40 acre tract, being the southwest corner of a 40 acre tract described in a deed to the Veterans Land Board, recorded in Volume 2475, Page 123 of the Deed Records of Travis County, Texas, from which a concrete monument found for the called common corner of said 40 acre tracts bears North 61°46'22" West, a distance of 0.92 feet, and a 1/2" rebar found for an angle point in the west line of the 79.9 acre tract, being a common corner of said Lot 3 and the 3.75 acre tract, bears North 20°03'33" West, a distance of 116.43 feet;

THENCE South 61°46'22" East, crossing the 79.9 acre tract and the 119.32 acre tract, with the north line of the 40 acre tract described in Volume 5094, Page 2176 of the Deed Records of Travis County, Texas, being the south line of the 40 acre tract described in Volume 2475, Page 123 of the Deed Records of Travis County, Texas, passing a concrete monument found at a distance of 1597.21 feet and continuing, for a total distance of 1597.94 feet to a calculated point in the east line of the 79.9 acre tract, being the east line of the 119.32 acre tract, for the northeast corner of the 40 acre tract described in Volume 5094, Page 2176 of the Deed Records of Travis County, Texas, same being the southeast corner of the 40 acre tract described in Volume 2475, page 123 of the Deed Records of Travis County, Texas, also being in the west line of said 467.5 acre tract, from which a 60D nail found bears South 57°30'53" East, a distance of 2.85 feet, and a 1/2" rebar with "Chaparral" cap set for the northeast corner of the 79.9 acre tract, being the northeast corner of the 40 acre tract described in Volume 2475, Page 123 of the Deed Records of Travis County, Texas, same being a corner of said Lot 3, also being an angle point in the west line of the 467.5 acre tract, bears North 27°59'03" East, a distance of 923.50 feet;

THENCE South 27°59'03" West, with the common line of the 79.9 acre tract, the 119.32 acre tract, the 40 acre tract described in Volume 5094, Page 2176 of the Deed Records of Travis County, Texas and the west line of the 467.5 acre tract, at a distance of 1087.06 feet passing 0.40 feet right of a 1/2" iron pipe found, at 2228.97 feet passing 1.32 feet left of a 1/2" iron pipe found, and continuing, for a total distance of 2371.79

feet to the **POINT OF BEGINNING**, containing 42.064 acres of land, more or less.

Surveyed on the ground on April 28, 2015. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from The National Geodetic Survey (NGS) on-line positioning user service (OPUS) for Chaparral control point "P765". Attachments: Survey Drawing No. 759-011-TR2.

Eric J. Dannheim

6/05/2015

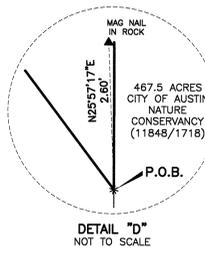
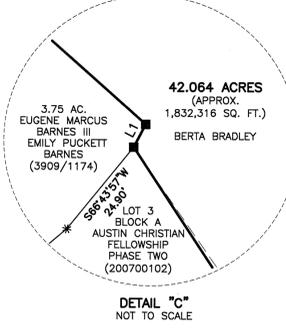
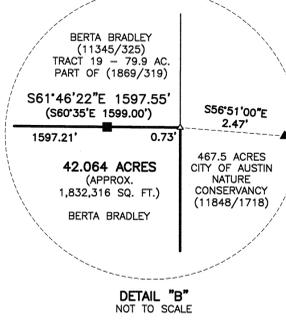
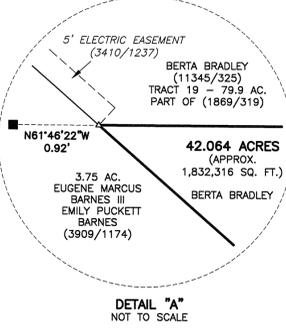
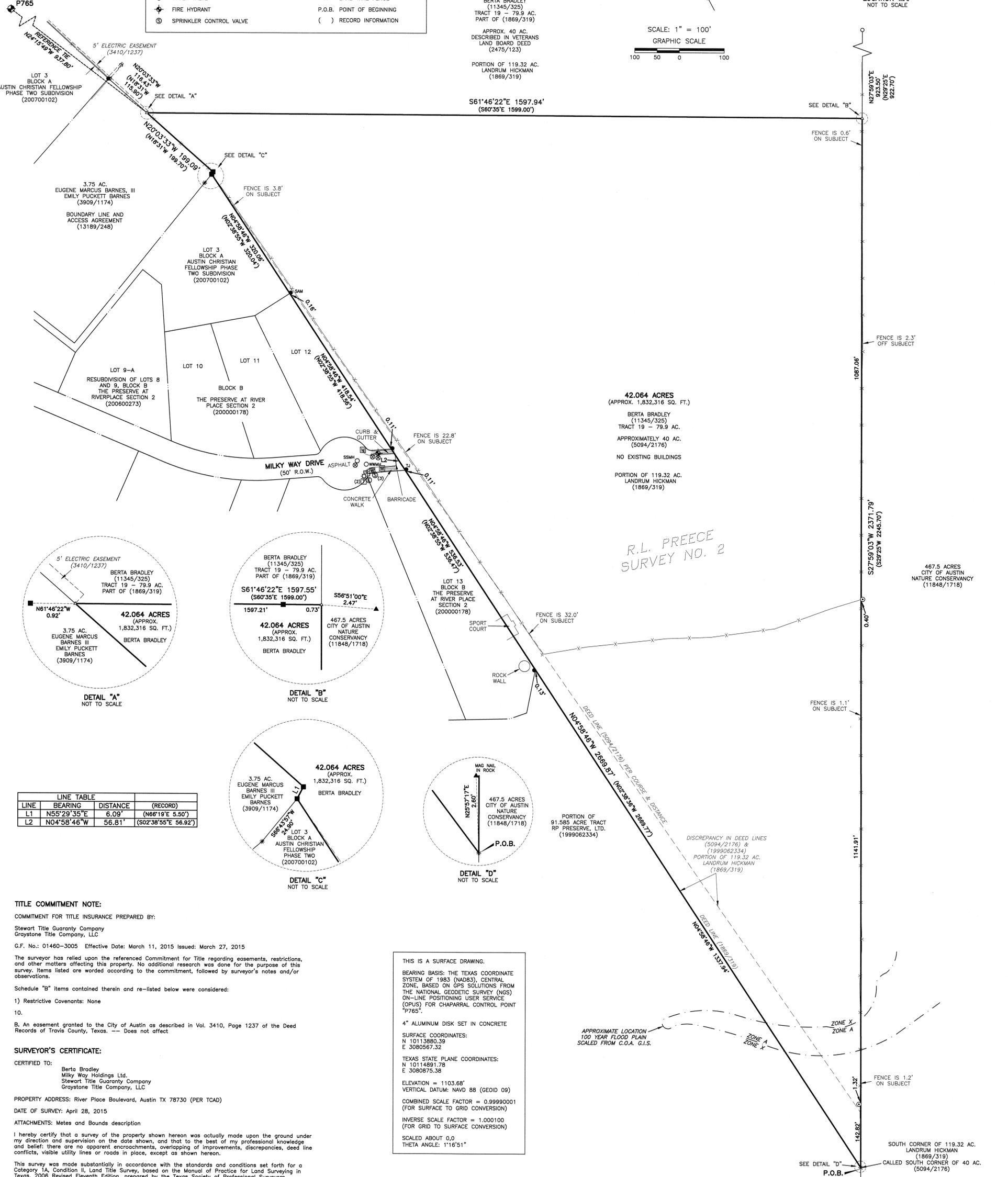
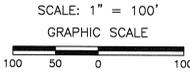
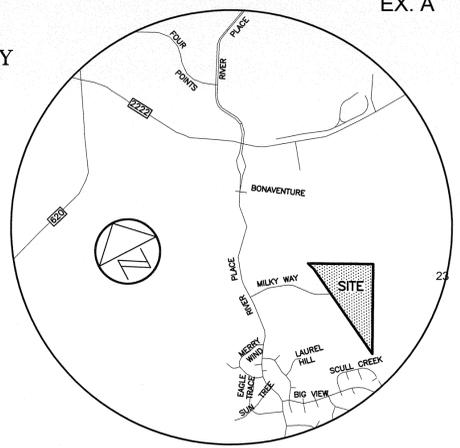
Eric J. Dannheim Date
Registered Professional Land Surveyor
State of Texas No. 6075
TBPLS Firm No. 10124500



A LAND TITLE SURVEY OF 42.064 ACRES (APPROXIMATELY 1,832,316 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 79.9 ACRE TRACT CONVEYED TO BERTA BRADLEY BY EXECUTOR'S DEED DATED DECEMBER 31, 1990 AND RECORDED IN VOLUME 11345, PAGE 325 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; FURTHER BEING ALL OF THAT 40 ACRE TRACT DESCRIBED IN A DEED OF RECORD IN VOLUME 5094, PAGE 2176 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 119.32 ACRE TRACT DESCRIBED IN A DEED TO LANDRUM HICKMAN OF RECORD IN VOLUME 1869, PAGE 319 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

EX. A

LEGEND	
●	1/2" REBAR FOUND
○	1/2" REBAR WITH "CHAPARRAL" CAP SET
⊙	1/2" IRON PIPE FOUND
■	CONCRETE MONUMENT FOUND
▲	60D NAIL FOUND (OR AS NOTED)
*	COTTON SPINDLE FOUND
SM●	1/2" REBAR WITH "SAM" CAP FOUND
TJ●	1/2" REBAR WITH "TJ DODD 1882" CAP FOUND
△	CALCULATED POINT
⊕	CONTROL POINT LOCATION
⊗	WATER METER
⊙	WATER VALVE
⊕	FIRE HYDRANT
⊙	SPRINKLER CONTROL VALVE
⊕	UTILITY POLE
—	GUY WIRE
—	OVERHEAD UTILITIES
⊕	ELECTRIC MANHOLE
⊕	ELECTRIC PULL BOX
⊕	LIGHT POLE
⊕	TELEPHONE UTILITY
⊕	WASTEWATER MANHOLE
⊕	STORMSEWER MANHOLE
⊕	MAILBOX
—	EDGE OF ASPHALT PAVEMENT
—	BARB WIRE FENCE
P.O.B.	POINT OF BEGINNING
()	RECORD INFORMATION



LINE	BEARING	DISTANCE	(RECORD)
L1	N55°29'35"E	6.09'	(N66°19'E 5.50')
L2	N04°58'46"W	56.81'	(S02°38'55"E 56.92')

TITLE COMMITMENT NOTE:
 COMMITMENT FOR TITLE INSURANCE PREPARED BY:
 Stewart Title Guaranty Company
 Graystone Title Company, LLC
 G.F. No.: 01460-3005 Effective Date: March 11, 2015 Issued: March 27, 2015
 The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.
 Schedule "B" items contained therein and re-listed below were considered:
 1) Restrictive Covenants: None
 10.
 B. An easement granted to the City of Austin as described in Vol. 3410, Page 1237 of the Deed Records of Travis County, Texas. -- Does not affect

SURVEYOR'S CERTIFICATE:
 CERTIFIED TO: Berta Bradley, Milky Way Holdings Ltd., Stewart Title Guaranty Company, Graystone Title Company, LLC
 PROPERTY ADDRESS: River Place Boulevard, Austin TX 78730 (PER TCAD)
 DATE OF SURVEY: April 28, 2015
 ATTACHMENTS: Metes and Bounds description
 I hereby certify that a survey of the property shown hereon was actually made upon the ground under my direction and supervision on the date shown, and that to the best of my professional knowledge and belief, there are no apparent encroachments, overlapping of improvements, discrepancies, deed line conflicts, visible utility lines or roads in place, except as shown hereon.
 This survey was made substantially in accordance with the standards and conditions set forth for a Category 1A, Condition II, Land Title Survey, based on the Manual of Practice for Land Surveying in Texas, 2006 Revised Eleventh Edition, prepared by the Texas Society of Professional Surveyors.

THIS IS A SURFACE DRAWING.
 BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "P765".
 4" ALUMINUM DISK SET IN CONCRETE
 SURFACE COORDINATES:
 N 10113880.39
 E 3080567.32
 TEXAS STATE PLANE COORDINATES:
 N 10114891.78
 E 3080875.38
 ELEVATION = 1103.68'
 VERTICAL DATUM: NAVD 88 (GEOID 09)
 COMBINED SCALE FACTOR = 0.99999001 (FOR SURFACE TO GRID CONVERSION)
 INVERSE SCALE FACTOR = 1.000100 (FOR GRID TO SURFACE CONVERSION)
 SCALED ABOUT 0.0
 THETA ANGLE: 1°16'51"

FLOOD-PLAIN NOTE:
 The tract shown hereon lies within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), and Zone "A" (no base flood elevations determined) as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48453C0240H, dated September 26, 2008, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

Eric J. Dannheim Date 6/05/2015
 Registered Professional Land Surveyor
 State of Texas No. 6075



Chaparral
 Professional Land Surveying, Inc.
 Surveying and Mapping
 3500 McCall Lane
 Austin, Texas 78744
 512-443-1724
 Firm No. 10124500

PROJECT NO.: 759-011
 DRAWING NO.: 759-011-TR2
 PLOT DATE: 06/05/15
 PLOT SCALE: 1" = 100'
 DRAWN BY: JDB
 SHEET 01 OF 01



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

EXHIBIT " B "

**(TEMPORARY CONSTRUCTION
EASEMENT)**

PORTION OF LOT 2, BLOCK A
AUSTIN CHRISTIAN FELLOWSHIP
PHASE TWO SUBDIVISION

**0.179 ACRE
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS**

24

A DESCRIPTION OF 0.179 ACRE (APPROXIMATELY 7,807 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269 TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A, AUSTIN CHRISTIAN FELLOWSHIP PHASE TWO SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200700102, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS (OPRTCT), CONVEYED TO LEANDER INDEPENDENT SCHOOL DISTRICT TRUSTEE BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2006178894, OPRTCT; SAID 0.176 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½-inch rebar with cap stamped "CHAPARRAL BOUNDARY" found on the southerly curving right-of-way line of the 0.371 acre street deed recorded in Document Number 2006241911, OPRTCT, being the southerly terminus of Sitio Del Rio Boulevard, as shown on said Austin Christian Fellowship Phase Two Subdivision, also being the westerly common corner of said Lot 2 and Lot 3, Block A of same;

THENCE with the curving north line of said Lot 2 and the curving southerly right-of-way line of said Sitio Del Rio Boulevard, to the right, having a radius of 71.00 feet, a delta angle of 26°45'29", an arc length of 33.16 feet, and a chord which bears South 34°36'55" West, a distance of 32.86 feet to the calculated northeast corner and **POINT OF BEGINNING** herein;

THENCE over and across said Lot 2, the following four (4) courses and distances:

1. South 14°10'52" East, a distance of 57.86 feet to a calculated angle point,
2. South 29°48'40" West, a distance of 30.81 feet to a calculated angle point,
3. South 14°10'52" East, a distance of 42.73 feet to a calculated angle point, and

4. South 29°48'40" West, a distance of 27.00 feet to the calculated southeast corner, being on a south line of said Lot 2, same being a north line of said Lot 3; and from which point a ½-inch rebar with a cap stamped "CHAPARRAL BOUNDARY" found for an angle point on the common line of said Lot 2 and said Lot 3 bears South 62°07'16" East, a distance of 612.22 feet;

THENCE North 62°07'16" West, with the common line of said Lot 2 and said Lot 3, a distance of 60.53 feet to the calculated southwest corner; and from which point a ½-inch rebar with a capped stamped "CHAPARRAL BOUNDARY" found for an angle point on the common line of said Lot 2 and said Lot 3, bears North 62°07'16" West, a distance of 74.59 feet;

THENCE over and across said Lot 2, the following four (4) courses and distances:

1. North 29°48'40" East, a distance of 4.60 feet to a calculated angle point,
2. North 14°10'52" West, a distance of 42.73 feet to a calculated angle point,
3. North 29°48'40" East, a distance of 30.81 feet to a calculated angle point, and
4. North 14°10'52" West, a distance of 30.70 feet to the calculated northwest corner, being on the southerly curving right-of-way line of said 0.371 acre street deed and Sitio Del Rio Boulevard, same being a north line of said Lot 2;

25

THENCE with the southerly curving right-of-way line of said 0.385 acre street deed and said Sitio Del Rio Boulevard, to the left, having a radius of 71.00 feet, a delta angle of 50°29'23", an arc length of 62.57 feet, and a chord which bears North 73°14'21" East, a distance of 60.56 feet to the **POINT OF BEGINNING**, containing 0.179 acre of land.

Surveyed on the ground January, 2007. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from The National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 759-011-TCE1_R1

Bryan D. Newsome *08 February*
2024
Bryan D. Newsome Date
Registered Professional Land Surveyor
State of Texas No. 5657
TBPLS Firm No. 10124500



REFERENCES
TCAD Property ID# 75534
Austin Grid map D-32

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.179 ACRE (APPROXIMATELY 7,807 SQ. FT.), IN THE R.L. PREECE SURVEY NO. 2, ABSTRACT NO. 2269 TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK A AUSTIN CHRISTIAN FELLOWSHIP PHASE TWO SUBDIVISION A SUBDIVISION RECORDED IN DOCUMENT NO. 200700102 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND CONVEYED TO LEANDER INDEPENDENT SCHOOL DISTRICT TRUSTEE BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2006178894 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND	
● ^{CH}	1/2" REBAR WITH "CHAPARRAL" CAP FOUND
△	CALCULATED POINT
()	RECORD INFORMATION

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S14°10'52"E	57.86'
L2	S29°48'40"W	30.81'
L3	S14°10'52"E	42.73'
L4	S29°48'40"W	27.00'
L5	N62°07'16"W	60.53'
L6	N29°48'40"E	4.60'
L7	N14°10'52"W	42.73'
L8	N29°48'40"E	30.81'
L9	N14°10'52"W	30.70'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	71.00'	26°45'29"	33.16'	S34°36'55"W	32.86'
C2	71.00'	50°29'23"	62.57'	N73°14'21"E	60.56'



08 February 2021
Chaparral

DATE OF SURVEY: January, 2007
 PLOT DATE: 12/11/2020
 DRAWING NO.: 759-011-TCE1_R1
 PROJECT NO.: 759-011
 T.B.P.L.S. FIRM NO. 10124500
 DRAWN BY: RGH
 SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 759-011-TCE1_R1

3.78 AC
CITY OF AUSTIN
10105/253

SITIO DEL RIO BLVD.
(70' R.O.W.)
(100/170)

LOT 1, BLOCK A AMENDED
PLT OF BLOCK A, LOTS 6
AND 10 TWENTY-TWO
TWENTY-TWO BUSINESS PARK
(200000317)



1" = 50'

0.371 ACRE
STREET DEED
DOC. NO.
2006241911

P.O.C.

LOT 3
BLOCK A

AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

27

LOT 2
BLOCK A
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

LEANDER
INDEPENDENT
SCHOOL DISTRICT
(2006178894)

P.O.B.

TEMPORARY CONSTRUCTION
EASEMENT
0.179 ACRES
APPROX. 7,807 SQ. FT.

LOT 2
BLOCK A
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102

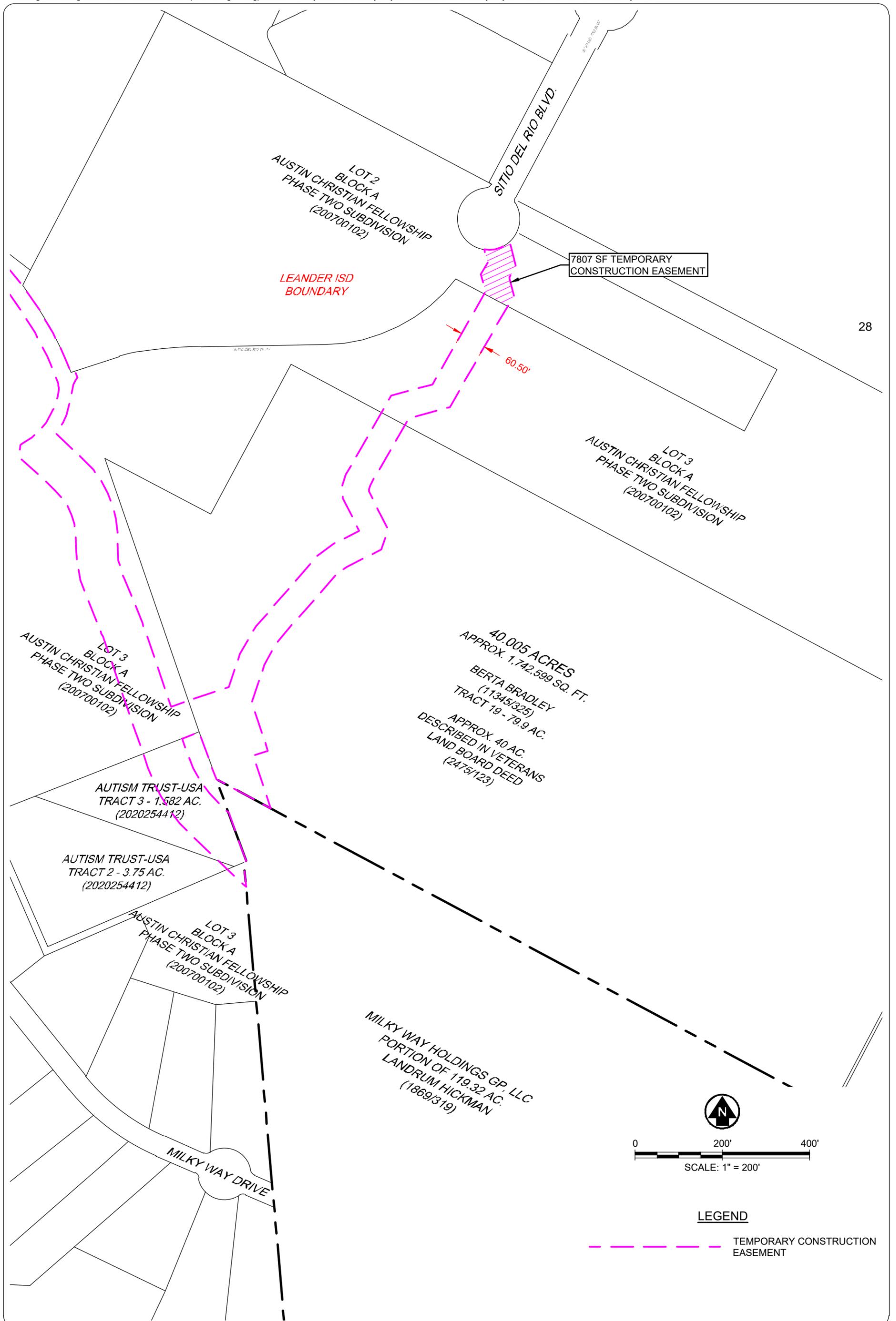
LEANDER
INDEPENDENT
SCHOOL DISTRICT
(2006178894)

N62°07'16"W
74.59'

R.L. PREECE SURVEY NO. 2,
ABST. NO. 2269

S62°07'16"E 612.22'

LOT 3
BLOCK A
AUSTIN CHRISTIAN
FELLOWSHIP PHASE
TWO SUBDIVISION
DOC. NO.
200700102



<p>EX B</p>	<p>LEANDER ISD EASEMENT LAYOUT PARCEL MAP</p>	<p>MILKY WAY AT RIVER PLACE AUSTIN, TRAVIS COUNTY, TEXAS</p>	<p>MILKY WAY HOLDINGS GP, LLC</p>	 <p>6805 N. CAPITAL OF TEXAS HIGHWAY SUITE 315 AUSTIN, TEXAS 78731 TEL. (512) 758-7474 TBPE FIRM NO. F-18129</p>
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AFFIDAVIT OF NO LIENS
[OWNERSHIP TYPE - ENTITY]

Date: _____

Affiant: _____

Affiant Title: Superintendent, Leander Independent School District

Owner: The person or entity in the Grant Document that is the holder of title to the Property.

Grant Document: The document to which this Affidavit of No Liens is attached and referred to.

Property: The property identified in the Grant Document that is the subject of the Grant Document.

Affiant on oath swears or affirms that the following statements are true and are within the personal knowledge of Affiant:

My name is set forth above as Affiant. In my capacity listed above as Affiant Title, I am authorized by the Owner to make this affidavit. I am above the age of eighteen years, have never been convicted of a felony or a crime of moral turpitude, am of sound mind and am fully qualified to make this affidavit. I have personal knowledge of the facts contained in this affidavit in my capacity with the Owner that holds title to the Property, I have recently reviewed the Owner's records of ownership concerning the Property, and on the basis of this personal knowledge, after diligent inquiry, as of the date of this affidavit, I attest that:

1. Owner holds title to the Property;
2. there is no lien not subordinated to the Grant Document held by any person, including any bank or similar financial institution, against the Property;
3. there is no lease not subordinated to the Grant Document entered into with any person with respect to the Property;
4. all labor, services, and materials (the "**Labor and Materials**") provided to the Property for improvements, fixtures, and furnishings, or otherwise, at the instance and request of Owner, have been paid in full and no liens with respect to the Labor and Materials have been filed or exist with respect to the Property;

5. there are no actions, proceedings, judgments, bankruptcies, liens not subordinated to the Grant Document, or executions filed or pending against the Owner that would affect the Property; and
6. the Owner is not a debtor in bankruptcy.

Executed effective the Date first above stated.

LEANDER INDEPENDENT SCHOOL DISTRICT

By: _____
 Name: _____
 Title: Superintendent

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned notary, on this day personally appeared _____, Superintendent of Leander Independent School District, known to me through valid identification to be the person whose name is subscribed to the preceding instrument and acknowledged to me that the person executed the instrument in the person's official capacity for the purposes and consideration expressed in the instrument.

Given under my hand and seal of office on _____.

[Seal]

 Notary Public, State of Texas

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Monday, July 5, 2021

Agenda Item: Consider Approval of Change to the September 2021 Regular Board Meeting Schedule

Purpose (this meeting): Discussion Item/Report Only Action Requested

Administrator Responsible: Bruce Gearing

Attachments: N/A

Background Information:

At the September 24, 2020 Board meeting, the Board of Trustees approved the Regular Board meeting schedule for October 2020 through June 2021. The approved schedule included September 2021 meeting dates of September 9 and September 23.

Due to a conflict with the TASA/TASB Convention, the Board will consider revising the September 2021 meeting schedule to move the second regular meeting from September 23 to September 30.

Administrative Recommendation:

Administration recommends the Board revise the September 2021 meeting schedule to move the second regular meeting from September 23 to September 30.

Sample Motion:

I move the Board revise the September 2021 meeting schedule to move the second regular meeting from September 23 to September 30.



Superintendent's Report

August 5, 2021

|

Board of Trustees Meeting

2021-22 Enrollment

Registration opened for all new and returning students.

	2021-22			
Pre-Kindergarten*	938 (+73)			
Kindergarten	2,681 (+409)			
First Grade	2,846 (+8)			
		2020-21	Budget	PASA
District	42,864 (+729)	40,736 (105%)	41,749 (103%)	43,951 (98%)
				33

Green/Red numbers indicate the growth/decline of the data point since the last Superintendent's Report on July 22. The percentages show how current enrollment compares to the corresponding data point.

Updated: Aug. 5, 2021

COVID Update

APH, WCCHD elevate concern regarding community viral spread

Virtual Learning

- 305 students
- 1,379 students on waitlist

Health Protocols

- Contact Tracing
- Notifications
- Mask Recommendations



www.leanderisd.org/covid19

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Second Special Session is set to start on Saturday

“As for education during the pandemic, Abbott is asking lawmakers to pass legislation that "in-person learning is available for any student whose parent wants it." He also wants legislation that ensures that masks and vaccinations are not mandatory in schools, which he has already ordered through executive action.” Texas Tribune (08/05/21)

DSHS Emergency order from Monday: 25 TAC Section 97.7 Diseases Requiring Exclusion from Schools

(a) The school administrator shall exclude from attendance any child having or suspected of having a communicable condition. Exclusion shall continue until the readmission criteria for the conditions are met. The conditions and readmission criteria are as follows:

36

COVID-19 has now been added to the list of communicable conditions.

Remote conferencing is allowed for these students

<https://tea.texas.gov/sites/default/files/covid/remote-conferencing-faq.pdf>

Students (including regular education students) who are positive for COVID or are a close contact can get instruction through remote conferencing and generate ADA.

Two requirements must be met:

- The student is unable to attend school because of a temporary medical condition.
- The total amount of remote conferencing instruction does not exceed more than 20 instructional days over the entirety of the school year.

In addition, one of the following requirements also must be met:

- The student's temporary medical condition is documented by a physician licensed to practice in the United States. The documentation must include a statement from the physician that the student is to remain confined to their home or to a hospital.
- The student has a positive test result for a communicable condition listed in 25 TAC §97.7.
- The student has been identified as having been in close contact with COVID-19.

If the documented temporary medical condition persists longer than 20 instructional days over the entirety of the school year, a waiver request must be submitted for an extension of remote conferencing beyond the allowable cumulative 20 instructional day period.

Students participating through remote conferencing ***will generate attendance*** according to the ***two-through-four-hour rule*** and based on whether the student is ***virtually “present” at the official attendance-taking time***. Instruction must be provided synchronously, which means twoway, real-time/live virtual instruction between teachers and students. The ***instruction cannot be concurrent***, which means remote students must not be taught by a teacher who is also teaching in-person students at the same time.

Dr. Sarah Martinez

“I think we allow the system to dictate the possibilities rather than allowing the possibilities that emerge from the needs to drive the system.”

**“We will have arrived
when we move from
*individually doing
the best we can
for learners*
to
do everything we
collectively can for
each individual
learner.”**

Matt Calkins
Principal, Deer Creek
Elementary School

Respect

“In order to learn and thrive, students need to experience respect as valued people and thinkers. This experience of respect cannot come from interpersonal interactions alone, although relationships are critical. It must also be embedded in practices, policies, and norms that communicate to every student that they are valued as a person and thinker by their institution and by the education system.”

[\(From the Student Experience Research Network\)](#)

Upcoming Events

	Date	Notes
Returning Staff Start	August 5	First official day back on campus for teachers and most school staff.
Convocation	August 6	Watch Party model with campuses and departments watching a live stream from their campuses at a centralized location.
First Day of School	August 12	#1LISD returns for 2021-22 school year
Danielson Dedication Ceremony	August 25	Celebrate the opening of our 9th middle school and its namesake.
Tarvin Dedication Ceremony	September 11	Celebrate the opening of our 28th elementary school and its namesake.
LEEF Mudstacle	September 18	Hosting our annual Mudstacle fun run at Vista Ridge, raising money for teachers and students through LEEF.

Discussion

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item:	Consider Approval of Student Code of Conduct
Purpose (this meeting):	<input type="checkbox"/> Discussion Item/Report Only <input checked="" type="checkbox"/> Action Requested
Action Requested (future meeting):	Thursday, August 5, 2021
Administrator Responsible:	Bryan Miller & Paula Martinez
Attachments:	2021 -2022 Student Code of Conduct Draft

Background Information:

Each school year the Leander ISD Board of Trustees approves the Student Code of Conduct (SCOC). Updates to the 2021-2022 SCOC reflect recommendations from the Texas Association of School Board's (TASB) Model SCOC. In legislative years, TASB updates their model SCOC in mid-July resulting in a delay to bring Leander's SCOC to the Board for approval. We are asking for action at the August 5th, 2021 Board meeting to expedite publishing to our community.

Additions to the 2021-2022 SCOC are **underlined and highlighted in yellow with red text** and deletions are **red strikethrough**. There are not any recommended changes to the 2021-2022 Dress Code section of the Student Code of Conduct.

Below are the bills that affect the SCOC and include the page number where the updates are reflected.

- **House Bill (HB) 375** amends the offense of continuous sexual abuse of a young child or children under Texas Penal Code 21.02 to include continuous sexual abuse of "a disabled individual" and amends the name of the offense to reflect this change. **Changes reflected on pages 23, 24, 36, and 45.**
- **HB 957** removes a firearm silencer from the list of prohibited weapons in Texas Penal Code 46.05. The bill also repeals the definition of a firearm silencer from Chapter 46 of the Texas Penal Code and adds a chapter to the Texas Government Code regarding firearm suppressor regulation. **Changes reflected on pages 14, 26, 40, and 42.**
- **Senate Bill (SB) 248** expands the definition of e-cigarette under Texas Health and Safety Code 161.081 to include a consumable liquid solution or other material aerosolized or vaporized during the use of an e-cigarette or other device, as defined by law. **Changes reflected on pages 14 and 39.**
- **SB 530** expands the offense of harassment under Texas Penal Code 42.07 to include publishing on a website, including a social media platform, repeated electronic communications that are reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law. **Changes reflected on page 41.**
- **SB 768** creates a new penalty group under the Texas Controlled Substances Act for fentanyl and related substances. **Changes reflected on page 38.**

Other changes reflected were recommended language updates from TASB's Model SCOC and are found on **pages 8, 14, and 15.**

Administrative Recommendation:

Administration recommends the Board adopt the proposed 2021-2022 Student Code of Conduct as presented.

Sample Motion:

I move the Board adopt the 2021-2022 Student Code of Conduct as presented.

STUDENT CODE OF CONDUCT

CONDUCT AND DISCIPLINE

The information on the following pages is VERY important! Please make certain that you read and understand the Student Code of Conduct section.

ACCESSIBILITY PURPOSE

If you have difficulty accessing the information in this document because of disability, please contact Student Support Services at 512-570-0150.

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

The Student Code of Conduct ("Code") is the District's response to the requirements of [Chapter 37](#) of the Texas Education Code and is subject to change as the result of changes in the law or legislative action.

The Student Code of Conduct provides methods and options for managing students in the classroom and on school grounds, disciplining students, and preventing and intervening in student discipline problems.

The law requires the District to define misconduct that may, or must, result in a range of specific disciplinary consequences including removal from a regular classroom or campus, out-of-school suspension, placement in a disciplinary alternative education program (DAEP), or expulsion from school to a juvenile justice alternative education program (JJAEP).

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

Per state law, the Code shall be posted at each school campus or shall be available for review at the office of the campus principal. Additionally, the Code shall be posted on the District's website @ <http://www.leanderisd.org>. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP, or expelled to a JJAEP.

Because the Student Code of Conduct is adopted by the District's Board of Trustees, it has the force of policy; therefore, in case of conflict between the Code and the student handbook, the Code shall prevail.

Please Note: The discipline of all students with disabilities who are eligible for services under federal law (Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

INDEX

This code contains the following topics:

Section I: Ethical Principles/Expected Behaviors

- Ethical Principles
- Standards for Student Conduct

Section II: School District Authority and Jurisdiction

- Campus Behavior Coordinator
- Authority and Jurisdiction
- School Resource Officers
- Questioning of Students and Searches
- Threat Assessment Team
- Transfers
- Unauthorized Persons
- Behavior, Consequences, and Techniques
- Parental Questions, Consequences, or Appeals

Section III: Dress Code

Section IV: General Misconduct Violations

- Mistreatment of Others
- Misuse of Property
- Possession of Prohibited Items
- Misuse of Technology
- Misuse of Illegal Prescription and/or Over the Counter Drugs
- Safety
- Miscellaneous Offenses
- Discipline Management Techniques
- Students with Disabilities
- Discipline Management Techniques
- Out-of-School Suspension
- Notification
- Routine Referral
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Section V: Placement in a Disciplinary Alternative Education Program

- LEO
- Removal to a DAEP

-DAEP Discretionary Placement

- Part A – Reasons for Discretionary DAEP Placement

-DAEP Mandatory Placement

- Part B – Reasons for Mandatory DAEP Placement

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-Discretionary Expulsion

- Part A – Reasons for Discretionary Expulsions

-Mandatory Expulsion

- Part B – Reasons for Mandatory Expulsions

-Placement and/or Expulsion for Certain Offenses

- Registered Sex Offenders
- Certain Felonies

Section VII: Procedures

-DAEP Placement

- Appeal to DAEP Placement
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- Removal by Campus Administrator
- Conference
- Placement Order
- Coursework Notice
- Length of Placement
- Returning Student to Classroom
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- Expulsion Hearing
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- DAEP Placement of Expelled Students
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- Drug-Free Notice
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- Parental Questions, Concerns, or Appeals

Section I: Ethical Principles/Expected Behaviors

ETHICAL PRINCIPLES

The following ten major ethical values form a philosophical basis for ethical judgment and define the moral duties and virtues implicit in ethical behavior. Leander ISD is committed to these principles.

- **Honesty** - a good faith intent to be truthful, accurate, straight-forward, and fair in all communications.
- **Concern for Others** - concern for the well-being of all those affected by their actions by being caring, considerate, and compassionate.
- **Integrity** - acting in ways that are consistent with core beliefs.
- **Accountability** - be accountable and accept personal responsibility.
- **Promise-Keeping** - trustworthiness by keeping promises and fulfilling commitments.
- **Law Abidance/Civic Duty** - act as responsible citizens and uphold the rule of law.
- **Loyalty** - a special moral responsibility to promote and protect the interest of certain people, organizations, or governments.
- **Respect for Others** - honoring the rights of others and treating others with courtesy and decency.
- **Fairness** - making impartial decisions, demonstrating a commitment to justice, correcting mistakes, and refusing to take unfair advantage of others.
- **Pursuit of Excellence** - seek to perform their duties with excellence.

STANDARDS FOR STUDENT CONDUCT

To promote a positive educational experience for all students, the District expects students to adhere to **seven basic standards for conduct**. Each student is expected to:

- Exercise self-control, self-respect, and self-discipline
- Demonstrate a positive attitude
- Respect the rights and feelings of others
- Respect school property
- Support the learning process
- Adhere to all campus and classroom rules
- Promote a safe environment

Section II: School District Authority and Jurisdiction

All students are entitled to enjoy the basic rights of citizenship recognized and protected by law for persons of their age and maturity. District schools shall foster a climate of mutual respect for the rights of others. Each student is expected to respect the rights and privileges of other students, teachers, and District staff. Students shall exercise their rights responsibly, in compliance with rules established for the orderly conduct of the District's educational mission. The District's rules of conduct and discipline are established to achieve and maintain order in the school.

CAMPUS BEHAVIOR COORDINATOR

As required by law, campuses must designate campus behavior coordinators (CBC's). The District designates campus assistant principals (or the principal if an assistant principal is not available) as the campus behavior coordinators. The CBC's are responsible for maintaining student discipline. The District maintains a current list of assistant principals serving as CBC's on the Leander ISD Student Support Services website @ <http://www.leanderisd.org>.

AUTHORITY AND JURISDICTION

A student, whose behavior shows disrespect for others, including interference with their access to a public education and a safe environment shall be subject to disciplinary action. School rules and the authority of the District to administer discipline apply whenever the interest of the school or District is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The District has disciplinary authority over a student:

1. During the regular school day and while the student is going to and from school or a school-sponsored or school-related activity on District transportation;
2. During lunch periods in which students, in select courses, are allowed to leave campus;
3. While the student is in attendance at any school-related activity, regardless of time or location;
4. For any school-related misconduct, regardless of time or location;
5. When retaliation against a school employee, board member, or volunteer occurs or is threatened, regardless of time or location;
6. When a student engages in bullying/cyberbullying as provided by [Texas Education Code 37.0832](#);
7. When criminal mischief is committed on or off school property or at a school-related event;
8. For certain offenses committed within 300 feet of school property as measured from any point on the school's real property boundary line;
9. For certain offenses committed while on school property or while attending a school-sponsored or school-related activity of another district in Texas;
10. When the student commits a felony, as provided by [Texas Education Code 37.006 or 37.0081](#);
and
11. When the student is required to register as a sex offender.

EXPECTATIONS FOR REPORTING OFFENSES/ CRIMES

Anytime someone has information about a student in Leander ISD experiencing any form of mistreatment or about any potential danger to any student or staff member of the school, the expectation is for the information to be reported directly to campus administration. However, if the information is shared with any other staff member, he/she will then report to campus administration.

School administrators shall report crimes as required by law and shall call local law enforcement when an administrator suspects a crime has been committed on campus.

**SCHOOL
RESOURCE
OFFICERS
(SRO'S)**

To support the safety, security, and protection of students, staff, and property, the Board employs school resource officers (SRO's). Per law, the Board has coordinated with the campus behavior coordinators and other District employees to ensure appropriate law enforcement duties are assigned to security staff. The law enforcement duties of District peace officers are listed in policy [CKE\(LOCAL\)](#). The law enforcement duties of school resource officers are to implement the District's comprehensive safety programs. All SRO's shall receive at least the minimum amount of education and training required by law.

**QUESTIONING OF
STUDENTS AND
SEARCHES**

To aid in maintaining a safe and secure campus environment, students may, on occasion, be questioned by administrators and other professional personnel (i.e. teachers, nurses, counselors, parking lot attendants, etc.), or law enforcement officials without the presence of a parent or guardian. This is per District policies [FNF](#) and [GRA \(LOCAL\)](#). In addition, students may be asked to provide a written statement to administrators without the presence of or permission from a parent or guardian. When a student's statement is provided to law enforcement, the officer must sign a form acknowledging the receipt of the statement. If a student is questioned by law enforcement and/or asked to provide a written statement to law enforcement, a reasonable attempt shall be made to notify the student's parents or guardians promptly. In addition, an administrator will be present at the time of questioning when permitted.

District officials may conduct searches of students, their belongings, and their vehicle per state and federal law and District policy. Searches of students shall be conducted in a reasonable and nondiscriminatory manner. A student's clothing, personal property, electronic equipment, method of transportation, or school property used by the student (such as lockers or desks) may be searched when there is reasonable suspicion to believe the search shall reveal articles or materials prohibited by the District. Students are responsible for ensuring that any personal property, method of transportation, or school property used by the student does not contain prohibited items. Students may be disciplined for possession of prohibited items discovered during a search. Refer to the District's Student Handbook, policy [FNF\(LEGAL\)](#), and policy [FNF \(LOCAL\)](#) for more information regarding investigations and searches.

Vehicles parked on school property, desks, purses, electronic equipment, and book bags brought into the District or to a District-sponsored event, and lockers assigned to students are under the jurisdiction of the school. Searches of vehicles, desks, purses, electronic equipment, or book bags may be conducted at any time there is reasonable suspicion to do so, with or without the presence of the student.

Students have full responsibility for the security of their vehicles and lockers and, therefore, need to make certain they are locked and that the keys/combinations are not given to others. Students shall be held responsible for any prohibited objects or substances, such as alcohol, drugs, or weapons that are found in any locations under their control including their cars/lockers. Students shall not place, keep, or maintain any article or material in school-owned lockers that are forbidden by District policy or that would lead school officials to reasonably believe that it would cause a substantial disruption on school property or at a school-sponsored function. Students shall be subject to disciplinary action by the District, as well as referral for criminal prosecution for prohibited objects or substances. School officials may randomly search lockers for articles or materials prohibited by District policy.

To keep the workplace and schools free of drugs and weapons, the District may use specially trained non-aggressive dogs to sniff out and alert to the current presence of concealed prohibited items, illicit substances, and alcohol. This program is implemented in response to drug and alcohol use problems in District schools and to maintain a safe school environment conducive to education. Visits to schools shall be unannounced. The dogs shall be used to sniff the air in vacant classrooms, in vacant common areas, around student lockers, and around vehicles parked on school property. In addition, the dogs may be used to sniff in classrooms, school buses, or other areas under District control after students have been directed to vacate and leave their belongings behind. The dogs shall not be used with students. If a dog alerts to a locker, a vehicle, or an item in a classroom,

school bus, or other areas under District control, it may be searched by school officials. If a dog alerts on a location under the student's control, all other locations under the student's control shall be subject to search. Searches of vehicles shall be conducted as described above. The dog's official handler or designee shall determine what constitutes a detection or alert by the dog.

The search will be conducted by a school official or by a representative from a governmental agency (i.e. school resource officer or police.)

The District's policies and the Student Code of Conduct provide a range of disciplinary sanctions for alcohol and drug-related offenses. Students may be referred to appropriate law enforcement officials for criminal prosecution. Procedural requirements for the imposition of suspension and expulsion are set out in the District's policies.

**THREAT
ASSESSMENT
TEAM**

The campus behavior coordinator or other appropriate administrators will work closely with the campus threat assessment team to implement the District's threat assessment procedures, as required by law, and shall take appropriate disciplinary action per the Code of Conduct.

TRANSFERS

The District has the right to revoke the transfer of a nonresident student for violating the District's Code. In addition, the District also has a process for revoking in-District transfers (see campus administrator for details).

**UNAUTHORIZED
PERSONS**

Under [Texas Education Code 37.105](#), a school administrator, school resource officer (SRO), or District police officer shall have the authority to refuse entry or eject a person from District property if the person refuses to leave peaceably on request and:

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

Appeals regarding the refusal of entry or ejection from District property may be filed under [FNG \(LOCAL\)](#) or [GF \(LOCAL\)](#), as appropriate.

**BEHAVIORS,
CONSEQUENCES,
AND
TECHNIQUES**

In general, discipline shall be designed to correct the misconduct and to encourage adherence by all students to their responsibilities as citizens of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and a range of discipline management techniques. Disciplinary action shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, previously tried discipline management techniques, whether a student was reasonably acting in self-defense, and statutory requirements. Because of these factors, discipline for an offense (unless otherwise specified by law) may bring into consideration varying techniques and responses.

The safety of students is a priority and goal for the District. All stakeholders (staff, students, parents, and community members) must assist the District in creating and maintaining a safe and orderly environment free of bullying, teasing, harassment, violence, weapons, etc. We appreciate all help and support in assisting the District to reach this goal.

The list of prohibited behaviors and possible consequences are listed in the next five (5) sections of the Student Code of Conduct. Those sections are Dress Code, General Misconduct Violations, Placement in a Disciplinary Alternative Education Program, Expulsion, and Procedures.

Please note: In addition to the rules/ behaviors listed in this Student Code of Conduct, the District also has campus, classroom, and District transportation rules. These rules may be listed in the other parts of the Student and Parent Handbook, given directly to the students, or posted in

classrooms or on District transportation vehicles. These other rules may or may not constitute violations of this Student Code of Conduct.

**PARENTAL
QUESTIONS,
CONCERNS, OR
APPEALS**

Questions from parents regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed under policy [FNG \(LOCAL\)](#). A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the Central Administration Office, or through Policy on Line at the following address: www.leanderisd.org.

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

Section III: Dress Code

DRESS CODE

Our Philosophy:

The Leander Independent School District's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff will enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law per [FFH\(LOCAL\)](#).

Our Values:

- All students should be able to dress comfortably for school and engage in the educational environment without fear of unnecessary discipline or body shaming.
- All students and staff are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.
- Student dress code enforcement should not result in unnecessary barriers to school attendance.
- School staff will use student/body-positive language to explain the code and to address code violations.

Our Goals:

- Ensure that all students are treated equitably regardless of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law per [FFH\(LOCAL\)](#).
- Maintain a safe learning environment in classes where protective or supportive clothing is needed (e.g. physical activity, science, or CTE courses).
- Allow students to wear clothing of their choice that is comfortable.
- Allow students to wear clothing that expresses their self-identified gender.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Allow students to wear their hair naturally or styled, including hair textures and hairstyles that are commonly associated with race or national origin, without fear of discipline or discrimination.
- Ensure students' clothing or accessories do not interfere with the operation of the school, disrupt the educational process, invade the rights of others, or create a reasonably foreseeable risk of such interference or invasion of rights.

Dress Code

All students will dress in a way that is appropriate for the school day or any school-sponsored event. Student dress choices should respect the District's intent to sustain a community that is inclusive of a diverse range of identities. The primary responsibility for a student's attire resides with the student and their parent(s) or guardian(s). Any restrictions on the way a student dresses must be necessary to support the overall educational goals of the school and must be explained within this dress code. These dress code guidelines apply to regular school days, summer school days, and any school-related events and activities.

- 1. Basic Principle: Certain body parts must be covered for all students at all times.** Clothes must be worn in a way such that genitals, buttocks, breasts/chest, and nipples are fully covered with opaque (not see-through) fabric. However, cleavage does not have coverage requirements. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.
- 2. Students MUST Wear* while following the basic principle of Section 1 above:**
 - a. A Shirt (with fabric in the front, back, on the sides under the arms, and has a minimum of one strap), AND
 - b. Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress, or shorts), AND
 - c. Shoes.

*Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress but should not focus on covering bodies in a particular way or promoting culturally specific attire. Activity-specific shoe requirements are permitted (for example, athletic shoes for PE).

- 3. Students MAY Wear while following the basic principle of Section 1 above:**
 - a. Hats facing straight forward or straight backward. Hats must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff.
 - b. Religious attire including headwear.
 - c. Hoodie sweatshirts (wearing the hood overhead is allowed, but the face must be visible to school staff).
 - d. Fitted pants, including opaque (not see-through) leggings, yoga pants, and “skinny jeans”.
 - e. Ripped jeans, as long as underwear and buttocks are not exposed.
 - f. Tank tops, including spaghetti straps; halter tops.
 - g. Athletic attire.

- 4. Students Cannot Wear:**
 - a. Clothing or accessories that reasonably can be construed as being or including content that is racist, lewd, vulgar, obscene, or that reasonably can be construed as containing fighting words, speech that incites others to imminent lawless action, defamatory speech, or threats to others.
 - b. Clothing or accessories with violent or offensive images or language, including profanity, hate speech, and pornography.
 - c. Images or language depicting/suggesting drugs, alcohol, vaping, or paraphernalia (or any illegal item or activity).
 - d. Images or language that creates a hostile or intimidating environment based on any protected class or marginalized groups.
 - e. Bulletproof vests, body armor, tactical gear, or clothing resembling these items.
 - f. Clothing that reveals visible undergarments (visible waistbands and visible straps are allowed)
 - g. Swimsuits (except as required in class or athletic practice).
 - h. Any item that obscures the face (except as a religious observance).

Dress Code Enforcement

To ensure effective and equitable enforcement of our dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have the discretion to vary the requirements in ways that lead to discriminatory enforcement.

1. Students should not be shamed or required to display their bodies in front of others (students, parents, or staff) in school. “Shaming” includes, but is not limited to:
 - a. kneeling or bending over to check attire fit;
 - b. measuring straps or skirt length;
 - c. asking students to account for their attire in the classroom or hallways in front of others;
 - d. calling out students in spaces, hallways, or classrooms about perceived dress code violations in front of others; in particular, directing students to correct sagged pants that do not expose the entire undergarment, or confronting students about visible bra straps, since visible waistbands and straps on undergarments are permitted; and,
 - e. accusing students of “distracting” other students with their clothing.

2. Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Sections 1 and 4 above. Students in violation of Section 1 and/or 4 will be provided three (3) options to be dressed to code during the school day:
 - a. Students will be asked to put on their alternative clothing, if already available at school, to be dressed to code for the remainder of the day;

- b. Students will be provided with temporary school clothing to be dressed to code for the remainder of the day; or
- c. If necessary, students' parents may be called during the school day to bring alternative clothing for the student to be dressed to code for the remainder of the day.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact Student Support Services at 512-570-0152.

Exceptions

Exceptions to these dress requirements can be made by the school administration to allow students to observe religious customs or beliefs and to accommodate medical or health needs.

Section IV: General Misconduct Violations

The categories of conduct below are prohibited at school, in vehicles owned or operated by the District, and at all school-related activities, but the list does not include the most severe offenses. In the subsequent sections on out-of-school suspension, DAEP placement, placement and/or expulsion for certain offenses, and expulsion, certain offenses that require or permit specific consequences are listed. Any offense, however, may be severe enough to result in removal from the regular education setting as detailed in that section.

Note: Students engaging in the offenses under Section IV shall be processed by the school administration and may also involve being processed by the School Resource Officer (SRO), as permitted by State Law.

MISCONDUCT VIOLATIONS

Students are prohibited from:

1. Failing to comply with directives and/or accept discipline management techniques given by school personnel (non-compliance and failure to accept discipline).
2. Violating school or bus safety rules.
3. Leaving school grounds, class, or school-sponsored events without permission.
4. Being tardy, failing to attend, being truant, having unexcused absences.
5. Violating repeatedly other communicated District, campus, or classroom standards of behavior.
6. Distributing and/or posting prohibited materials not following school procedures.
7. Violating dress code. (See Section III)
8. Violating the school's rules pertaining to the operation and/or parking of vehicles on school property.

MISTREATMENT OF OTHERS

1. Threatening a District student, employee, or volunteer, including off-school property if the conduct causes a substantial disruption to the educational environment.
2. Throwing objects that can cause bodily injury or property damage.
3. Directing profanity, vulgar language, or obscene gestures toward other students, District employees, or visitors.
4. Fighting, participating in any manner in fight clubs or boxing.
5. Fighting or scuffling that does not result in physical pain, illness, or any impairment of a physical condition.
6. Engaging in horseplay, roughhousing, and other playful behavior that, though not intended to harm, presents a reasonable risk of harm or threatens the safety of others.
7. Participating in hazing.
8. Committing extortion, coercion, or blackmail (obtaining money or another object of value from an unwilling person), or forcing an individual to act through the use of force or threat of force.
9. Engaging in bullying or cyberbullying, including intimidation, teasing, name-calling, ethnic or racial slurs, or derogatory statements that school officials have reason to believe shall substantially disrupt the school program or incite violence.
10. Release or threaten to release intimate visual material of a minor or a student who is eighteen years or older without the students' consent.
11. Engaging in any conduct that constitutes sexual or gender-based harassment or sexual abuse whether the conduct is by word, gesture, or any other sexual conduct, including requests for sexual favors.
12. Engaging in harassment of any kind, including, but not limited to, harassment motivated by race, color, religion, national origin, disability, or age directed toward another student or District employee.
13. Engaging in any inappropriate physical or sexual contact.
14. Engaging in inappropriate or indecent exposure of private parts.
15. Making threats, including verbal and written statements, hit lists, mail and e-mail, threats of a graphic nature (drawings, graffiti), and joking about threatening subjects that threaten the safety

- of another student, a school employee, or school property.
- 16. Committing simple assault (assault by contact).
- 17. Participating in consensual hugging, touching, or other inappropriate displays of affection.
- 18. Participating in consensual activities that result in physical alteration or injury to self or of another person's body (i.e. piercing, tattooing, etc.).
- 19. Failing to immediately report to a school employee knowledge of a device, object, substance, or event that could cause harm to self or others.
- 20. Engaging in conduct that constitutes dating violence, including the intentional use of physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control another person in a current or past dating relationship.

BULLYING

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

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

Bullying includes cyberbullying. **Cyberbullying** is defined by [Section 37.0832](#) of the Education Code as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, social media application, an Internet website, or any other Internet-based communication tool.

The State Law on Bullying prevention applies to:

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

Bullying is prohibited by the District and could include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name-calling, rumor-spreading, or ostracism.

If a student believes that he or she has experienced bullying or has witnessed bullying of another student, the student or parent needs to notify a teacher, counselor, principal, or other District employee as soon as possible to obtain assistance and intervention. The administration will investigate any allegations of bullying or other related misconduct.

If the results of an investigation indicate that bullying has occurred, the administration will take appropriate disciplinary action. Disciplinary or other action may be taken even if the conduct did not rise to the level of bullying. The District will also contact the parents of the victim and of the student who was found to have engaged in the bullying. Available counseling options will be provided to these individuals, as well as to any students who have been identified as witnesses to the bullying.

Any retaliation against a student who reports an incident of bullying is prohibited.

The principal may, in response to an identified case of bullying, decide to transfer a student found to have engaged in bullying to another classroom at the campus. In consultation with the student's parent, the student may also be transferred to another school in the District. The parent of a student who has been determined by the District to be a victim of bullying may request that his or her child be transferred to another classroom or campus within the District. Refer to the Leander ISD [Anti-Bullying website](#) for additional information.

MISUSE OF PROPERTY

1. Stealing from students, staff, or the school.
2. Committing or assisting in a robbery or theft that does not constitute a felony according to the Texas Penal Code. (Felony robbery, aggravated robbery, and theft offenses are addressed later in the Student Code of Conduct.)
3. Damaging or vandalizing property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
4. Defacing or damaging school property – including textbooks, lockers, furniture, and other equipment with graffiti or by other means.
5. **Enter, without authorization, district facilities that are not open for operations.**

POSSESSION OF PROHIBITED ITEMS

Possessing prohibited items. The District also prohibits students from possessing certain other items without administrative approval while on school property, while using District transportation, or while attending school-sponsored or school-related activities, whether on or off school property.

Prohibited Items Include but are not limited to:

- Radios
- Permanent/Sharpie® Markers
- Correction Fluid
- Clubs or Knuckles
- Laser Pointers
- **Lighters, Matches, Tobacco Products, and E-Cigarettes(vapes), including any component, part, or accessory for an E-Cigarette device**
- Pornography and/or materials of a profane, vulgar, or obscene nature
- Paintballs and Paintball Guns
- Mace and Pepper Spray
- Sling Shots, Starter Pistols
- Animals
- Aerosol Spray Cans, Spray Paint
- Pacifiers
- Cards/Dice
- Guitars, Harmonicas and other Instruments unless through administrative approval
- All knives, regardless of blade length, Razors, Box Cutters, Chains, Location restricted knives, and any hand instrument designed to cut or stab another by being thrown
- Incendiaries, Smoke/Stink Bombs, Fireworks, or any other Pyrotechnic Device,
- Any type of firearm (real or otherwise), Stun, Air, “look-alike” Weapons (intended to be used or perceived as a weapon), Tasers, BB Guns, **Silencer or Suppressor**, etc.
- Ammunition, shells, bullets, or gun powder
- Poisons, Caustic Acids, or other materials that may be toxic to the human body
- Inline Skates, Roller Shoes

This list is not all-inclusive. There may be other items the campus or District administration determines to be disruptive to the educational environment and included as prohibited.

**MISUSE
OF
TECHNOLOGY**

1. Violating any of the prohibited behaviors/conduct listed in the LISD Technology Resource Acceptable Use Guidelines. [See Appendix B- Technology Resource Acceptable Use Guidelines for the complete list in the back of the handbook.](#)
2. Recording the voice or image of another without the prior consent of the individuals being recorded, or administrative approval, in any way that disrupts the educational environment or invades the privacy of others.
3. Copying, downloading, reproducing, distributing, retransmitting, redisplaying, or modifying items from the District's website.

NOTE: We encourage and support the proper use of various forms of technology. The District IS NOT liable for lost or stolen personal electronic devices (i.e. cell phones, iPods, iPhones, iPads, Kindles, etc.). In addition, the District will not expend resources to recover these items.

**MISUSE
OF ILLEGAL,
PRESCRIPTION,
AND/OR OVER
THE COUNTER
DRUGS**

1. Possess, use, give, or sell alcohol or an illegal drug.
2. Possessing, selling, or giving something represented to be drugs, contraband, or related paraphernalia.
3. Violating the District's regulations on taking or possessing prescription drugs and/or over-the-counter medication; abusing one's prescription or giving one's prescription to another; being under the influence of another person's prescription drugs; being under the influence of prescription or over-the-counter drugs that cause impairment of the physical or mental faculties. (See Glossary for "under the influence" in the Parent Handbook).
4. Abusing or sharing/giving/selling vitamins, minerals, or herbal/dietary supplements to other students
5. Possessing, selling, delivering, giving, using, or being under the influence of intoxicants or inhalants (i.e. whippets, bath salts, or related items listed in number 33).
6. Possessing, selling, delivering, giving, using, or being under the influence of look-alike drugs (i.e. K2, spice, or fake marijuana).
7. Possessing, smoking, or using tobacco products, cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device.

SAFETY

1. Discharging a fire extinguisher without valid cause.
2. Engaging in any conduct that school officials might reasonably believe will substantially disrupt the school program or incite violence.
3. Behaving in any way that disrupts the school environment or educational process.
4. Making false accusations or perpetrating hoaxes regarding school safety.
5. Engage in verbal (oral or written) exchanges that threaten the safety of another student, a school employee, or school property.
6. Possess published or electronic material that is designated to promote or encourage illegal behavior or that could threaten school safety.

**MISCELLANEOUS
OFFENSES**

1. Engaging in **academic dishonesty, which includes cheating or copying the work of others, plagiarism, or copying and unauthorized communication between students during an examination.** This offense may result in possible grade reductions and other consequences as permitted by policy.
2. Bringing skateboards onto the bus. (Students with skateboards in their possession shall not be allowed to get on the bus.)
3. Aiding a student or students in committing prohibited behaviors.
4. Participating in gambling or betting money or other things of value.
5. Falsifying records, passes, or other school-related documents.
6. Certain criminal behavior resulting in the student receiving a ticket or citation, being arrested, or having an arrest warrant issued for himself/herself, regardless of where or when the alleged behavior occurred.
7. Using profane language verbally, written, or any electronic form.

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

STUDENTS WITH DISABILITIES

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. To the extent any conflict exists, the District shall comply with federal law. For more information regarding the discipline of students with disabilities, see policy [FOF\(LEGAL\)](#).

Per the Texas Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct.

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

DISCIPLINE MANAGEMENT TECHNIQUES

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

Because of these factors, discipline for a particular offense, including misconduct in a District vehicle owned or operated by the District, unless otherwise specified by law, may bring into consideration varying techniques and responses.

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

In deciding whether to order out-of-school suspension, to place in a DAEP or to expel, the District shall take into consideration:

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

The following discipline management techniques may be used – alone or in combination – for behavior prohibited by the Student Code of Conduct or by campus or classroom rules:

1. Verbal (oral or written) correction.
2. Cooling-off time or a brief "time-out" period, per law.
3. Seating changes within the classroom or vehicles owned or operated by the District.
4. Temporary confiscation of items that disrupt the educational process.
5. Rewards or demerits.
6. Behavioral contracts.
7. Counseling by teachers, counselors, or administrative personnel.
8. Parent-teacher conferences.
9. Behavior coaching.
10. Anger management classes.
11. Mediation (victim-offender).

12. Classroom restorative circles.
13. Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
14. Detention, including outside regular school hours.
15. Sending the student to the office or other assigned area, or in-school suspension.
16. Assignment of school duties such as cleaning or picking up litter.
17. Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
18. Penalties identified in individual student organizations' extracurricular standards of behavior.
19. Restriction or revocation of District transportation privileges.
20. School-assessed and school-administered probation.
21. Out-of-school suspension, as specified in the suspension section of this Code.
22. Placement in a DAEP, as specified in the DAEP section of this Code.
23. Expulsion, as specified in the Expulsion section of this Code.
24. Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
25. Other strategies and consequences as determined by school officials.
26. Students who miss school hours due to dress code violations shall be required to make up the hours in Saturday Clock Hour Class or Before-or-After-School Detention.
27. Restitution or restoration.
28. Dismissal from the extra- or co-curricular activity, office, club, group, or team, and/or referral to the Licensed Chemical Dependency Counselor for counseling, if appropriate. The student may also be required to complete a reinstatement plan.

**PROHIBITED
AVERSIVE
TECHNIQUES**

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

1. Using techniques designed or likely to cause physical pain.
2. Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
3. Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
4. Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
5. Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
6. Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
7. Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose, or covering the student's face.
8. Restricting the student's circulation.
9. Securing the student to a stationary object while the student is standing or sitting.
10. Inhibiting, reducing, or hindering the student's ability to communicate.
11. Using chemical restraints.
12. Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
13. Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

OUT-OF-SCHOOL SUSPENSION

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

The District shall not use out-of-school suspension for students in grade 2 or below unless the conduct meets the requirements established in law.

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

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

The District shall use a positive behavior program as a disciplinary alternative for students below grade 3 who commit general conduct violations instead of suspension or placement in a DAEP. The program shall meet the requirements of law.

In deciding whether to order out-of-school suspension, the District shall take into consideration:

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

The number of days of a student's out-of-school suspension shall be determined by the appropriate administrator. State law allows a student to be out-of-school suspended for no more than three (3) school days per behavior violation, with no limit on the number of times a student may be suspended in a semester or school year.

Before being out-of-school suspended a student shall have an informal conference with the appropriate administrator, who shall advise the student of the conduct of which he or she is accused. The student shall be allowed to explain his or her version of the incident before the administrator's decision is made.

While on out-of-school suspension, students may not participate in school-sponsored or school-related extracurricular and/or co-curricular activities.

COURSEWORK DURING SUSPENSION

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

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

NOTIFICATION

The campus behavior coordinator shall notify a student's parent by phone or in-person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The campus behavior coordinator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in-person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the campus behavior coordinator shall send written notification by U.S. Mail. If the campus behavior coordinator is not able to provide notice to the parent, the principal or designee shall provide the notice.

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

ROUTINE REFERRAL

A routine referral occurs when a teacher sends a student to the campus behavior coordinator's office as a discipline management technique. The campus behavior coordinator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator **may** remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom.

REGULAR EDUCATIONAL SETTING REMOVAL

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

FORMAL REMOVAL

A teacher or administrator **may** remove a student from class for behavior that violates this Code to maintain effective discipline in the classroom. A teacher **may** also initiate a formal removal from class if:

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

A teacher or administrator **must** remove a student from class if the student engages in behavior that under the Texas Education Code requires or permits the student to be placed in a DAEP or expelled.

When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed. Otherwise, within three school days of the formal removal, the appropriate administrator shall schedule a conference with the student's parent; the student; the teacher who removed the student from class, and any other administrator.

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

RETURNING A STUDENT TO THE CLASSROOM

When a student is removed from the regular classroom by a teacher and a conference is pending, the principal may place the student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- A Disciplinary Alternative Education Program (DAEP).

When a student has been formally removed from class by a teacher for conduct against the teacher

containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent.

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

Section V: Placement in a Disciplinary Alternative Education Program (DAEP)

LEO

Leander Independent School District's Extended Opportunity Center (LEO), the District's Disciplinary Alternative Education Program (DAEP), exists to provide a highly structured environment for students who commit major offenses or who commit a series of less serious offenses. The intense observation at the LEO Center shall be directed toward correcting the behavior. Students shall be admitted to LEO following a referral by the home campus. Days counted for LEO assigned days, are only days a student is present at the LEO Center. Parents and students receive specific information regarding the LEO Center at the time of placement or expulsion.

REMOVAL TO DAEP

Part A lists behaviors that **may** result in such a placement. Part B lists behaviors which, by law, **must** result in a student's placement in a Disciplinary Alternative Education Program (DAEP).

For purposes of DAEP, elementary classification shall be kindergarten-grade 5 and secondary classification shall be grades 6-12. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student.

When a student under the age of ten engages in behavior that is expellable, the student shall not be expelled but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.

Summer programs provided by the District shall serve students assigned to a DAEP in conjunction with other students on a case-by-case basis.

In deciding whether to place a student in a DAEP, regardless of whether the action is mandatory or discretionary, the campus behavior coordinator shall take into consideration:

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

PART A

Note: Students violating the offenses in Section V (Parts A and B) shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the local police department, as permitted by State Law.

REASONS FOR DISCRETIONARY DAEP PLACEMENT

Following an investigation and a determination is made that a secondary student committed a discretionary offense, the student shall be placed in a DAEP for a minimum of 30 school days. Depending on age appropriateness and the nature of the offense, elementary students may be placed at a DAEP from one (1) day to six (6) weeks.

SCHOOL-RELATED. A student **may** be placed in a Disciplinary Alternative Education Program (DAEP) for any of the following misconduct if committed while on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:

1. Possessing, giving, buying, or selling less than a useable number of stems, seeds, or other pieces of marijuana.
2. Possessing, using, selling, buying, or giving paraphernalia (see Glossary in the Parent

- Handbook) related to any prohibited substance, including but not limited to marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage.
3. Abusing the student's prescription drug or using it in a way other than prescribed; giving, buying, or selling a prescription drug; possessing, using, or being under the influence of another person's prescription drug.
 4. Preparing a hit list.
 5. Engaging in serious or persistent misbehavior.
 6. Disruptive activities including disorderly conduct.
 7. Disruption of classes including disorderly conduct.
 8. Assault (no bodily injury) with the threat of imminent bodily injury.
 9. Assault by offensive or provocative physical conduct.
 10. Theft.
 11. Weapons or instruments represented as or used as weapons, any form of knuckles or finger armor.
 12. Fighting.
 13. Sexual harassment.
 14. Transfer from another district's DAEP.
 15. Possession, use, or transmittal of something represented to be a prohibited substance or paraphernalia associated with a prohibited substance.
 16. Possessing or bringing any type of ammunition.
 17. Criminal trespass.
 18. Threats. The District takes seriously and shall act upon all threats made (verbal or written) toward the safety of our schools or others.
 19. Bullying, cyberbullying, or harassment.
 20. Violation of any campus, classroom, District transportation, or Student Code of Conduct rules as listed in Section IV, General Misconduct.

OFF-CAMPUS. A student may be placed in DAEP based on conduct occurring off-campus and not in attendance at a school-sponsored or school-related activity if:

1. The superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than aggravated robbery under Section 29.03, Penal Code, or those offenses defined in Title 5, Penal Code: 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.

REGARDLESS OF LOCATION. A student **may** be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off-campus.

1. If the student is a registered sex offender who is not under any form of court supervision. (A registered sex offender who is not under any form of court supervision shall be placed in regular classes if the student is not a threat to the safety of others, is not detrimental to the educational process and such placement is not contrary to the best interests of the District's students.)
2. Engages in criminal mischief if not punishable as a felony.
3. Engages in bullying that encourages a student to commit or attempt to commit suicide.
4. Incites violence against a student through group bullying.
5. Releases or threatens to release intimate visual material of a minor or a student who is eighteen years of age or older without the student's consent

PART B

Note: Students violating the offenses in Section V (Parts A and B) shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the local police department, as permitted by State Law.

REASONS FOR MANDATORY DAEP PLACEMENT

Following an investigation and a determination is made that a secondary student committed a Mandatory offense, the student shall be placed in a DAEP for a minimum of 45 school days. Depending on age appropriateness and the nature of the offense, elementary students may be placed at a DAEP from one (1) day to six (6) weeks.

Offenses in italics and bolded may result in a discretionary expulsion.

SCHOOL-RELATED. A student **must** be placed in a DAEP for any of the following misconduct if committed while on school property or while attending a school-sponsored or school-related activity on or off school property:

1. Engages in conduct punishable as a felony.
2. Commits an assault with bodily injury under [Penal Code 22.01\(a\)\(1\)](#).
3. ***Sells, gives, or delivers to another person, possesses, uses, or is under the influence of marijuana, a controlled substance, a dangerous drug, or an alcoholic beverage in any amount not punishable as a felony. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.***
4. ***Commits a serious act or offense while under the influence of an alcoholic beverage if the conduct is not punishable as a felony.***
5. ***Engages in an offense relating to abusable volatile chemicals.***
6. Engages in conduct that contains the elements of the offense of public lewdness.
7. Engages in conduct that contains the elements of the offense of indecent exposure.
8. Possesses or uses a knife with a blade over 3" up to 5 ½ ".
9. Engages in expellable conduct if the student is between six (6) and nine (9) years of age.
10. Engages in a federal firearm offense if the student is six (6) years of age or younger.
11. Engages in deadly conduct.
12. ***Engages in vandalism to property when conduct is punishable as a felony criminal mischief.***

WITHIN 300 FEET. A student **must** be placed in a DAEP for any of the following misconduct while on or within 300 feet of school property, as measured from any point on the real property boundary line.

1. ***Commits aggravated assault, sexual assault, or aggravated sexual assault.***
2. ***Commits arson (see Glossary in the Parent Handbook).***
3. ***Commits murder, capital murder, or criminal attempt to commit murder or capital murder.***
4. ***Commits indecency with a child, aggravated kidnapping, manslaughter, criminally negligent homicide, or aggravated robbery.***
5. ***Commits a felony drug- or alcohol-related offense.***
6. ***Uses, exhibits, or possesses a firearm (as defined by state law), a location restricted knife, a club, or prohibited weapon, or possesses a firearm (as defined by federal law).***
7. ***Continuous sexual abuse of a young child ~~or children.~~ or disabled individual.***
8. Engages in conduct that contains the elements of an offense of harassment against an employee under [Penal Code 42.07\(a\)\(1\), \(2\), \(3\), or \(7\)](#).

OFF-CAMPUS. A student **must** be placed in DAEP for engaging in conduct punishable as aggravated robbery or a felony listed under [Title 5 of the Texas Penal Code](#) when the conduct occurs off school property and not at a school-sponsored or school-related event and:

1. The student receives deferred prosecution for a Title 5 (see Glossary in the Parent Handbook) felony offense.
2. A court or jury finds the student engaged in delinquent conduct for a Title 5 felony offense.
3. The administrator reasonably believes that the student engaged in a Title 5 felony offense.
4. **Committing any offense that is a state-mandated expellable offense if the offense is committed on the property of another district in Texas or while the student is attending a school-sponsored or school-related activity of a school in another district in Texas.**

***Title 5 offenses against a person may include the following, but not limited to:**

1. Murder	9. Unlawful transport	16. Injury to a child, an elderly person, or a disabled person	21. Terroristic threat
2. Capital murder	10. Assault	17. Abandoning or endangering a child	22. Aiding a person to commit suicide
3. Manslaughter	11. Aggravated assault	18. Improper photography or visual recording	23. Harassment by a person in a correctional facility
4. Criminally negligent homicide	12. Sexual assault	19. Coercing, soliciting, or inducing gang membership	24. Continuous sexual abuse of a young child or children
5. Unlawful restraint	13. Aggravated sexual assault	20. Deadly Conduct	25. Tampering with a consumer product.
6. Kidnapping	14. Improper relationship between educator & student		
7. Aggravated kidnapping	15. Indecency with a child		
8. Trafficking of persons			

REGARDLESS OF LOCATION. A student **must** be placed in DAEP if the student engages in the following misconduct, regardless of whether the conduct occurred on or off-campus:

1. **Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See Glossary in the Parent Handbook)**
2. Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property.
3. **Engages in conduct that contains the elements of assault under [Penal Code 22.01\(a\)\(1\)](#) in retaliation against a school employee or volunteer.**
4. Is involved with a public school fraternity, sorority, secret society, or gang, including participating as a member or pledge, or soliciting another person to become a member or pledge.
5. **Is involved with a criminal street gang or encourages, solicits, recruits, enables or causes another to become a member of a criminal street gang.**
6. **Engages in criminal mischief if punishable as a felony.**
7. Is a registered sex offender under court supervision, probation, community supervision, or parole.
8. **Breach of computer security.**
9. **Engages in conduct that contains the elements of one of the following offenses against another student, without regard to where the conduct occurs:**
 - a. **Aggravated assault.**
 - b. **Sexual assault.**
 - c. **Aggravated sexual assault.**
 - d. **Murder.**
 - e. **Capital murder.**
 - f. **Criminal attempt to commit murder or capital murder.**
 - g. **Aggravated robbery.**

Students who are:

1. Convicted of continuous sexual abuse of a young child or **children disabled individual**; or
2. Convicted, received deferred adjudication or deferred prosecution, been found to have engaged in delinquent conduct or conduct in need of supervision, or been placed on probation for either sexual assault or aggravated sexual assault against another student assigned to the same campus at the time the offense occurred;

Shall be placed in DAEP (or JJAEP as appropriate) on the request of the victim's parents if the victim student does not wish to transfer, and there is only one campus serving that grade level. Placement in this circumstance may be for any length of time considered necessary.

Section VI: Expulsion

PART A

Note: Students committing any of the offenses under Section VI shall receive consequences from the school administrator and may be processed (issued a citation, arrested, etc.) by the School Resource Officer (SRO) or the police department, as permitted by State Law.

REASONS FOR DISCRETIONARY EXPULSIONS

In deciding whether to expel a student, regardless of whether the action is mandatory or discretionary, the District shall take into consideration:

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

A student **may** be expelled for engaging in documented serious misbehavior that violates the District's Student Code of Conduct, despite documented behavioral interventions **while placed in a DAEP**. For purposes of discretionary expulsion from a DAEP, serious misbehavior means:

- a. Deliberate violent behavior that poses a direct threat to the health or safety of others;
- b. Extortion, meaning the gaining of money or other property by force or threat;
- c. Conduct that constitutes coercion, as defined by [Texas Penal Code Section 1.07](#); or
- d. Conduct that constitutes the offense of:
 - Public lewdness under [Texas Penal Code Section 21.07](#);
 - Indecent exposure under [Texas Penal Code Section 21.08](#);
 - Criminal mischief under [Texas Penal Code Section 28.03](#);
 - Personal hazing under [Texas Penal Code Section 37.152](#); or
 - Harassment under [Texas Penal Code Section 42.07\(a\)\(1\)](#) of a student or District employee.

OFF-CAMPUS. A student **may** be expelled for engaging in the following misconduct while off-campus and not in attendance at a school-sponsored or school-related activity:

Per the [Texas Education Code 37.0081](#), after an opportunity for a hearing before the Board or its designee, a student may be expelled if:

1. The student receives deferred prosecution for conduct defined as a felony offense in Title 5 of the Texas Penal Code;
2. The student has been found by a court of law to have engaged in delinquent conduct for conduct defined as a felony offense in Title 5 of the Texas Penal Code;
3. Is charged with engaging in conduct defined as a felony offense in Title 5; Penal Code;
4. Has been referred to a juvenile court for allegedly engaging in delinquent conduct under Section 54.03, Family Code, or for conduct defined as a felony offense in Title 5, Penal Code;
5. Has received probation or deferred adjudication for a felony offense under Title 5, Penal Code;
6. Has been convicted of a felony offense under Title 5, Penal Code; or
7. Has been arrested for or charged with a felony offense under Title 5, Penal Code.

The Board or the Board's designee must determine that the student's presence in the classroom:

1. Threatens the safety of other students or teachers;
2. Shall be detrimental to the educational process; **or**
3. Is not in the best interest of the District's students.

A student's expulsion as a result of receiving deferred prosecution or delinquent conduct, as described above, may occur regardless of:

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

REGARDLESS OF LOCATION. A student **may** be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off-campus.

1. Engages in conduct that contains the elements of assault under [Texas Penal Code Section 22.01\(a\)\(1\)](#) against an employee or a volunteer.
2. Engages in bullying that encourages a student to commit or attempt to commit suicide.
3. Incites violence against a student through group bullying.
4. Releases or threatens to release intimate visual material of a minor or a student who is eighteen years of age or older without the student's consent.

PART B
REASONS FOR
MANDATORY
EXPULSIONS

A student **must** be expelled for any of the following offenses if **committed on school property or while attending a school-sponsored or school-related activity on or off school property**:

1. A firearm violation, as defined by federal law.
Firearm under federal law includes:
 - a. Any weapon (including a starter gun), which shall or is designed to or which may readily be converted to expel a projectile by the action of an explosive.
 - b. The frame or receiver of any such weapon.
 - c. Any firearm muffler or firearm weapon.
 - d. Any destructive device, such as any explosive, incendiary, or poison gas bomb, or grenade.
2. Use, exhibition, or possession of the following, under the Texas Penal Code:
 - a. A firearm (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use), unless the use, exhibition, or possession of the firearm occurs at an off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department or a shooting sports sanctioning organization working with the department.
 - b. A location-restricted knife, defined by Texas State Law as a knife with a blade over 5 ½ inches.
 - c. A club such as an instrument specially designed, made or adapted to inflict serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.
 - d. A prohibited weapon, such as an explosive weapon, a machinegun, a short-barrel firearm, a firearm silencer, knuckles, armor-piercing ammunition, a chemical dispensing device, a zip gun, or a tire deflation device. (See Glossary in the Parent Handbook).
3. Behavior containing the elements of the following under the Texas Penal Code:
 - a. Aggravated assault, sexual assault, or aggravated sexual assault.
 - b. Arson.
 - c. Murder, capital murder, or criminal attempt to commit murder.
 - d. Indecency with a child.
 - e. Aggravated kidnapping.
 - f. Aggravated robbery.
 - g. Manslaughter.
 - h. Criminally negligent homicide.
 - i. Behavior punishable as a felony that involves selling, giving, or delivering to another person,

or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol; or committing a serious act or offense while under the influence of alcohol.

- j. Continuous sexual abuse of a young child or children.

REGARDLESS OF LOCATION. A student **must** be expelled if the student engages in the following misconduct, regardless of whether the conduct occurred on or off-campus:

Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expellable offenses.

Placement and/or Expulsion for Certain Offenses

Registered Sex Offenders

NOTIFICATION

Upon receiving notification under state law that a student is currently required to register as a sex offender, the administration must remove the student from the regular classroom and determine appropriate placement unless the court orders JJAEP placement.

If the student is under any form of court supervision, including probation, community supervision, or parole, the placement shall be in either DAEP or JJAEP for at least one semester.

If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the Board or its designee determines that the student's presence:

1. Threatens the safety of other students or teachers.
2. Shall be detrimental to the educational process, **or**
3. Is not in the best interests of the District's students.

REVIEW COMMITTEE

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

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

NEWLY ENROLLED STUDENT

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

APPEAL

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

CERTAIN FELONIES

CERTAIN FELONIES

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, per [Education Code 37.0081](#), a student **may** be expelled and placed in either DAEP or JJAEP if the Board or its designee makes certain findings and the following circumstances exist concerning aggravated robbery or a felony offense under Title 5 (see Glossary in the Parent Handbook) of the Texas Penal Code. The student must:

1. Have received deferred prosecution for conduct defined as aggravated robbery or a Title 5 felony offense;
2. Have been found by a court or jury to have engaged in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense;
3. Have been charged with engaging in conduct defined as aggravated robbery or a Title 5 felony offense;
4. Have been referred to a juvenile court for allegedly engaging in delinquent conduct for conduct defined as aggravated robbery or a Title 5 felony offense; **or**
5. Have received probation or deferred adjudication or have been arrested for, charged with, or convicted of aggravated robbery or a Title 5 felony offense.

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

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

HEARINGS AND REQUIRED FINDINGS

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

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

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

LENGTH OF PLACEMENT

The student is subject to the placement until:

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

PLACEMENT REVIEW

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

**NEWLY
ENROLLED
STUDENTS**

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

**REMOVAL
TO
A DAEP**

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

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

Section VII: Procedures

DAEP Placement Procedures

APPEALS

Questions from parents regarding disciplinary measures should be addressed to the teacher, campus administration, or campus behavior coordinator, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed per policy [FNG \(LOCAL\)](#). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On-Line at the following address: <https://pol.tasb.org/Policy/Code/1248?filter=FNG>

APPEAL TO A DAEP PLACEMENT

Student or parent appeals regarding a student's placement in a DAEP should be addressed per policy [FNG \(LOCAL\)](#). A copy of this policy may be obtained from the principal's office or the central administration office or through Policy On-Line at the following address: <https://pol.tasb.org/Policy/Code/1248?filter=FNG>.

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

The student or the student's parent may appeal the superintendent's or designee's decision to the Board per policy [FOC \(Legal\)](#). The student may not be returned to the regular classroom pending the appeal.

MANDATORY FORMAL REMOVAL

A teacher **may** remove a student from class for an offense listed in Part A. A teacher **must** remove a student from class for offenses listed in Part B of this Section. The teacher shall write a Code of Conduct Violation Report if a student commits any of the behaviors in Section IV of the Code. Within three (3) school days of receiving the Student Code of Conduct violation report and removal of the student, the principal shall schedule a conference with the student's parent, teacher, and student.

REMOVAL BY CAMPUS ADMINISTRATOR

Removals to a DAEP shall be made by a campus administrator. An administrator **may** remove a student for offenses listed in Part A. An administrator **must** remove a student for offenses listed in Part B of this Section. The administrator shall decide on placement in the Disciplinary Alternative Education Program (DAEP) according to law and local policy. The campus administrator shall schedule a conference with the student's parent and the student within three (3) school days.

CONFERENCE

Until a conference can be held as a result of a DAEP offense, a formal teacher removal, or campus administrator removal, the campus administrator may suspend or place a student in:

- Another appropriate classroom.
- In-school suspension.
- Out-of-school suspension.
- A Disciplinary Alternative Education Program in which the student must be separated from the other students for the entire school program day and shall be provided instruction in the core subjects. Counseling shall also be provided to the student.

At the conference, a campus administrator shall inform the student, orally or in writing, of the allegation against the student, the reason for the placement, and allow the student to explain the incident. The administrator shall inform the student of the consequence of the misbehavior and the student's length of placement in the DAEP. The student may not be returned to the regular classroom pending the conference.

Following valid attempts to contact the parent, the District may hold the conference and make a placement decision regardless of whether the student or the student's parent attends the conference.

PLACEMENT ORDER

After the conference, if the student is placed in the DAEP, the appropriate administrator shall write a placement order. A copy of the DAEP placement order shall be sent to the student and the student's parent.

Not later than the second business day after the conference, the Board's designee shall deliver to the juvenile court a copy of the placement order and all information required by [Section 52.04](#) of the Family Code (if applicable).

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

COURSEWORK NOTICE

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

LENGTH OF PLACEMENT

The duration of a student's placement in a DAEP shall be determined by the campus administrator.

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

For a day to count toward the DAEP assignment, the student must be present for the entire day, arrive on time, complete all assignments, follow all rules, and engage in no additional violations of the Student Code of Conduct.

The District shall administer the required pre-and post-assessments for students assigned to DAEP for 90 days or longer per established District administrative procedures for administering other diagnostic or benchmark assessments.

Exceeds One Year:

Placement in a DAEP may exceed one year when a review by the District determines that:

1. The student is a threat to the safety of other students or District employees, **or**
2. Extended placement is in the best interest of the student.

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

Exceeds School Year:

Students who commit offenses requiring placement in a DAEP at the end of one (1) school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

For placement in a DAEP to extend beyond the end of the school year, the superintendent or superintendent's designee must determine that:

1. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, **or**
2. The student has engaged in serious or persistent misbehavior (see Glossary in the Parent Handbook) that violates the District's Code.

Exceeds 60 Days:

For placement in a DAEP to extend beyond 60 days or the end of the next grading period, whichever is sooner, a student's parent shall be given notice and the opportunity to participate in a proceeding before the superintendent or the superintendent's designee.

**RETURNING
STUDENT
TO
CLASSROOM**

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

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

**WITHDRAWAL
DURING
PROCESS**

When a student violates the District's code in a way that requires or permits the student to be placed in a DAEP and the student withdraws from the District before a placement order is completed, the District may complete the proceedings and issue a placement order. If the student then re-enrolls in the District during the same or a subsequent school year, the District may enforce the order at that time, less any period of the placement that has been served by the student during enrollment in another district. If the appropriate administrator or the Board fails to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

**NEWLY
ENROLLED
STUDENTS**

The District shall decide on a case-by-case basis whether to continue the placement of a student who enrolls in the District and was assigned to a DAEP in an open-enrollment charter school or another district, including a district in another state (if the behavior committed is a reason for DAEP placement in the receiving district). The District may place the student in the District's DAEP or a regular classroom setting.

If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this District, by state law, shall reduce the period of the placement so that the total placement does not exceed one year. After a review, however, the placement may be extended beyond a year if the District determines that the student is a threat to the safety of other students or employees, or the extended placement is in the best interest of the student.

**EXTRA-
CURRICULAR
AND NON-
CURRICULAR
RESTRICTIONS**

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

**TRANS-
PORTATION**

The District shall provide transportation to the DAEP for students in a Disciplinary Alternative Education Program. However, if a student placed in the DAEP violates District transportation rules, the student may be denied transportation provided by the District.

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

**EMERGENCY
PLACEMENT**

A principal or a principal's designee can order an immediate DAEP placement of a student per [Section 37.019](#) of the Texas Education Code.

When an emergency placement is necessary because the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with classroom or school operations, the student shall be given oral notice of the reason for the action. Not later than the tenth day after the date of the placement, the student shall be given the appropriate conference required for assignment to a DAEP.

**TRANSITION
SERVICES**

Per law and District procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy [FOCA\(LEGAL\)](#) for more information.

**PARTICIPATING
IN
GRADUATION**

It is within the District's discretion to deny participation in the graduation ceremony or other related graduation activities if a student has met all the criteria for graduation and is pending a DAEP placement or is in a DAEP at the end of the school year.

The District has the right to limit a student's participation in graduation activities for violating the District's Code.

Participation may include a speaking role, as established by District policy and procedures.

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

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

**DAEP
PLACEMENT
REVIEW**

The campus administrator will review a student's DAEP placement and academic status every 120 calendar days. In the case of a high school student, the student's progress toward graduation will be reviewed and a graduation plan will be established. At the review, the student or the parent/guardian will have an opportunity to present reasons for the student's return to the regular classroom or campus. The student may not be returned to the classroom of a teacher who removed the student without that teacher's consent.

**COURT/
CRIMINAL
PROCEEDING**

A juvenile court shall notify the District if:

1. Prosecution of the student's case was refused for lack of prosecutorial merit or insufficient evidence and no formal proceedings, deferred adjudication, or deferred prosecution shall be initiated; or
2. The court or jury found the student not guilty or concluded the student did not engage in delinquent conduct or conduct indicating a need for supervision and the case was dismissed.

On receipt of the official written notice from the juvenile court, the Board's designee shall review the student's placement in the DAEP. The student may not be returned to the regular classroom pending the review. The Board's designee shall schedule a review of the student's placement with the student's parent or guardian not later than the third day after the Board's designee receives notice from the juvenile court.

After reviewing the notice and receiving information from the student's parent or guardian, the Board's 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.

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

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

Expulsion Procedures

EXPULSION HEARING

The following techniques and procedures apply to both **Mandatory Expulsion** and **Discretionary Expulsion**.

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

The Board of trustees delegates to the superintendent or his designee authority to conduct hearings and expel students.

After the due process hearing, if the student is expelled, the Board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

Not later than the second business day after the hearing, the hearing officer shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code (if applicable).

HEARING REVIEW

A student expelled or removed to a DAEP by order of the Board's designee after the due process hearing may request that the Board review the expulsion or removal decision. The student or parent shall submit a written request to the Board's designee within ten (10) days from the date of the written decision of the designee. The Board's designee shall provide the requestor written notice of the date, time, and place of the meeting at which the Board will review the decision.

The Board shall review the record of the due process hearing on the expulsion, and may hear a statement from the student or parent and the Board's designee.

In the event of an appeal to the Board, the Board shall base its decision on evidence reflected in the record and any statements made by the parties at the review. The Board shall make and communicate its decision orally after the presentation and after its deliberation.

LENGTH OF EXPULSION

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency. The length of expulsion shall be correlated to the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

The duration of a student's expulsion shall be determined on a case-by-case basis. The maximum period of expulsion is one (1) calendar year except as provided below:

An expulsion may not exceed one (1) year unless, after review, the District determines that:

1. The student is a threat to the safety of other students or District employees, **or**
2. Extended expulsion is in the best interest of the student.

State and federal law require a student to be expelled from the regular classroom for at least one (1) calendar year for bringing a firearm, as defined by federal law, to school. However, the superintendent or other appropriate administrator may modify the length of the expulsion on a case-by-case basis.

Students who commit offenses that require expulsion during one (1) school year may be expelled into the next school year to complete the term of expulsion.

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

WITHDRAWAL DURING PROCESS	<p>When a student has violated the District’s Code in a way that requires or permits expulsion from the District and the student withdraws from the District before the expulsion hearing takes place, the District may conduct the hearing after sending written notice to the parent and student.</p> <p>If the student then reenrolls in the District during the same or subsequent school year, the District may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.</p> <p>If the appropriate administrator or the Board fails to issue an expulsion order after the student withdraws, the next district in which the student enrolls may complete the proceedings.</p>
ADDITIONAL MISCONDUCT	<p>If during the expulsion, the student engages in additional conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the appropriate administrator or the Board may issue an additional disciplinary order as a result of those proceedings.</p>
ACADEMIC CREDIT	<p>No District academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another district-approved program.</p>
NEWLY ENROLLED STUDENT	<p>The District shall continue the expulsion of any newly enrolled student expelled from another Texas school district or open-enrollment charter school until the period of the expulsion is completed.</p>
CONTINUATION OF OTHER DISTRICT’S EXPULSION ORDER	<p>If a student expelled in another state enrolls in the District, the District may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:</p> <ol style="list-style-type: none"> 1. The out-of-state district provides the District with a copy of the expulsion order, and 2. The offense resulting in the expulsion is also expellable in the District in which the student is enrolling. <p>If a student is expelled by a district in another state for a period that exceeds one year and the District continues the expulsion or places the student in a DAEP, the District shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one (1) year, unless after a review it is determined that:</p> <ol style="list-style-type: none"> 1. The student is a threat to the safety of other students or District employees, or 2. Extended placement is in the best interest of the student.
DAEP PLACEMENT OF EXPELLED STUDENTS	<p>The District may provide educational services to an expelled student in a DAEP. When a student under the age of ten engages in behavior that is expellable behavior, the student shall not be expelled but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.</p>
EMERGENCY EXPULSION	<p>In an emergency, the principal or the principal’s designee may order the immediate removal of a student when people or property is in imminent harm or for any reason for which expulsion may be made on a non-emergency basis.</p> <p>When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten (10) days after the date of the emergency expulsion, the student shall be given the appropriate due process required for a student facing expulsion. If emergency expulsion involves a student with disabilities who receives special education services, the term of the student’s emergency expulsion is subject to the requirements of federal law.</p>

**JUVENILE
JUSTICE
ALTERNATIVE
EDUCATION
PROGRAM
(JJAEP)
PLACEMENT**

The Board of Trustees has entered into an agreement with the county juvenile Board outlining the juvenile Board's responsibilities concerning the establishment and operation of the Juvenile Justice Alternative Education Program (JJAEP). Details of this relationship are defined in agreements.

Based on age appropriateness and the nature of the offense, a student may be expelled to a Juvenile Justice Alternative Education Program from six (6) weeks to one (1) calendar year.

**DRUG-FREE
NOTICE**

The District believes that student use of alcohol and illicit drugs is both wrong and harmful. Consequently, the District has established a code of Student Conduct that prohibits the use, sale, possession, and distribution of alcohol and illicit drugs by students on school premises, on a passenger transportation vehicle of the District, or as part of any school activity, regardless of its location. Compliance with this Code of Conduct is mandatory, and students shall be disciplined and may be referred to legal authorities if they are found to have violated this Code of Conduct.

The District's policies and Student Code of Conduct provide a range of disciplinary sanctions for alcohol and drug-related offenses. Students may be referred to appropriate law enforcement officials for criminal prosecution. Procedural requirements for the imposition of suspension and expulsion are set out in the District's policies.

Depending on the nature and severity of a drug or alcohol-related offense, a student may be required to complete an appropriate rehabilitation program either in place of or in addition to other disciplinary sanctions. The principal or counselor can provide information about rehabilitation and re-entry programs available in the LISD community or within reasonable access to the LISD community.

**SEXUAL
ASSAULT
AND
CAMPUS
ASSIGNMENTS**

If a student has been convicted of continuous sexual abuse of a young child or **childrendisabled individual** or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus, and if the victim's parent or another person with the authority to act on behalf of the victim requests that the Board transfer the offending student to another campus, the offending student shall be transferred to another campus in the District. If there is no other campus in the District serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

**PARENTAL
QUESTIONS,
CONCERNS, OR
APPEALS**

Questions from parents regarding disciplinary measures taken should be addressed to the teacher or campus administration, as appropriate. Appeals or complaints regarding the use of specific discipline management techniques should be addressed per policy **FNG (LOCAL)**. A copy of this policy may be obtained from the principal's office, the campus behavior coordinator's office, the Central Administration Office, or through Policy on Line at the following address: www.leanderisd.org. At the administrator's discretion, consequences shall not be deferred pending the outcome of a grievance.

END OF CODE OF CONDUCT

GLOSSARY

This section provides legal definitions and locally established definitions and is intended to assist in understanding terms related to the Student Code of Conduct and terms found in the Student Handbook.

ABUSABLE VOLATILE CHEMICALS are those substances as defined in Texas Health and Safety Code § 485.001.

ABUSE is improper or excessive use.

ACCELERATED INSTRUCTION is an intensive supplemental program designed to address the needs of an individual student in acquiring the knowledge and skills required at his or her grade level and/or as a result of a student not meeting the passing standard on a safe-mandated assessment.

AGGRAVATED ROBBERY is defined in part by Penal Code 29.03(a) when a person commits robbery and:

1. Causes serious bodily injury to another;
2. Uses or exhibits a deadly weapon; or
3. Causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is:
 - a. 65 years of age or older; or
 - b. A disabled person.

ALCOHOLIC BEVERAGES are those substances as defined in Texas Alcoholic Beverage Code § 1.04.

ADMISSION, REVIEW, AND DISMISSAL (ARD) is the committee convened for each student who is identified as needing a full and individual evaluation for special education services. The eligible student and his or her parents are members of the committee.

AMERICAN COLLEGE TEST (ACT) refers to one of the two (2) most frequently used college or university admissions exams: the American College Test. The test may be a requirement for admission to certain colleges or universities.

ARMOR-PIERCING AMMUNITION is defined by Penal Code 46.01 as handgun ammunition that is designed primarily for the purpose of penetrating metal or body armor and to be used primarily in pistols and revolvers or other firearms.

ARSON is defined in part by Penal Code 28.02 as

1. A crime that involves starting a fire or causing an explosion with intent to destroy or damage:
 - a. Any vegetation, fence, or structure on open-space land; **or**
 - b. Any building, habitation, or vehicle:
 1. Knowing that it is within the limits of an incorporated city or town.
 2. Knowing that it is insured against damage or destruction,
 3. Knowing that it is subject to a mortgage or other security interest,
 4. Knowing that it is located on property belonging to another,
 5. Knowing that it has located within it property belonging to another, **or**
 6. When the person starting the fire is reckless about whether the burning or explosion shall endanger the life of some individual or the safety of the property of another:
2. A crime that involves recklessly starting a fire or causing an explosion while manufacturing or attempting to manufacture a controlled substance and the fire or explosion damages any building, habitation, or vehicle; **or**
3. A crime that involves intentionally starting a fire or causing an explosion and in so doing:
 - a. Recklessly damages or destroys a building belonging to another, **or**
 - b. Recklessly causes another person to suffer bodily injury or death.

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

ATTENDANCE REVIEW COMMITTEE is sometimes responsible for reviewing a student's absences when the student's attendance drops below 90 percent of the days the class is offered. Under guidelines adopted by the Board, the committee will determine whether there were extenuating circumstances for the absences and whether the student needs to complete certain conditions to master the course and regain credit lost because of absences.

BODILY INJURY any damage to a person's physical condition including pain or illness.

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

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

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

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

The State Law on Bullying prevention applies to:

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

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

CLUB is an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, nightstick, mace, and tomahawk are in the same category.

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

CRIMINAL STREET GANG is defined by Penal Code 71.01 as three or more persons having a common

identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities.

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

DISTRICT ALTERNATIVE EDUCATION PROGRAM (DAEP) stands for disciplinary alternative education program, a placement for students who have violated certain provisions of the Student Code of Conduct.

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

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

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

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

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

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

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

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

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

END OF COURSE (EOC) assessments are end-of-course tests, which are state-mandated, and are part of the STAAR program. Successful performance on EOC assessments will be required for graduation beginning with students in grade 9 during the 2011- 2012 school year. These exams will be given in English I, English II, English III, Algebra I, Geometry, Algebra II, Biology, Chemistry, Physics, World Geography, World History, and United States History.

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

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

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) refers to the federal Family Educational Rights and Privacy Act that grants specific privacy protections to student records. The law contains certain exceptions, such as for directory information, unless a student's parent or a student 18 or older directs the school not to release directory information.

FIGHTING is two or more persons engaged in any mutual violent or physically aggressive contact toward each other such as scuffling, pushing, shoving or hitting.

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

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

FIREARM (State Law) is any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

~~**FIREARM SILENCER** is defined by Penal Code 46.01 as any device designed, made, or adapted to muffle the report of a firearm.~~

GANG is an organization, combination, or association of persons composed wholly or in part of students that:

1. Seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, **or**
2. That engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the District shall consult with law enforcement authorities.

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

HARASSMENT includes:

1. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL); **or**
2. Conduct that threatens to cause harm or bodily injury to another student, is sexually intimidating, causes physical damage to the property of another student, subjects another student to physical confinement or restraint, or maliciously and substantially harms another student's physical or emotional health or safety as defined in Section 37.001(b)(2) of the Education Code; or
3. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily

- injury; and
- d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

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

1. Any type of physical brutality;
2. An activity that subjects the student to an unreasonable risk of harm or that adversely affects the student's mental or physical health, such as sleep deprivation, exposure to the elements, confinement to small spaces, calisthenics, or consumption of food, liquids, drugs, or other substances;
3. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; and
4. Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated.

HIT LIST is defined in Section 37.001(b)(3) of the Education Code as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

IN SCHOOL SUSPENSION (ISS) refers to in-school suspension, a disciplinary technique for misconduct found in the Student Code of Conduct. Although different from out-of-school suspension and placement in a DAEP, ISS removes the student from the regular classroom.

INDIVIDUALIZED EDUCATION PROGRAM (IEP) is the written record of the individualized education program prepared by the ARD committee for a student with disabilities who is eligible for special education services. The IEP contains several parts, such as a statement of the student's present educational performance; a statement of measurable annual goals, with short-term objectives; the special education and related services and supplemental aids and services to be provided, and program modifications or support by school personnel; a statement regarding how the student's progress will be measured and how the parents will be kept informed; accommodations for state or Districtwide tests; whether successful completion of state-mandated assessments is required for graduation, etc.

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

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

INTENT is the design, resolve, or determination with which a person acts. Since intent is a state of mind, it is ordinarily proved through inferences drawn from the act and/or circumstances surrounding the act. Intent includes the conscious objective or desire to engage in the conduct or cause the result, an awareness that the conduct is reasonably certain to cause the result, or disregard of a substantial and justifiable risk when there is

an awareness that the circumstances exist, or the result shall occur.

KNIFE is a bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing.

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

LINGUISTICALLY ACCOMMODATED TEST (LAT) stands for linguistically accommodated testing, which is an assessment process for recent immigrant English language learners who are required to be assessed in certain grades and subjects under the NCLB Act.

LOCATION-RESTRICTED KNIFE is defined by Texas Penal Code 46.01 as a knife with a blade over five and one-half inches.

LOOK ALIKE WEAPON an item that looks like a weapon but is not intended to be used to cause serious bodily injury.

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

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

PARAPHERNALIA is any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, dangerous drug or alcohol into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, or pipes.

PERSONAL GRADUATION PLAN (PGP) stands for Personal Graduation Plan, which is recommended for all students entering grade 9 and is required by state law for any student in middle school or higher who fails a section on a state-mandated test or is identified by the District as not likely to earn a high school diploma before the fifth school year after he or she begins grade 9.

POSSESSION means to have an item on one's person or in one's personal property, including but not limited to clothing, purse, or backpack; a private vehicle used for transportation to or from school or school-related activities, including but not limited to an automobile, truck, motorcycle, or bicycle; telecommunications or electronic devices; or any other school property used by the student, including but not limited to a locker or desk.

PROHIBITED WEAPONS under Penal Code 46.05(a) means:

1. The following items unless registered with the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives or otherwise not subject to that registration requirement or unless the item is classified as a curio or relic by the U.S. Department of Justice:
 - a. An explosive weapon;
 - b. A machine gun;
 - c. A short-barrel firearm;
2. Armor-piercing ammunition;
3. A chemical dispensing device;
4. A zip gun;
5. A tire deflation device; **or**
6. An improvised explosive device; **or**
- ~~7. A firearm silencer, unless classified as a curio or relic by the U.S. Department of Justice or the actor otherwise possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law.~~

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

PUBLIC SCHOOL FRATERNITY, SORORITY, SECRET SOCIETY, OR GANG means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are accepted from this definition.

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

RETALIATION is harming or threatening to harm another: (1) on account of their service as a District employee or volunteer, (2) to prevent or delay another's service to the District, or (3) because the person intends to report a crime.

SCHOLASTIC APTITUDE TEST (SAT) refers to one of the two (2 most frequently used college or university admissions exams: The Scholastic Aptitude Test. The test may be a requirement for admissions to certain colleges or universities.

SCHOOL HEALTH ADVISORY COUNCIL (SHAC) is a group of at least five (5) members, a majority of whom must be parents, appointed by the school Board to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction.

SECTION 504 is the federal law that prohibits discrimination against a student with a disability, requiring schools to provide opportunities for equal services, programs, and participation in activities. Unless the student is determined to be eligible for special education services under the Individuals with Disabilities Education Act (IDEA), general education with appropriate instructional accommodations will be provided.

SELF-DEFENSE is the use of force against another to the degree a person reasonably believes the force is immediately necessary to protect himself or herself. To claim self-defense, the student must (1) be without fault in provoking the encounter and not act as the aggressor, and (2) use the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter shall not be considered self-defense. Interactions prior to the encounter shall also be considered.

SERIOUS MISBEHAVIOR means:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
4. Conduct that constitutes the offense of:
 - i. Public lewdness under Penal Code 21.07;
 - ii. Indecent exposure under Penal Code 21.08;
 - iii. Criminal mischief under Penal Code 28.03;
 - iv. Hazing under Education Code 37.152; or
 - v. Harassment under Penal Code 42.07(a)(1), of a student or district employee.

SERIOUS OR PERSISTENT MISBEHAVIOR includes but is not limited to:

1. Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
2. Behavior identified by the District as grounds for discretionary DAEP placement.
3. Actions or demonstrations that substantially disrupt or materially interfere with school activities.
4. Refusal to attempt or complete work as assigned.
5. Profanity, vulgar language, or obscene gestures.
6. Leaving school grounds without permission.
7. Falsification of records, passes, or other school related documents.
8. Refusal to accept discipline assigned by the teacher or principal.

SEX OFFENDER is a student required to register as a sex offender under Chapter 62 of the Code of Criminal Procedure for an offense committed on or after September 1, 2007. The term does not include a student who:

1. Is no longer required to register as a sex offender under Chapter 62,
2. Is exempt from registering as a sex offender under Chapter 62, **or**
3. Receives an early termination of the obligation to register as a sex offender under Chapter 62.

SEXTING is creating an offense for electronic transmission of visual material depicting a minor (any student under the age of 17).

SEXUAL HARASSMENT is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with a student's performance, creates an intimidating, hostile, or offensive educational environment; affects a student's ability to participate in or benefit from an educational program or activity; otherwise adversely affects the student's educational opportunities, or is prohibited by District policy FFH or FNC.

SHORT-BARREL FIREARM is defined by Penal Code 46.01 as a rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun that, as altered, has an overall length of less than 26 inches.

STATE OF TEXAS ASSESSMENTS OF ACADEMIC READINESS (STAAR) is the State of Texas Assessments of Academic Readiness, the state's system of standardized academic achievement assessments, effective beginning with certain students for the 2011-2012 school year.

STAAR Alternate is an alternative state-mandated assessment designed for students with severe cognitive disabilities receiving special education services who meet the participation requirements, as determined by the student's ARD committee.

STAAR Modified is an alternative state-mandated assessment based on modified achievement standards that is administered to eligible students receiving special education services, as determined by the student's ARD committee.

STAAR Linguistically Accommodated (STAAR L) is an alternative state-mandated assessment with linguistic accommodations designed for certain recent immigrant English language learners.

STATE-MANDATED ASSESSMENTS are required of students at certain grade levels and in specified subjects. Successful performance sometimes is a condition of promotion and passing the grade 11 exit-level test or end-of-course assessment, when applicable, is a condition of graduation. Students have multiple opportunities to take the tests if necessary, for promotion or graduation.

STUDENT CODE OF CONDUCT is developed with the advice of the District-level committee and adopted by the Board and identifies the circumstances, consistent with law, when a student may be removed from the classroom or campus. It also sets out the conditions that authorize or require the principal or another administrator to place the student in a DAEP. It outlines conditions for out-of-school suspension and for expulsion. The Student Code of Conduct also addresses notice to the parent regarding a student's violation of one of its provisions.

SWITCHBLADE is any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force. It does not include a knife that has a spring, detent, or other mechanism designed to create a bias toward closure and that requires exertion applied to the blade by hand, wrist, or arm to overcome the bias toward closure and open the knife (also known as one-handed openers or assisted openers).

TELECOMMUNICATIONS DEVICE is any type of device that:

1. Emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or
2. Permits the recording, transmission, and/or receipt of messages, voices, images, or information in any format or media, electronic or otherwise. It does not include an amateur radio under control of someone

with an amateur radio license.

TERRORISTIC THREAT defined by Penal Code 22.07 as a threat of violence to any person or property with intent to:

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

TEXAS ENGLISH LANGUAGE PROFICIENCY ASSESSMENT SYSTEM (TELPAS) assesses the progress that English language learners make in learning the English language and is administered for those who meet the participation requirements in kindergarten-grade 12.

TEXAS VIRTUAL SCHOOL NETWORK (TxVSN), which provides online courses for Texas students to supplement the instructional programs of public-school districts. Courses are taught by qualified instructors, and courses are equivalent in rigor and scope to a course taught in a traditional classroom setting.

TIRE DEFLATION DEVICE is defined in part by Penal Code 46.01 as a device, including a caltrop or spike strip, that, when driven over, impedes or stops the movement of a wheeled vehicle by puncturing one or more of the vehicle's tires.

TITLE 5 FELONIES are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person and may include:

- Murder, manslaughter, or homicide under Sections 19.02, -. 05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05 – .06;
- Assault under Section 22.01;
- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or **disabled individual** ~~children~~ under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

UNDER THE INFLUENCE is when in an employee's professional judgment, the student does not have the normal use of mental or physical faculties likely attributable to the student's use of a prohibited substance. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behavior or by the student's admission. A student "under the influence" need not be legally intoxicated to trigger disciplinary action.

UNIVERSITY INTERSCHOLASTIC LEAGUE (UIL) is the statewide voluntary nonprofit organization that oversees educational extracurricular academic, athletic, and music contests.

USE means with respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.

ZIP GUN is defined by Penal Code 46.01 as a device or combination of devices, not originally a firearm, but adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Report on STAAR Assessment Results
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Brenda Cruz & Emily Gray
Attachments: Report on STAAR Assessment Results Presentation

Background Information:

The 2021 STAAR participation and performance results for Leander ISD have been released by the Texas Education Agency. The district results will be presented by Brenda Cruz, Director of State Assessment and Accountability and Emily Gray, Sr. Coordinator of K-12 Academic Measures.

Administrative Recommendation:

N/A

Sample Motion:

N/A



Report on STAAR Assessment Results

July 22, 2021

Transition of State Assessment



Average Participation
Spring 2019:
98-99%



Average Participation
Spring 2020:
0% (STAAR waived)



Average Participation Spring 2021:
Elem. - 76%
MS - 44%
HS - 72% plus 14%
substitute assessment

For 2021: Per the Commissioner of Education, virtual students were not required to participate in state assessment if concerns were present due to Covid 19

So what does this mean for our system?

- We should not compare the data to our past performance
- We should not compare our data to other districts
- We should examine other student, campus and district measures

Critical and Creative Thinkers

Compassionate Community Contributors

Adaptive and Reflective Individuals

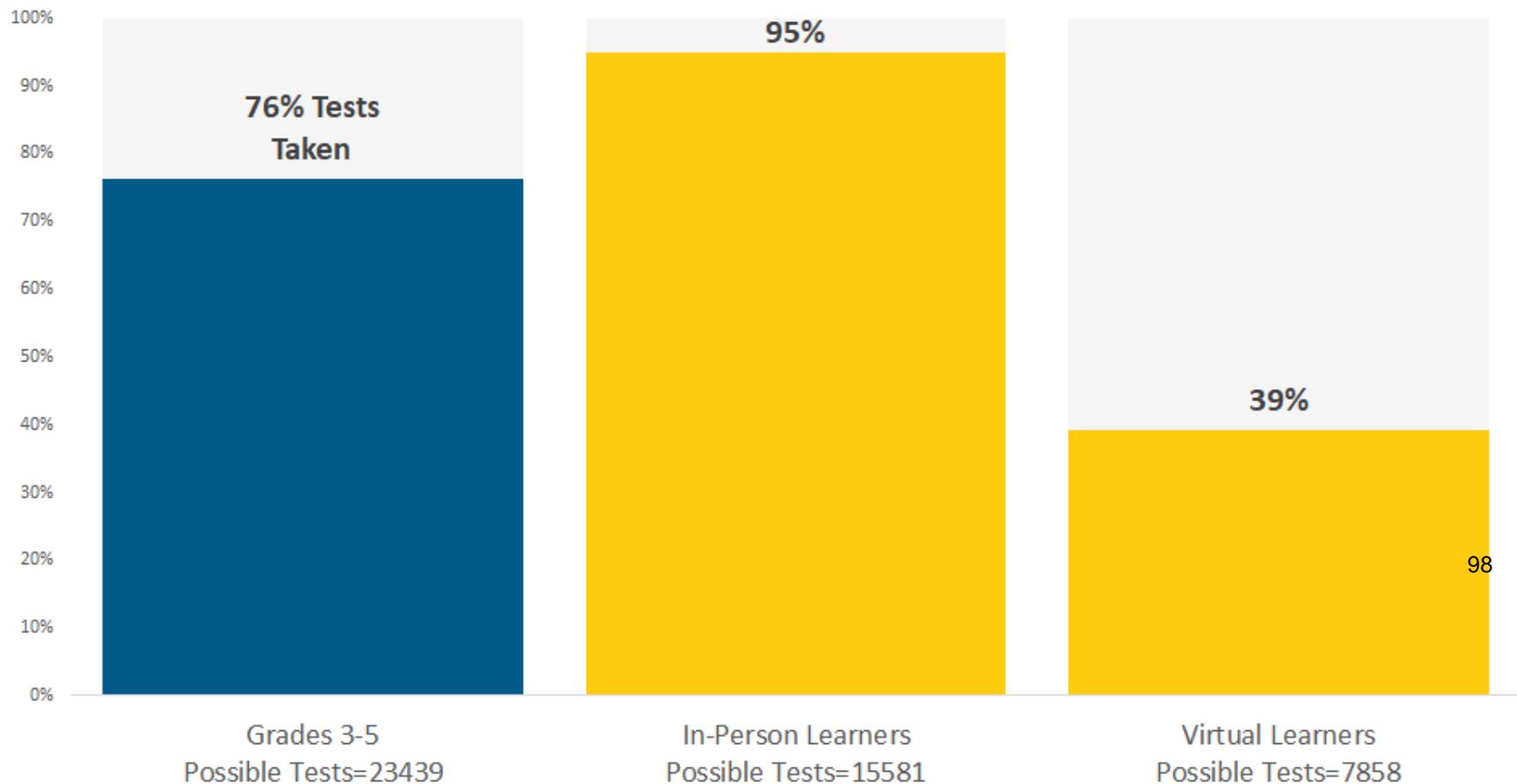
Skilled Communicators and Collaborators



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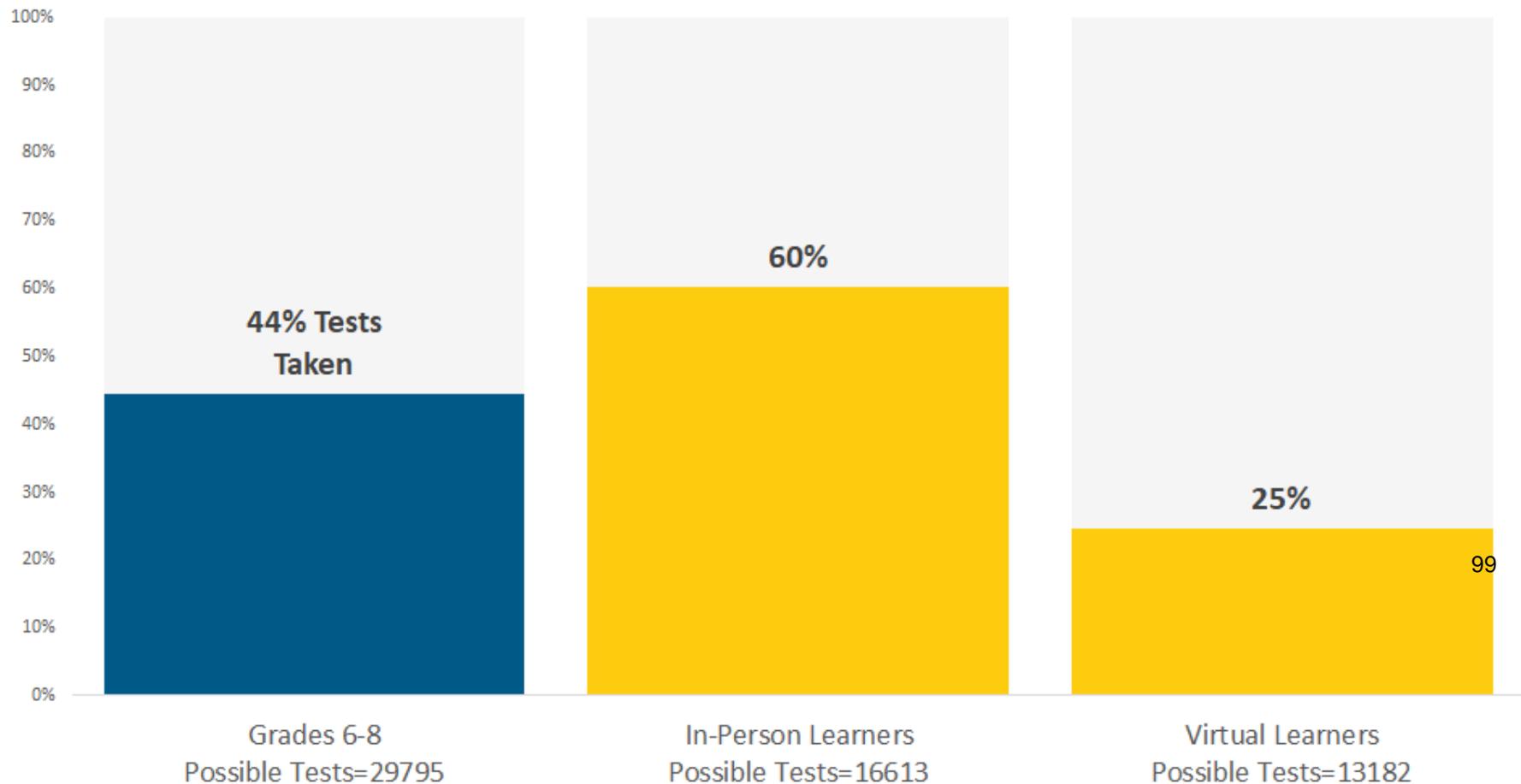
LISD Elementary 2020-21 STAAR Participation by Student Group

All Tests Grades 3-5



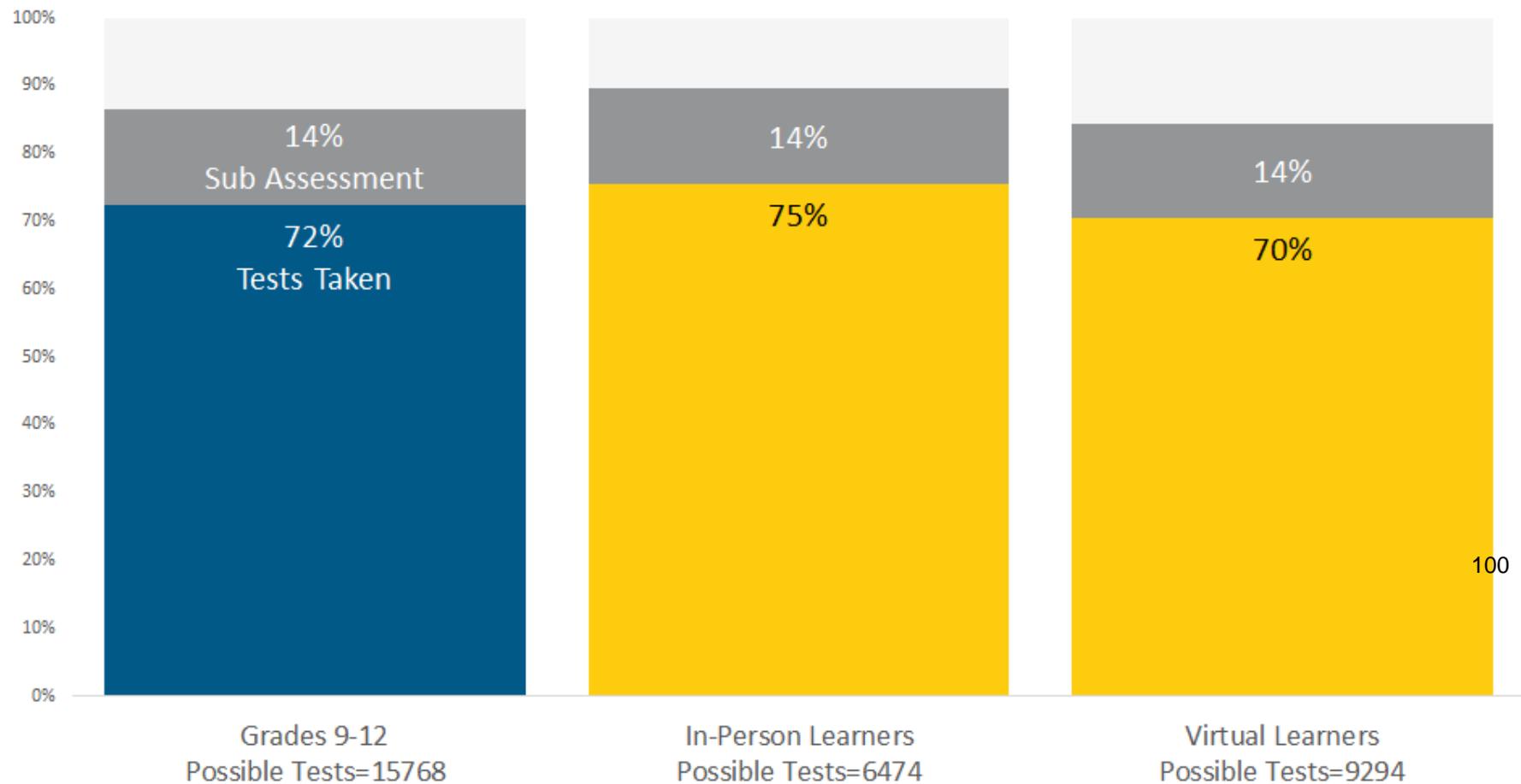
LISD Middle School 2020-21 STAAR Participation by Student Group

All Tests Grades 6-8



LISD High School 2021 STAAR Participation by Student Group

All Tests Grades 9-12



Leander ISD 2021 STAAR Math Performance

LISD STAAR Test Summary	Participation			Performance of Tested Students		
	Enrolled Students	# Tested	% Tested	% Approaches or Better	% Meets or Better	% Masters
Math	20739	13157	63%	74%	47%	25%
3	2763	2236	81%	72%	41%	22%
4	2923	2231	76%	67%	42%	24%
5	3040	2249	74%	79%	54%	31%
6	3136	1714	55%	79%	52%	24%
7	1879	723	38%	50%	17%	5%
8	3522	1335	38%	79%	56%	21%
A1*	3476	2669	77%	80%	50%	31%
Sub Assessment		263	8%			

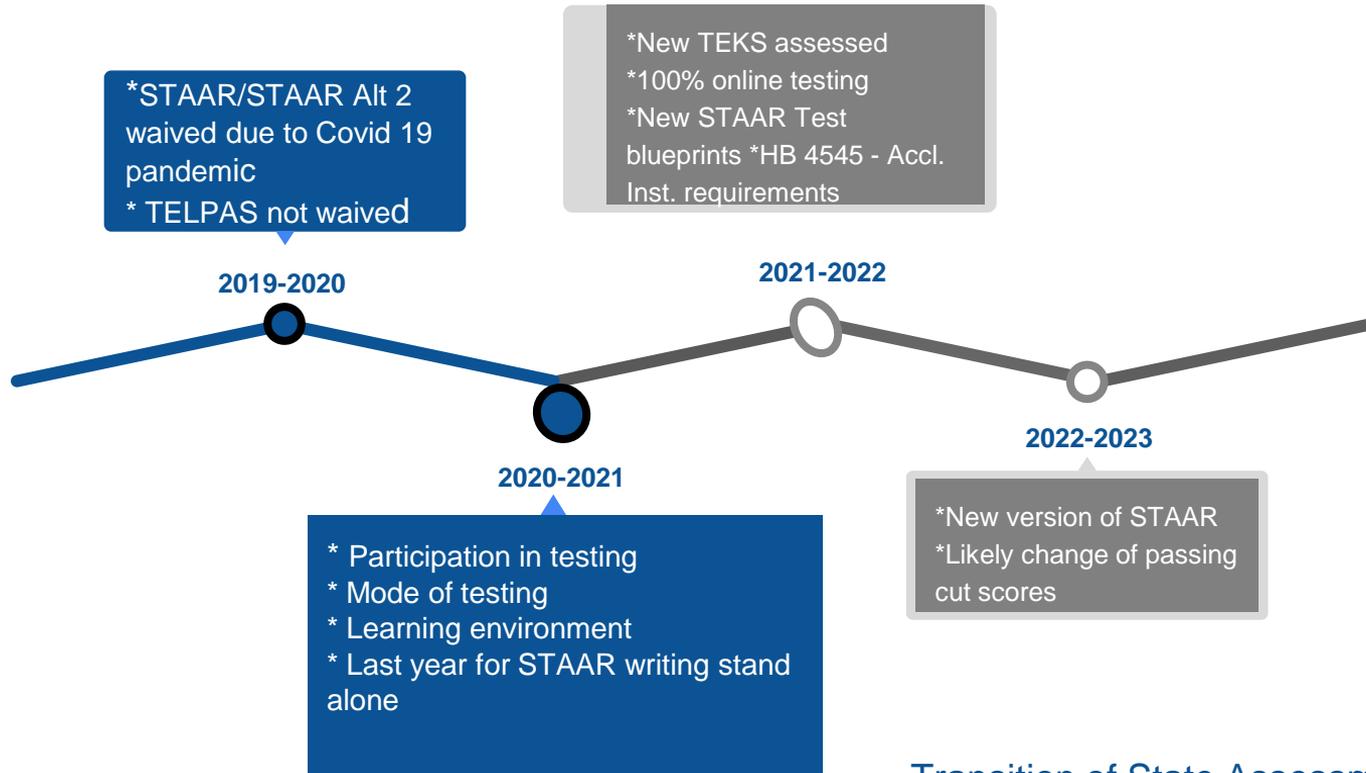
Leander ISD 2021 STAAR Reading Performance

LISD STAAR Test Summary	Participation			Performance of Tested Students		
	Enrolled Students	# Tested	% Tested	% Approaches or Better	% Meets or Better	% Masters
Reading	25770	15390	60%	79%	58%	28%
3	2763	2211	80%	80%	56%	31%
4	2928	2231	76%	71%	45%	23%
5	3043	2240	74%	82%	60%	43%
6	3157	1749	55%	76%	50%	25%
7	3391	1428	42%	78%	57%	37%
8	3327	1238	37%	84%	62%	37%
E1*	3605	1302	36%	68%	50%	9%
Sub Assessment E2	3556	1922 2991	53% 84%	85%	75%	19%

Leander ISD 2021 STAAR Performance - Science, Soc. St. and Writing

LISD STAAR Test Summary	Participation			Performance of Tested Students		
	Enrolled Students	# Tested	% Tested	% Approaches or Better	% Meets or Better	% Masters
Science	9941	6555	66%	84%	61%	33%
5	3043	2231	73%	73%	39%	17%
8	3327	1208	36%	83%	63%	44%
BI	3571	3116	87%	93%	76%	40%
Social Studies	6234	3718	60%	88%	70%	48%
8	3327	1165	35%	74%	46%	26%
US	2907	2553	88%	94%	82%	57%
Writing	6319	3730	59%	67%	40%	13%
4	2928	2246	77%	65%	37%	12%
7	3391	1484	44%	69%	44%	16%

The Changing Landscape of State Assessment



Transition of State Assessment and Accountability

Glimpse of an Elementary Student's Academic Reading Journey...

Classroom -----Campus/District -----State / National



- Daily Formative Assessments
- Running Records
- Observation
- Portfolios:
 - Compositions / Rubrics
 - Written Response
 - Reading surveys
 - Goals
 - Work samples
 - High Frequency Words
 - Letter Identification
 - Reading Lists (count of books read)
 - To Be Read List
 - Etc.

- Collaborative Common Assessments
- Performance Tasks
- Report Card
- Student Surveys
- Observation:
 - Walk Throughs
 - Evidence of Curriculum
 - Student Engagement
 - Student Passion for Learning

What did I hear students talking about?

What did I see students doing?

What evidence did I see?
- Graduate Profile

- ISIP
- STAAR / TELPAS
- NWEA MAP

Core Beliefs

As a public school organization, we hold these truths as our core beliefs:

- 1 Each and every student is at the heart of our decisions. This requires a focus on students and all elements that impact their overall student experience in order for them to reach their maximum potential.
- 2 LISD life-changers (each and every staff member) should be empowered so they can inspire our students to own their learning.



Vision

The #1LISD community cultivates each student individually to produce the most sought after creators of our future world.



Mission

We will cultivate each individual student by:

- Knowing and appreciating them
- Creating a safe and supportive environment to nurture their personal growth
- Partnering with each family

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Discussion

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: English Language Arts Literature Review Update
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Jennifer Collins & Matt Bentz
Attachments: English Language Arts Literature Review Update Presentation

Background Information:

The purpose of this presentation is to update the Board of Trustees on commitments made to prepare ELA curriculum and resources for the start of 2021-2022 school year.

Administrative Recommendation:

N/A

Sample Motion:

N/A



English Language Arts Literature Review Process

August 5, 2021

Purpose

The purpose of this presentation is to provide the Board of Trustees an update on commitments made to prepare ELA curriculum and resources for the start of 2021-2022 school year

Reviewing our Commitments

- Thorough literature selection process involving parents
- Published list of approved titles
- Consistent process for parent communication and opportunity for parents to identify titles not to be read
- Clear process for reconsideration of instructional materials

From March 25, 2021

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Literature selection process

	When did the review process occur?	How many CCAC participants reviewed books?
Cycle 1	Nov/Dec	49
Cycle 2	Jan/Feb	88
Cycle 3	Feb/March	66
Cycles 4-5	March/April	185
Cycle 6	April	89
Cycle 7	April	104
Cycle 8	April/May	146

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Book Review Outcomes

	Meets criteria. Available for use in the 20-21 book clubs.	Considerations sufficient to remove title from 20-21 book club unit.	Paused pending further review
Cycle 1	11 Titles	3 Titles	1 Title
Cycle 2	13 Titles	0 Titles	2 Titles
Cycle 3	12 Titles	3 Titles	0 Titles
Cycle 4	14 Titles	0 Titles	1 Title
Cycle 5	14 Titles	2 Titles	0 Titles
Cycle 6	12 Titles	1 Title	0 Titles
Cycle 7	12 Title	3 Titles	0 Titles
Cycle 8	12 Titles	1 Title	2 Titles

Summer Curriculum Updates

HS ELA Curriculum Revisions & Enhancements

- Adjustments to Unit Titles to Clarify Learning Outcomes
 - From *Contemporary Fiction Book Clubs: A Study of Individuality and Belonging*
 - To *Literacy Fiction: A Study of Author and Reader Perspectives*

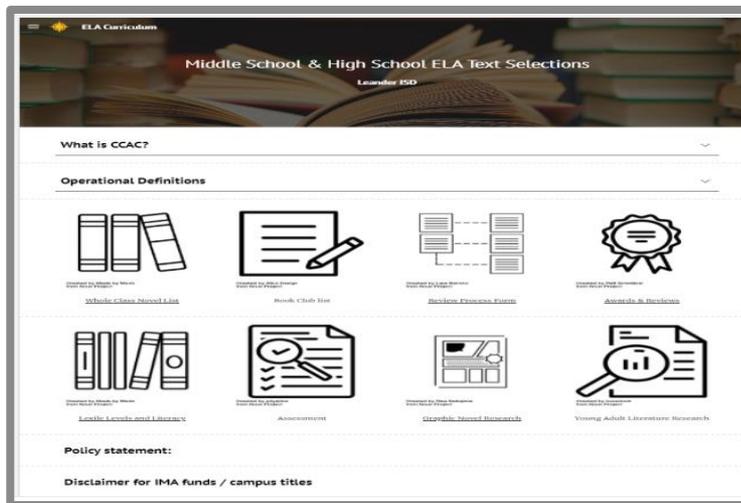
Summer Curriculum Updates

HS ELA Curriculum Revisions & Enhancements

- Book Club Supports Provided to Teachers
 - Titles, Awards & Professional Reviews
 - Parent Communication Expectations
 - Sample Parent Letter including opportunities for parents to communicate any titles they do not want their child to read
 - Additional “whole class novel” titles that could be added that are highly matched to the intent of the unit

Focus on Transparency

Website designed to clearly communicate with community stakeholders the text selections available in Secondary ELA while providing additional learning to build background knowledge.



Focus on Transparency

- Process for Whole Class Text Approval
- Approved Whole Class Text List by Course (grades 6-12)
- Approved Book Club Text List by Course (grades 6-12)
 - Titles & Summaries
 - Identification of Potentially Sensitive Topics or Themes
- Expectations regarding Parent Communication including Samples
- Community Feedback Form: To suggest additional titles
- Reconsideration Process: Clarity of the revised Process (from policy revision work)
- Additional Resources & Information

Next Steps

- Publish the Secondary ELA Text Selections Website
- Board policy revision (presented for first read tonight)
 - EMB (Local) - Teaching About Controversial Issues
 - EF (Local) - Instructional Resources
- Professional learning for all instructional staff on Policy EMB (Local)
- Instructional Materials Adoption Manual
- Roadmap of upcoming adoptions

DISCUSSION

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Update on Superintendent Performance Goals
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Bruce Gearing
Attachments: Update on Superintendent Performance Goals Presentation

Background Information:

Superintendent Gearing will provide an update on the 2020-2021 Superintendent Performance Goals Formative Review in response to feedback received at the last meeting.

Administrative Recommendation:

N/A

Sample Motion:

N/A



Update on Superintendent Performance Goals

August 5, 2021

District Goal #1

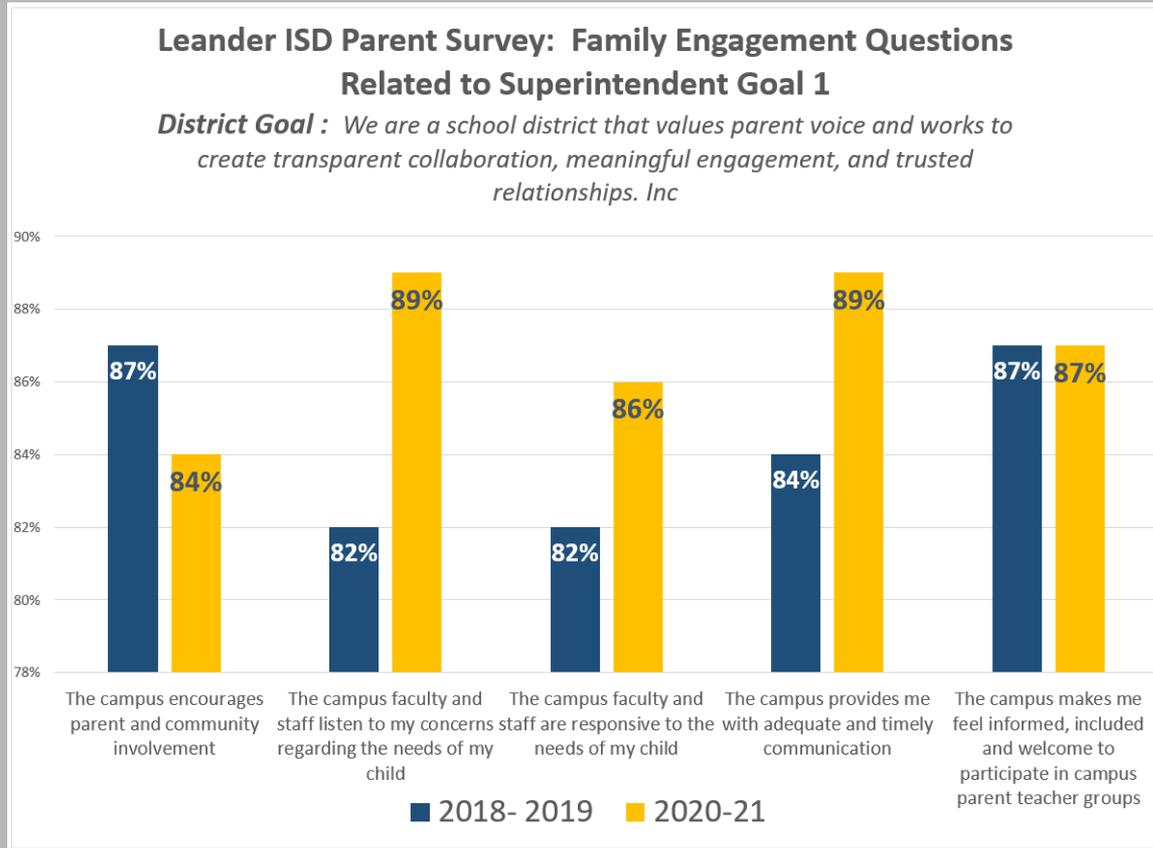
We are a school district that values parent voice and works to create transparent collaboration, meaningful engagement, and trusted relationships. Increase the percent of stakeholders who feel engaged with and connected to the schools, the district and the Board of Trustees.

Key Performance Indicators

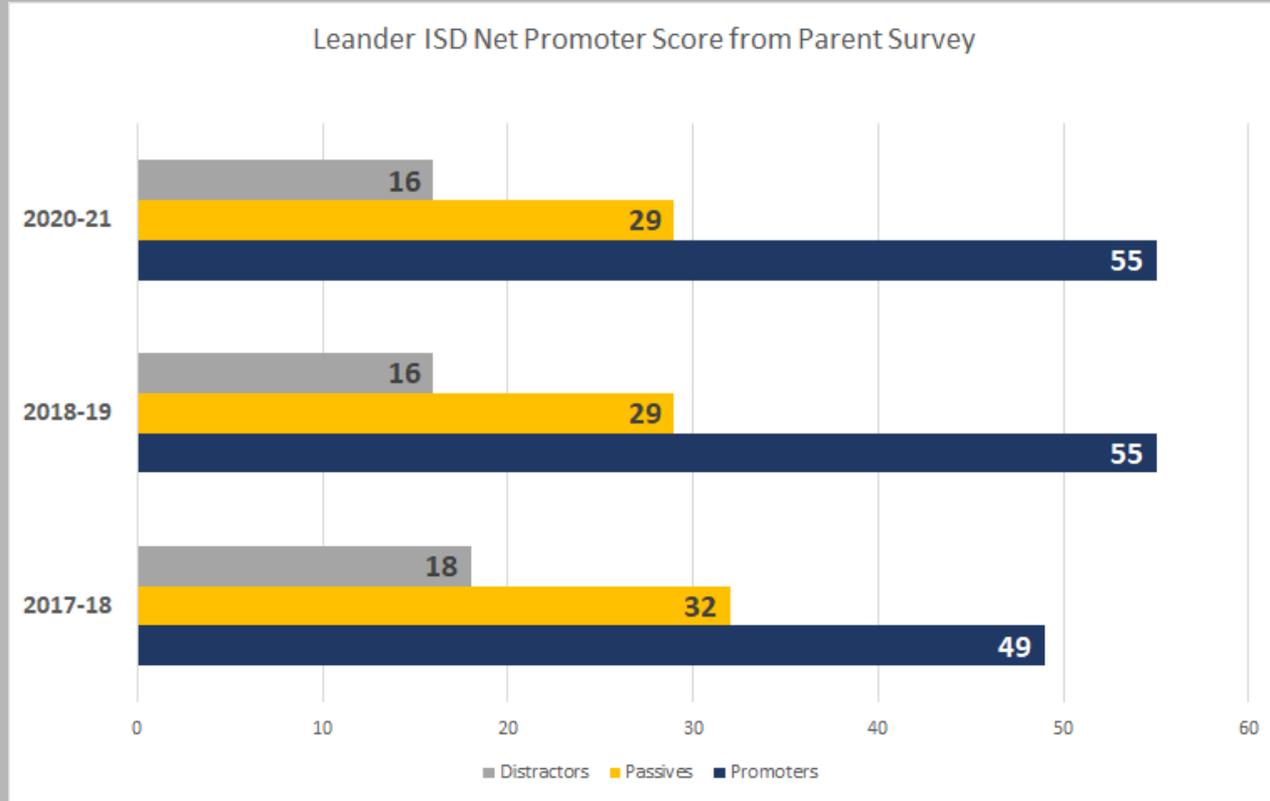
- [Parent Survey Results - Board Presentation June 10](#)
- Copia Report Recommendation & Action Steps - [Board Presentation May 6](#)
- Equity & Diversity Listening Sessions and Action Steps - [Board Presentation June 10](#)
- Graduate Profile Refinement Feedback Loops - *Upcoming Board Presentation on June 17*
- [Community Curriculum Advisory Committee Recommendations](#)

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Key Performance Indicator: Parent Survey Results



Key Performance Indicator: Parent Survey Results



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District Goal #2

Our learning environments foster student passions for learning and prepares them to meet our graduate profile.

Key Performance Indicators

- Superintendent's Student Advisory Council Feedback to Drive Improvement
- Deeper Learning Institute for Staff
- Increase Teacher and Student Use of the 4 C's
- Student Survey Results
- Increase percentage of students who are engaged in student-led or school-sponsored activities, extra- and co-curricular activities
- Increase in % of students who graduate with an Endorsement

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Key Performance Indicators for Goal 2

Superintendent's Student Advisory Council Feedback to Drive Improvement

- Provided important feedback that drove improvements to our virtual learning processes and the phase in of in-person learning opportunities throughout the fall and winter of 2020-21.
- Provided feedback on the current LISD Graduate Profile which led to the redesign process.
- Spent the spring studying and focusing on improving student empowerment throughout LISD and presented their PDSA for Student Empowerment to the Board of Trustees on [May 20, 2021](#).



Key Performance Indicators for Goal 2



Deeper Learning Institute for Staff

- Six Deeper Learning Institutes were held during the 2020-2021 school year allowing 38 Teaching and Learning staff to participate in the experience.
- A vital role in creating deeper learning for each student is having a support team who understands the work of the campus and can support campus leadership on this journey.

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Key Performance Indicators for Goal 2

Increase teacher and student use of the 4 C's within their learning experiences

(Communication, Collaboration, Critical Thinking, and Creativity) as measured by the BrightBytes Technology and Learning Survey.

Year	<i>Overall Technology and Learning</i>	<i>Student Use of 4 C's</i>	<i>Teacher Use of 4 C's</i>
2017	1080	1032	915
2018	1085	1024	925
2019	1092	1045	936
2020*	1102	1060	956
2021	1121	1092	999
<i>2021 Target</i>	<i>1122</i>	<i>1088</i>	<i>1005</i>
<i>2024-25 Goal "Exemplary"</i>	<i>1200</i>	<i>1200</i>	<i>1200</i>

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Key Performance Indicators for Goal 2

Percent of survey respondents with a positive sense of future pathways (*Baseline survey in Spring 2021*)

Survey Response: My Teachers show me how lessons relate to life outside of school.

<i>Level</i>	<i>2018</i>	<i>2019</i>	<i>2021</i>
<i>Elementary</i>	<i>71%</i>	<i>66%</i>	<i>88% *</i>
<i>Middle</i>	<i>51%</i>	<i>52%</i>	<i>56%</i>
<i>High</i>	<i>43%</i>	<i>44%</i>	<i>38%</i>
<i>District Average</i>	<i>55%</i>	<i>54%</i>	<i>60%</i>

**Elementary question changed to “My teacher gives real-life examples in class”*

Baseline Questions on Student Survey:

- I have the opportunity to engage in learning that is relevant to my interests, passions, or goals. (MS= 68%, HS = 64%)*
- A guidance counselor or transition coordinator has advised me about how to find a job. (28% Agree/ Strongly Agree)*
- A guidance counselor or transition coordinator has advised me about how to get into college. (69% Agree/ Strongly Agree)*
- A guidance counselor or transition coordinator has explored post-high school career and education paths with me. (61% Agree/ Strongly Agree)*

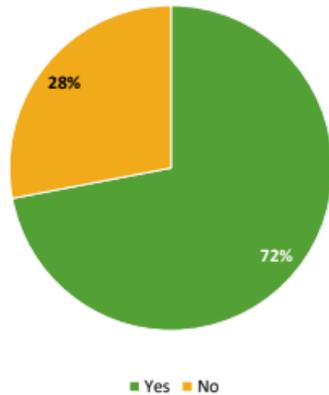
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Key Performance Indicators for Goal 2

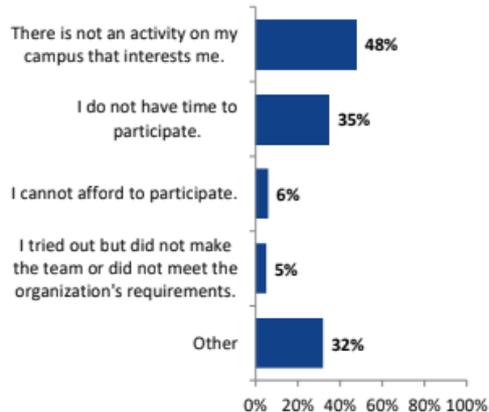
Increase percentage of students who are engaged in student-led or school-sponsored activities, extra- and co-curricular activities.

Co-curricular/Extracurricular Activities

Do you participate in co-curricular or extracurricular activities, teams, or organizations (e.g., athletics, fine arts, academics, CTE, service, or student leadership)?
(N=9,623)



Please indicate why you do not participate in co-curricular or extracurricular activities, teams, or organizations. (N=2,604)



Note: Only participants who said they did not participate in a co-curricular answered this question. Percentages added may exceed 100 since a participant may select more than one answer for this question.

K12 Insight
© 2021

Enrollment

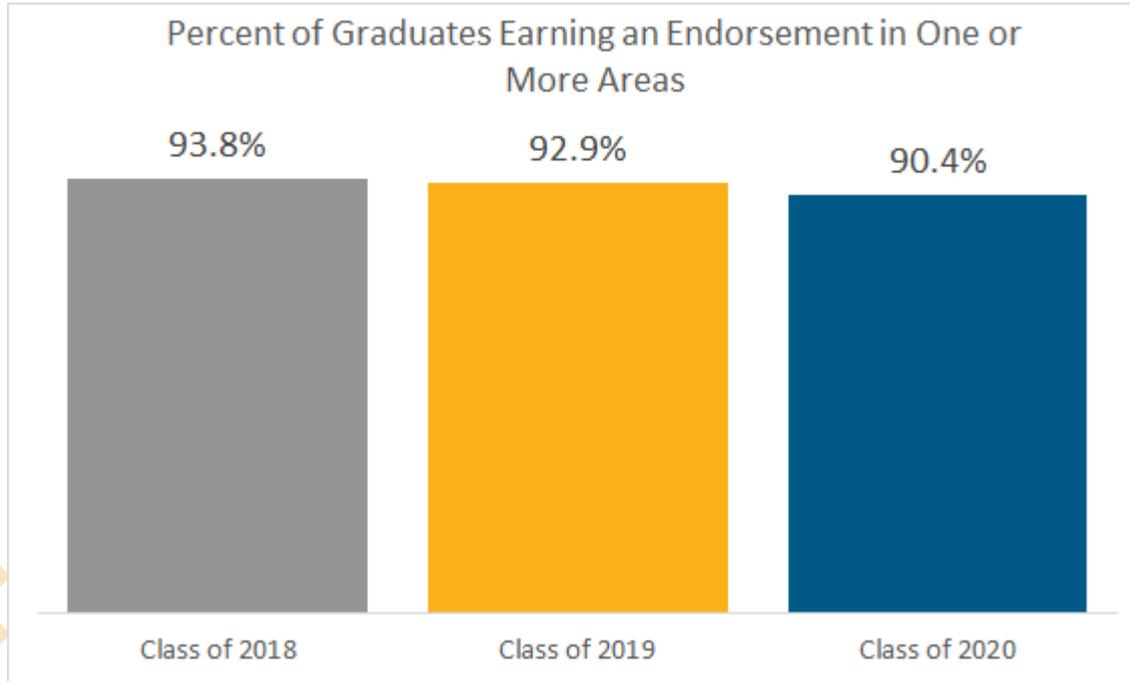
54% of MS/HS students are enrolled in a CTE Course (46% in MS and 60% of HS)

34% of secondary students participated in athletics

40% of secondary students participated in Fine Arts (beyond the “Intro” level courses) 130

Key Performance Indicators for Goal 2

Increase % of students who graduate with an Endorsement



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Participation in Fine Arts, Athletics and CTE		<u>All</u>	<u>White</u>	<u>Black</u>	<u>Hispanic</u>	<u>Asian</u>	<u>2 or More</u>	<u>Male</u>	<u>Female</u>	<u>Eco Dis</u>	<u>Ever EL</u>	<u>SPED</u>
2020-21 LISD Equity Indicators	Fine Arts (UIL or Year 2+) (Grades 6-12)	40%	40%	32%	39%	47%	42%	34%	47%	34%	40%	34%
	Athletics (Grades 7-12)	31%	35%	33%	29%	16%	31%	34%	29%	25%	22%	19%
	Any Career/Technical Course(s) (Grades 7-12)	58%	57%	52%	56%	66%	57%	60%	55%	53%	57%	47%
2019-20 LISD Equity Indicators	Fine Arts w/ UIL component	41%	41%	35%	40%	47%	41%	33%	49%	36%	41%	36%
	Athletics	35%	37%	39%	32%	22%	37%	38%	31%	28%	25%	21%
	Any Career/Technical Course(s) (Grades 7-12)	51%	51%	42%	48%	59%	49%	53%	48%	43%	50%	44%
1 Year Change LISD Equity Indicators by Student Group*		<u>All</u>	<u>White</u>	<u>Black</u>	<u>Hispanic</u>	<u>Asian</u>	<u>2 or More</u>	<u>Male</u>	<u>Female</u>	<u>Eco Dis</u>	<u>Ever EL</u>	<u>SPED</u>
	Fine Arts (UIL or Year 2+) (Grades 6-12)	-1%	-1%	-3%	-1%	0%	1%	1%	-2%	-2%	-1%	-2%
	Athletics (Grades 7-12)	-4%	-2%	-6%	-3%	-6%	-6%	-4%	-2%	-3%	-3%	-2%
Any Career/Technical Course(s) (Grades 7-12)	7%	6%	10%	8%	7%	8%	7%	7%	10%	7%	3%	

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District Goal #3

We have learning spaces that are appropriate to meet the needs of our growing and changing population.

Key Performance Indicators

- **Long Range Facilities Plan Developed** - [Administration presented the Long Range Facility Plan to the Board of Trustees on December 17, 2020.](#)
- **Citizens' Facility Advisory Committee Process Completed** - The 2021 Citizens' Facility Advisory Committee (CFAC) kicked off its work on March 2, 2021. Approximately 175 community members volunteered to serve on CFAC including five subcommittees; High School, Middle School, Elementary School, Ancillary Services and Information Technology Services.
- **Research and Development around Schools of Choice** - A plan has been developed to strategically maximize use of current capacity at underutilized campuses and create efficient smaller learning communities focused on career specializations and innovative instructional approaches.

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Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item:	Consider All Matters Incident and Related to Calling a Bond Election to be Held by the Leander Independent School District, Including the Adoption of an Order Pertaining Thereto
Purpose (this meeting):	<input type="checkbox"/> Discussion Item/Report Only <input checked="" type="checkbox"/> Action Requested
Administrator Responsible:	Dr. Bruce Gearing, Elaine Cogburn, Jimmy Disler, Kristen Savant Bond Counsel – Norton Rose Fulbright US LLP
Attachments:	Bond Election Order Proposed Bond Amounts by Proposition

Background Information:

The deadline to order a November 2 bond election is Monday, August 16, 2021. The Order has been prepared with three separate propositions. Proposition A covers the costs of the projects recommended by the CFAC for inclusion in the bond less amounts required by law to be placed on separate propositions. Proposition B splits out technology equipment considered as a special purpose under Senate Bill 30 and Proposition C is a second special purpose proposition covering renovations to performing arts centers and auditoriums at the high school campuses.

Please note that the bond order has been prepared with placeholders for actual dollar amounts. The amounts will be completed upon an approved motion by the Board for the bond amount. An additional attachment is included illustrating the various scenarios discussed on August 3, 2021 and split out by the required Propositions.

Administrative Recommendation:

The administration recommends the Board of Trustees adopt an order calling a bond election in the principal amount of (*amount to be determined by the Board*) to be held on November 2, 2021 by the Leander Independent School District.

Sample Motion:

I move that the Board of Trustees adopt an Order calling a bond election in the principal amount of \$ _____ to be held on November 2, 2021 by the Leander Independent School District.

AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE LEANDER INDEPENDENT SCHOOL DISTRICT, MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the Board of Trustees (the *Board*) of the LEANDER INDEPENDENT SCHOOL DISTRICT (the *District*), located in Travis and Williamson Counties, Texas (individually, the *County*, together, the *Counties*), hereby finds and determines that an election should be held to determine whether the District shall be authorized to issue bonds of the District in the amounts and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the District will contract with the elections administrator of Travis County and the elections administrator of Williamson County (individually, the *Administrator*; together, the *Administrators*) to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by each County and held jointly with other political subdivisions for which each County is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, each County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

WHEREAS, the Board hereby finds and determines that the necessity to construct various capital improvements within the District necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE LEANDER INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the LEANDER INDEPENDENT SCHOOL DISTRICT on the 2nd day of November, 2021 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is 78 or more days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following propositions to the qualified voters of the District:

PROPOSITION A

“Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$_____ for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), the purchase of the necessary

sites for school facilities, the purchase of new school buses, the retrofitting of school buses with emergency, safety, or security equipment, and the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION B

"Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$ _____ for the purposes of acquiring and updating technology equipment, such bonds to mature serially or otherwise (not more than 5 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION C

"Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$ _____ for the purposes of renovating, improving, upgrading, updating, and equipping performing arts facilities, to wit: the performing arts centers and auditoriums at each high school campus, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2: One or more school election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the school election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). At least 79 days prior to the scheduled Election Day, or as soon thereafter as is reasonably practicable, the President, Board of Trustees, the Superintendent of Schools, or the respective designees thereof, in coordination with the Administrators, will appoint the Presiding Judge, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Administrators, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the District to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

B. On Election Day, the polls shall be open as designated on Exhibit A.

Travis County and Williamson County participate in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any District voter registered in the respective County can vote in the Election at any polling place identified in Exhibit A for that county.

C. The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This office or place shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrators, as identified in Exhibit B hereto.

The District authorizes each Administrator to establish an Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of an Early Voting Ballot Board is hereby appointed the Presiding Judge of the indicated Early Voting Ballot Board. The Presiding Judge shall appoint not

less than two resident qualified voters of the District to serve as members of each such Early Voting Ballot Board.

SECTION 3: Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4: The District authorizes each Administrator to utilize a Central Counting Station (the *Stations*) as provided by Section 127.001, *et seq.*, as amended, Texas Election Code. The Administrators, or the designees thereof, are hereby appointed as the Manager of their respective Station, who will establish a written plan for the orderly operation of the respective Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the Administrators, or the designees thereof, to appoint the Presiding Judges of the respective Station, the Tabulation Supervisor, and the Programmer for the respective Station and may appoint Station clerks as needed or desirable. The Administrators will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

SECTION 5: The official ballot shall be prepared in accordance with the provisions of the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid propositions which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF \$_____ OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, THE NECESSARY SITES FOR SCHOOL FACILITIES, BUSES AND VEHICLES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

PROPOSITION B

“THE ISSUANCE OF \$_____ OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR TECHNOLOGY EQUIPMENT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

PROPOSITION C

“THE ISSUANCE OF \$ _____ OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR RENOVATIONS TO THE PERFORMING ARTS CENTERS AND AUDITORIUMS AT EACH HIGH SCHOOL CAMPUS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

SECTION 6: All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling place. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7: Notice of election, including a Spanish translation thereof, shall be published at least one time in a newspaper of general circulation in the District, with such publication occurring not more than 30 days and not less than 10 days before Election Day. Moreover, a substantial copy of this Order and the voter information document required by law, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not less than 21 days prior to Election Day, (ii) in three additional public places within the District’s boundaries not later than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the District’s internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the District’s internet website not less than 25 days prior to Election Day.

SECTION 8: As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the District, as of the date of this Order, had outstanding an aggregate principal amount of debt equal to \$1,115,580,085; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$1,467,194,634; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.4625 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board’s adoption of this Order, the estimated maximum interest rate for any series of bonds authorized at the Election is 5.00% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9: The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties, to negotiate and enter into one or

more joint election agreements, election services contracts, and/or similar contracts or agreements with the County, acting by and through the Administrators, and any Participants if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. The Superintendent of Schools or his designee, is hereby authorized to correct, modify or change the information in the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Administrator, and the Participants, if any and as applicable, to the extent permitted by applicable law. In addition, the Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Board, as evidenced herein. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Trustees.

SECTION 10: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

SECTION 11: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 12: This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13: It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14: If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15: This Order shall be in force and effect from and after its final passage, and it is so ordered.

* * *

PASSED AND APPROVED, this the 5th day of August, 2021.

LEANDER INDEPENDENT SCHOOL
DISTRICT

Trish Bode
President, Board of Trustees

ATTEST:

Elexis Grimes
Secretary, Board of Trustees

(DISTRICT SEAL)

[Signature Page to Leander Independent School District Bond Election Order]

Exhibit A

TRAVIS COUNTY ELECTION DAY PRECINCT AND POLLING INFORMATION

Election Day: Tuesday, November 2, 2021

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be appointed by the County

District Precinct	Travis County Precincts*	Polling Places*
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* Travis County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified on the County's website.

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**WILLIAMSON COUNTY ELECTION DAY PRECINCT AND POLLING
INFORMATION**

Election Day: Tuesday, November 2, 2021

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be appointed by the County

District Precinct	Williamson County Precincts*	Polling Places*
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* Williamson County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified on the County's website.

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Exhibit B

TRAVIS COUNTY EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, October 18, 2021 and ends on Friday, October 29, 2021.

Early Voting Clerk: [Name], [Address], [City], Texas [Zip].

Presiding Judge of the Early Voting Ballot Board: to be determined by [Name].

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site.

Monday, October 18, 2021 through Friday, October 22, 2021	8:00 a.m. – 5:00 p.m.
Saturday October 23, 2021	7:00 a.m. – 7:00 p.m.
Sunday October 24, 2021	1:00 p.m. – 6:00 p.m.
Monday, October 25, 2021 through Friday, October 29, 2021	7:00 a.m. – 7:00 p.m.

The Contracting Election Officer shall designate and arrange for the use of all Early Voting Polling Locations.

Early Voting By Mail

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on October __, 2021. Applications should be sent to:

Early Voting Clerk
[Name], Travis County Elections Department
[Address]
[City], Texas [zip]
fax: (____) ____ - ____
email: _____.

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

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WILLIAMSON COUNTY EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, October 18, 2021 and ends on Friday, October 29, 2021.

Early Voting Clerk: [Name], [Address], [City], Texas [Zip].

Presiding Judge of the Early Voting Ballot Board: to be determined by [Name].

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site.

Monday, October 18, 2021 through Friday, October 22, 2021	8:00 a.m. – 5:00 p.m.
Saturday October 23, 2021	7:00 a.m. – 7:00 p.m.
Sunday October 24, 2021	1:00 p.m. – 6:00 p.m.
Monday, October 25, 2021 through Friday, October 29, 2021	7:00 a.m. – 7:00 p.m.

The Contracting Election Officer shall designate and arrange for the use of all Early Voting Polling Locations.

Early Voting By Mail

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on October __, 2021. Applications should be sent to:

Early Voting Clerk
[Name], Williamson County Elections Department
[Address]
[City], Texas [zip]
fax: (____) ____ - ____
email: _____.

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

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AN ORDER CALLING A BOND ELECTION TO BE HELD BY THE LEANDER INDEPENDENT SCHOOL DISTRICT, MAKING PROVISION FOR THE CONDUCT OF A JOINT ELECTION, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION

WHEREAS, the Board of Trustees (the *Board*) of the LEANDER INDEPENDENT SCHOOL DISTRICT (the *District*), located in Travis and Williamson Counties, Texas (individually, the *County*, together, the *Counties*), hereby finds and determines that an election should be held to determine whether the District shall be authorized to issue bonds of the District in the amounts and for the purposes hereinafter identified (the *Election*); and

WHEREAS, the District will contract with the elections administrator of Travis County and the elections administrator of Williamson County (individually, the *Administrator*; together, the *Administrators*) to conduct all aspects of the Election; and

WHEREAS, the Election will be conducted by each County and held jointly with other political subdivisions for which each County is also conducting their elections (such other political subdivisions, collectively, the *Participants*), as provided pursuant to the provisions of an election agreement and/or a joint election or similar agreement between or among (as applicable) the District, each County, and/or any Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code; and

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WHEREAS, the Board hereby finds and determines that the necessity to construct various capital improvements within the District necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of general obligation bonds for the purposes hereinafter identified; and

WHEREAS, the Board hereby finds and determines that the actions hereinbefore described are in the best interests of the residents of the District; now, therefore,

BE IT ORDERED BY THE BOARD OF TRUSTEES OF THE LEANDER INDEPENDENT SCHOOL DISTRICT THAT:

SECTION 1: The Election shall be held in the LEANDER INDEPENDENT SCHOOL DISTRICT on the 2nd day of November, 2021 (*Election Day*), which is a uniform election date under the Texas Election Code, as amended, and is 78 or more days from the date of the adoption of this order (the *Order*), for the purpose of submitting the following propositions to the qualified voters of the District:

PROPOSITION A

“Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount not to exceed \$727,210,817 for the purposes of designing, constructing, renovating, improving, upgrading, updating, acquiring, and equipping school facilities (and any necessary or related removal of existing facilities), the purchase of the necessary

sites for school facilities, the purchase of new school buses, the retrofitting of school buses with emergency, safety, or security equipment, and the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

PROPOSITION B

"Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$33,298,077 for the purposes of acquiring and updating technology equipment, such bonds to mature serially or otherwise (not more than 5 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

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PROPOSITION C

"Shall the Board of Trustees of the Leander Independent School District be authorized to issue and sell bonds of the District in the principal amount of \$11,662,346 for the purposes of renovating, improving, upgrading, updating, and equipping performing arts facilities, to wit: the performing arts centers and auditoriums at each high school campus, such bonds to mature serially or otherwise (not more than 40 years from their date) in accordance with law; any issue or series of such bonds to bear interest per annum at such rate or rates (fixed, floating, variable, or otherwise) as may be determined within the discretion of the Board of Trustees, provided that such rate or rates of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of such bonds; and shall the Board of Trustees of the District be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes on all taxable property in the District sufficient, without limit as to rate or amount, to pay the principal of and interest on the bonds and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2: One or more school election precincts are hereby established for the purpose of holding the Election, and one or more polling places are hereby designated for holding the Election in the school election precincts as identified in Exhibit A to this Order (which is incorporated herein by reference for all purposes). At least 79 days prior to the scheduled Election Day, or as soon thereafter as is reasonably practicable, the President, Board of Trustees, the Superintendent of Schools, or the respective designees thereof, in coordination with the Administrators, will appoint the Presiding Judge, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures and can correct, modify, or change the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Administrators, and the Participants, if any and as applicable, to the extent permitted by applicable law.

A. The Presiding Judge shall appoint not less than two resident qualified voters of the District to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

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B. On Election Day, the polls shall be open as designated on Exhibit A.

Travis County and Williamson County participate in the Countywide Polling Place Program under Section 43.007, as amended, Texas Election Code, meaning that any District voter registered in the respective County can vote in the Election at any polling place identified in Exhibit A for that county.

C. The main early voting location is designated in Exhibit B to this Order (which is incorporated herein by reference for all purposes). The individual named as the Early Voting Clerk as designated in Exhibit B is hereby appointed as the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This office or place shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent and/or temporary branch offices for early voting by personal appearance may be established and maintained in accordance with the Texas Election Code. In the event such permanent and/or temporary branch locations are established, information regarding the locations, dates, and hours of operation for early voting at these offices shall be determined by the Administrators, as identified in Exhibit B hereto.

The District authorizes each Administrator to establish an Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of an Early Voting Ballot Board is hereby appointed the Presiding Judge of the indicated Early Voting Ballot Board. The Presiding Judge shall appoint not

less than two resident qualified voters of the District to serve as members of each such Early Voting Ballot Board.

SECTION 3: Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the District shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Any legally permissible voting method may be used for early voting and Election Day voting by personal appearance. Certain early voting may be conducted by mail.

SECTION 4: The District authorizes each Administrator to utilize a Central Counting Station (the *Stations*) as provided by Section 127.001, *et seq.*, as amended, Texas Election Code. The Administrators, or the designees thereof, are hereby appointed as the Manager of their respective Station, who will establish a written plan for the orderly operation of the respective Station in accordance with the provisions of the Texas Election Code. The Board hereby authorizes the Administrators, or the designees thereof, to appoint the Presiding Judges of the respective Station, the Tabulation Supervisor, and the Programmer for the respective Station and may appoint Station clerks as needed or desirable. The Administrators will publish (or cause to be published) notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code.

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SECTION 5: The official ballot shall be prepared in accordance with the provisions of the Texas Election Code, as amended, so as to permit voters to vote "FOR" or "AGAINST" the aforesaid propositions which shall appear on the ballot substantially as follows:

PROPOSITION A

"THE ISSUANCE OF \$727,210,817 OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR SCHOOL FACILITIES, THE NECESSARY SITES FOR SCHOOL FACILITIES, BUSES AND VEHICLES AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE."

PROPOSITION B

"THE ISSUANCE OF \$33,298,077 OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR TECHNOLOGY EQUIPMENT AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE."

PROPOSITION C

“THE ISSUANCE OF \$11,662,346 OF BONDS BY THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR RENOVATIONS TO THE PERFORMING ARTS CENTERS AND AUDITORIUMS AT EACH HIGH SCHOOL CAMPUS AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS. THIS IS A PROPERTY TAX INCREASE.”

SECTION 6: All resident, qualified voters of the District shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling place. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, except as modified by the provisions of the Texas Education Code, as amended, and as may be required by law. To the extent required by law, all election materials and proceedings relating to the Election shall be printed in both English and Spanish.

SECTION 7: Notice of election, including a Spanish translation thereof, shall be published at least one time in a newspaper of general circulation in the District, with such publication occurring not more than 30 days and not less than 10 days before Election Day. Moreover, a substantial copy of this Order and the voter information document required by law, including a Spanish translation thereof, shall be posted (i) on the bulletin board used for posting notices of Board meetings not less than 21 days prior to Election Day, (ii) in three additional public places within the District’s boundaries not later than 21 days prior to Election Day, (iii) in a prominent location at each polling place on Election Day and during early voting, and (iv) in a prominent location on the District’s internet website not less than 21 days prior to Election Day. A sample ballot shall be posted on the District’s internet website not less than 25 days prior to Election Day.

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SECTION 8: As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, the District, as of the date of this Order, had outstanding an aggregate principal amount of debt equal to \$1,115,580,085; the aggregate amount of the interest owed on such District debt obligations, through respective maturity, totaled \$1,467,194,634; and the District levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.4625 per \$100 of taxable assessed valuation. Based on the bond market conditions on the date of the Board’s adoption of this Order, the estimated maximum interest rate for any series of bonds authorized at the Election is 5.00% (expressed as a net effective interest rate applicable to any such series of bonds). The bonds that are the subject of this Election shall mature serially or otherwise over a specified number of years (but not more than 40 years from their date), as prescribed by applicable Texas law, though the District estimates that, based on current bond market conditions, such bonds will amortize over a 30-year period from their respective date of issue. The foregoing estimated maximum net effective interest rate and amortization period are only estimates, provided for Texas statutory compliance; they do not serve as a cap on the per annum interest rate at which any series of bonds authorized at the Election may be sold, or the amortization period for bonds that are the subject of this Election.

SECTION 9: The Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties, to negotiate and enter into one or

more joint election agreements, election services contracts, and/or similar contracts or agreements with the County, acting by and through the Administrators, and any Participants if desired or if required to comply with applicable law, as permitted and in accordance with the provisions of the Texas Election Code, as amended. The Superintendent of Schools or his designee, is hereby authorized to correct, modify or change the information in the Exhibits to this Order based upon the final locations and times agreed upon by the District, the Administrator, and the Participants, if any and as applicable, to the extent permitted by applicable law. In addition, the Board authorizes the President, Board of Trustees, the Superintendent of Schools, or the respective designee of either of such parties to make such technical modifications to this Order that are necessary for compliance with applicable Texas or federal law or to carry out the intent of the Board, as evidenced herein. By incorporating all essential terms necessary for a joint election agreement, this Order is intended to satisfy Section 271.002(d) of the Texas Election Code, as amended, without further action of the Board of Trustees.

SECTION 10: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Board.

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SECTION 11: All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

SECTION 12: This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13: It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14: If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Board hereby declares that this Order would have been enacted without such invalid provision.

SECTION 15: This Order shall be in force and effect from and after its final passage, and it is so ordered.

* * *

PASSED AND APPROVED, this the 5th day of August, 2021.

LEANDER INDEPENDENT SCHOOL
DISTRICT



Trish Bode
President, Board of Trustees

ATTEST:



Elexis Grimes
Secretary, Board of Trustees

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(DISTRICT SEAL)

[Signature Page to Leander Independent School District Bond Election Order]

Exhibit A

TRAVIS COUNTY ELECTION DAY PRECINCT AND POLLING INFORMATION

Election Day: Tuesday, November 2, 2021

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be appointed by the County

District	Travis County	Polling Places*
Precinct	Precincts*	

* Travis County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified on the County's website at www.countyclerk.traviscountytx.gov/elections.

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**WILLIAMSON COUNTY ELECTION DAY PRECINCT AND POLLING
INFORMATION**

Election Day: Tuesday, November 2, 2021

Election Day Polling Locations open from 7 a.m. to 7 p.m.

Presiding Judges and Alternates: to be appointed by the County

District Precinct	Williamson County Precincts*	Polling Places*
------------------------------	---	------------------------

* Williamson County participates in the Countywide Polling Place program under Section 43.007, as amended, Texas Election Code. Registered voters will be able to cast their Election Day ballots at any of the Vote Centers identified on the County's website at <https://www.wilco.org/Departments/Elections>

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Exhibit B

TRAVIS COUNTY EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, October 18, 2021 and ends on Friday, October 29, 2021.

Early Voting Clerk: Dana Debeauvoir, 5501 Airport Blvd., Ste #100, Austin, Texas 78751-1410.

Presiding Judge of the Early Voting Ballot Board: to be determined by [Name].

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site.

Monday, October 18, 2021 through Friday, October 22, 2021	8:00 a.m. – 5:00 p.m.
Saturday October 23, 2021	7:00 a.m. – 7:00 p.m.
Sunday October 24, 2021	1:00 p.m. – 6:00 p.m.
Monday, October 25, 2021 through Friday, October 29, 2021	7:00 a.m. – 7:00 p.m.

The Contracting Election Officer shall designate and arrange for the use of all Early Voting Polling Locations.

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Early Voting By Mail

Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on October __, 2021. Applications should be sent to:

Early Voting Clerk
Dana Debeauvoir
Travis County Clerk - Elections Division
PO Box 149325
Austin, Texas 78714-9325
fax: (512) 854-3959
email: elections@traviscountytexas.gov.

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

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WILLIAMSON COUNTY EARLY VOTING LOCATIONS, DATES, AND HOURS

Early voting begins Monday, October 18, 2021 and ends on Friday, October 29, 2021.

Early Voting Clerk: Christopher J. Davis, 301 SE Inner Loop Ste 104, Georgetown, TX 78626.

Presiding Judge of the Early Voting Ballot Board: to be determined by [Name].

Voters entitled to vote an early ballot by personal appearance may do so at any Early Voting site.

Monday, October 18, 2021 through Friday, October 22, 2021	8:00 a.m. – 5:00 p.m.
Saturday October 23, 2021	7:00 a.m. – 7:00 p.m.
Sunday October 24, 2021	1:00 p.m. – 6:00 p.m.
Monday, October 25, 2021 through Friday, October 29, 2021	7:00 a.m. – 7:00 p.m.

The Contracting Election Officer shall designate and arrange for the use of all Early Voting Polling Locations.

Early Voting By Mail

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Applications for voting by mail should be received (not post marked) no later than the close of business (5:00 p.m.) on October __, 2021. Applications should be sent to:

Early Voting Clerk
Christopher J. Davis
Williamson County Elections Department
PO Box 209
Georgetown, TX 78627
fax: (512) 943-1634
email: cjdavis@wilco.org.

If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original application so that the early voting clerk receives the original no later than four days after receiving the emailed or faxed copy.

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**Leander Independent School District
Proposed Bond Amounts by Proposition**

	4 Year	3 Year	3 Year w/Savings
Proposition A	\$880,614,348	\$768,210,817	\$727,210,817
Proposition B <i>(Technology Devices)</i>	\$41,135,000	\$33,298,077	\$33,298,077
Proposition C <i>(Performing Arts/Auditoriums)</i>	\$11,662,346	\$11,662,346	\$11,662,346
Total Bond Authorization	\$933,411,694	\$813,171,240	\$772,171,240

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Consider Approval of Travis County Joint Election Agreement
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Shawn Swisher
Attachments: Travis County Joint Election Agreement

Background Information:

The Board approved an Election Services Agreement with Travis County on July 23, 2020. This Joint Election Agreement is between Travis County and all participating entities for the November 2, 2021 election. The terms of the agreement are essentially unchanged since 2020, with only a few minor wording changes (highlighted in yellow). Details for exhibits A, B and C be provided once a final list of participating entities has been confirmed (see section IX.A.1.).

Administrative Recommendation:

The administration recommends approval of the Travis County Joint Election Agreement for the November 2, 2021 Bond election.

Sample Motion:

I move the Board approval of the Travis County Joint Election Agreement for the November 2, 2021 Bond election.

JOINT ELECTION AGREEMENT FOR NOV 2, 2021 ELECTIONS

Recitals

1. Travis County (the “County”) will be conducting general and special elections for the participating entities (each, a “Participating Entity,” and together, the “Participating Entities”) listed in Exhibit A, which is attached to and incorporated into this agreement, on Nov 2, 2021. The Participating Entities require elections to be held on Nov 2, 2021 in those portions of Travis County as shown on the maps and metes and bounds descriptions in Exhibit B, also attached to and incorporated into this agreement.
2. Under Texas Election Code Section 271.002, political subdivisions of the State of Texas are authorized to hold elections jointly in voting precincts that can be served by common polling places if elections are ordered by the authorities of two or more political subdivisions to be held on the same day in all or part of the same territory.
3. Texas Government Code Chapter 791 authorizes local governments to contract with one another and with state agencies for various governmental functions, including those in which the contracting parties are mutually interested.
4. It would benefit the County, the Participating Entities, and their respective citizens and voters to hold the elections jointly in the election precincts that common polling places can serve.

Pursuant to Texas Election Code Sections 271.002 and 271.003 and Texas Government Code Chapter 791, this Joint Election Agreement is entered into by and between Travis County, a political subdivision of the State of Texas acting by and through the Travis County Commissioners Court, and the Participating Entities, each acting by and through their respective governing bodies.

I. Scope of Joint Election Agreement

This agreement covers conducting the Nov 2, 2021 General and Special Elections for the parties to this agreement to be held on Nov 2, 2021. The County and the Participating Entities will hold these elections on Nov 2, 2021 (“Election Day”) jointly for the voters in those portions of Travis County identified on the maps and descriptions in Exhibit B.

II. Election Officer

The Participating Entities hereby appoint the Travis County Clerk, the election officer for Travis County, as the election officer to perform or supervise the County’s duties and responsibilities involved in conducting the joint election covered by this agreement.

III. Early Voting

Each of the Participating Entities agrees to conduct its early voting jointly. Each of the Participating Entities appoints the Travis County Clerk, the early voting clerk for Travis County, as the early voting clerk for the joint election. Early voting for the Participating Entities will be conducted at the dates, times, and locations to be mutually agreed upon by the election officer and authorized and ordered by the governing body of each Participating Entity.

A. County Responsibilities

1. The County will provide to the governing body of each Participating Entity a list of places, times, and dates of early voting suitable for consideration and adoption by the governing body, under Texas Election Code chapter 85.
2. The Travis County Clerk, as the early voting clerk, will be responsible for conducting early voting by mail and by personal appearance for all Travis County voters voting in the joint election. The Travis County Clerk will receive from each Participating Entity's regular early voting clerk applications for early voting ballots to be voted by mail, under Texas Election Code Title 7. The Travis County Clerk will send early voting ballots by mail and receive early voting ballots for early voting by mail. The Travis County Clerk may appoint such deputy early voting clerks as necessary to assist the Travis County Clerk with voting to take place at the early voting locations.
3. The County will determine the number of election workers to hire to conduct early voting in the joint election. The Travis County Clerk will arrange or contract for training for all election workers and will assign all election workers employed for early voting in the joint election. The training of these election workers is mandatory; these individuals will be compensated for their time in training. The County will provide a training facility for election schools to train election workers employed in conducting early voting, including early voting by personal appearance at main and temporary branch early voting polling places, early voting by mail, and other aspects of the early voting program for the joint election. The County will name early voting deputies and clerks employed to conduct early voting.
4. The County will provide and deliver all supplies and equipment necessary to conduct early voting for the joint election, including ballots, election forms, any necessary ramps, utility hook-ups, signs, registration lists and ballot boxes, to early voting polling places. The County will designate and confirm all early voting polling place locations.
5. The County will be responsible for preparing and transporting the electronic voting equipment necessary to conduct early voting. The

County will perform all tests of voting equipment as required, including posting notice of equipment testing.

6. Under Election Code sections 66.058 and 271.010, the Participating Entities appoint the Travis County Clerk as the joint custodian of records for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the preservation period that the Election Code requires.
7. The County will receive ballot language in both English and Spanish from each Participating Entity and format the ballots as needed to include these languages. The County will provide each Participating Entity with a final proof of ballot language for approval before printing the ballots. Upon final proof approval, ballots will be printed in an expedited timeframe so as to allow ballot allocations for the Early Voting by Personal Appearance Program, and the ballot mail outs for the Early Voting by Mail Program.
8. A single joint voter sign-in process consisting of a common list of registered voters, and common signature rosters will be used for early voting. A single, combined ballot and single ballot box will be used. The County will use an electronic voting system, as defined and described in Texas Election Code Title 8, and agrees to use ballots that are compatible with such equipment.
9. The County will be responsible for conducting the Early Voting Ballot Board. The County will designate a person to serve as the presiding judge for the Early Voting Ballot Board and will provide that information to the governing body of each Participating Entity for entry of an order by that authority appointing this official. The presiding judge for the Early Voting Ballot Board is eligible to serve in this capacity. The presiding judge for the Early Voting Ballot Board will appoint two or more election clerks, and the judge and clerks will comprise the Early Voting Ballot Board and will count and return early voting ballots, and perform other duties the Election Code requires of it.

B. Participating Entities' Responsibilities

1. Each Participating Entity will appoint a qualified person to serve as the regular early voting clerk for the Participating Entity. The regular early voting clerk for each respective Participating Entity will receive requests for applications for early voting ballots to be voted by mail and will forward in a timely manner, as prescribed by law, any and all applications for early voting ballots to be voted by mail, received in the Entity's office, to the Travis County Clerk.
2. Each Participating Entity will appoint a qualified person to act as custodian of records for the Participating Entity to perform the duties

imposed by the Election Code on the custodian of records for its respective entity.

3. Each Participating Entity will provide ballot language for the respective portion of the official ballot to the County in both English and Spanish. The Participating Entity must make any additions, modifications, deletions, or other changes to such ballot contents or language before the Participating Entity's final proof approval. The County will provide the Participating Entity with a final proof of ballot language, as it is to appear on the ballot, for final proof approval. Upon final proof approval, the ballot will be programmed for the voting equipment in an expedited timeframe so as to allow ballot allocations for the Early Voting by Personal Appearance Program, and the printed ballot mail outs for the Early Voting by Mail Program.

IV. Election Day

A. County Responsibilities

1. The County will designate and confirm all Election Day polling place locations for the joint election, and will forward such information to the Participating Entities in a timely fashion to allow the governing body of the respective Participating Entities to enter orders designating such polling places.
2. The County will designate the presiding election judge and the alternate presiding election judge to administer the election in the precinct in which a common polling place is to be used and will forward such information to the Participating Entities to allow the governing bodies of the respective Participating Entities to enter appropriate orders designating such officials before the election. The presiding election judge and alternate presiding election judge must be qualified voters of the Travis County election precinct in which the joint election is held. The presiding election judge for the precinct in which a common polling place is used may appoint election clerks as necessary to assist the judge in conducting the election at the precinct polling place. The alternate presiding election judge may be appointed as a clerk. The alternate presiding election judge may serve as the presiding election judge for the precinct in the presiding election judge's absence. Election judges and clerks will be compensated at the rate established by the County. The Texas Election Code and other applicable laws will determine compensable hours.
3. One set of election officials will preside over the election in the precinct using a common polling place. There will be a single joint voter sign-in process consisting of a common list of registered voters and common signature rosters in the precinct using a common polling place. A single, combined ballot and single ballot box will be used. The officer designated by law to be the custodian of the voted ballots for the County will be

custodian of all materials used in common in the precinct using a common polling place. The County will use an electronic voting system, as defined and described by Texas Election Code Title 8, and agrees to use ballots that are compatible with such equipment.

4. The County will arrange for training and will provide the instructors, manuals and other training materials deemed necessary for training all judges and clerks. Training for election judges and alternate judges is mandatory, and these individuals will be compensated for their time in training.
5. The County will arrange for election-day voter registration precinct lists for the joint election. The County will determine the amount of election supplies needed for Election Day voting.
6. The County, by and through the County Clerk's Elections Division, and Administrative Operations, will be responsible for preparing and transporting voting equipment and election-day supplies for use on Election Day.
7. The County, by and through the County Voter Registrar, will provide the list of registered voters as needed in the overlapping jurisdictions identified in the attached exhibits, with designation of registered voters in each Participating Entity, for use at the joint election day polling place on Election Day.
8. The common polling place is designated as the polling place that the County uses. At the common polling place, a single ballot box will be used for depositing all ballots cast in the joint election. At this polling place, one voter registration list and one combination poll list and signature roster form will be kept for the joint election. The final returns for each Participating Entity and the County will be canvassed separately by each respective Participating Entity. The Travis County Clerk will maintain a return center on Election Day for the purpose of receiving returns from the County. The Travis County Clerk will provide unofficial election results to the qualified individual appointed by each Participating Entity.
9. On Election Day, the Travis County Clerk or the clerk's Elections Division will field all questions from election judges.
10. The County will make available translators capable of speaking English and Spanish to assist Spanish-speaking voters in understanding and participating in the election process in the territory covered by this agreement.

B. Participating Entities' Responsibilities

1. Before Election Day, each Participating Entity will answer questions from the public with respect to the Participating Entity's election during regular office hours of 8:00 a.m. – 5:00 p.m.
2. The custodian of records for each Participating Entity will receive returns from the Travis County Clerk on Election Day.

V. Election Night

A. County Responsibilities

1. The County will be responsible for all activities on election night, including setting up a central counting station, coordinating and supervising the results tabulation, coordinating and supervising the physical layout of the support stations that are the joint election's receiving substations, and coordinating and managing election media coverage.
2. The County is responsible for transporting voted ballot boxes to the central counting station.
3. The County will appoint the presiding judge and alternate presiding judge of the central counting station to maintain order at the central counting station, to administer oaths as necessary, to receive sealed ballot boxes, and to perform such other duties that the Texas Election Code requires, and will forward such information to each Participating Entity in a timely fashion to allow the governing body of each Participating Entity to enter appropriate orders designating such election officials before the election. The presiding judge of the central counting station may appoint clerks to serve at the central counting station. In addition, the County will appoint a tabulation supervisor to be in charge of operating the automatic tabulating equipment at the central counting station; an individual to serve as central counting station manager; and an assistant counting station manager to be in charge of administering the central counting station and generally supervising the personnel working at the central counting station. The County will forward such information to each Participating Entity in a timely fashion to allow the governing body of each Participating Entity to enter appropriate orders designating such election officials before the election.
4. The County will provide the Participating Entities with reasonable space in a public area adjacent to the central counting station at which each Participating Entity may have representatives or other interested persons present during the counting process.

B. Participating Entities' Responsibilities

Other than receiving returns from the Travis County Clerk, the Participating Entities have no role or responsibility on the night of the election.

VI. County Resources

- A. The County will provide the Elections Division permanent staff and offices to administer the joint election, under the Travis County Clerk's direction.
- B. For early voting, the County will provide a locked and secure area in which voted ballot boxes will be stored until the Early Voting Ballot Board convenes. The County, by and through Administrative Operations, will be responsible for transporting the ballot boxes to the central counting station for the Early Voting Ballot Board.
- C. The County will be responsible for providing and maintaining voting equipment and testing any voting equipment as required by the Texas Election Code.
- D. The County will process the payroll for all temporary staff hired to conduct the joint election. The payroll processing includes statutory reporting and providing W-2 forms where applicable.
- E. The County will conduct early voting as indicated in this agreement.

VII. Joint Election Costs; Payment

- A. Transmitted with this agreement is a check payable to Travis County from each Participating Entity, in the amount equal to the deposit identified for each Entity in the Cost Estimate attached as Exhibit C, which is also incorporated into this agreement. This deposit represents approximately 50% of the costs of each Participating Entity's share of the estimated election costs. The County will submit an invoice to each Participating Entity for the balance of the Participating Entity's actual joint election expenses upon the election's completion. Joint-election expenses include expenses for facilities, personnel, supplies, and training that the County actually incurs for establishing and operating all early voting and election-day activities at the polling place in the joint election territory as well as activities related to tabulating votes, all as reflected on the Cost Estimate. Each Participating Entity will pay the total amount of its invoice no later than 30 days of receiving it.
- B. In the event of a recount, the expense of the recount will be borne by the Participating Entity involved in the recount on a pro-rata basis.
- C. In the event a Participating Entity cancels its respective election because of unopposed candidates under Texas Election Code Title 1, the Participating Entity will be responsible for its respective share of election expenses incurred through the date that the election is canceled as allocated to the cancelling entity based on the formula in the Cost Estimate, adjusted for the actual expenses incurred by the County through the date of the cancellation. If a Participating Entity cancels its election, the County will recalculate the allocation percentages among the remaining Participating Entities according to the formula used in the Cost Estimate.

- D. In the event there are any expenses associated with processing a ballot arising from a write-in candidate, the Participating Entity that received the declaration will bear the expenses.
- E. A Participating Entity that establishes an early voting polling place, other than one that was mutually agreed upon by all Participating Entities, will bear the expense of doing so. The Cost Estimate for each individual Participating Entity will include additional polling locations for each Participating Entity, as set forth in Exhibit C.

VIII. General Provisions

A. Legal Notices

Each of the Participating Entities will be individually responsible for preparing the election orders, resolutions, notices, and other pertinent documents for adoption or execution by its own respective governing board and for all related expenses. The Travis County Clerk will provide each Participating Entity information on changes affecting the Participating Entity's election, such as polling place changes and changes in voting equipment, when such changes are confirmed, verified, or otherwise become known to the clerk's office. Each of the Participating Entities will be individually responsible for posting or publishing election notices and for all related expenses. Each of the Participating Entities further will be individually responsible for election expenses incurred in relation to any polling place that is not a common polling place as designated in this agreement.

B. Communication

Throughout this agreement's term, the Travis County Clerk or the clerk's employee will meet as necessary with the designated representative of each Participating Entity to discuss and resolve any problems that might arise regarding the joint election.

C. Custodian

The Travis County Clerk will serve as the custodian of the keys to the ballot boxes for voted ballots in the joint election.

D. Effective Date

This agreement takes effect upon its complete execution by all Participating Entities and the County. The obligation of each Participating Entity to the County under this agreement will not end until that Participating Entity pays the County its share of the joint election costs.

IX. Miscellaneous Provisions

A. Amendment/Modification of Exhibits A, B, and C

1. The Participating Entities acknowledge and agree that Exhibits A, B, and C may be amended to add or remove entities wishing to participate or cease participating in the agreement. The Participating Entities agree to future amendments of Exhibits A, B, and C and authorize the County to enter into such amendments without the Participating Entities' having to sign the future amendments. The County agrees to notify all Participating Entities of any amendments to Exhibits A, B, and C.
2. Except as otherwise provided, this Agreement may not be amended in any respect whatsoever except by a further agreement in writing, duly executed by the parties to this agreement. No official, representative, agent, or employee of the County has any authority to modify this Agreement except by express authorization from the Travis County Commissioners Court. No official, representative, agent, or employee of any Participating Entity has any authority to modify this agreement except by express authorization from the governing body of the respective Participating Entity. The Travis County Clerk may propose necessary amendments to this agreement in writing in order to conduct the joint election smoothly and efficiently, except that any such proposed amendment must be approved by the Travis County Commissioners Court and the governing body of each respective Participating Entity before the amendment will be effective.

B. Notice

Any notice to be given in this agreement, by any party to the other, must be in writing and delivered personally or by certified mail, return receipt requested, to the proper party at the addresses listed in Exhibit A.

Each party may change the address for notice to it by giving notice of the change under this section's terms.

C. Force Majeure

In the event that the County cannot perform any of its obligations in this agreement or is interrupted or delayed by any occurrence not occasioned by its own conduct, whether it be an act of God, the result of war, riot, civil commotion, sovereign conduct, epidemic, pandemic, or other event declared a disaster (including a disaster declared by the County Judge), or like reason, then the County will be excused from performing for such period of time as is reasonably necessary after such occurrence to remedy its effects.

D. Venue and Choice of Law

The Participating Entities agree that venue for any dispute arising under this agreement will lie in the appropriate courts of Austin, Travis County, Texas. This agreement is governed by and is to be construed under the laws of Texas and the United States of America.

E. Entire Agreement

This agreement contains the parties' entire agreement relating to the rights granted and the obligations assumed in it, and it supersedes all prior agreements, including prior election services contracts relating to each Participating Entity's Nov 2, 2021 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this agreement are of no force or effect. Any oral representations or modifications concerning this agreement have no force or effect, except a subsequent amendment in writing as this agreement provides.

F. Severability

If any provision of this agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability will not affect the agreement's remaining provisions; and its parties will perform their obligations under the agreement's surviving terms and provisions.

G. Breach

In the event that any Participating Entity or the County breaches any of its obligations under this agreement, the non-breaching party will be entitled to pursue any and all rights and remedies allowed by law.

H. Payments from Current Revenues

Payments made by the Participating Entities in meeting their obligations under this agreement will be made from current revenue funds available to the governing body of the respective Participating Entity. Payments made by the County in meeting its obligations under this agreement will be made from current revenue funds available to the County.

I. Other Instruments

The Participating Entities agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out this agreement's purposes.

J. Third-Party Beneficiaries

Except as otherwise provided in this agreement, nothing in this agreement, expressed or implied, is intended to confer upon any person, other than the parties to it, any of its benefits, rights, or remedies.

K. Other Joint Election Agreements

The County and the Participating Entities expressly understand and acknowledge that each may enter into other joint election agreements with other political subdivisions, to be held on Election Day and at common polling places covered by this agreement, and that the addition of other political subdivisions as parties to this agreement will require amending Exhibits A, B, and C.

L. Mediation

When mediation is acceptable to both parties in resolving a dispute arising under this agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Texas Civil Practice and Remedies Code section 154.023. Unless both parties are satisfied with the mediation's result, the mediation will not constitute a final and binding resolution to the dispute. All communications within the scope of the mediation will remain confidential as described in section 154.073, unless both parties agree, in writing, to waive the confidentiality. Despite this, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term "confidential" as used in this agreement has the same meanings as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act. Notwithstanding any provision to the contrary, nothing in this Agreement requires the County or a Participating Entity to waive any applicable exceptions to disclosure under the Texas Public Information Act.

M. Counterparts

This Agreement may be executed in multiple counterparts, all of which will be deemed originals and with the same effect as if all parties to it had signed the same document. Signatures transmitted electronically by e-mail in a "PDF" format or by DocuSign or similar e-signature service shall have the same force and effect as original signatures. All of such counterparts will be construed together and will constitute one and the same agreement.

TRAVIS COUNTY

BY: _____
Andy Brown
County Judge

Date: _____

BY: 
Dana DeBeauvoir
County Clerk

PARTICIPATING ENTITIES

Name of Participating Entity _____

Address

Name of Authorized Signatory _____

Signature

Date signed _____

E-mail address

EXHIBIT A

Municipalities

School Districts

Library Districts

Municipal Utility Districts

Emergency Services Districts

Water Conservation Districts

Other

EXHIBIT B

MAPS AND DESCRIPTIONS

EXHIBIT C
COST ESTIMATE

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Discuss Endorsement of a Candidate for the TASB Board of Directors Region 13C Position

Purpose (this meeting): Discussion Item/Report Only Action Requested

Action Requested (future meeting): Thursday, August 26, 2021

Administrator Responsible: Bruce Gearing

Attachments: Overview of 2021 Nomination Information
Endorsement Form
Endorsement Request – Holubec
Endorsement Request – Major
Endorsement Request – Mitchell
Endorsement Request - Owens

Background Information:

Attached is the Texas Association of School Boards (TASB) Overview: 2021 Nomination Information which lists candidates for positions on the TASB Board. These individuals have been nominated by their local boards for TASB Board positions which are vacant or have expiring terms. The Overview contains links to bios submitted by the candidates for your information. It is also posted to the TASB Website [HERE](#) and will be updated regularly as endorsements are received.

For the Region 13C position there are four candidates: Bryan Holubec (Thrall ISD), Kathy Major (Liberty Hill ISD), Renae Mitchell (Pflugerville ISD) and Terrence Owens (Hutto ISD). The position is currently held by Vernagene Mott (Pflugerville ISD).

If a majority of the Active Members of the Region endorses a candidate, that individual will be elected to the TASB Board. If at least 25 percent, but not a majority, endorse the candidate, that individual will be included on the official ballot at the TASB Delegate Assembly. The nomination from the individual's local school board is counted as an endorsement.

Prior to August 30, 2021, the Board may endorse a candidate for the Region 13C position.

Administrative Recommendation:

N/A

Sample Motion:

I move that the Board endorse the candidacy of _____ to fill the TASB Board of Directors Region 13C Position.

Region, Open Position	Candidate/District	Total Endorsements Received
Region 1, Position A Currently held by Jesus Amaya (Los Fresnos CISD) Total active members in Region=39 Endorsements required for 25 percent=10 Endorsements required for Majority=20	Jesus Amaya (Los Fresnos CISD) (I) Brief Bio	1
	Ricardo Pedraza (Pharr-San Juan-Alamo ISD) Brief Bio	1
	Roberto Perez (Donna ISD) Brief Bio	1
Region 1, Position B Currently held by Sylvia Sánchez Garza (South Texas ISD) Total active members in Region=39 Endorsements required for 25 percent=10 Endorsements required for Majority=20	Sylvia Sánchez Garza (South Texas ISD) (I) Brief Bio	1
Region 3 Currently held by Demetrio Garcia (Kenedy ISD-Karnes County) Total active members in Region=40 Endorsements required for 25 percent=10 Endorsements required for Majority=21	Tami Keeling (Victoria ISD) Brief Bio	1
Region 4, Position A Currently held by Georgan Reitmeier (Klein ISD) Total active members in Region=50 Endorsements required for 25 percent=13 Endorsements required for Majority=26	Georgan Reitmeier (Klein ISD) (I) Brief Bio	1

Region, Open Position	Candidate/District	Total Endorsements Received
<p>Region 4, Position B</p> <p>Currently vacant Total active members in Region=50 Endorsements required for 25 percent=13 Endorsements required for Majority=26</p>	<p>Darlene Breaux (Alief ISD) Brief Bio</p>	<p>1</p>
<p>Region 4, Position C</p> <p>Currently held by Tony Hopkins (Friendswood ISD) Total active members in Region=50 Endorsements required for 25 percent=13 Endorsements required for Majority=26</p>	<p>Tony Hopkins (Friendswood ISD) (I) Brief Bio</p>	<p>1</p>
<p>Region 4, Position E*</p> <p>Dawn Champagne (Katy ISD) <i>According to the TASB Bylaws, this District is designated as a Large District. For TASB Director nominations, Large Districts are treated as Association Regions and, therefore, do not participate in the endorsement process. A Large District's local board nomination constitutes a majority.</i></p>	<p>Dawn Champagne (Katy ISD) (I) Brief Bio</p>	
<p>Region 4, Position F*</p> <p>Bob Covey (Cypress-Fairbanks ISD) <i>According to the TASB Bylaws, this District is designated as a Large District. For TASB Director nominations, Large Districts are treated as Association Regions and, therefore, do not participate in the endorsement process. A Large District's local board nomination constitutes a majority.</i></p>	<p>Bob Covey (Cypress-Fairbanks ISD) (I) Brief Bio</p>	

Region, Open Position	Candidate/District	Total Endorsements Received
Region 5 Currently held by Nicholas Phillips (Nederland ISD) Total active members in Region=34 Endorsements required for 25 percent=9 Endorsements required for Majority=18	Nicholas Phillips (Nederland ISD) (I) Brief Bio	1
Region 7 Currently held by Tony Raymond (Sabine ISD) Total active members in Region=96 Endorsements required for 25 percent=24 Endorsements required for Majority=49	Ben Donald (Carthage ISD) Brief Bio Tony Raymond (Sabine ISD) (I) Brief Bio	1 1
Region 10, Position E* Debbie Gillespie (Frisco ISD) <i>According to the TASB Bylaws, this District is designated as a Large District. For TASB Director nominations, Large Districts are treated as Association Regions and, therefore, do not participate in the endorsement process. A Large District's local board nomination constitutes a majority.</i>	Debbie Gillespie (Frisco ISD) Brief Bio	
Region 11, Position D Currently held by Corinne French (Valley View ISD-Cooke County) Total active members in Region=77 Endorsements required for 25 percent=19 Endorsements required for Majority=39	Corinne French (Valley View ISD-Cooke County) (I) Brief Bio Paula McDonald (Granbury ISD) Brief Bio	1 1

Region, Open Position	Candidate/District	Total Endorsements Received
Region 12 Currently held by Mildred Watkins (La Vega ISD) Total active members in Region=77 Endorsements required for 25 percent=19 Endorsements required for Majority=39	Mildred Watkins (La Vega ISD) (I) Brief Bio	1

Region 13, Position A* Yasmin Wagner (Austin ISD) <i>According to the TASB Bylaws, this District is designated as a Large District. For TASB Director nominations, Large Districts are treated as Association Regions and, therefore, do not participate in the endorsement process. A Large District's local board nomination constitutes a majority.</i>	Yasmin Wagner (Austin ISD) (I) Brief Bio	
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Region 13, Position C Currently held by Vernagene Mott (Pflugerville ISD) Total active members in Region=55 Endorsements required for 25 percent=14 Endorsements required for Majority=28	Bryan Holubec (Thrall ISD) Brief Bio	1
	Kathy Major (Liberty Hill ISD) Brief Bio	1
	Rena Mitchell (Pflugerville ISD) Brief Bio	1
	Terrence Owens (Hutto ISD) Brief Bio	1

Region, Open Position	Candidate/District	Total Endorsements Received
Region 17 Currently held by Kay Alley (Crosbyton CISD) Total active members in Region=58 Endorsements required for 25 percent=15 Endorsements required for Majority=30	Amanda Bass (Plainview ISD) Brief Bio	1
	Carlos Bentancourt (Slaton ISD) Brief Bio	1
Region 18 Currently held by Steve Brown (Ector County ISD) Total active members in Region=34 Endorsements required for 25 percent=9 Endorsements required for Majority=18	Steve Brown (Ector County ISD) (I) Brief Bio	1
Region 19 Currently held by Armando Rodriguez (Canutillo ISD) Total active members in Region=13 Endorsements required for 25 percent=3 Endorsements required for Majority=7	Marlene Bullard (Tornillo ISD) Brief Bio	1
	Armando Rodriguez (Canutillo ISD) (I) Brief Bio	1
Region 20, Position E* Candidate (North East ISD) <i>According to the TASB Bylaws, this District is designated as a Large District. For TASB Director nominations, Large Districts are treated as Association Regions and, therefore, do not participate in the endorsement process. A Large District's local board nomination constitutes a majority.</i>	Terri Williams (North East ISD) Brief Bio	

* Large District Position

(I) Incumbent that has indicated that they will be seeking reelection



TASB ENDORSEMENT FORM

DATE: _____

Our school board endorses the candidacy of the following individual nominated to fill a position on the TASB Board of Directors.

CANDIDATE INFORMATION

NAME: _____

SCHOOL DISTRICT: _____

This endorsement was approved by our school district's board of trustees at a duly called meeting on

(Date)

Best regards,

(Signature of board president or officer)

PRINTED NAME: _____

SCHOOL DISTRICT: _____

MAILING ADDRESS: _____

CITY: _____ ZIP: _____

This form is to be used to endorse a nominated individual from a board of trustees within your TASB Region who is a timely candidate for a position on the TASB Board of Directors.

Must be received by TASB on or before AUGUST 30, 2021.

**RETURN TO: E-mail: boardcommunications@tasb.org
FAX: 512.467.3554**

Bryan Holubec
Thrall ISD Board of Trustees
Nominee for TASB Board of Directors
Region 13, Position C

Leander Board of Trustees,

My name is Bryan Holubec, and since my vision for this position would mean something different for different districts, I have written a number of these personalized letters depending on how well I know the board.

As a member of the Thrall ISD board, my journey as a school trustee began very much like hundreds of other trustees in mostly rural and smaller districts. When I was elected to my board 10 years ago, I knew very little about what it meant to be a trustee. Over the first 5 years, I learned and developed very little. I didn't know how to find information. I knew TASB was out there, but with no guidance from my board leadership, TASB was a large and intimidating organization.

I can understand that it might be difficult for a member of the Leander board to imagine a situation where a person could be well into their second term on their board without ever understanding what TASB's mission truly is. But, it's a cultural difference, and it is your culture to be engaged. However, for countless districts out there, this is very common.

As for me, after 5 years of increasing frustration on my part, I broke away from "the way we've always done it" and with very little information about the organization and no idea who Trish was, I overcame my apprehension and reached out to the CTSBA.

That's where my professional development as a school trustee truly began. Since that time, I have tried to capitalize on every opportunity to learn and grow. My personal growth has translated into positive changes in Thrall. I am now in my third year as our board president because they like the improvements and new perspective. Also, we have noticed an increase in the quality of the candidates interested in serving on our board. This September will be our district's third consecutive year to participate in the Delegate Assembly. Prior to three years ago, it was rare for anyone from Thrall even attend the annual convention.

As a nominee for this position, my vision is to use this opportunity to increase the level of profession development across the entire Region. Based on my own observation, I feel like the majority of the 53 districts in our region are not engaged in the services offered by TASB. If you'll imagine the impact we can make on the legislative process if we can involve those 175 individual trustees, you'll see one example of how engaging the unengaged can benefit us all.

I want to share my experience with those boards, as well as the individual trustees. There are a variety of reasons for the lack of involvement. Some will be easy to engage. In fact, some are already responding to me through this process of asking for their endorsements. Others will be more difficult. If a president is resistant to my efforts, I'll go to meetings and introduce myself to each member. Ultimately, I feel it's likely to find interest on every board in the Region.

Therefore, while my presence on the TASB Board of Directors would not directly improve the overall condition of the Leander ISD, your endorsement of my selection would be your acknowledgment that you see the value of an increased level of engagement of all the districts in Region 13.

Respectfully,

Bryan Holubec
Thrall ISD Board of Trustees – President
(512) 922-5470 Cell
bryan@holubec.com

Brief Biography:

Born November 12, 1964, I was raised in Diboll, Texas where I graduated from high school in 1983. While my brother and I were in school, my mom served three terms on the Diboll ISD Board of Trustees.

I attended Texas A&M University from 1983 to 1988, graduating with a BS in Construction Science and accepting a commission into the US Marine Corps. I served on active duty in the Marines from May 1988 until December 1992.

In August 1992, I married Carolyn Folwell whom I met as a pen-pal while I was deployed in support of Operation Desert Storm. In January 1993, we moved from the Jacksonville, NC area to Central Texas and found our current home on a farm in the Thrall ISD in October 1994.

We have two children, both of whom graduated from Thrall ISD. Our son, Michael, is a recent graduate of Texas State University where he earned his bachelor's degree in Music Education. He is now employed in Gonzales ISD as an Asst. HS Band Director/Percussion Tech, as well as Director of their 7th and 8th grade band programs. Our daughter, Amity, is a junior at Texas A&M University where she is studying Telecommunications with a Minor in Business.

A few of my other volunteer activities:

- 4th term on the Thrall ISD board; serving as Secretary, Vice-President, and President
- Organizer and Charter Member of the Thrall Community Education Foundation
- Superintendent of the Year Selection Committee (Region 13) 2017, 2018, 2019, & 2020
- Former President of Board of Elders – Taylor Brethren Church
- Former Sponsor for Taylor Brethren Youth Fellowship
- Former member of Taylor Noon Kiwanis Club
- Former member of Thrall Volunteer Fire Department
- Multiple volunteer roles in service of Thrall ISD, including:
 - 8 years painting the football field.
 - 9 years driving the band's equipment trailer.
 - Licensed to drive a school bus for occasions when that is needed.
- Leadership Taylor - Class of 1994
- TASB Legislative Advocacy Council - 87th Legislative Session
- Master Trustee - LeadershipTASB Class of 2020
- Active member of Central Texas School Board Association 2018-Present



LIBERTY HILL INDEPENDENT SCHOOL DISTRICT

301 Forrest Street | Liberty Hill, TX 78642 | Phone: (512) 260-5580 | Fax: (512) 260-5581

July 26, 2021

Dear Ms. Trish Bode

I am writing to ask for your Board endorsement of my candidacy for the TASB Board of Directors, Place C for Region 13.

I have been a central Texas resident and educator since 1984 with the last 31 years serving Liberty Hill ISD as a teacher, administrator and now Board of Trustee member Place 4. I have been directly involved with the growth and development of Region 13 schools, especially those who have developed from small rural districts to fast growth suburban schools. Our communities are changing but what is right for students has not. Together, we can continue to look forward in meeting the needs of our students, while advocating for our communities and their unique cultures.

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I was elected to LHISD school board in 2018. I served as board secretary and am now in my second rotation as Vice President. I sit as the board liaison to our Education Foundation, member of our LHISD long range planning committee, and strategic planning committee. I volunteer for our elementary reading program and several committees at Cross Tracks United Methodist Church. My husband, Estes, and I have been married 37 years; have 2 children and 7 grandchildren.

Serving my community through education is my calling. It is humbling and gratifying that my community relationships support my continued involvement in the decisions that have the greatest impact on our future: decisions defining what's right for students. I would be proud to represent your district in the same way. This is why I humbly ask for your endorsement for Region 13 TASB Director Place C.

Sincerely,

A handwritten signature in cursive script that reads 'Kathy Major'.

Kathy Major, Place 4

Vice President

Liberty Hill ISD Board of Trustees

TASB's Board of Directors Endorsement

Rena Mitchell <Rena@skipstone.com>

Wed, Jul 21, 2021 at 7:20 PM

Reply-To: Rena@skipstone.com

To: bruce.gearing@leanderisd.org, Trish Bode <Trish.Bode@leanderisd.org>

Cc: Rena@skipstone.com

Dr. Gearing and Board President Bode,
I hope all are well and you are staying safe.

This email is to inform you that I am running for the TASB Board of Directors (BOD) position for Region 13 as Vernagene Mott's term on the board has expired. I'm asking that your board endorse me for the TASB's BOD seat/position.

Presently, I serve as the Board President for Pflugerville ISD, past Vice President and I'm in my second term (5 1/2 years). Currently, I'm also the Central Texas School Board Association Vice President. Below and attached is my bio for your information. Additional information can be found on the TASB site [13c_mitchell_redacted.pdf \(tasb.org\)](#)

Please feel free to email or call me if you have any questions. I would love to serve as your voice on TASB's BOD for Region 13. Thank you in advance for your support.

RENAE MITCHELL, M.Ed./MBA
President, Pflugerville ISD Board of Trustees
BIO
(512) 940-8904 (C)
Renaе_PfISD@Skipstone.com



M.Ed./MBA University of Texas at Austin
President of Pflugerville ISD Board of Trustees
Vice President of the Central Texas School Board Association (CTSBA)
Executive Coach and Trainer, TEA Provider, Team of 8 Board Building/Training

- Lead from a place of having a servant’s heart and caring for all.
- Over 25 years of Human Resources Management and Leadership experience including in Education.
- Experience in leading and directing companies and school districts in strategic planning, program development and implementation, process improvements, identifying and achieving legislative priorities.
- Expertise in developing performance evaluation plans including Superintendents’ Evaluation tools.

- Proficient in managing and directing personnel/staff, executive hiring, coaching, and training.
- Adept at collaboration with governing bodies, including State of Texas Lawmakers, local officials, Texas Association of School Boards (TASB), and Regional Education Service Centers.
- Accomplished in collaborative efforts with school boards to operate more effectively and efficiently

- Develop and administer policies and procedures based on current guidelines and laws coupled with dealing with growing concerns of the “work-life balance” and now “student and parent life balance;” motivate/coach school boards/superintendents, executives, and employees; assist staff and employees to consistently achieve high standards; successfully work with parents and teacher groups.
- Assist Executive teams, Boards of Directors, investors, and professionals to create organizational systems and structures that are in line with school districts and/or company culture.

- Additional experience includes residential real estate development and management.

Associations...

Board of Trustees, Pflugerville Independent School District (PfISD) 2016-Current
Current Board President and Past Vice President
PfISD Legislative Liaison
Chair - PfISD School Board Policy and Superintendent Evaluation Committees
Leadership Texas Association of School Boards (LTASB) 2019 Graduate
Legislative Liaison and Vice President for the Central Texas School Board Association (CTSBA)
Texas Association of School Boards Legislative Liaison (LAC) and Advisory Council
Capital Area Alliance of Black Educators
Member, Society for Human Resource Management (SHRM)
Certified Life Coach
City of Pflugerville Leadership Graduate

Past Associations...

Past Board of Directors, Pflugerville Chamber of Commerce
Past Board of Directors, Pflugerville Education Foundation
Past City of Pflugerville Planning and Zoning Commissioner
Past PTO President, Little League President, VP Soccer League
Past HOA President and Architectural Committee Chair

AWARDS...

Career and Technical Association of Texas 2019 Champion of the Year
2019 Pflugerville Chamber of Commerce Contributor of the Year
2016 Hendrickson High School Athletic Booster Club Appreciation Award for Outstanding Service/Dedication
2010 and 2011 Hendrickson High School Outstanding Volunteer of the Year
Volunteer of the Year for Brookhollow Elementary School



Mr. Terrence Owens
Hutto ISD Board of Trustees, Vice President
200 College Street
Hutto, Texas 78634

July 2021

Dear ESC XIII Superintendents and School Board Presidents:

I am writing to ask for your support and endorsement of my quest to serve on the TASB Board of Directors for ESC XIII.

189

As a 20-year community member, I have watched our district grow from 2A to 6A, which gives me a unique ability to relate to all of the ESC XIII school districts. My passion is meeting people and learning from others. If selected, I would make it my mission to visit each district and learn how I can best serve you. That is my commitment.

I was elected to the Hutto ISD Board of Trustees in 2016. I have served as board president and am currently serving my second term as vice-president. In addition, I serve as a member of the Williamson County Health District Board of Directors. I am a Physical Therapist Assistant and a proud product of East Texas. I married my high school sweetheart 29 years ago, and we have a son and a daughter.

Serving Hutto ISD is one of the most fulfilling and rewarding experiences I have had as a public servant. My commitment to public service and, most importantly, public education, is deeply rooted in my core values and who I am as a person. I would be honored to serve on the TASB Board of Directors and represent the entire ESC XIII public school community. I humbly ask for your endorsement.

Sincerely,

Terrence Owens
Vice President
Hutto ISD Board of Trustees

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Review Novel Local Board Policy AEA – Educational Philosophy
Educational Equity

Purpose (this meeting): Discussion Item/Report Only Action Requested

Action Requested (future meeting): August 26, 2021

Administrator Responsible: Shawn Swisher, Laurelyn Arterbury, Chrysta Carlin

Attachments: Policy AEA(LOCAL)

Background Information:

The District's Diversity & Equity Advisory Committee, which has been working on community collaboration, professional learning, and policy and practice, has developed a proposed new Policy AEA(LOCAL) for Board consideration. The Board's policy review sub-committee has met several times with members of the Diversity & Equity Advisory Committee to discuss and review the proposed language that is presented to the full Board for discussion in the August 5, 2021 Board Meeting.

Administrative Recommendation:

Since this is a new policy and not review of existing policy, Administration recommends considering options for review of this language prior to proposed adoption.

Sample Motion:

N/A

EDUCATIONAL PHILOSOPHY
EDUCATIONAL EQUITY POLICY

AEA
(LOCAL)

Purpose

The purpose of this policy is to provide guidance, establish a framework, and direct action to affect change within the Leander Independent School District; to eradicate racism, intolerance, bigotry, and prejudice; and to promote an environment that welcomes and respects each community member while appreciating our differences.

This policy, and the guidance herein, do not supersede or revoke any other legal policy contained in the Leander ISD board policy manual. Where this policy conflicts with legal requirements, this policy is without effect. Unless specifically mentioned, this policy advocates for both students and staff.

Definitions

Equity: “an approach that ensures that all people have the opportunity to grow, contribute, and develop regardless of their identity.” (Board Training, Jan 2021). Differs from equality.

Access: “giving equitable access to everyone regardless of human ability and experience.” (Board Training, Jan 2021).

Diversity: “the presence of multiple groups and perspectives within a given setting.” (Board Training, Jan 2021).

Inclusion: “intentional, ongoing effort to ensure that diverse people with different identities and abilities are able to fully participate.” (Board Training, Jan 2021).

**Commitment to
Educational Equity**

The District shall actively work to change its practices to eliminate inequities that lead to identity-predictable disparities in outcomes. The Board understands that our teachers and staff deserve a non-hostile work environment; and commits to implementing a policy that creates a barrier-free learning place where, regardless of, but not limited to, race, sex, gender identity or expression, sexual orientation, ethnicity, religion, cultural observance, economic status, disability, or body type/size or other self-reported identities benefits all of our community. Identity-predictable disparities between student groups in Leander ISD is unacceptable.

**Acknowledgment of
Historical
Inequities**

Leander ISD acknowledges and takes ownership of the past and present inequities that exist in our system. These inequities have resulted in disparities in the educational and societal advancement of all our students. The District recognizes that continuing the status quo will only perpetuate the inequity within our public schools. The Board understands the need for purposeful action and is committed to identify, acknowledge, and overcome identity-predictable disparities between our students. The responsibility for addressing these disparities rests with our leadership, staff, and teachers.

**Leander Independent
School District Office of
Diversity, Equity and
Inclusion (ODEI)**

The District shall establish and maintain the Office of Diversity, Equity, and Inclusion (ODEI). This office shall serve to manage the execution of the District's strategic action plan on issues of equity, diversity, and inclusion; identify opportunities to eliminate inequitable practices within the District; and work to effectively address internal and external inequities that create barriers to success and negatively impact achievement for all students.

The ODEI allows for a single district entity that oversees the implementation of District equity strategies. The office will be led by an administrator, who reports directly to the superintendent and whose primary purpose is to manage the ODEI. This office will be regularly expanded to meet the requirements of this policy and strategic plan.

Among the primary functions of the ODEI, the office is charged to review current data and conduct root causes analysis of outcomes related to equity; develop strategies and plan for implementation of policies; and monitor progress and fidelity of equity strategy implementation. The ODEI shall report on progress at the beginning, middle, and end of each academic year.

**Statement of
Strategic
Objectives**

In order to achieve equitable academic outcomes for all students, the Board establishes the following Statement of Strategic Objectives for the Leander Independent School District:

Objective 1: Policy and Practice

- 1) The District shall disaggregate qualitative and quantitative data to monitor and address practices resulting in disproportionality in student success and achievement. This data will indicate the representation of predictable identifiable groups in areas such as, but not limited to:
 - a) Early childhood,
 - b) Special education,
 - c) Dyslexia,
 - d) Gifted and Talented,
 - e) Dual Language,
 - f) Advanced Placement and IB programs, and
 - g) English language learner programs

The District shall identify and analyze key indicators to ensure equitable access and practices in such programs. The District will facilitate equitable access to co-curricular and extra-curricular activities, programming, tutoring, and enrichment activities. The ODEI shall present the data regarding the representation and achievement of applicable student demographics at the beginning, middle, and end of each academic year.

- 2) In order to ensure equitable practices regardless of demographics, the District shall actively monitor and work to eliminate the disparity of disciplinary referrals between demographic groups, to include students in special programs. The District shall identify and analyze key indicators of disciplinary practices and annually present the disaggregated data regarding the number of students who lose time, both instructional and non-instructional (e.g., recess, advisory period) due to disciplinary referrals.
- 3) The District will distribute resources, opportunities, transportation, facilities, supports, and teachers/staff, to meet the identified needs of a campus, even if carrying out the commitment results in differentiated resource allocations.

EDUCATIONAL PHILOSOPHY
EDUCATIONAL EQUITY POLICY

AEA
(LOCAL)

- 4) The District will intentionally commit to recruiting, hiring, and retaining qualified and experienced staff who reflect the diversity of our American society to support a culturally responsive workforce at all organizational levels. The District shall report annually on the recruiting, employment, placement, and retention of persons, including underrepresented racial and ethnic groups.
- 5) The District shall effectively enforce a formal and informal reporting process for those that have experienced discrimination and ensure the reporting process is understood at every level. These processes must adhere to requirements found in DGBA, DIA, FFG, FFH, FFI, FNG, and GF where applicable. The ODEI shall facilitate the utilization of representatives that will focus on helping victims of discrimination navigate these multiple processes.
- 6) The District shall choose a wide range of learning materials that reflect the diversity of our American society and foster the understanding and appreciation of culture, class, language, ethnicity, and other differences with a variety of points of view. These learning materials are intended to empower staff to foster students' critical thinking skills. Learning materials will support the whole child, including social-emotional learning resources at all grade levels. These resources will support students and staff in attaining knowledge, attitudes, and skills necessary to understand and manage emotions, set positive goals, feel and show empathy for others, make responsible decisions, and maintain positive relationships.
- 7) The District shall strengthen the emphasis in the District's Student Code of Conduct and Standards of Conduct for Employees in addressing inappropriate behaviors for hate speech, racial slurs, or acts against individuals/groups based on race, sex, gender identity or expression, sexual orientation, ethnicity, religion, cultural observance, economic status, disability, or body type/size or other self-reported identities.

Objective 2: Professional Learning

- 8) The District will provide employees with professional learning opportunities pertaining to the achievement gap in issues of equity, diversity, inclusion, cultural competency, racism, and barriers to access. Professional learning opportunities will be ongoing and based on the changing

needs of the District and community.

- 9) The District is committed to increasing its diversity in leadership by creating, supporting, and fostering programs that reflect our American society. To support this commitment, the District will develop diverse mentoring, coaching, and staff leadership training programs.

Objective 3: Community Collaboration

- 10) The District shall maintain open channels of communication to promote a diverse exchange of thought and consider the voices of all demographic groups. The District shall create opportunities for all students and families—including the families of color and those whose first language may not be English—for empowerment as partners in education, planning, and decision-making.
- 11) The District shall model diversity and inclusion by advancing racial, socio-economic, and educational equity in business and operational practices. The District shall create greater public awareness surrounding its work on diversity, equity, and inclusion.

Responsibility

The Board shall hold the Superintendent and staff accountable for the implementation of this policy. Staff at all levels are responsible for sustaining a positive and equitable climate in the district. In accordance with this policy, the Superintendent of Schools may establish such regulations, plans, and procedures as may be necessary and appropriate to accomplish this policy's purpose and intent. The Superintendent, or their designee, shall develop procedures to measure achievement of the stated objectives and shall report on progress at the beginning, middle, and end of each academic year.

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Review Board Policy EF(LOCAL) and EMB(LOCAL)
Purpose (this meeting): Discussion Item/Report Only Action Requested
Action Requested (future meeting): August 26, 2021
Administrator Responsible: Shawn Swisher, Matt Bentz, Jennifer Collins
Attachments: Policy EF(LOCAL)
Policy EMB(LOCAL)
Resolution of the Board regarding Policy EF(LOCAL)

Background Information:

The Board has charged District administration and the Board's policy review subcommittee with reviewing policy and practice related to review, selection and challenges to selection of instructional materials. As a result of this collaboration, administration and the policy review subcommittee propose select revisions to Policy EF(LOCAL) Instructional Resources and Policy EMB(LOCAL). Additionally, administration and the sub-committee recognize the imminent start of the school-year will require a resolution with limited waiver of some portions of the policy in order to allow a reasonable amount of time for full implementation without disrupting classes that will need immediate access to instructional materials. Therefore, the Board is presented with proposed revisions to Policy EF(LOCAL) and Policy EMB(LOCAL) with a companion resolution detailing specific temporary waivers to Policy EF(LOCAL) in order to reasonably implement the policy in the 2021-2022 school year.

Administrative Recommendation:

Administration recommends concurrently adopting the revisions to Policy EF(LOCAL), Policy EMB(LOCAL) and the Resolution regarding implementation of Policy EF(LOCAL) at the August 26, 2021 Public Board Meeting.

Sample Motion:

I move the Board concurrently adopt the revisions to Policy EF(LOCAL), Policy EMB(LOCAL) and the Resolution regarding implementation of Policy EF(LOCAL).

Note: For information related to the selection process and accounting of instructional materials, as this term is defined by state law and rule, see CMD and EFA.

The District shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although professional staff members may select instructional resources for their use in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

Objectives

In this policy, “instructional resources” may include textbooks, library acquisitions, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional resources are to implement, enrich, and support the District’s educational program.

The Board shall rely on District professional staff to select and acquire instructional resources that:

1. Enrich and support the curriculum, taking into consideration students’ varied interests, abilities, learning styles, and maturity levels.
2. Foster growth in the **graduate profile and the** ten ethical principles of the District.
3. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
4. Present ~~various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.~~ multiple viewpoints related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis.
5. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
6. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.

Selection Criteria

In the selection of instructional resources, professional staff shall ensure that the resources:

1. Support and are consistent with the general educational goals of the state and District, **(including the vision, mission, core beliefs and LISD guiding documents), as well as individual schools and specific courses with the** ~~including the ten ethical principles of the District, and the aims and objectives of individual schools and specific courses consistent with the District and campus improvement plans.~~
2. Meet high standards for artistic quality and/or literary style, **authenticity**, educational significance, factual content, physical format, presentation, readability, and technical quality.
3. Are appropriate for the subject area, ~~and for the age,~~ ability level, learning styles, and social and emotional development of the students for whom they are selected.
4. **Are weighed as a whole. Resources containing sensitive content or addressing sensitive issues, including but not limited to sexuality, violence, or profanity shall be subject to careful scrutiny and review.**
5. Are designed to help students gain an awareness of our pluralistic society **and**
6. **Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.**
7. ~~For library selections, are integral to the instructional program, are appropriate for the reading levels and understanding of students, reflect the interests and needs of the students and faculty, are included because of their literary or artistic value and merit, and present information with the greatest degree of accuracy and clarity.~~

In the selection of library resources, professional staff shall ensure that the resources:

INSTRUCTIONAL RESOURCES

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(LOCAL)

1. Are consistent with selection criteria for instructional resources;
2. Are integral to the instructional program;
3. Are appropriate for the reading levels and understanding of students;
4. Reflect the interests and needs of the students and faculty;
5. Are included because of their literary or artistic value and merit; and
6. Present information with the greatest degree of accuracy and clarity

Administrators, teachers, library media specialists, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).

Selection of resources is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of resources that still have educational value.

Middle School and High School Reading Selections

Secondary parents/guardians shall be provided notice of possible reading selections in the district English Language Arts classes for grades 6-12 including, titles, summaries, and identification of potentially sensitive topics or themes.

Controversial Issues

District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction.]

Challenged Resources

A parent **or guardian** of a ~~District~~ **current Leander ISD** student, any **Leander ISD** employee, or any **individual currently residing within Leander ISD boundaries** ~~District resident~~ may formally challenge an instructional resource used in the District's educational program on the basis of appropriateness.

Informal Reconsideration

The school receiving a complaint about the appropriateness of an instructional resource shall try to resolve the matter informally using the following procedure:

1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned resource.
2. The principal or designee shall explain the intended educational purpose of the resource and any additional information regarding its use.
3. If appropriate, the principal or designee may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource.
4. **If, after informal reconsideration**, the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the resource.

Formal Reconsideration

A complainant shall make any formal objection to an instructional resource on the **digital** form provided by the District ~~and shall submit the completed and signed form to the principal~~. Upon receipt of the **completed** form, the **Superintendent or designee** ~~principal~~ shall appoint a reconsideration committee, which shall consist of the following members:

1. ~~A~~ **The principal or designee from the school receiving the complaint;** ~~(who shall chair the committee and be a nonvoting member);~~
2. ~~A~~ **The librarian;**
3. ~~A~~ **Two teachers serving that grade level (from different campuses);**

INSTRUCTIONAL RESOURCES

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4. ~~A representative from the teaching and learning department who will chair the committee and will be a non-voting member; and An instructional services representative; and~~
5. Four parents from campuses serving that grade level.

All members of the committee shall review the challenged resource in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged resource conforms to the principles of selection set out in this policy. The committee shall prepare a written report of its findings and provide copies to the principal, the Superintendent or designee, and the complainant.

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting with the appropriate administrator. [See DGBA, FNG, and GF]

Guiding Principles

The following principles shall guide the Board and staff in responding to challenges of instructional resources:

1. A complainant may raise an objection to an instructional resource used in a school's educational program, despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.
2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own child.
3. Access to a challenged resource shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

The major criterion for the final decision on ~~a~~ challenged resources ~~is the~~ **are alignment to district policies and** ~~is the~~ appropriateness of the resource for its intended educational use. No challenged instructional resource shall be removed solely because of the ideas expressed therein.

The District shall address controversial topics in an impartial and objective manner. Teachers shall not use the classroom to transmit personal beliefs regarding political or sectarian issues. Students and educators shall ensure that, to the extent possible, discussions are conducted fairly and courteously.

A teacher's professional responsibilities demand objectivity in presenting various sides of controversial issues contained within the curriculum. Teachers shall be well informed in areas being studied and capable of providing instruction on the subject, free of personal bias. Methods of presentation shall focus on learning, stimulate inquiry, and promote critical thinking and analysis.

Selection of Topics

A teacher selecting topics from the ~~written~~ ~~approved~~ curriculum for discussion in the classroom shall be adequately informed about the issue and capable of providing instruction on the subject, free from personal bias. In addition, the teacher shall be certain that ~~the issue being discussed and accompanying instructional materials:~~

1. ~~Are presented in the manner consistent~~ ~~The issue in question is within~~ the range, knowledge, maturity, and comprehension of the students.
2. ~~Are~~ ~~The issue is~~ current and educationally significant.
3. ~~Do~~ ~~The consideration of the issue does~~ not interfere with required instruction.
4. ~~Provide a balanced set of resources containing~~ ~~sufficient~~ relevant information on all aspects of the issue ~~is provided~~.

If a teacher is unsure about a topic of discussion or about the methods to employ, the teacher may discuss the issue with the principal.

Classroom Discussion

In guiding classroom discussion of controversial issues, teachers shall:

1. Foster students' critical thinking skills.
2. Encourage discussion based on rational analysis.
3. Create an atmosphere in which students learn to respect others' opinions and disagree courteously.
4. Ensure that multiple viewpoints about the issue are presented by introducing an unexpressed viewpoint when necessary.
5. ~~Avoid sharing personal opinions or persuading students to adopt the teacher's position or point of view.~~

MISCELLANEOUS INSTRUCTIONAL POLICIES
TEACHING ABOUT CONTROVERSIAL ISSUES

EMB
(LOCAL)

6. ~~Avoid any attempt to coerce or persuade students to adopt the teacher's point of view.~~

**Student or Parent
Concerns**

A student or parent with concerns regarding instruction about controversial issues shall be directed to the complaint policy at FNG.

Resolution of the Board regarding Policy EF(LOCAL)

WHEREAS, the board has adopted revisions to policy EF(LOCAL) Instructional Resources;

WHEREAS, the Board expects all instructional materials to be reviewed consistent with the requirements of Policy EF(LOCAL); and

WHEREAS, the Board recognizes that review of all titles utilized in the District prior to the 2021-2022 school-year is not feasible;

Now, Therefore, the Board resolves as follows:

- 1) During the 2021-2022 school year, the Board temporarily waives the requirements for review of selected titles where the title has already been reviewed by teaching staff and been utilized in the District for in previous school years;
- 2) This waiver shall not except the materials discussed above from the review required by EF(LOCAL) after the expiration of this waiver;
- 3) This waiver shall expire at the end of the 2021-2022 school year; and
- 4) Commencing the 2022-2023 school year and subsequently, all instructional resources will be subject to the full requirements of Policy EF(LOCAL) as adopted at the August 26, 2021 Public Meeting of the Board of Trustees of Leander ISD.

Passed by the Board of Trustees on August 26, 2021 and attested to by the Board Chair:

Trish Bode

Date

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item:	Consider Approval of Purchase of Attendance Credits and Delegation of Authority to Obligate the District
Purpose (this meeting):	<input type="checkbox"/> Discussion Item/Report Only <input checked="" type="checkbox"/> Action Requested
Administrator Responsible:	Elaine Cogburn
Attachments:	2021-2022 Agreement for the Purchase of Attendance Credits (Netting Chapter 48 Funding)

Background Information:

Provisions of the Texas Education Code (TEC) require districts with excess local revenue above the *Tier I Entitlement* to pay funds into the Foundation School Program for distribution to other districts within the State.

The Texas Education Agency (TEA) has notified the district that the Tier I local share will exceed the district's entitlement under TEC, Section 48 (previously Chapter 41/Robin Hood). Based on the estimates, LISD will be required to reduce its excess local revenue level for the 2021-2022 school year using one or more of the statutory options available. The estimated amount of Excess Revenue is \$0.00.

One of the five options for reducing revenues is "Option 3", the Purchase of Attendance Credits. This option allows the district to offset local revenue against Chapter 48 funds. The intent/choice selection form has been submitted electronically to TEA, indicating the use of the offset provision. TEA approval of this intent/choice selection is required before the District can move forward with adopting its 2021-2022 tax rate.

The District must submit to TEA an Agreement for the Purchase of Attendance Credits (Netting Chapter 48 Funds) by September 1, 2021, regardless of whether a payment will be due under Chapter 48. School districts have the option to submit the Agreement electronically via the Excess Local Revenue online subsystem; however, in order to submit electronically, the School Board must delegate the authority to the superintendent to obligate the school district under TEC, Chapter 49. TEA has provided specific language to be included in the motion, and the language is required to be recorded in the Board minutes and the Board minutes must be uploaded via the Excess Local Revenue subsystem of the online FSP system.

Administrative Recommendation:

The recommendation is that the Board approve the Agreement for the Purchase of Attendance Credits for the 2021-2022 school year and that the Board delegate contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.006.

Sample Motion:

I move the Board of Trustees approve the Agreement for the Purchase of Attendance Credits for the 2021-2022 school year and further move that the Board delegate contractual authority to obligate the school district under Texas Education Code (TEC) §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and the rules adopted by the commissioner of education as authorized under TEC, 49.006.



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 2021-2022 (the "school year").

The agreement is for Leander Independent School District ("the district"), with a county-district number of 246-913, 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.

LeanderISD.org

204 W. South Street • P.O. Box 206218 • Leander, TX 78646

Phone: 512-570-0000 • Fax: 512-570-0054

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

Signature of President, Board of Trustees

Date:

Signature of Secretary, Board of Trustees

Date:

Signature of Superintendent

Typed Name of Superintendent

Date:

Signature of Commissioner of Education or Designee

Date:

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204 W. South Street • P.O. Box 218 • Leander, TX 78646

Phone: 512-570-0000 • Fax: 512-570-0054

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: Discussion of an Ordinance Adopting the 2021 Property Tax Rate
Purpose (this meeting): Discussion Item/Report Only Action Requested
Action Requested (future meeting): Thursday, August 26, 2021
Administrator Responsible: Elaine Cogburn
Attachments: 2021 Proposed M&O and I&S Tax Rates
 Impact of 2021-2022 Budget and Tax Rate on Taxpayers

Background Information:

The Texas Property Tax Code, Section 26.05(a), requires the Board of Trustees to adopt a tax rate by written ordinance, resolution, or order in a public meeting before the latter of September 30 or the 60th day after the date the certified tax roll is received by the taxing unit. The Williamson and Travis County tax offices require that the district provide the adopted tax rates by September 15, to allow adequate time to produce tax bills. Prior to adopting a budget or tax rate, the Board of Trustees must schedule a meeting to discuss and adopt the budget and publish notice of that meeting at least 10 days, but no more than 30 days, prior to that meeting.

On June 3 and 6, 2021 the district published the required “Notice of Public Meeting to Discuss Budget and Proposed Tax Rate” with a proposed tax rate of \$1.4184, the maximum allowable tax rate. The meeting to adopt the budget was held on June 17, 2021. The tax rate being considered does not exceed the \$1.4184 published rate; therefore, the law allows the district to adopt the tax rate without re-publishing the notice and conducting another hearing. The 2021 tax rate is scheduled to be adopted by the Board of Trustees on August 26, 2021.

There are several different tax rate calculations necessary in adopting the tax rate. Those rates are described below as well as the action that is triggered if the adopted rate exceeds a particular rate.

Maximum Compressed Tax Rate (MCR)	Provided by TEA based on property value growth	The portion of the tax rate to fund Tier I.
No New Revenue Rate	Required for Truth in Taxation	The tax rate that produces the same property tax revenue in the coming year as the prior year if applied to the same properties (taxed in both years). When appraisal values increase, the NNR tax rate should decrease.
Voter-Approval Rate	Maximum rate that can be adopted without triggering a Voter Approved Tax Ratification Election (VATRE)	Compressed rate plus greater of \$.05 or Tier 2 pennies from prior year plus current debt rate
Rate to Maintain	Required for Notice of Public Meeting to Discuss Budget and Proposed Tax Rate	The M&O rate that, when applied to the district’s current taxable value, would impose taxes in an amount that, when added to the district’s state funds would provide the same amount of M&O taxes and state funds per student for the applicable year that was available to the district in the preceding year plus the current debt rate.
No New Revenue M&O Rate	Determines required language in Ordinance and Motion	<i>Required, but not defined for school districts!</i> The M&O portion of the No New Revenue Rate.

In accordance with Tax Code, Section 26.05(b) and Board Policy CCG (Legal), specific language must be included in the Ordinance and the Board Motion and posted on the district’s website in conjunction with the tax rate adoption. This is true even if the M&O tax rate is lower than the prior year’s rate. The font size and capitalization of the statements are prescribed by law.

If the adopted rate will exceed the no new revenue M&O rate:	
Required Motion:	“I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate.”
Ordinance Language:	“THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE” and “THE TAX RATE WILL EFFECTIVELY BE RAISED BY ___ PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$ _____.”
Supermajority Required:	60% of members of the board must vote in favor to set a rate that exceeds the sum of the No-new-revenue M&O rate and the current debt rate.
Website Language:	“THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE” and “THE TAX RATE WILL EFFECTIVELY BE RAISED BY ___ PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$ _____.”
If the adopted rate will impose an amount of M&O taxes that exceeds the amount imposed for that purpose in the preceding year:	
Ordinance and Website Language:	“THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE”

TEA has certified the district’s MCR rate to be \$.8220. The addition of the 5 Tier II pennies allowable by law brings the proposed M&O tax rate to \$.8720. The Board has the option to lower the I&S tax rate by the planned \$.0025 step down, lower by additional pennies, or keep the rate at \$.4650 which generates surplus tax collections for the early repayment of debt. Two documents are attached showing the tax rates used in preparing the 2021-2022 budget, the proposed tax rates and the impact of the proposed tax rates on the average taxable value of a residence. The proposed tax rate, including a reduction to the I&S rate, is \$1.3345 which reflects a reduction in the total tax rate of \$.0839.

The Wilco Tax Office is currently calculating the district’s No New Revenue rates. Once those calculations are received, the required language will be determined and included in the Ordinance and Motion brought forward for adoption of the tax rate on August 26th. This year the Board is now required to designate the person(s) responsible for the district’s Truth in Taxation calculations. More information on this requirement will be available on August 26.

Administrative Recommendation:

The administration recommends that the Board adopt an M&O and an I&S rate for tax year 2021 via the Ordinance to be provided on August 26, 2021.

Sample Motion:

I move that property taxes be levied for the 2021 tax year by the adoption of a total tax rate of \$1.____, which includes \$0.____ for Maintenance and Operations and \$0.____ for Interest and Sinking, as outlined in the Ordinance. *This motion will be revised to include legally required language pending tax rate calculations.*

**Leander Independent School District
2021 Tax Rate Discussion**

	April Cert. Est.	July Certified
Percentage Increase in Certified Property Values	15.68%	16.04%

M&O Tax Rate

	2020 Tax Rates	2021	
		Budgeted	MCR Decreased, No Disaster Penny
Tier I MCR (determined by TEA)	\$ 0.9134	\$ 0.8247	\$ 0.8220
Tier II Pennies	0.0400	0.0500	0.0500
Disaster Penny	0.0000	0.0100	0.0000
Total M&O Rate	\$ 0.9534	\$ 0.8847	\$ 0.8720

State and Local Revenue Impact - M&O

Loss due to Disaster Penny	\$ (4,654,209)
Loss due to Additional Compression	(54,361)
Gain due to Increased Values	62,018
Total M&O State/Local Revenue Gain/(Loss)	\$ (4,646,552)

I&S Tax Rate

	2020 Tax Rates	2021	
		Budgeted - \$.0025 Step Down	No Change
I&S Rate Options	\$ 0.4650	\$ 0.4625	\$ 0.4650
I&S Collections at 99% collection rate		\$ 147,107,925	\$ 147,690,527
Difference in Collections			\$ 582,602
Collections available for early retirement of debt		\$ 36,363,525	\$ 36,946,127

Total Tax Rate

	2020 Tax Rates	2021	
		Lower I&S Rate	I&S Rate Unchanged
M&O Rate	\$ 0.9534	\$ 0.8720	\$ 0.8720
I&S Rate	0.4650	0.4625	0.4650
Total Tax Rate	\$ 1.4184	\$ 1.3345	\$ 1.3370

	210		\$ (0.0839)		\$ (0.0814)
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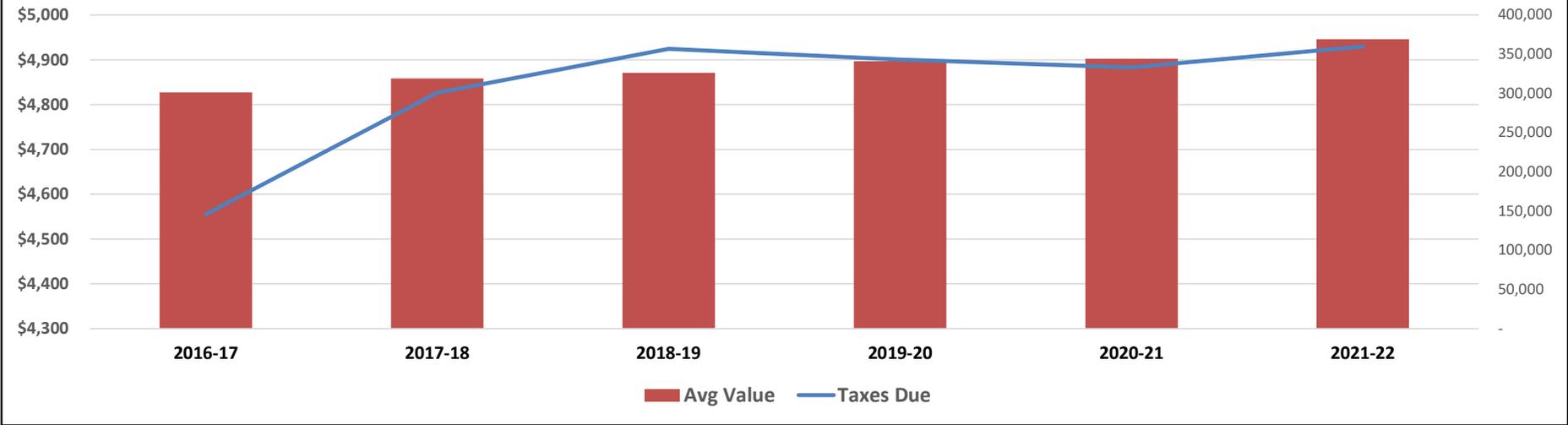
**Leander Independent School District
2021-2022 Budget**

Impact of Budget and Tax Rate on Taxpayers

	2016-17	2017-18	2018-19	2019-20	2020-21	Budgeted 2021-22	2021-2022 Proposed Scenarios		
							Lower I&S	No Change I&S	
Assessed/Market value of a home	\$ 326,377	\$ 344,262	\$ 360,365	\$ 374,572	\$ 376,708	\$ 420,228	\$ 420,338	\$ 420,338	
Average Taxable value	301,277	319,262	326,132	340,890	344,237	369,431	369,431	369,431	
MCR (HB 3) Determined by TEA				\$ 0.9300	\$ 0.9134	\$ 0.8247	\$ 0.8220	\$ 0.8220	
Golden Pennies (4 or 5)				0.0400	0.0400	0.0500	0.0500	0.0500	
Disaster Penny				-	-	0.0100	-	-	
I&S Rate				0.4675	0.4650	0.4625	0.4625	0.4650	
Total property tax rate	\$ 1.51187	\$ 1.51187	\$ 1.5100	\$ 1.4375	\$ 1.4184	\$ 1.3472	\$ 1.3345	\$ 1.3370	
Change in Tax Rate		\$ -	\$ (0.0019)	\$ (0.0725)	\$ (0.0191)	\$ (0.0712)	\$ (0.0839)	\$ (0.0814)	
Property tax due	\$ 4,555	\$ 4,827	\$ 4,925	\$ 4,900	\$ 4,883	\$ 4,977	\$ 4,930	\$ 4,939 ²¹¹	
Increase/(Decrease) in taxes	\$ 334	\$ 272	\$ 98	\$ (24)	\$ (18)	\$ 94	\$ 47	\$ 56	
Percentage Increase/(Decrease)	7.33%	5.63%	1.99%	-0.50%	-0.36%	1.90%	0.60%	0.79%	
Increase in Average Taxable Value						\$ 3,347	\$ 25,194	\$ 25,194	\$ 25,194
Tax increase due to Values						\$ 47.40	\$ 339.41	\$ 336.21	\$ 336.84
Tax decrease due to Tax Rate						\$ (65.04)	\$ (245.10)	\$ (288.81)	\$ (280.84)
Local Optional Exemption for Disabled and Over 65	n/a	n/a	n/a	\$ 30,433,427	\$ 31,154,056	\$ 33,244,006	\$ 33,244,006	\$ 33,244,006	

This schedule shows the trends in property values and tax rates. Each year the Travis and Williamson County Appraisal Districts (CAD) appraise property based on market conditions such as sales in the surrounding areas. The above schedule shows how market conditions have affected the assessed value through 2021 based on the overall appraisal value trends in the District. For the 2020 tax year, Travis CAD did not have sufficient market data to reappraise existing residential properties. As shown above, the average value of a residence in the District continues to rise annually.

Property Taxes on Average Taxable Value vs. Value Increase



Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item:	Discussion of 87 th Legislative Session Impact on Revenues	
Purpose (this meeting):	<input checked="" type="checkbox"/> Discussion Item/Report Only	<input type="checkbox"/> Action Requested
Administrator Responsible:	Elaine Cogburn	
Attachments:	Impact of 87 th Legislative Session on Revenues	

Background Information:

The 2021-2022 budget was adopted on June 17, 2021. At that time the 87th Legislative Session had just ended and the impact to school finance was being analyzed. Final certified property values were also just received. This update provides an analysis of how property values and law changes are impacting the district's revenues since the budget was adopted in June.

The adopted General Fund budget for revenues and other sources totaled \$368,557,017. Based on changes in the law and certified values, General Fund revenues are now projected to be \$4,283,181 lower than original estimates. It is important to note that in order to perform a true comparison on the effects of the 87th Legislative Session, enrollment has not been adjusted. These estimates are based on enrollment of 41,749 and ADA of 39,838. While current registrations have exceeded these estimates, the virtual students will not generate Average Daily Attendance (ADA) funding and actual ADA could decline due to COVID related absences.

House Bill (HB) 1525

HB 1525 is characterized as a clean-up for HB 3 and included a number of formula and programmatic changes to the public-school finance system. HB 1525 changes that impact LISD include:

- CTE Funding: defines approved courses for CTE and changes the weights for funding
- Gifted and Talented (GT) Allotment: funding here was reinstated
- Fast Growth Allotment (FGA): the formulas were modified based on variable weights applied to six years of growth beyond 250 students and is capped at \$270 million (LISD funding is prorated due to cap)
 - A hold harmless for losses in FGA is created and capped at \$40 million per year (LISD funding is prorated due to cap)

The changes under HB 1525 result in a decrease in state funding of \$2,831,226, however this loss is offset by Formula Transition Grant (FTG) funding which results in a net increase of \$363,371.

Senate Bill (SB) 1438

SB 1438 removes pandemics and epidemics from the types of disasters that can trigger the availability of additional taxing authority for school districts. The budget was developed assuming the district would be able to add one penny to the tax rate. Removal of this option results in a loss of state and local funding totaling \$4,654,209.

Maximum Compressed Rate (MCR)

A provision in the rider for the Foundation School Program in the state budget directed a reduction to the MCR (Maximum Compressed Rate) floor from \$0.8247 to \$0.8220, meaning the district's M&O tax rate will compress further. This results in an increase in state aid and a decrease in local tax collections for a net loss of \$54,361.

2021 Certified Values

Certified 2021 values were received from the Travis County Appraisal District on July 20, and the Williamson County Appraisal District on July 23. The certified preliminary estimates in April showed growth of 15.68% for the freeze adjusted value. The certified values are now reflecting a slight increase at 16.04%. Since the district's tax rate already compresses to the state MCR floor of \$0.8220, no further compression is generated by this increase in values and the increase in values results in a net increase in revenues of \$62,018.

An amendment to the budget for revenues will occur later in the year as necessary. Because additional enrollment will generate additional state aid, it is possible the current loss in revenues could be made up through additional ADA funding. This update is being provided merely to inform the Board on the changes that have occurred to state funding formulas from the 87th Legislative Session.

Administrative Recommendation:

N/A

Sample Motion:

N/A

**Leander Independent School District
2021 - 2022 Budget
Impact of 87th Legislative Session on Revenues**

		STATE AID	LOCAL FUNDING	TOTAL
HB 1525				
CTE	Provides variable weight depending on courses taken	\$ (36,960)	\$ -	\$ (36,960)
	Eliminates \$50 allotment for advanced CTE	(13,500)	-	(13,500)
GT	Restores GT weight at .07, limited to 5% of ADA and \$100 million per year	858,909	-	858,909
FGA	Fast Growth Allotment gain due to formula change and hold harmless	94,751	-	94,751
	Loss due to proration (FGA and HH)	(3,483,897)	-	(3,483,897)
	Loss of WADA	(250,529)	-	(250,529)
FTG	Formula Transition Grant triggered due to decreased state/local funding	3,194,597	-	3,194,597
Net Impact of HB 1525		\$ 363,371	\$ -	\$ 363,371
SB 1438				
SB 1438	Removed pandemics from the disasters that can trigger the availability of additional taxing authority with the VATRE	(1,645,069)	(3,009,140)	(4,654,209)
Net Impact of SB 1438		\$ (1,645,069)	\$ (3,009,140)	\$ (4,654,209)
OTHER				
MCR	TEA updated the tax compression floor to be \$0.8220 down from \$0.8247	889,664	(944,025)	(54,361)
2021 Certified Values	Receipt of July CERTIFIED Values - up from 15.68% to 16.04%	(817,283)	879,301	62,018
Total Change in State and Local Revenue		\$ (1,209,317)	\$ (3,073,864)	\$ (4,283,181)

Leander ISD Board Meeting Agenda Item Information

Meeting Date: Thursday, August 5, 2021

Agenda Item: General Construction Update
Purpose (this meeting): Discussion Item/Report Only Action Requested
Administrator Responsible: Jimmy Disler
Attachments: General Construction Update Presentation

Background Information:

Jimmy Disler will present information regarding the status of current or ongoing construction projects.

Administrative Recommendation:

N/A

Sample Motion:

N/A



General Construction Update

August 5, 2021

Tarvin Elementary School (ES 28)

New Construction

Work happening in August

- Complete all outstanding punch list items
- Complete staff move in
- Install ceramic tile campus logo
- Turn project over to LISD

GMP Summary

	<u>Approval Date</u>	<u>Amount</u>
GMP 1	April 23, 2020	\$11,142,202
GMP 2	May 21, 2020	\$20,499,886
GMP 3	February 25, 2021	\$1,502,534
	<i>GMP Total</i>	<i>\$33,144,622</i>



Cedar Park MS

HVAC Update – HVAC, lights, paint, carpet and Security Upgrades

Work happening in August

- Complete new room signage installation
- Complete markerboard installation
- Complete all outstanding punch list items
- Turn over project to LISD

GMP Summary

	<u>Approval Date</u>	<u>Amount</u>
GMP 1	February 21, 2019	\$11,462,917
GMP 2	June 10, 2021	\$657,649
GMP Total		\$12,120,566



Steiner Ranch ES

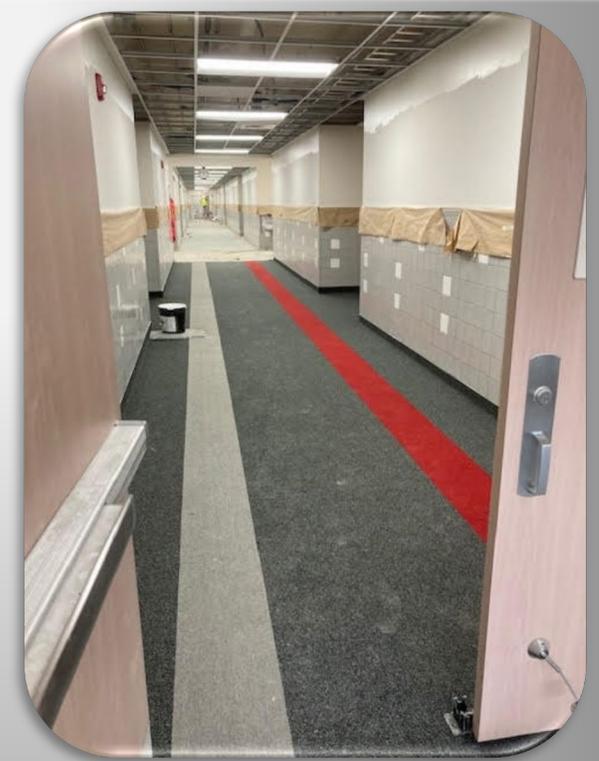
HVAC Update – HVAC, lights, paint, carpet and Security Upgrades

Work happening in August

- Complete all final punch list items
- Turn project over to LISD

GMP Summary

	<u>Approval Date</u>	<u>Amount</u>
GMP 1	February 27, 2020	\$1,634,800
GMP 2	April 23, 2020	\$6,460,189
	GMP Total	\$8,094,989



Vista Ridge HS Additions

JROTC Building Additions and Renovations, Incubator Renovations and Security Upgrades

Work happening in the future

- Complete final access control hardware install and programming

GMP Summary		
	<u>Approval Date</u>	<u>Amount</u>
GMP 1	February 18, 2019	\$1,853,007
GMP 2	January 23, 2020	\$494,699
	<i>GMP Total</i>	<i>\$2,347,706</i>

CAMPUS	PROJECT DESCRIPTION	TOTAL APPROVED BOND BUDGET	PROJECT & GMP STATUS (Legend Below)	SCHEDULED PROJECT YEAR OPENING
Cedar Park HS	Additions and Renovation, Softball Complex Improvements	\$ 11,150,507	Complete	18/19 - 19/20
Cedar Park MS	HVAC Update	\$ 15,240,743	In Progress GMP 1 - 2/21/19 GMP 2 - 6/10/21	19/20 - 21/22
Larkspur ES (ES 27)	New construction	\$ 37,779,628	Complete	19/20
Giddens ES	HVAC Update and District Standard Traffic Gates	\$ 9,005,975	Complete	18/19 - 19/20
Glenn HS	Ag Facility	\$ 3,163,960	Complete	19/20
Leander HS	CTE Classrooms and Black Box Renovations, Additions and Renovations to Existing Ag Barn, Softball Complex Improvements	\$ 4,947,836	Complete	18/19 - 20/21
Leander MS	HVAC Update, Classroom Addition	\$ 21,516,101	Complete	18/19 - 20/21
Mason ES	Play Area Renovation and District Standard Traffic Gates	\$ 603,560	Complete	18/19
Danielson MS (MS 9)	New construction	\$ 63,410,011	Complete	20/21
Monroe/CPHS	Monroe Stadium Expansion and Cedar Park HS Grandstand Replacement	\$ 1,758,284	Complete	18/19
Vandegrift HS	Ag Facility	\$ 3,768,160	Complete	20/21
Vandegrift HS	Classroom Additions, Incubator Renovation	\$ 31,245,385	Complete	18/19 - 20/21
Vandegrift HS	Secondary Access Road	\$ 3,000,000	Pre-Design/Evaluating	Ongoing
Various	District Standard Traffic Gates - Bagdad ES, Block House ES, Cox ES, Cypress ES, Faubion ES, Knowles ES, Naumann ES and Whitestone ES	\$ 245,700	Complete	18/19
Vista Ridge HS	JROTC Building Additions and Renovations, Incubator Renovations, Disaster Recovery Site	\$ 2,665,503	In Progress GMP 1 - 4/18/19 GMP 2 - 1/23/20	19/20
Plant Services	Replacement Maintenance/Grounds Vans and Trucks	\$ 893,000	In Progress	Ongoing
Technology	Device, Hardware and Infrastructure Replacement	\$ 38,730,000	In Progress	Ongoing
Transportation	88 Replacement Buses; A/C Retrofit	\$ 10,200,000	In Progress	Ongoing
Transportation	North Satellite Transportation Center	\$ 17,800,000	Complete	19/20
Tarvin ES (ES 28)	New construction	\$ 40,862,445	In Progress GMP 1 - 4/23/20 GMP 2 - 5/21/20 GMP 3 - 2/25/21	21/22
ES 29	New construction	\$ 42,496,943	In Progress GMP 1 - 4/22/21	22/23
ES 30	New construction (Design Only)	\$ 2,181,032	Not Available	23/24
HS 7	New construction (Design Only)	\$ 10,073,645	Not Available	21/22
Steiner ES	HVAC Update	\$ 8,857,136	In Progress GMP 1 - 2/27/20 GMP 2 - 4/23/20	20/21 - 21/22
Secondary	Campus Security Upgrades	\$ 10,875,060	Complete	20/21
Land	Future ES (34, 35, 36, 37, 38, 39, 40), Future MS (11), Future HS (8)	\$ 61,934,386	Not Available	Ongoing
TOTALS		\$ 454,405,000		

Not Available - Project or construction has not yet started (not in pre-design/evaluating phase or land not under contract).

Pre-Design/Evaluating - Internal planning with key stakeholders. Architectural/Engineering design has not yet begun and actual construction has not started.

In Design - Architectural/Engineering design has begun or is ongoing, actual construction has not started.

In Progress - Project or construction has begun or is ongoing.

Complete - Project or construction has reached 100% completion.

Discussion