



**BLUM ISD
REGULAR MEETING
AUGUST 8, 2022
6:00 PM**

**NOTICE OF REGULAR MEETING
BOARD OF TRUSTEES
BLUM INDEPENDENT SCHOOL DISTRICT**

Notice is hereby given that on Monday, August 8, 2022, the Board of Trustees of the Blum Independent School district will hold a Regular Meeting at 6:00 PM in the Blum ISD Library

PO Box 520

310 South Ave. F

Blum, Texas 76627. The subjects to be discussed are listed on the agenda, which is attached to and made part of this notice.

A closed meeting of the Board is required as authorized by Article 6242-17, Vernon's Texas Civil Statutes and will be held by the board in conjunction with its open meeting.

The closed meeting will be held as authorized by the aforementioned article for the purpose of considering the appointment, employment, evaluation, reassignment, duties, or considering the purchase, exchange, lease, or value of real property, negotiated contracts for prospective gifts or donations to the school district. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in a closed meeting, then such final action, final decision, or final vote will be at either:

-the open meeting covered by the notice upon the reconvening of this
Public meeting, or

-at the subsequent public meeting of the Board upon notice hereof as
The Board will determine.

Aug. 4, 2022

On this the this notice was posted on the bulletin board of the Office of the Superintendent of Schools of the Blum Independent School District.

**FOR THE BOARD OF TRUSTEES
BLUM INDEPENDENT SCHOOL DISTRICT**

AGENDA
 BLUM INDEPENDENT SCHOOL DISTRICT
 REGULAR MEETING
 MONDAY, AUGUST 8, 2022
 6:00 PM

CALL TO ORDER: PRESIDENT OF BOARD

INVOCATION

REVIEW AND APPROVAL OF MINUTES 4

REVIEW AND APPROVAL OF FINANCIAL REPORT 6

HEARING OF DELEGATIONS

ITEMS FOR ACTION:

1. APPROACH DOI FOR TEACHER ASSESSMENT
2. CTE INNOVATIVE COURSES
 GENERAL EMPLOYABILITY SKILLS - N1270153
 RETAIL MANAGEMENT - N1303420
3. 2022-2023 STUDENT CODE OF CONDUCT 14
4. PROPOSED BUDGET 22-23
5. PROPOSED TAX RATE 22-23
6. **REVIEW AND ADOPT LOCAL POLICIES IN UPDATE 119:** 57
 CPC(LOCAL): OFFICE MANAGEMENT - RECORDS MANAGEMENT
 DMA(LOCAL): PROFESSIONAL DEVELOPMENT - REQUIRED
 STAFF DEVELOPMENT
 EHAA(LOCAL): BASIC INSTRUCTIONAL PROGRAM - REQUIRED
 INSTRUCTION (ALL LEVELS)
 EHB(LOCAL): CURRICULUM DESIGN - SPECIAL PROGRAMS
 EHBAA(LOCAL): SPECIAL EDUCATION - IDENTIFICATION,
 EVALUATION, AND ELIGIBILITY
 EHBB(LOCAL): SPECIAL PROGRAMS - GIFTED AND TALENTED
 STUDENTS
 EIF(LOCAL): ACADEMIC ACHIEVEMENT - GRADUATION
 FFBA(LOCAL): CRISIS INTERVENTION - TRAUMA-INFORMED
 CARE
 FFH(LOCAL): STUDENT WELFARE - FREEDOM FROM
 DISCRIMINATION, HARASSMENT, AND RETALIATION

7. HILL COUNTY 4-H EXTRACURRICULAR STATUS AND ADJUNCT FACULTY 22-23	114
8. JOHNSON COUNTY 4-H EXTRACURRICULAR STATUS AND ADJUNCT FACULTY 2022-2023	119
9. STUDENT MEALS	
10. BUDGET AMENDMENTS	124
11. RETENTION STIPEND	
12. PERSONNEL-EVALUATE, SUSPEND, TERM NONRENEWAL, REASSIGN, HIRE PROFESSIONAL EMPLOYEE (GOV'T CODE 551.074)	

ITEMS FOR INFORMATION

1. SUPERINTENDENT'S REPORT	
a. DISCUSS PROPERTY VALUES	
b. ENROLLMENT	
2. FEDERAL GRANTS APPLIED FOR 2022-2023	126
3. PRINCIPAL'S REPORT	

IN ACCORDANCE WITH TEX. OPEN MEETINGS ACT (SUBCHAPTERS D AND E OF CH. 551, TEX. GOV'T CODE), THE BOARD MAY ENTER CLOSED MEETING TO DELIBERATE ANY SUBJECT AUTHORIZED BY SUBCHAPTER D THAT IS LISTED ON THE AGENDA FOR THIS MEETING. ANY FINAL ACTION, DECISION, OR VOTE ON A SUBJECT DELIBERATED IN CLOSED MEETING WILL BE TAKEN IN AN OPEN MEETING HELD IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT.

CLOSED MEETING: (as authorized by Article 6442-18, Civil Statutes of Texas)
PERSONNEL

BLUM INDEPENDENT SCHOOL DISTRICT
REGULAR BOARD MEETING
JUNE 20, 2022

THE BLUM ISD BOARD OF TRUSTEES MET IN A REGULAR MEETING ON JUNE 20, 2022. RICHARD MCPHERSON CALLED THE MEETING TO ORDER AT 7:02 PM.

THE FOLLOWING WERE PRESENT: RICHARD MCPHERSON, JONATHAN ARRINGTON, STEVE GANT, DENVER VARDEMAN, ELSA SCOTT, JEFF SANDERS, CHANTELE HURT, PAULA FRENCH
ABSENT: JAMIE KOONSMAN, JOE MAXWELL

NO GUEST PRESENT.

INVOCATION WAS GIVEN BY STEVE GANT

JONATHAN ARRINGTON MADE THE MOTION TO APPROVE THE MINUTES FROM THE MAY 10, 2022 REGULAR BOARD MEETING. STEVE GANT SECONDED THE MOTION. VOTE TAKEN: ALL FOR

ELSA SCOTT MADE THE MOTION TO APPROVE THE FINANCIAL REPORT. DENVER VARDEMAN SECONDED THE MOTION. VOTE TAKEN: ALL FOR

NO HEARING OF DELEGATIONS

STEVE GANT MADE THE MOTION TO APPROVE THE REGION 10 EDUCATION SERVICE CENTER MULTI-REGION COOPERATIVE INTERLOCAL AGREEMENT. JONATHAN ARRINGTON SECONDED THE MOTION. VOTE TAKEN: ALL FOR

DENVER VARDEMAN MADE THE MOTION TO ADOPT POLICIES EIE (LOCAL) AND FFAC (LOCAL). JONATHAN ARRINGTON SECONDED THE MOTION. VOTE TAKEN: ALL FOR

ELSA SCOTT MADE THE MOTION TO RAISE THE LOCAL SALARY SCALE AN ADDITIONAL \$1,500.00 . THE ADDITIONAL \$1,500.00 WILL MAKE A TOTAL OF \$2,500.00 ABOVE THE STATE SALARY SCHEDULE. STEVE GANT SECONDED THE MOTION. VOTE TAKEN: ALL FOR

DENVER VARDEMAN MADE THE MOTION TO OPEN THE PK CLASS UP TO THREE YEAR OLDS FOR EMPLOYEES CHILDREN ONLY. THEY MUST BE POTTY TRAINED TO ATTEND. JONATHAN ARRINGTON SECONDED THE MOTION. VOTE TAKEN: ALL FOR

NO ACTION TAKEN OF PERSONNEL.

STEVE GANT MADE THE MOTION TO ADJOURN AT 7:34 PM. JONATHAN ARRINGTON SECONDED THE MOTION. VOTE TAKEN: ALL FOR

RICHARD MCPHERSON

ELSA SCOTT

BLUM ISD CASH FLOW REPORT
2021-2022

	A	B	C	D	E	F	G	H
1								
2								
3	2020-2021	SEPTEMBER	OCTOBER	NOV/DEC	JANUARY	FEBRUARY	MARCH	APRIL-JUNE
4								
5	5700-TAX & LOCAL	6,051.19	107,576.92	761,859.91	1,098,389.36	775,703.58	23,726.78	265,603.14
6	5800- STATE REV	739,959.28	529,489.62	299,469.45	4,804.00	40,233.22	28,344.66	369,740.39
7	5900- FED REV	2,029.08	54,649.63	93,658.08	139,829.92	117,369.03	33,093.40	100,707.74
8								
9	SUB TOTAL	748,039.55	691,716.17	1,154,987.44	1,243,023.28	933,305.83	85,164.84	736,051.27
10								
11								
12								
13	6100 PAYROLL	327,236.60	332,362.42	582,150.20	287,944.04	303,037.36	297,648.99	802,624.11
14	6200 CONT SER	47,505.20	63,611.02	123,985.93	235,102.15	16,372.27	93,022.64	12,671.62
15	6300 SUP/MAT	39,860.89	67,528.59	107,535.36	42,025.50	85,216.96	27,348.72	179,110.75
16	6400 TRAVEL/MISC	23,303.06	15,481.97	30,225.78	4,199.30	9,826.43	11,587.41	119,268.70
17	6500 DEBT SER	1,432.01	1,402.01	49,095.32	121,225.00	0.00	0.00	0.00
18	6600 CAP OUTLAY	563.33	400.96	2,844.14	0.00	15,929.80	19,689.59	52,532.05
19								
20	SUB TOTAL	439,901.09	480,786.97	895,836.73	690,495.99	430,382.82	449,297.35	1,166,207.23
21								
22	CASH BALANCE							
23	M&O	6,367,115.32	6,620,249.49	6,515,327.78	6,820,220.11	7,742,154.06	7,738,735.10	7,159,712.56
24	DEBT SERVICE	179,729.21	201,741.79	286,408.33	318,160.03	657,076.21	657,076.21	684,642.04

BLUM ISD CASH FLOW REPORT
2021-2022

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BLUM ISD
 District Written Checks
 For the Month of July

Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.Sr-Ord-Prgr	Reason	Amount	EFT
07-25-2022	UMB BANK, NA	017335	19BL	517-71-6511.00-941-299000	BOND PRINCIPAL	235,000.00	N
		017335	19BL	517-71-6521.00-941-299000	BOND INTEREST	100,800.00	N
					Totals for Check 002503	335,800.00	
07-25-2022	US BANK	017338	2036726	517-71-6511.00-941-299000	BOND PRINCIPAL	145,000.00	N
		017338	2036726	517-71-6521.00-941-299000	BOND INTEREST	20,425.00	N
					Totals for Check 002504	165,425.00	
07-13-2022	AMAZON CAPITAL	017312		461-36-6399.AT-001-211000	SUPPLIES	498.13	N
		017312		461-36-6399.AT-001-211000	SUPPLIES	602.89	N
		017312		461-36-6399.SE-001-299000	SUPPLIES	29.99	N
		017312		461-36-6399.SE-001-299000	SUPPLIES	62.99	N
					Totals for Check 003650	1,194.00	
07-13-2022	GANDY INK	017313		865-36-6399.JC-001-299000	SUPPLIES	244.39	N
07-13-2022	CAREY'S SPORTING GO	017314		461-36-6399.VB-001-291000	SUPPLIES	2,044.35	N
07-13-2022	TEAMLEADER, INC.	005179		865-36-6399.CH-001-299000	HS CHEERLEADER UNIFORMS	3,082.65	N
07-06-2022	HOME DEPOT CRC	017345	SD061022	199-51-6316.00-951-299000	BUILDING SUPPLIES	640.80	N
		017345	SD061022	199-51-6317.00-951-299000	GROUNDS SUPPLIES	407.97	N
					Totals for Check 007622	1,048.77	
06-18-2022	TXU ENERGY	005085	055877726952	199-51-6259.44-951-299000	ELECTRICITY	6,123.92	N
07-01-2022	VISA-PINNACLE BANK	017289		186-36-6497.00-001-291000	FEES	399.00	N
		017289		199-34-6499.00-934-299000	TRAINING	60.00	N
		017289		199-34-6499.00-934-299000	TOLL	80.00	N
		017289		199-34-6499.00-934-299000	REGISTRATION VEHICLES	32.00	N
		017289		199-41-6411.00-701-299000	MEAL	21.23	N
		017289		199-51-6316.00-951-299000	SUPPLIES	79.98	N
					Totals for Check 070122	672.21	
07-02-2022	SAM'S CLUB	017290		199-11-6399.98-001-211000	TABLES, CHAIRS	1,439.16	N
		017290		199-34-8315.00-934-299000	OIL, ETC...	114.72	N
					Totals for Check 070222	1,553.88	
07-08-2022	ETC LITE, LLC	017291	L31545	199-41-6299.53-750-299000	MONTHLY FEE	72.82	N
07-11-2022	PITNEY BOWES GLOBAL	017292	1021037872	199-11-6319.00-001-211000	INK CARTRIDGES POSTAGE MAC	111.98	N
07-01-2022	ATMOS ENERGY	017293	JULY 22	199-51-6259.45-951-299000	GAS PAYMENT	72.22	N
07-01-2022	ATMOS ENERGY	017294	JULY 22	199-51-6259.45-951-299000	GAS PAYMENT	131.69	N
07-11-2022	WALMART COMMUNITY	017315		865-36-6399.2G-001-299000	SUPPLIES	97.54	N
07-12-2022	VISA-PINNACLE BANK	017316		865-36-6399.CH-001-299000	SUPPLIES	132.85	N
		017316		865-36-6399.JC-001-299000	SUPPLIES	609.37	N
					Totals for Check 071222	742.22	
07-15-2022	WOODROW-OSCEOLA	005095	JULY 2022	199-51-6259.42-951-299000	PO Created by Req: 001166	252.10	N
07-21-2022	WOODROW-OSCEOLA	005095	JULY 2022	199-51-6259.42-951-299000	VOID	-252.10	N
					Totals for Check 071622	.00	

BLUM ISD
 District Written Checks
 For the Month of July

Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.Sr-Org-Prgr	Reason	Amount	EFT
07-18-2022	HILCO	017322	5/18-6/17	199-51-6259.44-951-299000	ELECTRIC	1,592.30	N
07-19-2022	DIRECT ENERGY BUSIN	005096	22200004956759	199-51-6259.44-951-299000	ELECTRIC PAYMENT	26.97	N
08-03-2022	ATMOS ENERGY	017344	07192022	199-51-6259.45-951-299000	GAS	65.36	N
08-03-2022	ATMOS ENERGY	017344	71922	199-51-6259.45-951-299000	GAS	58.97	N
06-20-2022	DIRECT ENERGY BUSIN	005096	22171004935580	199-51-6259.44-951-299000	ELECTRIC PAYMENT	23.17	N
07-18-2022	HILCO	017322	5/18-6/17	199-51-6259.44-951-299000	ELECTRIC	109.09	N
Total For District Written Checks						520,293.50	

BLUM ISD
 Computer Written Checks
 For the Month of July

Trans Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.Sr-Ord-Prgr	Reason	Amount	EFT
	AMAZON CAPITAL	017342	1VGQ-FKLV-	199-51-6316.00-951-299000	BUILDING SUPPLIES	310.00	N
	TEXAS DEPARTMENT O	017339	CRS-202206-	199-41-6299.53-750-299000	SECURE SITE NAME SEARCH	13.00	N
	GRAINGER	017340	9374281468	199-51-6316.00-951-299000	BUILDING SUPPLIES	829.88	N
	HEARTLAND	017343	HSSREC021005	199-51-6299.00-951-299000	SUBSCRIPTION	884.00	N
	UIL	017341	2022-2023 FEES	186-36-6499.11-001-291000	MEMBERSHIP FEES	2,500.00	N
	WINDSTREAM	005094	7372- JULY	199-51-6259.43-951-299000	TELEPHONE/INTERNET	75.62	N
07-12-2022	MARCO SUPPLY INC.	017272	01UB8097	199-34-6315.00-934-299000	BUS PARTS	125.49	N
		017272	01UD9005	199-34-6315.00-934-299000	BUS PARTS	33.54	N
		017272	01UD5932	199-34-6315.00-934-299000	BUS PARTS	937.15	N
		017272	01UD7333	199-34-6315.00-934-299000	BUS PARTS	59.30	N
		017272	01UD1169	199-34-6315.00-934-299000	BUS PARTS	5.87	N
		017272	01UE2432	199-34-6315.00-934-299000	BUS PARTS	96.28	N
		017287	01UD8616	199-34-6315.00-934-299000	OIL FILTER	17.98	N
			01UD7319	199-34-6315.00-934-299000	RETURN	-161.98	N
					Totals for Check 426968	1,113.63	
07-12-2022	AMAZON CAPITAL	017263	1F3N-YDXG-	199-11-6399.00-001-211000	SUPPLIES	983.32	N
		017263	1LY1-VXV7-J6J3	199-11-6399.00-001-211000	SUPPLIES	22.11	N
		017263	13QT-CC1N-	199-11-6399.00-001-211000	OFFICE SUPPLIES	13.99	N
		017263	1CJH-JPFY-	199-11-6399.00-001-211000	SUPPLIES	385.03	N
		017281	16D96PJ4HP1P	199-11-6399.00-001-211000	SUPPLIES	570.78	N
		017263	1DF7-GPJG-	199-11-6399.51-001-211000	TECH SUPPLIES	44.42	N
		017263	1XP7-PR6T-	199-11-6399.51-001-211000	TECH SUPPLIES	27.78	N
		017263	1XP7-PR6T-	199-11-6399.51-001-211000	TECH SUPPLIES	11.98	N
		017267	1LHR-1MHQ-	199-11-6399.51-001-211000	TECH SUPPLIES	101.97	N
		017278	16JK-336M-	199-11-6399.51-001-211000	TECH SUPPLIES	895.80	N
		017288	1WRV9JKR3FD4	199-11-6399.51-001-211000	SUPPLIES	147.98	N
		017288	1CRDTPY7CVY9	199-23-6399.00-001-299000	SUPPLIES	39.91	N
		017263	1PJQ-NWRQ-	199-51-6316.00-951-299000	BUILDING SUPPLIES	46.45	N
		017263	1HTJ-JVYQ-	199-51-6316.00-951-299000	BUILDING SUPPLIES	43.95	N
		017263	1LMW-N1CJ-	224-11-6399.00-001-223000	SPED 224	1,050.00	N
		017263	1F3N-YDXG-	224-11-6399.00-001-223000	SPED 224	16.98	N
			1WNK99LK314V	224-11-6399.00-001-223000	RETURNED	-322.74	N
					Totals for Check 426969	4,079.71	
07-12-2022	BENNETT PRINTING & O	017277	814278-0	199-23-6399.00-001-299000	LETTERHEADS	69.50	N
07-12-2022	COMMUNITY OPPORTU	017264	4938	224-11-6299.00-001-223000	BASIC WORK SKILLS TRAINING	400.00	N
		017271	4939	224-11-6299.00-001-223000	BASIC WORK SKILLS	225.00	N
					Totals for Check 426971	625.00	
07-12-2022	EFFICIENT FACILITIES I	017266	31911	199-51-6219.00-001-299000	CUSTODIAL SERVICES	13,894.34	N
07-12-2022	Equity Center	017285	2022-2023	199-41-6495.00-750-299000	MEMBERSHIP FEES	490.00	N
07-12-2022	ESC 12	005205	098347	199-11-6399.51-001-211000	CYBERSECURITY	2,880.00	N

BLUM ISD
 Computer Written Checks
 For the Month of July

Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj-Sr-Ord-Prgr	Reason	Amount	EFT
07-12-2022	ITASCA ISD	017270	5/7 VS	186-36-6499.00-001-291000	5/7 BB PLAYOFF GAME VS	494.50	N
07-12-2022	KATHY DENN GROPPPEL	017283	JULY	224-11-6219.81-001-223000	SPED PLANNING	100.00	N
		017283	JULY	282-11-6239.00-001-224000	ED CONSULTANT	400.00	N
					Totals for Check 426976	500.00	
07-12-2022	LAUREN MCPHERSON	017286	JULY	186-36-6411.00-001-291000	MEALS COACH SCHOOL (5) COA	375.00	N
07-12-2022	MSB	017262	178741	199-41-6299.53-750-299000	MEDICAID ADMINISTRATION	3.55	N
07-12-2022	NATIONAL BENEFIT SER	017280	859775	199-41-6299.53-750-299000	COBRA ADMINISTRATION	8.25	N
07-12-2022	PEARSON	005166	17751612	224-11-6399.00-001-223000	FORMS	204.27	N
			16450527	224-11-6399.00-001-223000	CREDIT MEMO	-11.10	N
			16450530	224-11-6399.00-001-223000	CREDIT MEMO	-18.50	N
					Totals for Check 426980	174.67	
07-12-2022	RIO VISTA HARDWARE	017274	SD 7/1/22	199-51-6316.00-951-299000	BUILDING SUPPLIES	126.92	N
		017274	SD 7/1/22	199-51-6317.00-951-299000	GROUNDS SUPPLIES	298.83	N
					Totals for Check 426981	425.75	
07-12-2022	ROWLETT HARDWARE	017273	SD 070122	199-51-6317.00-951-299000	GROUND SUPPLIES	89.96	N
07-12-2022	NAVIGATE 360, LLC	017269	73951	199-23-6399.00-001-299000	SCHOOL CHECK IN SUBSCRIPTIO	400.00	N
07-12-2022	SCOTT OIL COMPANY	017276	SD 6/30/22	199-34-6311.00-934-299000	FUEL	893.36	N
07-12-2022	SHERWIN WILLIAMS	017275	2505-1	199-51-6316.00-951-299000	BUILDING SUPPLIES	514.37	N
		017275	2241-3	199-51-6316.00-951-299000	BUILDING SUPPLIES	252.85	N
		017275	1940-1	199-51-6316.00-951-299000	BUILDING SUPPLIES	648.90	N
			1950-0	199-51-6316.00-951-299000	CREDIT	-71.60	N
			1951-8	199-51-6316.00-951-299000	CREDIT	-71.60	N
			1952-6	199-51-6316.00-951-299000	CREDIT BACK	-143.20	N
					Totals for Check 426985	1,129.72	
07-12-2022	TASB, INC	017265	626913	199-41-6495.00-750-299000	LOCALIZED UPDATE	1,401.16	N
07-12-2022	TEACHERS SYNERGY, L	005208	197430708	199-11-6399.00-001-211000	instructional	187.00	N
07-12-2022	TEX-OMA BUILDERS SU	017268	786741	699-81-6629.00-999-299000	ATHLETIC COMPLEX DOOR	2,952.56	N
07-12-2022	UVALDO SALAZAR	017284	7-7-22	199-51-6299.00-951-299000	LABOR	160.00	N
07-12-2022	WACO CARBONIC COMP	017282	8017	199-51-6399.98-951-299000	WALK IN COMPRESSOR	3,450.00	N
07-14-2022	HILL COUNTY TAX OFFI	017311		199-34-6499.00-934-299000	VEHICLE REGISTRATION	52.50	N
07-18-2022	TYLO BADER	017324		199-11-8411.00-001-211000	MEALS CONFERENCE	125.00	N
07-21-2022	4M FERTILIZER	017279	06022022	199-51-6249.00-951-299000	GROUND MAINTENANCE	220.00	N
07-21-2022	AIRE MAX	017319	8008	199-51-6249.47-951-299000	REPAIR AC	95.00	N
		017319	8008	199-51-6316.00-951-299000	BUILDING SUPPLIES	220.00	N
					Totals for Check 426994	315.00	
07-21-2022	ALPHA FOODS CO	017326	291247	240-35-6341.00-935-299000	FOOD	681.20	N
07-21-2022	AMAZON CAPITAL	017328	19VR-FQ7V-	199-11-6399.00-001-211000	SUPPLIES	78.93	N
		017321	1N9X-DLHM-	282-11-6399.00-001-224000	ESSER 282- SUPPLIES	325.11	N
		017328	1VGX-G3TG-	410-00-1112.00-000-200000	TEXTBOOK	43.32	N

BLUM ISD
 Computer Written Checks
 For the Month of July

Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj,So-Org-Prpg	Reason	Amount	EFT
		017321	1GY-Y-KRVQ-	410-11-6321.00-001-211000	22 INSTRUCTION	506.27	N
					Totals for Check 426996	953.83	
07-21-2022	CARSON PEST MANAGE	005088	SD 7/1/22	199-51-6299.00-951-299000	PEST SERVICES	1,238.09	N
07-21-2022	CITY OF BLUM	005098	80 JULY	199-51-6259.42-951-299000	WATER/GARBAGE	96.84	N
		005098	79 JULY	199-51-6259.42-951-299000	WATER/GARBAGE	820.20	N
		005098	81 JULY	199-51-6259.42-951-299000	WATER/GARBAGE	136.70	N
		005098	80 JULY	199-51-6259.46-951-299000	WATER/GARBAGE	87.70	N
		005098	79 JULY	199-51-6259.46-951-299000	WATER/GARBAGE	147.90	N
		005098	81 JULY	199-51-6259.46-951-299000	WATER/GARBAGE	1,039.00	N
		005098	410 JULY	199-51-6259.46-951-299000	WATER/GARBAGE	87.00	N
					Totals for Check 426988	2,415.34	
07-21-2022	TEXAS DEPARTMENT O	005097	22061236N	199-51-6259.43-951-299000	LONG DISTANCE	3.84	N
07-21-2022	EXPLORELEARNING, LL	005207	5547882	270-13-6399.00-001-211000	INSTRUCTIONAL MATERIALS	3,295.00	N
07-21-2022	JAG METALS LLC	017331	79430	199-51-6629.00-951-299000	MATERIALS- BUILDING IMPROVM	6,457.11	N
07-21-2022	MATHESON TRI-GAS	017320	0025929838	199-11-6399.00-001-222000	AG SUPPLIES	90.45	N
07-21-2022	REGION 4 ESC	017327	9935661	199-34-6499.00-934-299000	BUS DRIVER RECERT- JENNIFER	60.00	N
07-21-2022	RIVERSIDE PUBLISHING	005206	SO123944	224-11-6399.00-001-223000	INSTRUCTIONAL MATERIALS	258.50	N
07-21-2022	MARGARITO SOLANO	017318	9453	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9443	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9442	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9439	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9438	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9437	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
		017318	9436	199-34-6499.00-934-299000	STATE INSPECTION	7.00	N
					Totals for Check 427005	49.00	
07-21-2022	TASB, INC	017330	629097	199-41-6495.00-702-299000	SUBSCRIPTION	1,500.00	N
07-21-2022	TEX-OMA BUILDERS SU	017329	786975	699-81-6629.00-999-299000	DOOR PARTS	37.44	N
07-21-2022	TEXAS FIRST RENTALS	017332	1223245-0002	199-51-6249.50-951-299000	MACHINE RENTAL- PLAYGROUN	491.84	N
07-21-2022	WINDSTREAM	005094	7372- JUNE	199-51-6259.43-951-299000	TELEPHONE/INTERNET	36.86	N
		005094	5231-JULY	199-51-6259.43-951-299000	TELEPHONE/INTERNET	323.38	N
		005094	5233- JULY	199-51-6259.43-951-299000	TELEPHONE/INTERNET	68.84	N
		005094	5236- JULY	199-51-6259.43-951-299000	TELEPHONE/INTERNET	66.62	N
					Totals for Check 427009	495.70	
07-21-2022	WOODROW-OSCEOLA	017333	JULY 2022	199-51-6259.42-951-299000	WATER	252.10	N
07-21-2022	RB'S	017334	8699	199-34-6249.00-934-299000	tires	240.00	N
		017334	8699	199-34-6315.00-934-299000	parts	138.29	N
		017334	8699	199-34-6315.14-934-299000	tires	2,459.00	N
					Totals for Check 427011	2,837.29	
07-26-2022	ON THE SPOT AUTO GL	017336	0247	199-34-6315.00-934-299000	WINDSHIELD REPLACEMENT	390.00	N

BLUM ISD
Computer Written Checks
For the Month of July

Check Date	Payee	PO Nbr	Invoice Nbr	Fnd-Fnc-Obj.So-Org-Prog	Reason	Amount	EFT
07-26-2022	HILL COUNTY TAX OFFI	017337		199-34-6499.00-934-299000	BUS REGISTRATION	7.50	N
07-27-2022	BRAD ROMINE	017346		199-51-8629.00-951-299000	CARPORT	7,812.24	N
07-27-2022	HAYDAY, INC.	005089	32096515	199-11-6269.00-001-211000	COPY MACHINES	2,645.12	N
07-28-2022	JULIOS PRO CLEAN DET	017347		199-34-6499.00-934-299000	VEHICLE DETAILING	160.00	N
Total For Computer Written Checks						73,254.05	
Total Checks						593,547.55	

End of Report

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Blum ISD's Student Code of Conduct

2022–23 School Year

If you have difficulty accessing the information in this document because of disability, please contact Blum ISD at 254-874-5231

Blum ISD's Student Code of Conduct

Student Code of Conduct

Accessibility

If you have difficulty accessing the information in this document because of disability, please contact Chantelle Hurt or Ryan Cook at 254-874-5231

Purpose

The Student Code of Conduct ("Code"), as required by Chapter 37 of the Texas Education Code, provides methods and options for managing student behavior, preventing and intervening in student discipline problems, and imposing discipline.

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

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

In accordance with state law, the Code shall be posted at each school campus or shall be available for review at the campus principal's office. Additionally, the Code shall be available at the campus behavior coordinator's office and posted on the district's website. Parents shall be notified of any conduct violation that may result in a student being suspended, placed in a DAEP or JJAEP, expelled, or taken into custody by a law enforcement officer under Chapter 37 of the Education Code.

Because the Student Code of Conduct is adopted by the district's board of trustees, it has the force of policy. In the event of a conflict between the Code and the Student Handbook, the Code shall prevail.

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

School District Authority and Jurisdiction

School rules and the district's authority to administer discipline apply whenever the interest of the district is involved, on or off school grounds, in conjunction with or independent of classes and school-sponsored activities.

The district has disciplinary authority over a student:

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

Campus Behavior Coordinator

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

Threat Assessment and Safe and Supportive School Team

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

Searches

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

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

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

Reporting Crimes

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

Security Personnel

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

“Parent” Defined

Throughout the Code of Conduct and related discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

Participating in Graduation Activities

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

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

Unauthorized Persons

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

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

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

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

Standards for Student Conduct

Each student is expected to:

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

General Conduct Violations

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

Disregard for Authority

Students shall not:

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

Mistreatment of Others

Students shall not:

- Use profanity or vulgar language or make obscene gestures.
- Fight or scuffle. (For assault, see **DAEP—Placement and/or Expulsion for Certain Offenses** on page .)
- Threaten a district student, employee, or volunteer, including off school property if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See **glossary** for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct directed toward another person, including a district student, employee, board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See **glossary**.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See **glossary**.)
- Coerce an individual to act through the use or threat of force.
- Commit extortion or blackmail.
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a district student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individual being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page .)
- Deface or damage school property, including textbooks, technology and electronic resources, lockers, furniture, and other equipment, with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft, even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft, see **DAEP— Placement and/or Expulsion for Certain Offenses** on page .)
- Enter, without authorization, district facilities that are not open for operations.

Possession of Prohibited Items

Students shall not possess or use:

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

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

Possession of Telecommunications or Other Electronic Devices

Students shall not:

- Display, turn on, or use a telecommunications device, including a cell phone, or other electronic device on school property during the school day. Students are required to turn in their phone when they pick up their chromebook in the morning. Students may have their phones at lunch only!

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

- Possess, use, give, or sell alcohol or an illegal drug. (Also see **DAEP Placement** on page and **Expulsion** on page for mandatory and permissive consequences under state law.)
- Possess or sell seeds or pieces of marijuana in less than a usable amount.
- Possess, use, give, or sell paraphernalia related to any prohibited substance. (See **glossary** for “paraphernalia.”)
- Possess, use, abuse, or sell look-alike drugs or attempt to pass items off as drugs or contraband.
- Abuse the student’s own prescription drug, give a prescription drug to another student, or possess or be under the influence of another person’s prescription drug on school property or at a school-related event. (See **glossary** for “abuse.”)
- Abuse over-the-counter drugs. (See **glossary** for “abuse.”)
- Be under the influence of prescription or over-the-counter drugs that cause impairment to body or mind. (See **glossary** for “under the influence.”)
- Have or take prescription drugs or over-the-counter drugs at school other than as provided by district policy.

Misuse of Technology Resources and the Internet

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student’s parent regarding the use of technology resources.
- Attempt to access or circumvent passwords or other security-related information of the district, students, or employees or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.
- Attempt to alter, destroy, or disable district technology resources including, but not limited to, computers and related equipment, district data, the data of others, or other networks connected to the district’s system, including off school property if the conduct causes a substantial disruption to the educational environment.
- Use the internet or other electronic communications to threaten or harass district students, employees, board members, or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

- Send, post, deliver, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal, including cyberbullying and "sexting," either on or off school property, if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.
- Use the internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment or infringes on the rights of another student at school.

Safety Transgressions

Students shall not:

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

Miscellaneous Offenses

Students shall not:

- Violate dress and grooming standards as communicated in the Student Handbook.
- Engage in academic dishonesty, which includes cheating or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Gamble.
- Falsify records, passes, or other school-related documents.
- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Repeatedly violate other communicated campus or classroom standards of conduct.

The district may impose campus or classroom rules in addition to those found in the Code. These rules may be posted in classrooms or given to the student and may or may not constitute violations of the Code.

Discipline Management Techniques

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

Students with Disabilities

The discipline of students with disabilities is subject to applicable state and federal law in addition to the Student Code of Conduct. In the event of any conflict, the district shall comply with federal law. For more information regarding discipline of students with disabilities, see policy FOF(LEGAL).

In accordance with the Education Code, a student who receives special education services may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (see **glossary**) until an ARD committee meeting has been held to review the conduct.

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

Techniques

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

- Verbal correction, oral or written.
- Cooling-off time or a brief "time-out" period, in accordance with law.
- Seating changes within the classroom or vehicles owned or operated by the district.
- Temporary confiscation of items that disrupt the educational process.
- Rewards or demerits.
- Behavioral contracts.
- Counseling by teachers, school counselors, or administrative personnel.
- Parent-teacher conferences.
- Behavior coaching.
- Anger management classes.
- Mediation (victim-offender).
- Classroom circles.
- Family group conferencing.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.

- Sending the student to the office, another assigned area, or to in-school suspension.
- Assignment of school duties, such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in student organizations' extracurricular standards of behavior.
- Restriction or revocation of district transportation privileges.
- School-assessed and school-administered probation.
- Corporal punishment, unless the student's parent or guardian has provided a signed statement prohibiting its use.
- Out-of-school suspension, as specified in **Out-of-School Suspension** on page .
- Placement in a DAEP, as specified in **DAEP** on page .
- Expulsion and/or placement in an alternative educational setting, as specified in **Placement and/or Expulsion for Certain Offenses** on page .
- Expulsion, as specified in **Expulsion** on page .
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the district.
- Other strategies and consequences as determined by school officials.

Prohibited Aversive Techniques

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

- Using techniques designed or likely to cause physical pain, other than corporal punishment as permitted by district policy. [See policy FO(LOCAL).]
- Using techniques designed or likely to cause physical pain by electric shock or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.

- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student using physical barriers.
- Depriving the student of one or more of the student's senses, unless the technique does not cause the student discomfort or complies with the student's IEP or behavior intervention plan (BIP).

Notification

The campus behavior coordinator shall promptly notify a student's parent by phone or in person of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. The 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 to provide written notice of the disciplinary action to the student, on the day the action was taken, for delivery to the student's parent. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, the 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 age 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

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

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

Removal from the School Bus

A bus driver may refer a student to the principal's office or the 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.

To transport students safely, the vehicle operator must focus on driving and not be distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, the principal or the campus behavior coordinator may restrict or revoke a student's transportation privileges, in accordance with law.

Removal from the Regular Educational Setting

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

Routine Referral

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

Formal Removal

A teacher may initiate a formal removal from class if:

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

Within three school days of the formal removal, the campus behavior coordinator or appropriate administrator shall schedule a conference with the student's parent, the student, the teacher who removed the student from class, and any other appropriate administrator.

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

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

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

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

Returning a Student to the Classroom

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

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

Out-of-School Suspension

Misconduct

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

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

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

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

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

Process

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

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

The campus behavior coordinator shall determine the number of days of a student's suspension, not to exceed three school days.

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

17. Self-defense (see **glossary**),
18. Intent or lack of intent at the time the student engaged in the conduct,
19. The student's disciplinary history,
20. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
21. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
22. A student's status as homeless.

The appropriate administrator shall determine any restrictions on participation in school-sponsored or school-related extracurricular and cocurricular activities.

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

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

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

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

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

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

23. Self-defense (see **glossary**),
24. Intent or lack of intent at the time the student engaged in the conduct,
25. The student's disciplinary history,
26. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
27. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
28. A student's status as homeless.

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

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

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

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See **glossary**.)
- Commits the following offenses on school property, within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see **glossary**) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses, or is under the influence of marijuana, a controlled substance, or a dangerous drug in an amount not constituting a felony offense. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision. (School-related felony drug offenses are addressed in **Expulsion** on page .) (See **glossary** for "under the influence" "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol, if the conduct is not punishable as a felony offense. (School-related felony alcohol offenses are addressed in **Expulsion** on page .)
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See **glossary**.)
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in **Expulsion** on page .)

- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see **glossary**) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
- 29. The student receives deferred prosecution (see **glossary**),
- 30. A court or jury finds that the student has engaged in delinquent conduct (see **glossary**), or
- 31. The superintendent or designee has a reasonable belief (see **glossary**) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

A student shall be transferred to another campus if:

- The student has been convicted of continuous sexual abuse of a young child or disabled individual or convicted of or placed on deferred adjudication for sexual assault or aggravated sexual assault against another student on the same campus; and
- The victim's parent or another person with the authority to act on behalf of the victim requests that the board transfer the offending student to another campus.

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

Process

Removals to a DAEP shall be made by the campus behavior coordinator.

Conference

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

At the conference, the campus behavior coordinator or appropriate administrator shall provide the student:

- Information, orally or in writing, of the reasons for the removal;
- An explanation of the basis for the removal; and
- An opportunity to respond to the reasons for the removal.

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

Consideration of Mitigating Factors

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

32. Self-defense (see **glossary**),
33. Intent or lack of intent at the time the student engaged in the conduct,
34. The student's disciplinary history,
35. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,

36. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
37. A student's status as homeless.

Placement Order

After the conference, if the student is placed in a DAEP, the campus behavior coordinator 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 the student is placed in a 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, at no cost to the student, a foundation curriculum course in which the student was enrolled at the time of removal and which is required for graduation. The notice shall include information regarding all methods available for completing the coursework.

Length of Placement

The campus behavior coordinator shall determine the duration of a student's placement in a DAEP.

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

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

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

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

Exceeds One Year

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

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

Exceeds School Year

Students who are in a DAEP placement at the end of one school year may be required to continue that placement at the start of the next school year to complete the assigned term of placement.

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

38. The student's presence in the regular classroom or campus presents a danger of physical harm to the student or others, or
39. The student has engaged in serious or persistent misbehavior (see **glossary**) that violates the district's Code.

Exceeds 60 Days

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

Appeals

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

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

Appeals shall begin at *Level 1 with the Superintendent*

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

Restrictions During Placement

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

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

For seniors who are eligible to graduate and are assigned to a DAEP at the time of graduation, the placement in the program may continue through graduation, and the student may not be allowed to participate in the graduation ceremony and related graduation activities. Participation in graduation will be determined by the Superintendent

Placement Review

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

Additional Misconduct

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

Notice of Criminal Proceedings

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

40. Prosecution of a student's case was refused for lack of prosecutorial merit or insufficient evidence, and no formal proceedings, deferred adjudication (see **glossary**), or deferred prosecution will be initiated; or
41. The court or jury found a student not guilty or made a finding that the student did not engage in delinquent conduct or conduct indicating a need for supervision, and the case was dismissed with prejudice.

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

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

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

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

Withdrawal During Process

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

Newly Enrolled Students

The district shall 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. The district may place the student in the district's DAEP or a regular classroom setting.

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

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

Emergency Placement Procedure

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

Transition Services

In accordance with law and district procedures, campus staff shall provide transition services to a student returning to the regular classroom from an alternative education program, including a DAEP. See policy FOCA(LEGAL) for more information.

Placement and/or Expulsion for Certain Offenses

This section includes two categories of offenses for which the Education Code provides unique procedures and specific consequences.

Registered Sex Offenders

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

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

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

42. Threatens the safety of other students or teachers,
43. Will be detrimental to the educational process, or
44. Is not in the best interests of the district's students.

Review Committee

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

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

Newly Enrolled Students

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the board or campus behavior coordinator makes certain findings and the following circumstances exist in relation to aggravated robbery or a felony offense under Title 5 (see **glossary**) of the Penal Code. The student must:

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

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

45. The date on which the student's conduct occurred,
46. The location at which the conduct occurred,
47. Whether the conduct occurred while the student was enrolled in the district, or
48. Whether the student has successfully completed any court disposition requirements imposed in connection with the conduct.

Hearing and Required Findings

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

49. Threatens the safety of other students or teachers,
50. Will be detrimental to the educational process, or
51. 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:

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

Placement Review

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

Newly Enrolled Students

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

Expulsion

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

55. Self-defense (see **glossary**),
56. Intent or lack of intent at the time the student engaged in the conduct,
57. The student's disciplinary history,
58. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
59. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
60. A student's status as homeless.

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

Any Location

A student **may** be expelled for:

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or of a student who is 18 years of age or older without the student's consent.
- Conduct that contains the elements of assault under Penal Code 22.01(a)(1) in retaliation against a school employee or volunteer.
- Criminal mischief, if punishable as a felony.
- Engaging in conduct that contains the elements of one of the following offenses against another student:
 - Aggravated assault.
 - Sexual assault.
 - Aggravated sexual assault.
 - Murder.
 - Capital murder.
 - Criminal attempt to commit murder or capital murder.
 - Aggravated robbery.
- Breach of computer security. (See **glossary**.)
- Engaging in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school.

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

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

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

Within 300 Feet of School

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

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

Property of Another District

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

While in a DAEP

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

61. Deliberate violent behavior that poses a direct threat to the health or safety of others;
62. Extortion, meaning the gaining of money or other property by force or threat;
63. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
64. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or
 - e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Mandatory Expulsion: Misconduct That Requires Expulsion

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

Under Federal Law

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

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

Under the Penal Code

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

- Behaving in a manner that contains elements of the following offenses under the Penal Code:
 - Aggravated assault, sexual assault, or aggravated sexual assault.
 - Arson. (See **glossary**.)
 - Murder, capital murder, or criminal attempt to commit murder or capital murder.
 - Indecency with a child.
 - Aggravated kidnapping.
 - Aggravated robbery.
 - Manslaughter.
 - Criminally negligent homicide.
 - Continuous sexual abuse of a young child or disabled individual.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person or possessing, using, or being under the influence of marijuana, a controlled substance, a dangerous drug, or alcohol, or committing a serious act or offense while under the influence of alcohol.
- Engaging in retaliation against a school employee or volunteer combined with one of the above-listed mandatory expulsion offenses

Under Age Ten

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

Process

If a student is believed to have committed an expellable offense, the campus behavior coordinator or other appropriate administrator shall schedule a hearing within a reasonable time. The student's parent shall be invited in writing to attend the hearing.

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

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

Hearing

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

65. Representation by the student's parent or another adult who can provide guidance to the student and who is not an employee of the district,
66. An opportunity to testify and to present evidence and witnesses in the student's defense, and

67. An opportunity to question the witnesses called by the district at the hearing.

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

The board of trustees delegates to the Superintendent authority to conduct hearings and expel students.

Board Review of Expulsion

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

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

The board shall consider and base its decision on evidence reflected in the record and any statements made by the parties at the review. The board shall make and communicate its decision orally at the conclusion of the presentation. Consequences shall not be deferred pending the outcome of the hearing.

Expulsion Order

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

68. Self-defense (see **glossary**),
69. Intent or lack of intent at the time the student engaged in the conduct,
70. The student's disciplinary history,
71. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct,
72. A student's status in the conservatorship of the Department of Family and Protective Services (foster care), or
73. A student's status as homeless.

If the student is expelled, the board or its designee shall deliver to the student and the student's parent a copy of the order expelling the student.

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

If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

The length of an expulsion shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, and statutory requirements.

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

An expulsion may not exceed one year unless, after review, the district determines that:

74. The student is a threat to the safety of other students or to district employees, or
75. Extended expulsion is in the best interest of the student.

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

Students who commit offenses that require expulsion at the end of one school year may be expelled into the next school year to complete the term of expulsion.

Withdrawal During Process

When a student's conduct requires or permits expulsion from the district and the student withdraws from the district before the expulsion hearing takes place, the district may conduct the hearing after sending written notice to the parent and student.

If the student then re-enrolls in the district during the same or subsequent school year, the district may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district.

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

Additional Misconduct

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

Restrictions During Expulsion

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

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

Newly Enrolled Students

The district shall decide on a case-by-case basis the placement of a student who is subject to an expulsion order from another district or an open-enrollment charter school upon enrollment in the district.

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

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

If a student is expelled by a district in another state for a period that exceeds one year and the district continues the expulsion or places the student in a DAEP, the district shall reduce the period of the expulsion or DAEP placement so that the entire period does not exceed one year, unless after a review it is determined that:

- 78. The student is a threat to the safety of other students or district employees, or
- 79. Extended placement is in the best interest of the student.

Emergency Expulsion Procedures

When an emergency expulsion is necessary to protect persons or property from imminent harm, the student shall be given verbal notice of the reason for the action. Within ten days after the date of the emergency expulsion, the student shall be given appropriate due process required for a student facing expulsion.

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

Abuse is improper or excessive use.

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

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

Armor-piercing ammunition is defined by Penal Code 46.01 as handgun ammunition used in pistols and revolvers and designed primarily for the purpose of penetrating metal or body armor.

Arson is defined in part by Penal Code 28.02 as a crime that involves:

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

Assault is defined in part by Penal Code 22.01 as intentionally, knowingly, or recklessly causing bodily injury to another; intentionally or knowingly threatening another with imminent bodily injury; or intentionally or knowingly causing physical contact with another that can reasonably be regarded as offensive or provocative.

Breach of computer security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district and the student knowingly alters, damages, or deletes

school district property or information or commits a breach of any other computer, computer network, or computer system.

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

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

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

90. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
91. 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
92. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's educational opportunities or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Such a term does not include an antique firearm.

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

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

Harassment includes:

100. Conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL);
101. Conduct that threatens to cause harm or bodily injury to another person, including a district student, employee, board member, or volunteer; is sexually intimidating; causes physical damage to the property of another student; subjects another student to physical confinement or restraint; or maliciously and substantially harms another student's physical or emotional health or safety, as defined in Education Code 37.001(b)(2); or
102. Conduct that is punishable as a crime under Penal Code 42.07, including the following types of conduct if carried out with the intent to harass, annoy, alarm, abuse, torment, or embarrass another:
 - a. Initiating communication and, in the course of the communication, making a comment, request, suggestion, or proposal that is obscene, as defined by law;
 - b. Threatening, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
 - c. Conveying, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;
 - d. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another; and
 - e. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law.

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

103. Any type of physical brutality;
104. 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;
105. An activity that induces, causes, or requires the student to perform a duty or task that violates the Penal Code; or

Coercing a student to consume a drug or alcoholic beverage in an amount that would lead a reasonable person to believe the student is intoxicated. **Hit list** is defined in Education Code 37.001(b)(3) as a list of people targeted to be harmed, using a firearm, a knife, or any other object to be used with intent to cause bodily harm.

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

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

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

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

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

Look-alike weapon means an item that resembles a weapon but is not intended to be used to cause serious bodily injury.

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

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

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

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

107. Clothing, purse, or backpack;
108. 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;

- 109. Telecommunications or electronic devices; or
- 110. Any school property used by the student, including, but not limited to, a locker or desk.

Prohibited weapon under Penal Code 46.05(a) means:

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

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

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

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

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

Serious misbehavior means:

- 1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
- 2. Extortion, meaning the gaining of money or other property by force or threat;
- 3. Conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or
- 4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Hazing under Education Code 37.152; or

- e. Harassment under Penal Code 42.07(a)(1) of a student or district employee.

Serious or persistent misbehavior includes, but is not limited to:

- Behavior that is grounds for permissible expulsion or mandatory DAEP placement.
- Behavior identified by the district as grounds for discretionary DAEP placement.
- Actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Refusal to attempt or complete schoolwork as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

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

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

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

- Murder, manslaughter, or homicide under Sections 19.02–.05;
- Kidnapping under Section 20.03;
- Trafficking of persons under Section 20A.02;
- Smuggling or continuous smuggling of persons under Sections 20.05–.06;
- Assault under Section 22.01;

- Aggravated assault under Section 22.02;
- Sexual assault under Section 22.011;
- Aggravated sexual assault under Section 22.021;
- Unlawful restraint under Section 20.02;
- Continuous sexual abuse of a young child or disabled individual under Section 21.02;
- Bestiality under Section 21.09;
- Improper relationship between educator and student under Section 21.12;
- Voyeurism under Section 21.17;
- Indecency with a child under Section 21.11;
- Invasive visual recording under Section 21.15;
- Disclosure or promotion of intimate visual material under Section 21.16;
- Sexual coercion under Section 21.18;
- Injury to a child, an elderly person, or a disabled person of any age under Section 22.04;
- Abandoning or endangering a child under Section 22.041;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09.

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

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

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



(LOCAL) Policies Packet

For your convenience, this file contains the (LOCAL) policies—and only the local policies—from your school district's TASB update packet.

What is included in this packet?

- Instruction sheet for recommended (LOCAL) policies
- Explanatory Notes for recommended (LOCAL) policies
- Clean copies of recommended (LOCAL) policies
- Annotated (redlined) copies of recommended (LOCAL) policy changes

This is not the full update packet.

To retrieve your district's full update packet, visit *Policy Service Resource Library* > *Local Manual Updates* in [myTASB](#).

What is in the full update packet?

The full update packet contains:

- A summary of the overall policy update
- (LEGAL) policies and (EXHIBIT) documents that describe the statutory framework in which your local policies must operate
- Instructions and Explanatory Notes for every policy change, not just the (LOCAL)s
- Guidance on how to:
 - Present recommended policy changes to the board
 - Keep minutes
 - Notify TASB of board action
 - Maintain your historical record
 - Update your administrative regulations

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Instruction Sheet
TASB Localized Policy Manual Update 119

Blum ISD

Code	Type	Action To Be Taken	Note
CPC	(LOCAL)	Replace policy	Revised policy
DMA	(LOCAL)	Replace policy	Revised policy
EHAA	(LOCAL)	Replace policy	Revised policy
EHB	(LOCAL)	ADD policy	See explanatory note
EHBAA	(LOCAL)	ADD policy	See explanatory note
EHBB	(LOCAL)	Replace policy	Revised policy
EIF	(LOCAL)	Replace policy	Revised policy
FFBA	(LOCAL)	Replace policy	Revised policy
FFH	(LOCAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 119

Blum ISD

CPC(LOCAL) OFFICE MANAGEMENT: RECORDS MANAGEMENT

Recent updates by the Texas State Library and Archives Commission (TSLAC) to Bulletin B: Electronic Records Standards and Procedures prompted recommended revisions to this local policy on records management. The new rules add local policy requirements for district management of electronic records.

To meet these requirements, new policy provisions delegate to the records management officer the responsibility to develop procedures for the management of electronic records that comply with the district's records control schedules and meet minimum components required by law.

The Regulations Resource Manual includes updated sample procedures on this topic, and the Legal Issues in Update 119 memo describes common legal concerns and best practices specific to this policy topic.

DMA(LOCAL) PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

SB 1267 (Regular Session) requires the board to annually review the State Board for Educator Certification (SBEC) clearinghouse regarding best practices and industry recommendations for professional development and adopt a professional development policy based on the training recommendations in the clearinghouse.

To meet the policy requirements, the recommended local policy text reflects that the board shall annually approve the district's professional development plan, which must be guided by the clearinghouse; note any differences from the clearinghouse recommendations; and include a schedule of required professional development. Because this requirement applies to open enrollment charter schools, it is not eligible for exemption under an innovation plan. To the extent a district has lawfully exempted itself from training requirements in its DOI plan (i.e., training requirements that are not applicable to open enrollment charter schools), such exemptions should be noted in the district's professional development plan as a difference between the plan and the clearinghouse recommendation.

We recommend deletion of the text allowing time off for attending staff development activities on nonduty time. Such practices may be more appropriately addressed in the employee handbook and administrative regulations.

Please note: SB 1267 requires SBEC to publish the clearinghouse by June 1, 2022, and districts to adopt a professional development policy by August 1, 2022. TASB Policy and Legal Services recommend that the board adopt DMA(LOCAL) and approve the district professional development plan by August 1, or as soon as possible thereafter, to ensure compliance with the bill.

EHAA(LOCAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)

New provisions are recommended based on SB 9 (Second Called Session), which imposes several requirements for instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking, including a board policy on adopting curriculum materials. The policy follows the steps required by law, including board adoption of a resolution to convene the school health advisory council (SHAC) to hold meetings and make recommendations to the board at a public meeting, as well as board confirmation that the recommendations meet the requirements in law before taking action by a record vote.

The Regulations Resource Manual includes a sample board resolution for convening the SHAC and a sample parental consent form.

Explanatory Notes

TASB Localized Policy Manual Update 119

Blum ISD

EHB(LOCAL) CURRICULUM DESIGN: SPECIAL PROGRAMS

This policy requiring the district to provide regular training opportunities for teachers of students with dyslexia is recommended to meet TEA policy requirements for the ongoing TEA special education cyclical monitoring reviews.

Please note: This policy will need to be adopted by the board and linked to the Legal Framework by the August 31, 2022, deadline. See TEA's FAQ on Special Education Operating Procedures.

EHBAA(LOCAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

This policy requiring the district to ensure that a student who is transitioning from early childhood intervention (ECI) has an individualized education program (IEP) developed and implemented by the child's third birthday is recommended to meet TEA policy requirements for the ongoing TEA special education cyclical monitoring reviews.

Please note: This policy will need to be adopted by the board and linked to the Legal Framework by the August 31, 2022, deadline. See TEA's FAQ on Special Education Operating Procedures.

EHBB(LOCAL) SPECIAL PROGRAMS: GIFTED AND TALENTED STUDENTS

HB 1525 (Regular Session) removed the statutory requirement for a district to annually certify to the commissioner of education that the district's gifted and talented program is consistent with the Texas State Plan for the Education of Gifted/Talented Students. We recommend deletion of the corresponding local policy provision.

EIF(LOCAL) ACADEMIC ACHIEVEMENT: GRADUATION

Revised Administrative Code rules require a board policy to address the methods by which a student can confirm completion and submission of a financial aid application to meet graduation requirements. The recommended text aligns with TEA guidance and addresses methods for both the free application for federal financial aid (FAFSA) and the Texas application for state financial aid (TASFA). Please contact your policy consultant if you have questions or need additional edits to this policy.

Additional TEA guidance on this topic is available.

The Regulations Resource Manual includes sample procedures on this topic, and the Legal Issues in Update 119 memo describes common legal concerns and best practices specific to this policy topic.

FFBA(LOCAL) CRISIS INTERVENTION: TRAUMA-INFORMED CARE

SB 1267 (Regular Session) requires training in trauma-informed care to be provided in accordance with the board's professional development policy. Therefore, at Training, a reference has been added to the district's professional development plan. See DMA(LOCAL), above, for more information.

SB 1267 also repealed the requirement for a district to annually report to TEA the number of employees who participated in trauma-informed care training. We recommend deleting the local policy provision.

FFH(LOCAL) STUDENT WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

To meet new board policy requirements from SB 9 (Second Called Session), we recommend text at Notice to Parents, which requires the district, upon receipt of a report of dating violence, to immediately notify the parent of the student identified as the alleged victim or perpetrator.

District policy must also include reporting procedures and guidelines for students who are victims of dating violence and include a clear statement that dating violence is not tolerated at school. No changes to

Explanatory Notes

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your district's policy are recommended regarding these elements based on the district's existing policy provisions, which include reporting procedures and a statement of nondiscrimination that specifically prohibits dating violence.

Additional revisions are recommended to clarify the definition of prohibited conduct and the district's response to such conduct.

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- Records administrator, as prescribed by Local Government Code 176.001 and 176.0065. [See BBFA]
- Officer for public information, as prescribed by Government Code 552.201–.205. [See GBAA]
- Public information coordinator, as prescribed by Government Code 552.012. [See BBD]

**Local Government
Records Act**

The term “local government record” shall pertain to all items identified as such by the Local Government Records Act.

“Local Government
Record”

Records
Management
Officer

The Superintendent shall serve as and perform the duties of the District’s records management officer as prescribed by Local Government Code 203.023 and shall administer the District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

Notification

The records management officer shall file his or her name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

Electronic Records

The records management officer shall develop procedures for the management of electronic records that comply with the District’s records control schedules and meet the minimum components required by law.

The procedures shall:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

Records Control
Schedules

The records management officer shall file with the TSLAC a written declaration that the District has adopted records control schedules that comply with records retention schedules issued by the TSLAC as provided by law.

Website Postings

The District's records management program shall address the length of time records will be posted on the District's website when the law does not specify a posting period.

Records Destruction Practices

All local government records shall be considered District property and any unauthorized destruction or removal shall be prohibited. The District shall follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the District shall preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures shall describe the circumstances under which local government records scheduled for destruction must be retained. Notification shall be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.

Training

The records management officer shall receive appropriate training regarding the Local Government Records Act and shall ensure that custodians of records, as defined by law, and other applicable District staff are trained on the District's records management program, including this policy and corresponding procedures.

Note: This local policy has been revised in accordance with the District's innovation plan.¹

The Superintendent shall recommend the District's professional development plan for all District employees. The Board shall annually review the professional development clearinghouse published by the State Board for Educator Certification (SBEC) and annually approve the District's professional development plan. The District's professional development plan must:

1. Be guided by the SBEC clearinghouse training recommendations;
2. Note any differences in the District's plan from the clearinghouse recommendations; and
3. Include a schedule of the required professional development for all District employees.

In accordance with the District's innovation plan, the District is exempt from state laws regarding required staff development. The District shall determine the areas of need, content, duration, and frequency for professional development.

¹ Innovation Plan: <http://www.blumisd.net/>

**Human Sexuality
Instruction**

The following process shall apply regarding the adoption of curriculum materials for the District's human sexuality instruction:

1. The Board shall adopt a resolution convening the District's school health advisory council (SHAC) to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

**Instruction on
Prevention of Child
Abuse, Family
Violence, Dating
Violence, and Sex
Trafficking**

The following process shall apply regarding the adoption of curriculum materials for the District's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking:

1. The Board shall adopt a resolution convening the District's SHAC to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

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CURRICULUM DESIGN
SPECIAL PROGRAMS

EHB
(LOCAL)

In accordance with administrative procedures, the District shall provide regular training opportunities for teachers of students with dyslexia that include new research and practices for educating students with dyslexia.

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SPECIAL EDUCATION
IDENTIFICATION, EVALUATION, AND ELIGIBILITY

EHBAA
(LOCAL)

When a student transitions from early childhood intervention (ECI) to early childhood special education (ECSE) services, the District shall develop and implement an individualized education program (IEP) by the child's third birthday.

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

Referral	Students may be referred for the gifted and talented program at any time by teachers, school counselors, parents, or other interested persons.
Screening and Identification Process	<p>The District shall provide assessment opportunities to complete the screening and identification process for referred students at least once per school year.</p> <p>The District shall schedule a gifted and talented program awareness session for parents that provides an overview of the assessment procedures and services for the program prior to beginning the screening and identification process.</p>
Parental Consent	The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an educational record, subject to the protections set out in policies at FL.
Identification Criteria	The Board-approved program for the gifted and talented shall establish criteria to identify gifted and talented students. The criteria shall be specific to the state definition of gifted and talented and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.
Assessments	Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Assessment tools may include, but are not limited to, the following: achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.
Selection	A selection committee shall evaluate each referred student according to the established criteria and shall identify those students for whom placement in the gifted and talented program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law.
Notification	The District shall provide written notification to parents of students who qualify for services through the District's gifted and talented program. Participation in any program or services provided for gifted students shall be voluntary, and the District shall obtain written permission from the parents before placing a student in a gifted and talented program.

Reassessment	If the District reassesses students in the gifted and talented program, the reassessment shall be based on a student's performance in response to services and shall occur no more than once in elementary grades, once in middle school grades, and once in high school grades.
Transfer Students	<p>When a student identified as gifted by a previous school district enrolls in the District, the selection committee shall review the student's records and conduct assessment procedures when necessary to determine if placement in the District's program for gifted and talented students is appropriate.</p> <p>[See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children]</p>
Furloughs	<p>The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the gifted and talented program. A furlough may be initiated by the District, the parent, or the student.</p> <p>In accordance with the Board-approved program, a furlough shall be granted for specified reasons and for a specified period of time. At the end of a furlough, the student may reenter the gifted and talented program, be placed on another furlough, or be exited from the program.</p>
Exit Provisions	The District shall monitor student performance in response to gifted and talented program services. If at any time the selection committee or a parent determines it is in the best interest of the student to exit the program, the committee shall meet with the parent and student before finalizing an exit decision.
Appeals	A parent, student, or educator may appeal any final decision of the selection committee regarding selection for or exit from the gifted and talented program. Appeals shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.
Program Evaluation	The District shall annually evaluate the effectiveness of the District's gifted and talented program, and the results of the evaluation shall be used to modify and update the District and campus improvement plans. The District shall include parents in the evaluation process and shall share the information with Board members, administrators, teachers, school counselors, students in the gifted and talented program, and the community.

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SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

Funding

The District's gifted and talented program shall address effective use of funds for programs and services consistent with the standards in the state plan for gifted and talented students.

**Community
Awareness**

The District shall ensure that information about the District's gifted and talented program is available to parents and community members and that they have an opportunity to develop an understanding of and support for the program.

ACADEMIC ACHIEVEMENT
GRADUATION

EIF
(LOCAL)

Course Requirements	To graduate, a student must complete the courses required by the District in addition to those mandated by the state.
Foundation Program	The courses that satisfy District requirements under the foundation program, including courses for the distinguished level of achievement and courses for endorsements offered by the District, shall be listed in appropriate District publications.
Without an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program without an endorsement. Graduation under the foundation program without an endorsement shall be permitted only as authorized under state law and rules.
With an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with an endorsement.
Distinguished Level of Achievement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with the distinguished level of achievement.
No Fine Arts Substitutions	The District shall not award state graduation credit in fine arts for participation in a community-based fine arts program.
Physical Education Substitutions	To the extent permitted by state rules, the District shall award state graduation credit in physical education for participation in approved activities and elective courses.
Activities and Courses	
No Private or Commercial Programs	The District shall not award state graduation credit in physical education for private or commercially sponsored physical activity programs conducted either on or off campus. [See also EHAC]
Financial Aid Application Confirmation	As confirmation of a student's completion and submission of a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), the District shall accept the following: <ol style="list-style-type: none">1. A screenshot that includes the processed date field in ApplyTexas Counselor Suite FAFSA data;2. Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA;3. A copy or screenshot of the FAFSA acknowledgment page;4. A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form);

5. An acknowledgment receipt from an institution of higher education (IHE); or
6. A copy of a financial aid award letter from an IHE.

[For students who choose not to complete and submit a FAFSA or a TASFA, see EIF(LEGAL).]

The District shall maintain individual student documentation of the financial aid application requirement as an education record. [See FL]

**Trauma-Informed
Care Program**

The District's trauma-informed care program, as included in the District improvement plan, shall provide for the integration of trauma-informed care practices in the school environment, including increasing staff and parent awareness of trauma-informed care, implementation of trauma-informed practices and care by District and campus staff, and providing information about available counseling options for students affected by trauma or grief.

Training

The District shall provide training in trauma-informed care to District educators as required by law and the Board-approved District professional development plan. The District improvement plan shall specify required training for any other District employees as applicable.

Note: This policy addresses discrimination, including harassment, and retaliation against District students. For provisions regarding discrimination, including harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

Harassment

Harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Harassment includes dating violence as defined by law and this policy.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name call-

ing, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

Title IX Sexual Harassment

As required by law, the District shall follow the procedures below at Response to Title IX Sexual Harassment upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment in an education program or activity and against a person in the United States under Title IX. [See FFH(LEGAL)]

Other Sexual Harassment

By an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or

3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.

Dating Violence

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 the other 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.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.

Reporting Procedures

Student Report

Any student who believes that he or she has experienced prohibited conduct and any person who believes that a student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.

Employee Report

Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

Definition of District Officials

For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.

*Title IX
Coordinator*

Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]

*ADA /
Section 504
Coordinator*

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]

Superintendent

The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.

Alternative Reporting Procedures

An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX

coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.

Notice to Parents

The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult. [For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.

Investigation of Reports Other Than Title IX

The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Title IX Sexual Harassment.

The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.

If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

Interim Action

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.

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District Investigation	<p>The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	<p>If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.</p>
Concluding the Investigation	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
District Action <i>Prohibited Conduct</i>	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
Corrective Action	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of</p>

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	areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, harassment, and retaliation.
<i>Bullying</i>	If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.
<i>Improper Conduct</i>	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.
Confidentiality	To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
Appeal	A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent has the right to file a complaint with the United States Department of Education Office for Civil Rights.
Response to Title IX Sexual Harassment	For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).
General Response	<p>When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:</p> <ul style="list-style-type: none">• Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;• Consider the complainant's wishes with respect to supportive measures; and• Explain to the complainant the option and process for filing a formal complaint. <p>The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.</p>

If a formal complaint is not filed or dismissed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal
Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;
3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a

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dismissal of a Title IX formal complaint or any allegations therein;

9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student who refuses to participate in any manner in an investigation under Title IX. In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.

Examples

Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

False Claim

A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.

Records Retention

The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]

[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]

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STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

**Access to Policy and
Procedures**

Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.



(LOCAL) Policy Comparisons

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

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

Annotations are shown as follows:

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

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

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

Contact:	School Districts and Education Service Centers	Community Colleges
	policy.service@tasb.org	colleges@tasb.org
	800.580.7529 512.467.0222	800.580.1488 512.467.3689

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- ~~Records administrator~~ **Administrator**, as prescribed by Local Government Code 176.001 and 176.0065.007 [See BBFA and CHE]
- ~~Officer for public information~~ **Public Information**, as prescribed by Government Code 552.201–.205. [See GBAA]
- ~~Public information coordinator~~ **Information Coordinator**, as prescribed by Government Code 552.012. [See BBD]

Local Government Records Act

The term “local government record” shall pertain to all items identified as such by the Local Government Records Act.

“Local Government Record”

Records Management Officer

The Superintendent shall serve as and perform the duties of the District’s records management officer as prescribed by Local Government Code 203.023, and shall administer the District’s records management program pertaining to local government records in compliance with the Local Government Records Act.

Notification

The records management officer shall file his or her name with the Texas State Library and Archives Commission (TSLAC) within 30 days of assuming the position.

Electronic Records

The records management officer shall develop procedures for the management of electronic records that comply with the District’s records control schedules and meet the minimum components required by law.

The procedures shall:

1. Specify the objectives of the electronic records management program;
2. Identify the responsibilities of employees who create, receive, or maintain electronic records;
3. Ensure the maintenance of electronic records until the expiration of the applicable retention period and final disposition; and
4. Ensure that electronic records that must be protected from unauthorized use or disclosure are appropriately protected as required by law, regulation, or other applicable requirements.

Records Control Schedules

The records management officer shall file with the TSLAC a written declaration that the District has adopted records control schedules

that comply with records retention schedules issued by the TSLAC as provided by law.

Website Postings

The District's records management program shall address the length of time records will be posted on the District's website when the law does not specify a posting period.

Records Destruction Practices

All local government records shall be considered District property and any unauthorized destruction or removal shall be prohibited. The District shall follow its records control schedules, records management program, and all applicable laws regarding records destruction. However, the District shall preserve records, including electronically stored information, and suspend routine record destruction practices where appropriate and in accordance with procedures developed by the records management officer. Such procedures shall describe the circumstances under which local government records scheduled for destruction must be retained. Notification shall be given to appropriate staff when routine record destruction practices must be suspended and when they may be resumed.

Training

The records management officer shall receive appropriate training regarding the Local Government Records Act and shall ensure that custodians of records, as defined by law, and other applicable District staff are trained on the District's records management program, including this policy and corresponding procedures.

Note: This local policy has been revised in accordance with the District's innovation plan.¹

The Superintendent shall recommend the District's professional development plan for all District employees. The Board shall annually review the professional development clearinghouse published by the State Board for Educator Certification (SBEC) and annually approve the District's professional development plan. The District's professional development plan must:

1. Be guided by the SBEC clearinghouse training recommendations;
2. Note any differences in the District's plan from the clearinghouse recommendations; and
3. Include a schedule of the required professional development for all District employees.

Required Staff Development

In accordance with the District's innovation plan, the District is exempt from state laws regarding required staff development. The District shall determine the areas of need, content, duration, and frequency for professional development.

Staff Development Equivalency

~~With prior District consent, teachers may participate in approved professional development activities outside of regular working hours or outside the contract year and receive equivalency time credit. For each six hours of approved equivalency time credit, a teacher may request release from participation on a designated staff development day or from six hours of staff development during the school year. The following shall apply:~~

- ~~1. Approval for participation in an activity for equivalency time credit, or approval for release from regular staff development, shall be requested from the campus principal or the Superintendent's designee.~~
- ~~2. Activities to be approved for equivalency time credit shall meet criteria determined by the District through the campus and District planning process.~~
- ~~3. Equivalency staff development time credit may not be used for release from duty on a regular school day.~~
- ~~4. Equivalency time credit may be earned only through approved professional development activities. Performance of extra duties after school hours or outside of the contract year shall not qualify for equivalency time credit.~~

PROFESSIONAL DEVELOPMENT
REQUIRED STAFF DEVELOPMENT

DMA
(LOCAL)

- ~~5. Responsibility for providing documentation of attendance at approved equivalency time activities shall rest with the teacher.~~
- ~~6. Compensatory time shall not accrue from one school year to another.~~
- ~~7.4. The principal in each building shall maintain a record of the number of hours of staff development credited to each teacher.~~

¹ Innovation Plan: <http://www.blumisd.net/>

**Human Sexuality
Instruction**

The following process shall apply regarding the adoption of curriculum materials for the District's ~~district's~~ human sexuality instruction:

1. The Board shall adopt a resolution convening the District's school health advisory council (SHAC) to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

**Instruction on
Prevention of Child
Abuse, Family
Violence, Dating
Violence, and Sex
Trafficking**

The following process shall apply regarding the adoption of curriculum materials for the District's instruction relating to the prevention of child abuse, family violence, dating violence, and sex trafficking:

1. The Board shall adopt a resolution convening the District's SHAC to recommend curriculum materials for the instruction.
2. The SHAC shall hold at least two public meetings on the curriculum materials before adopting recommendations to present to the Board.
3. The SHAC recommendations must comply with the instructional content requirements in law, be suitable for the subject and grade level for which the materials are intended, and be reviewed by academic experts in the subject and grade level for which the materials are intended.
4. The SHAC shall present its recommendations to the Board at a public meeting.
5. After the Board ensures the recommendations from the SHAC meet the standards in law, the Board shall take action on the recommendations by a record vote at a public meeting.

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CURRICULUM DESIGN
SPECIAL PROGRAMS

EHB
(LOCAL)

In accordance with administrative procedures, the District shall provide regular training opportunities for teachers of students with dyslexia that include new research and practices for educating students with dyslexia.

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SPECIAL EDUCATION
IDENTIFICATION, EVALUATION, AND ELIGIBILITY

EHBAA
(LOCAL)

When a student transitions from early childhood intervention (ECI) to early childhood special education (ECSE) services, the District shall develop and implement an individualized education program (IEP) by the child's third birthday.

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

Referral	Students may be referred for the gifted and talented program at any time by teachers, school counselors, parents, or other interested persons.
Screening and Identification Process	<p>The District shall provide assessment opportunities to complete the screening and identification process for referred students at least once per school year.</p> <p>The District shall schedule a gifted and talented program awareness session for parents that provides an overview of the assessment procedures and services for the program prior to beginning the screening and identification process.</p>
Parental Consent	The District shall obtain written parental consent before any special testing or individual assessment is conducted as part of the screening and identification process. All student information collected during the screening and identification process shall be an educational record, subject to the protections set out in policies at FL.
Identification Criteria	The Board-approved program for the gifted and talented shall establish criteria to identify gifted and talented students. The criteria shall be specific to the state definition of gifted and talented and shall ensure the fair assessment of students with special needs, such as the culturally different, the economically disadvantaged, and students with disabilities.
Assessments	Data collected through both objective and subjective assessments shall be measured against the criteria approved by the Board to determine individual eligibility for the program. Assessment tools may include, but are not limited to, the following: achievement tests, intelligence tests, creativity tests, behavioral checklists completed by teachers and parents, student/parent conferences, and available student work products.
Selection	A selection committee shall evaluate each referred student according to the established criteria and shall identify those students for whom placement in the gifted and talented program is the most appropriate educational setting. The committee shall be composed of at least three professional educators who have received training in the nature and needs of gifted students, as required by law.
Notification	The District shall provide written notification to parents of students who qualify for services through the District's gifted and talented program. Participation in any program or services provided for gifted students shall be voluntary, and the District shall obtain written permission from the parents before placing a student in a gifted and talented program.

SPECIAL PROGRAMS
GIFTED AND TALENTED STUDENTS

EHBB
(LOCAL)

- Reassessment** If the District reassesses students in the gifted and talented program, the reassessment shall be based on a student's performance in response to services and shall occur no more than once in elementary grades, once in middle school grades, and once in high school grades.
- Transfer Students** When a student identified as gifted by a previous school district enrolls in the District, the selection committee shall review the student's records and conduct assessment procedures when necessary to determine if placement in the District's program for gifted and talented students is appropriate.
- [See FDD(LEGAL) for information regarding transfer students and the Interstate Compact on Educational Opportunities for Military Children]
- Furloughs** The District may place on a furlough any student who is unable to maintain satisfactory performance or whose educational needs are not being met within the structure of the gifted and talented program. A furlough may be initiated by the District, the parent, or the student.
- In accordance with the Board-approved program, a furlough shall be granted for specified reasons and for a specified period of time. At the end of a furlough, the student may reenter the gifted and talented program, be placed on another furlough, or be exited from the program.
- Exit Provisions** The District shall monitor student performance in response to gifted and talented program services. If at any time the selection committee or a parent determines it is in the best interest of the student to exit the program, the committee shall meet with the parent and student before finalizing an exit decision.
- Appeals** A parent, student, or educator may appeal any final decision of the selection committee regarding selection for or exit from the gifted and talented program. Appeals shall be made first to the selection committee. Any subsequent appeals shall be made in accordance with FNG(LOCAL) beginning at Level Two.
- Program Evaluation** The District shall annually evaluate the effectiveness of the District's gifted and talented program, and the results of the evaluation shall be used to modify and update the District and campus improvement plans. The District shall include parents in the evaluation process and shall share the information with Board members, administrators, teachers, school counselors, students in the gifted and talented program, and the community.

Funding

The District's gifted and talented program shall address effective use of funds for programs and services consistent with the standards in the state plan for gifted and talented students.

~~The District shall annually report to the Texas Education Agency (TEA) regarding funding used to implement the District's gifted and talented program. The District shall annually certify to TEA:~~

- ~~1. The establishment of a gifted and talented program by the District; and~~
- ~~2. That the District's program is consistent with the state plan for gifted and talented students.~~

Community Awareness

The District shall ensure that information about the District's gifted and talented program is available to parents and community members and that they have an opportunity to develop an understanding of and support for the program.

ACADEMIC ACHIEVEMENT
GRADUATION

EIF
(LOCAL)

Course Requirements	To graduate, a student must complete the courses required by the District in addition to those mandated by the state.
Foundation Program	The courses that satisfy District requirements under the foundation program, including courses for the distinguished level of achievement and courses for endorsements offered by the District, shall be listed in appropriate District publications.
Without an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program without an endorsement. Graduation under the foundation program without an endorsement shall be permitted only as authorized under state law and rules.
With an Endorsement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with an endorsement.
Distinguished Level of Achievement	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with the distinguished level of achievement.
No Fine Arts Substitutions	The District shall not award state graduation credit in fine arts for participation in a community-based fine arts program.
Physical Education Substitutions	To the extent permitted by state rules, the District shall award state graduation credit in physical education for participation in approved activities and elective courses.
Activities and Courses	
No Private or Commercial Programs	The District shall not award state graduation credit in physical education for private or commercially sponsored physical activity programs conducted either on or off campus. [See also EHAC]
Financial Aid Application Confirmation	As confirmation of a student's completion and submission of a free application for federal student aid (FAFSA) or a Texas application for state financial aid (TASFA), the District shall accept the following: <ol style="list-style-type: none">1. A screenshot that includes the processed date field in ApplyTexas Counselor Suite FAFSA data;2. Notification, such as a copy of an email, from the United States Department of Education verifying completion of the FAFSA;3. A copy or screenshot of the FAFSA acknowledgment page;4. A screenshot of the TASFA submission acknowledgment page (from those institutions that offer an electronic form);

ACADEMIC ACHIEVEMENT
GRADUATION

EIF
(LOCAL)

5. An acknowledgment receipt from an institution of higher education (IHE); or
6. A copy of a financial aid award letter from an IHE.

{For students who choose not to complete and submit a FAFSA or a TASFA. see EIF(LEGAL).}

The District shall maintain individual student documentation of the financial aid application requirement as an education record. [See FL]

**Trauma-Informed
Care Program**

The District's trauma-informed care program, as included in the District improvement plan, shall provide for the integration of trauma-informed care practices in the school environment, including increasing staff and parent awareness of trauma-informed care, implementation of trauma-informed practices and care by District and campus staff, and providing information about available counseling options for students affected by trauma or grief.

Training

The District shall provide training in trauma-informed care to District educators as required by law and the Board-approved District professional development plan. The District improvement plan shall specify required training for any other District employees as applicable.

Annual Report

~~The District shall provide an annual report to the Texas Education Agency on the number of employees who have participated in trauma-informed care training.~~

Note: This policy addresses discrimination, including harassment, and retaliation against District students. For provisions regarding discrimination, including harassment, and retaliation against District employees, see DIA. For reporting requirements related to child abuse and neglect, see FFG. Note that FFH shall be used in conjunction with FFI (bullying) for certain prohibited conduct.

Statement of Nondiscrimination

~~The District prohibits discrimination, including harassment, against any student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. The District prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.~~

Discrimination

~~Discrimination against a student is defined as conduct directed at a student on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, that adversely affects the student.~~

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

Prohibited conduct also includes sexual harassment as defined by Title IX. [See FFH(LEGAL)]

Prohibited Harassment
Prohibited harassment
Statement of Nondiscrimination

The District prohibits discrimination, including harassment, against any student. Discrimination is defined as treating a student or group of students differently from similarly situated students on the basis of race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law. One type of harassment this policy prohibits is dating violence, as defined below. Retaliation against anyone exercising their rights under this policy is a violation of District policy and is prohibited.

Harassment

Harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, sex, gender, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;

STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

FFH
(LOCAL)

2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Harassment ~~Prohibited harassment~~ includes dating violence as defined by law and this policy.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name calling, slurs, or rumors; cyberharassment; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Title IX Sexual
Sex-Based Harassment**

As required by law, the District shall follow the procedures below at Response to Title IX Sexual Harassment—~~Title IX~~ upon a report of sex-based harassment, including sexual harassment, gender-based harassment, and dating violence, when such allegations, if proved, would meet the definition of sexual harassment in an education program or activity and against a person in the United States under Title IX. [See FFH(LEGAL)]

**Other Sexual
Harassment**

By an Employee

Sexual harassment of a student by a District employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A District employee causes the student to believe that the student must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
 - a. Affects the student's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the student's educational opportunities; or
 - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or other inappropriate social relationships between students and District employees are prohibited. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See DH]

By Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; and other sexually motivated conduct, contact, or communications, including electronic communication.

Necessary or permissible physical contact such as assisting a child by taking the child's hand, comforting a child with a hug, or other physical contact not reasonably construed as sexual in nature is not sexual harassment.

Gender-Based Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or
3. Otherwise adversely affects the student's educational opportunities.

Examples	Examples of gender-based harassment directed against a student, regardless of the student's or the harasser's actual or perceived sexual orientation or gender identity, may include offensive jokes, name-calling, slurs, or rumors; cyberharassment; physical aggression or assault; threatening or intimidating conduct; or other kinds of aggressive conduct such as theft or damage to property.
Dating Violence	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 the other 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. For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct: <ol style="list-style-type: none">1. Affects a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance; or3. Otherwise adversely affects the student's educational opportunities.
Examples	Examples of dating violence against a student may include physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household. Additional examples may include destroying property belonging to the student, threatening to commit suicide or homicide if the student ends the relationship, attempting to isolate the student from friends and family, stalking, threatening a student's spouse or current dating partner, or encouraging others to engage in these behaviors.
Reporting Procedures	Any student who believes that he or she has experienced prohibited conduct and any person who believes that another student has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, principal, other District employee, or the appropriate District official listed in this policy.
Student Report	
Employee Report	Any District employee who suspects or receives direct or indirect notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate District official listed in this policy and take any other steps required by this policy.

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FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

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(LOCAL)

Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
<i>Title IX Coordinator</i>	Reports of discrimination based on sex, including sexual harassment, gender-based harassment, or dating violence, may be directed to the designated Title IX coordinator for students. [See FFH(EXHIBIT)]
<i>ADA / Section 504 Coordinator</i>	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for students. [See FFH(EXHIBIT)]
<i>Superintendent</i>	The Superintendent shall serve as coordinator for purposes of District compliance with all other nondiscrimination laws.
Alternative Reporting Procedures	<p>An individual shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	To ensure the District's prompt investigation, reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act.
Notice to Parents	<p>The District official or designee shall promptly notify the parents of any student alleged to have experienced prohibited conduct by a District employee or another adult.</p> <p>[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]</p> <p>When the District receives a report of prohibited conduct that includes dating violence, the appropriate District official shall immediately notify the parent or guardian of the student who has been identified in the report as the alleged victim or perpetrator.</p>
Investigation of Reports Other Than Title IX	The following procedures apply to all allegations of prohibited conduct other than allegations of harassment prohibited by Title IX. [See FFH(LEGAL)] For allegations of sex-based harassment that, if proved, would meet the definition of sexual harassment under Title IX, including sexual harassment, gender-based harassment, and dating violence, see the procedures below at Response to Title IX Sexual Harassment—Title IX.

STUDENT WELFARE
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The District may request, but shall not require, a written report. If a report is made orally, the District official shall reduce the report to written form.

Initial Assessment Upon receipt or notice of a report, the District official shall determine whether the allegations, if proved, would constitute prohibited conduct as defined by this policy. If so, the District shall immediately undertake an investigation, except as provided below at Criminal Investigation.

If the District official determines that the allegations, if proved, would not constitute prohibited conduct as defined by this policy, the District official shall refer the complaint for consideration under FFI.

Interim Action If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the District shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of the District's investigation.

District Investigation The investigation may be conducted by the District official or a designee, such as the principal, or by a third party designated by the District, such as an attorney. When appropriate, the principal shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

Criminal Investigation If a law enforcement or regulatory agency notifies the District that a criminal or regulatory investigation has been initiated, the District shall confer with the agency to determine if the District investigation would impede the criminal or regulatory investigation. The District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, the District shall promptly resume its investigation.

Concluding the Investigation Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the District to delay its investigation, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

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	<p>The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the District official overseeing the investigation.</p>
<i>Notification of Outcome</i>	<p>Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.</p>
<i>District Action Prohibited Conduct</i>	<p>If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the Student Code of Conduct and may take corrective action reasonably calculated to address the conduct.</p>
<i>Corrective Action</i>	<p>Examples of corrective action may include a training program for those involved in the report, a comprehensive education program for the school community, counseling to the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving parents and students in efforts to identify problems and improve the school climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the District's policy against discrimination, and harassment. and retaliation.</p>
<i>Bullying</i>	<p>If the results of an investigation indicate that bullying occurred, as defined by FFI, the District official shall refer to FFI for appropriate notice to parents and District action. The District official shall refer to FDB for transfer provisions.</p>
<i>Improper Conduct</i>	<p>If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take disciplinary action in accordance with the Student Code of Conduct or other corrective action reasonably calculated to address the conduct.</p>
<i>Confidentiality</i>	<p>To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
<i>Appeal</i>	<p>A student or parent who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level. A student or parent has the shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.</p>

**Response to Title IX
Sexual Harassment-
Title IX**

General Response

For purposes of the District's response to reports of harassment prohibited by Title IX, definitions can be found in FFH(LEGAL).

When the District receives notice or an allegation of conduct that, if proved, would meet the definition of sexual harassment under Title IX, the Title IX coordinator shall promptly contact the complainant to:

- Discuss the availability of supportive measures and inform the complainant that they are available, with or without the filing of a formal complaint;
- Consider the complainant's wishes with respect to supportive measures; and
- Explain to the complainant the option and process for filing a formal complaint.

The District's response to sexual harassment shall treat complainants and respondents equitably by offering supportive measures to both parties, as appropriate, and by following the Title IX formal complaint process before imposing disciplinary sanctions or other actions that are not supportive measures against a respondent.

If a formal complaint is not filed or dismissed, the District reserves the right to investigate and respond to prohibited conduct in accordance with Board policies and the Student Code of Conduct. The Title IX coordinator also reserves the right to sign a formal complaint, initiating the Title IX grievance process, if it would be deliberately indifferent not to investigate and respond to the prohibited conduct in accordance with Board policies and the Student Code of Conduct.

Title IX Formal
Complaint Process

To distinguish the process described below from the District's general grievance policies [see DGBA, FNG, and GF], this policy refers to the grievance process required by Title IX regulations for responding to formal complaints of sexual harassment as the District's "Title IX formal complaint process."

The Superintendent shall ensure the development of a Title IX formal complaint process that complies with legal requirements. [See FFH(LEGAL)] The formal complaint process shall be posted on the District's website. In compliance with Title IX regulations, the District's Title IX formal complaint process shall address the following basic requirements:

1. Equitable treatment of complainants and respondents;
2. An objective evaluation of all relevant evidence;

3. A requirement that the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias;
4. A presumption that the respondent is not responsible for the alleged sexual harassment until a determination is made at the conclusion of the Title IX formal complaint process;
5. Time frames that provide for a reasonably prompt conclusion of the Title IX formal complaint process, including time frames for appeals and any informal resolution process, and that allow for temporary delays or the limited extension of time frames with good cause and written notice as required by law;
6. A description of the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility for the alleged sexual harassment;
7. A statement of the standard of evidence to be used to determine responsibility for all Title IX formal complaints of sexual harassment;
8. Procedures and permissible bases for the complainant and respondent to appeal a determination of responsibility or a dismissal of a Title IX formal complaint or any allegations therein;
9. A description of the supportive measures available to the complainant and respondent;
10. A prohibition on using or seeking information protected under a legally recognized privilege unless the individual holding the privilege has waived the privilege;
11. Additional formal complaint procedures in 34 C.F.R. 106.45(b), including written notice of a formal complaint, consolidation of formal complaints, recordkeeping, and investigation procedures; and
12. Other local procedures as determined by the Superintendent.

Standard of Evidence

The standard of evidence used to determine responsibility in a Title IX formal complaint of sexual harassment shall be the preponderance of the evidence.

Retaliation

The District prohibits retaliation by a student or District employee against a student alleged to have experienced discrimination or harassment, including dating violence, or another student who, in good faith, makes a report of harassment or discrimination, files a complaint of harassment or discrimination, serves as a witness, or participates in an investigation. The definition of prohibited retaliation under this policy also includes retaliation against a student

**STUDENT WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

**FFH
(LOCAL)**

who refuses to participate in any manner in an investigation under Title IX. In the absence of a formal complaint, allegations of retaliation shall be investigated under Investigation of Reports Other Than Title IX, above.

Examples	Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claim	A student who intentionally makes a false claim or offers false statements in a District investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action in accordance with law.
Records Retention	<p>The District shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with the District's records control schedules, but for no less than the minimum amount of time required by law. [See CPC]</p> <p>[For Title IX recordkeeping and retention provisions, see FFH(LEGAL) and the District's Title IX formal complaint process.]</p>
Access to Policy and Procedures	Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and student handbooks. Copies of the policy and procedures shall be posted on the District's website, to the extent practicable, and readily available at each campus and the District's administrative offices.

EXTRACURRICULAR STATUS REQUEST

Request for Extracurricular Status for 4-H

HILL COUNTY EXTENSION SERVICE

TEXAS A&M
AGRILIFE
 EXTENSION

July 25, 2022

Jeff Sanders
 Blum Independent School District
 PO Box 520
 Blum, TX 76627

Dear Jeff Sanders:

On behalf of the 4-H members of Hill County, I/we hereby respectfully request that the 4-H organization, by the attached resolution, be sanctioned as an extracurricular activity. We request the enclosed RESOLUTION be presented for consideration at the next scheduled meeting of the Board of Trustees of the **Blum Independent School District**. I/we further request that questions regarding this RESOLUTION be directed to me/us in a timely manner so that I/we may prepare and present an appropriate response so as not to delay action on this request.

Finally, I/we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to me/us for my/our files.

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

Sincerely,



Angie Nors
 CEA 4-H & Youth Development
 Hill County

Attachment: Resolution for Extracurricular Status of 4-H Organization

Hill County Extension Office
 126 S. Covington | Hillsboro, TX 76645
<http://texas4-h.tamu.edu> | Tel. 254.582.4022 | Fax 254.582.4021

EXTRACURRICULAR STATUS REQUEST

Resolution requesting Extracurricular Status for 4-H

RESOLUTION

EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

Be it hereby resolved that upon this date, the duly elected Board of Trustees of the

Blum Independent School District

meeting in public with a quorum present and certified, did adopt this resolution that recognizes the

Hill

County Texas 4-H Organization as approved for recognition and eligible for extracurricular status consideration under 19 Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities.

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

Texas A&M AgriLife Extension will request academic eligibility for all 4-H competitive activities, regardless, if a school absence is or is not required, and for non-competitive purposes when an absence is required.

Approved this _____ day of _____, 20_____.

Board of Trustee

Superintendent

ADJUNCT FACULTY REQUEST

Cover Letter requesting Adjunct Faculty Status

HILL COUNTY EXTENSION SERVICE

TEXAS A&M
AGRILIFE
 EXTENSION

July 25, 2022

Jeff Sanders
 Blum Independent School District
 PO Box 520
 Blum, TX 76627

Dear Jeff Sanders:

On behalf of the Hill County Extension Staff, I/we hereby respectfully request approval of the attached Adjunct Faculty Agreement with the Blum Independent School District.

The State Board of Education passed an amendment to 19 TAC§129.21 (j). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

(1) The student is participating in an activity that is approved by the local board of school trustees and is under the direction of a member of the professional or paraprofessional staff of the school district, or an adjunct staff member who:

- (A) has a minimum of a bachelor's degree; and*
- (B) is eligible for participation in the Teacher Retirement System of Texas.*

Hill County requests the agents listed on the enclosed Adjunct Faculty Agreement be awarded adjunct staff member status for the period of time indicated on the agreement.

I hope Blum Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

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

Sincerely,



Angie Nors
 CEA 4-H & Youth Development
 Hill County

Attachment: Resolution for Extracurricular Status of 4-H Organization

Hill County Extension Office
 126 S. Covington | Hillsboro, TX 76645

<http://texas4-h.tamu.edu> | Tel. 254.582.4022 | Fax. 254.582.4021

ADJUNCT FACULTY REQUEST

Adjunct Faculty Agreement

THE STATE OF TEXAS

COUNTY OF Hill

On this date, at a regularly scheduled and posted meeting, came the Board of Trustees of the Blum Independent School District, hereinafter referred to as "District." A quorum having been established, the Board proceeded to consider the appointment of the herein named individual(s) as an adjunct member of the Blum Independent School District.

Upon consideration and vote of _____ in favor, Angie Nors, Zach T. Davis, & Rachel Esquivel is hereby named as adjunct faculty member(s) of the Blum Independent School District subject to the following considerations and provisions of such appointment to wit:

1. This appointment shall commence on the 1st day of September 20 22 and remain in effect until the 31st day of August 20 23.

2. This appointment will include the Texas A&M AgriLife Extension Service employees listed below:

NAME	TITLE	DEGREE	INSTITUTION	DATE
Angie Nors	CEA 4-H & YD	Master of Education	Lamar University	2011
Zach T. Davis	CEA Ag & NR	Master of Ag Education	Tarleton State University	2006
Rachel Esquivel	CEA FCS	Bachelor of Science Ag Leadership & Development	Texas A&M University	2020

3. Adjunct faculty member(s) will receive no compensation, salary, or remuneration from Blum Independent School District.

4. Adjunct faculty member(s) is and shall remain an employee, in good standing, of the Texas A&M AgriLife Extension Service.

5. Adjunct faculty member(s) is and shall remain under the direct supervision of either the District Extension Administrator of District 8 or Donald Kelm County Extension Director.

6. Adjunct faculty member(s) shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty member(s) shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty members for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service pursuant to the supervisory authority of the District Extension Administrator or County Extension Director. Adjunct faculty member(s) is not the employee of the School District, and School District does not nor shall not supervise, direct or control the activities and/or participation of such Angie Nors, Zach T. Davis & Rachel Esquivel County Extension Agent(s) who have/has been herein designated as an adjunct faculty member.

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

This appointment of the herein named Hill County Extension Agent(s), Angie Nors, Zach T. Davis & Rachel Esquivel

(Extension employee) is/are not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Blum Independent School District or any of its employees, agents, officers, and/or board members in the performance of governmental functions.

Signed this _____ day of _____, 20____

_____ Independent School District

By: _____

TEXAS A&M
AGRI LIFE
EXTENSION

June 24, 2022

Blum Independent School District
Jeff Sanders
PO Box 520
Blum, TX 76627

Dear Mr. Sanders,

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

Finally, we request that a signed copy of this RESOLUTION, along with a copy of the minutes of the Board meeting, be forwarded to us for our files.

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

Sincerely,



Justin Hale
County Extension Agent
Agriculture & Natural Resources



Keely McCrady
County Extension Agent
Family & Community Health



Kristen Clark
County Extension Agent
4-H & Youth Development



Pamela Berndt
4-H Program Assistant
4-H & Youth Development

Enclosure: RESOLUTION
(Regarding EXTRACURRICULAR STATUS OF 4-H ORGANIZATION)

Texas A&M AgriLife Extension Service
1 N. Main Street, Suite 309 | Courthouse Annex | Cleburne, Texas 76033

Tel. 817-556-6370 | Fax. 817-556-6375 | Johnson@ag.tamu.edu

RESOLUTION
regarding
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION

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

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

Approved this _____ day of _____, 2022.

(For Board of Trustees)

Jeff Sanders (Superintendent)

MEMORANDUM TO: _____

SUBJECT: Adjunct Faculty Agreement

The State Board of Education passed an amendment to 19 TAC§129.21 (k)(1). Requirements for Student Attendance Accounting for State Funding Purposes allows public school students to be considered "in attendance" when participating in off-campus activities with an adjunct staff member of the school district. Section 3 of the Student Attendance Handbook states:

- (4-12) The student is participating in an activity which is approved by the local board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.
- (4-13) Student participating in any activity which is not approved by the local school board and/or without certified district personnel supervision are counted absent [see 4-12]. To qualify for funding purposes, the certified district staff member/adjunct staff member must be accompanying the students as an official of the school district for the specific purpose of supervising the students and must be approved by the school board to supervise the activity. For example, students participating in 4-H activities which are supervised solely by a county Extension agent are reported present.

This amendment provides local school boards the opportunity to recognize county Extension agents as adjunct staff members and to count students participating in 4-H/Extension educational activities "in attendance" for Foundation School Program purposes.

Johnson County requests adjunct staff member status for the county Extension agents for the school year **2022-2023**. The following faculty members are eligible for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree.

Kristen Clark – CEA, 4-H & Youth Development	B.S. May 2007	Texas A&M
Justin Hale – CEA, Agriculture & Natural Resources	B.S. December 2015	Tarleton State
Keely McCrady -CEA, Family & Community Health	B.A. May 2016	Lubbock Christian Univ
Pamela Berndt- 4-H Program Assistant	B.S. December 1986	Tarleton State

I hope the Blum Independent School District will accept this request. Please let me know if you would like to schedule an appointment to discuss the amendment and request or if you need further information.

Sincerely,



Kristen Clark
4-H & Youth Development Agent
County Coordinator

**JOHNSON COUNTY 4-H
CONTINUANCE OF EXISTING RESOLUTION
REGARDING
EXTRACURRICULAR STATUS OF 4-H ORGANIZATION**

Blum ISD has continuously adopted resolutions recognizing the Johnson County 4-H Organization as approved for recognition and eligible for extracurricular status consideration under Title 19, Texas Administrative Code, Chapter 76.1, pertaining to extracurricular activities. As designee for the Board, I extend and make continuous the resolution last adopted on September 9, 2021. Participation by 4-H members under provisions of this resolution is subject to all rules and regulations set forth under the 19 Texas Administrative code as interpreted by the board through the designated officials of Blum ISD whose rulings shall be final.

This resolution shall be continuous unless and upon written notice by the Board or their designee that the resolution is withdrawn, or the law changes.

Adjunct faculty status is granted to all members of the current county Extension faculty, who meet the eligibility requirements for participation in the Teacher Retirement System of Texas and have a minimum of a bachelor's degree. The county Extension staff will annually provide a current list of adjunct faculty to the appropriate principal on or before request of completion of Declaration of Eligibility Forms. If the faculty changes, the list shall be edited by the county Extension staff and forwarded to the appropriate principal(s). This appointment is subject to the following conditions and provisions of such appointment, to wit:

1. Adjunct faculty member will receive no compensation, salary, or remuneration from Blum ISD.
2. Adjunct faculty member(s) is and shall remain an employee and in good standing, of the Texas A&M AgriLife Extension Service.
3. Adjunct faculty member(s) shall be under the direction supervision of the District Extension Administrator, Extension District, or The Johnson County Extension Director.
4. Adjunct faculty member(s) shall receive all group insurance benefits, workman's compensation insurance benefits, unemployment insurance, and any and all other plans for the benefit of Texas A&M AgriLife Extension Service employees. District shall have no responsibility for any of such benefits or plans.

Adjunct faculty members shall direct the activities and participation of students of the school district in sponsored and approved activities as designated from time to time by adjunct faculty member for which notice shall be given to School District administrative personnel. Adjunct faculty members' activities and participation with students of the School District are directed, supervised, and controlled by and through supervisory personnel of Texas A&M AgriLife Extension Service. Adjunct faculty member is not the employee of the School District, and School District does not nor shall not supervise, direct, or control the activities and/or participation of such Johnson County Extension Agents who have been herein designated as an adjunct faculty member.

This appointment is made by Blum ISD by and through the action of the Board of Trustees of said District for the benefit of allowing voluntary student participation in programs conducted by Texas A&M AgriLife Extension Service in recognition of the educational benefits arising from such participation and activities and/or directed by Texas A&M AgriLife Extension Service.

This appointment is made in accordance with the provisions of Section 12921 (k)(1) of the Texas Administrative Code authorizing the school to ~~deduct~~ such participating students in attendance for Foundation School Program purposes.

This appointment of the Johnson County Extension Agents is not intended nor shall be construed as a waiver of any claim or defense of sovereign or governmental immunity from liability now possessed by Blum ISD or any of its employee's agents, officers, and/or board members in the performance of governmental functions.

For the Board,

Jeff Sanders, Superintendent of Schools
Blum ISD

Date

Amendment Nbr	Date	Amendment Reason Fnc-Obj.So-Org-Prog	Original	Approved	Increase	Decrease	Amended
000039	08-03-2022	B000039 TO AMEND BUDGET					
		36-6219.06-001-291000	-5,000.00	-5,000.00	560.00	.00	-5,560.00
		36-6219.08-001-291000	-3,200.00	-3,200.00	.00	1,425.00	-1,775.00
		36-6219.13-001-291000	-3,000.00	-3,000.00	.00	1,000.00	-2,000.00
		36-6219.26-001-291000	-1,900.00	-1,900.00	.00	1,750.00	-150.00
		36-6219.39-001-291000	-2,400.00	-2,400.00	.00	820.00	-1,580.00
		36-6219.86-001-291000	-2,000.00	-2,000.00	.00	2,000.00	.00
		36-6299.30-001-291000	-1,700.00	-1,700.00	331.00	.00	-2,031.00
		36-6399.05-001-291000	-250.00	-250.00	.00	207.00	-43.00
		36-6399.08-001-291000	-1,125.00	-1,125.00	1,594.25	.00	-2,719.25
		36-6399.33-001-291000	-500.00	-500.00	247.04	.00	-747.04
		36-6399.34-001-291000	-4,875.00	-4,875.00	5,292.25	.00	-10,167.25
		36-6399.60-001-291000	-5,500.00	-5,500.00	.00	2,740.00	-2,760.00
		36-6399.62-001-291000	-1,000.00	-1,000.00	627.07	.00	-1,627.07
		36-6399.98-001-291000	-5,000.00	-5,000.00	1,744.68	.00	-6,744.68
		36-6411.00-001-291000	-7,500.00	-7,500.00	.00	6,100.00	-1,400.00
		36-6412.00-001-291000	-16,000.00	-16,000.00	.00	3,890.05	-12,109.95
		36-6499.11-001-291000	-4,700.00	-4,700.00	9,535.76	.00	-14,235.76
		Amendment 000039 Total			19,932.05	19,932.05	
		Fund 186 / 2 Totals					
		3XXX	.00	.00	.00	.00	.00
		5XXX	.00	.00	.00	.00	.00
		6XXX	-65,650.00	-65,650.00	19,932.05	19,932.05	-65,650.00
		7XXX	.00	.00	.00	.00	.00
		8XXX	.00	.00	.00	.00	.00
000040	08-03-2022	B000040 TO AMEND BUDGET					
		11-6122.00-001-211000	-1,500.00	-1,500.00	832.50	.00	-2,332.50
		11-6139.00-001-299000	-720.00	-720.00	440.00	.00	-1,160.00
		11-6149.00-001-211000	-20,857.07	-20,857.07	7,500.02	.00	-28,357.09
		11-6149.00-001-223000	-526.10	-526.10	3,673.90	.00	-4,200.00
		11-6219.85-001-223000	-10,000.00	-10,000.00	.00	10,000.00	.00
		11-6222.00-001-211000	-16,000.00	-16,000.00	.00	16,000.00	.00
		11-6299.00-001-238000	.00	.00	23,984.00	.00	-23,984.00
		11-6329.00-001-211000	-67,500.00	-67,500.00	.00	25,000.00	-42,500.00
		11-6399.00-001-222000	-6,400.00	-6,400.00	1,271.65	.00	-7,671.65
		11-6399.00-001-223000	.00	.00	559.75	.00	-559.75
		11-6399.51-001-211000	-20,500.00	-20,500.00	7,465.64	.00	-27,965.64
		11-6399.78-001-222000	-2,000.00	-2,000.00	6,725.21	.00	-8,725.21
		11-6411.00-001-222000	-3,000.00	-3,000.00	1,843.07	.00	-4,843.07
		11-6429.00-999-211000	-4,005.00	-4,005.00	5,431.00	.00	-9,436.00
		11-6495.00-001-211000	-3,500.00	-3,500.00	654.00	.00	-4,154.00
		11-6495.65-001-237000	-1,500.00	-1,500.00	1,150.00	.00	-2,650.00
		13-6495.00-001-211000	-3,000.00	-3,000.00	7,625.00	.00	-10,625.00
		23-6119.00-001-299000	-147,000.00	-147,000.00	3,198.52	.00	-150,198.52
		34-6129.00-934-223000	-4,585.00	-4,585.00	10,788.61	.00	-15,373.61
		34-6249.00-934-222000	.00	.00	441.75	.00	-441.75
		34-6315.14-934-299000	-2,000.00	-2,000.00	2,358.18	.00	-4,358.18
		34-6429.00-934-299000	-8,684.00	-8,684.00	819.00	.00	-9,503.00
		34-6499.00-934-299000	-21,500.00	-21,500.00	.00	10,000.00	-11,500.00
		41-6119.00-750-299000	.00 ¹²⁴	.00	2,750.11	.00	-2,750.11
		41-6211.00-701-299000	-8,000.00	-8,000.00	8,733.95	.00	-16,733.95
		41-6212.00-750-299000	-16,000.00	-16,000.00	4,000.00	.00	-20,000.00

Amendment Nbr	Date	Amendment Reason Fnc-Obj,So-Org-Prog	Amendment Reason			Amended	
			Original	Approved	Increase		Decrease
	41-6213.00-703-299000		-9,000.00	-9,000.00	301.07	.00	-9,301.07
	41-6411.00-750-299000		-2,000.00	-2,000.00	16,326.96	.00	-18,326.96
	41-6491.00-750-299000		-500.00	-500.00	500.00	.00	-1,000.00
	41-6495.00-750-299000		-19,000.00	-19,000.00	3,393.28	.00	-22,393.28
	41-6499.12-750-299000		-500.00	-500.00	900.00	.00	-1,400.00
	41-6499.21-750-299000		-500.00	-500.00	1,560.99	.00	-2,060.99
	51-6259.44-951-299000		-155,000.00	-155,000.00	12,000.00	.00	-167,000.00
	51-6259.45-951-299000		-5,700.00	-5,700.00	800.00	.00	-6,500.00
	51-6629.00-951-299000		-495,847.11	-495,847.11	.00	140,128.47	-355,718.64
	71-6512.50-999-299000		.00	.00	48,143.31	.00	-48,143.31
	93-6239.74-999-211000		-2,995.00	-2,995.00	2,995.00	.00	-5,990.00
	95-6223.00-001-228000		.00	.00	3,610.00	.00	-3,610.00
	99-6213.00-703-299000		-83,500.00	-83,500.00	8,352.00	.00	-91,852.00
			Amendment 000040 Total		201,128.47	201,128.47	
Fund 199 / 2 Totals							
	3XXX		.00	.00	.00	.00	.00
	5XXX		.00	.00	.00	.00	.00
	6XXX		-1,143,319.28	-1,143,319.28	201,128.47	201,128.47	-1,143,319.28
	7XXX		.00	.00	.00	.00	.00
	8XXX		.00	.00	.00	.00	.00
Grand Totals							
	3XXX		.00	.00	.00	.00	.00
	5XXX		.00	.00	.00	.00	.00
	6XXX		-1,208,969.28	-1,208,969.28	221,060.52	221,060.52	-1,208,969.28
	7XXX		.00	.00	.00	.00	.00
	8XXX		.00	.00	.00	.00	.00

End of Report



Organization: BLUM ISD
 Campus/Site: N/A
 Vendor ID: 1746022667

County District: 109913
 ESC Region: 12
 School Year: 2022-2023

SAS#: SPEDAA23

2022-2023 Special Education Consolidated Grant Application (Federal)

Program Budget
 BS6001 - Program Budget Summary and Support

Statutory Authority: P. L. 108-446, Individuals with Disabilities Education Act, Part B, Sections 611 and 619; American Rescue Plan Act of 2021

Part 1: Available Funding

[View Funding Carryover](#)

[View List of SSA Members](#)

Available Funding					
Description	IDEA-B Formula	IDEA-B Preschool	IDEA-B Discretionary Deaf	IDEA-B Formula-ARP Carryover	IDEA-B Preschool-ARP Carryover
1. Fund/SSA Code	224	225			
2. Planning Amount	\$69,553	\$639			
3. Final Amount	\$0	\$0			
4. Carryover					
5. Reallocation					
Total Funds Available	\$69,553	\$639			

Part 2: Budget Summary

A. Budgeted Costs											
Description	Class/ Object Code	IDEA-B Formula		IDEA-B Preschool		IDEA-B Discretionary Deaf		IDEA-B Formula-ARP Carryover		IDEA-B Preschool-ARP Carryover	
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
1. Consolidated Administrative Funds											
2. Payroll Costs	6100	\$40,000		\$100							
3. Professional and Contracted Services	6200	\$20,000		\$100							
4. Supplies and Material	6300	\$8,500		\$339							
5. Other Operating Costs	6400	\$1,053		\$100							
6. Debt Services	6500			\$0							
7. Capital Outlay	6600			\$0							
8. Operating Transfers Out	8911										
Total Direct Costs		\$69,553		\$639							
9. Indirect Costs											
Total Budgeted Costs		\$69,553		\$639							
Total Funds Available Minus Total Costs		\$0		\$0							
10. Payments to Member Districts of SSA	6493										

B. Break out of Direct Admin Costs

Part 2B Breakout of Direct Admin Costs is hidden because it does not apply to the funding source(s) for this grant application.

* Fund 270 USDE Small, Rural School Achievement Program
 \$36,716



Organization: BLUM ISD
 Campus/Site: N/A
 Vendor ID: 1746022667

County District: 109913
 ESC Region: 12
 School Year: 2022-2023

SASF: E88AAA23

2022-2023 ESSA Consolidated Federal Grant Application

Program Budget
 BS6001 - Program Budget Summary and Support

Statutory Authority: Elementary and Secondary Education Act of 1965, as amended by Every Student Succeeds Act

Part 1: Available Funding

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Available Funding								
Description	Title I, Part A	Title I, Part C Migrant	Title I, Part D Subpart 1	Title I, Part D Subpart 2	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A - SSAEP
1. Fund/SSA Code	211				255			289
2. Planning Amount	\$63,530				\$11,857			\$10,000
3. Final Amount	\$0				\$0			\$0
4. Carryover								
5. Reallocation								
Total Funds Available	\$63,530				\$11,857			\$10,000

Part 2: Budget Summary

A. Budgeted Costs																	
Description	Class/ Object Code	Title I, Part A		Title I, Part C Migrant		Title I, Part D Subpart 1		Title I, Part D Subpart 2		Title II, Part A		Title III, Part A ELA		Title III, Part A Immigrant		Title IV, Part A - SSAEP	
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
1. Consolidated Administrative Funds																	
2. Payroll Costs	6100	\$80,000								\$11,857							\$10,000
3. Professional and Contracted Services	6200	\$3,000															
4. Supplies and Material	6300	\$250															
5. Other Operating Costs	6400	\$280															
6. Debt Services	6500																
7. Capital Outlay	6600																
8. Operating Transfers Out	6911																
Total Direct Costs		\$83,530								\$11,857							\$10,000
9. Indirect Costs																	
Total Budgeted Costs		\$83,530								\$11,857							\$10,000
Total Funds Available Minus Total Costs		\$0								\$0							\$0
10. Payments to Member Districts of SSA	6493																

B. Breakout of Direct Admin Costs

Part 2B Breakout of Direct Admin Costs is hidden because it does not apply to the funding source(s) for this grant application.