



Conroe Independent School District Board of Trustees
Official Notice and Agenda
Special Meeting
6:00 PM Tuesday, August 1, 2023

A Special Meeting of the Board of Trustees of the Conroe Independent School District will be held on Tuesday, August 1, 2023, beginning at 6:00 PM in the CISD Administration Building, 3205 W. Davis, Conroe, TX 77304. The meeting may be accessed virtually at <http://tiny.conroeisd.net/R78KV> * Subjects to be discussed or considered or upon which any formal action may be taken are as listed below. Items do not have to be taken in the order shown on this meeting notice.

- I. **Opening**
 - A. Invocation
 - B. Pledge of Allegiance
- II. **Citizen Participation**
- III. **Consent Agenda**
 - A. Consider and Approve Minutes from the July 18, 2023 Regular Board Meeting
 - B. Receive Human Resources Report and Consider and Approve Employment of Professional Personnel
 - C. Review State Board of Educator Certification Professional Development Clearinghouse and Consider and Approve the District's Professional Development Plan for the 2023-2024 School Year
- IV. **Human Resources**
 - A. Name Director of Transportation
- V. **Legal**
 - A. Consider and Accept the Recommendation of the 2023 Bond Planning Committee
 - B. Consider and Approve Order Calling a School Bond Election
 - C. Consider and Approve Elections Services Agreement with Montgomery County
 - D. Consider and Approve Joint Election Agreement with Montgomery County and other Political Subdivisions
- VI. **Public Hearing**
 - A. Hold Public Hearing to Discuss Budget and Proposed Tax Rate
- VII. **Business/Finance**
 - A. Consider and Adopt a Resolution Approving the Payment of a Retention Stipend to Qualifying Employees
- VIII. **Teaching and Learning**
 - A. Receive Information from the School Health Advisory Council Regarding the Use of Cell Phones and Their Impact on Student Mental Health
- IX. **Discussion Items Previously Requested by Trustees**
 - A. Board Member Requested Discussion Regarding the Presence of Personal Ideologies in School
 - B. Board Member Requested Discussion Regarding HB 3
- X. **Executive Session****
- XI. **Action on Executive Session Items**
- XII. **Legal**
 - A. Consider and Adopt the 2023-2024 Student Code of Conduct
 - B. Consider and Repeal Local Board Policy CKE *Safety Program/Risk Management: Security Personnel*, and Adopt Local Board Policies CKEA *Security Personnel: Commissioned Peace Officers*, DEA *Compensation and Benefits: Compensation Plan*, FD *Admissions*, and FFI *Student Welfare: Freedom from Bullying*

- C. Consider and Approve the Purchase of an Approximately 18.00 Acre School Site in the Caney Creek High School Feeder Zone and Delegate to the Superintendent the Authority to Finalize Negotiations and Execute the Contract Documents
- D. Consider and Approve the Sale of a 1.38 Acre Parcel to Cooper Rose, LLC, and Delegate to the Superintendent the Authority to Finalize Negotiations and Execute the Contract Documents

XIII. **Take Requests from Trustees Regarding Future Board Agenda Items**

XIV. **Adjourn**

Posted in compliance with the Texas Open Meetings Act: _____ at _____.

Dr. Curtis Null, Superintendent of Schools
for the Board of Trustees

*** Virtual Link**

Any meeting not live-streamed will be made available via recording in accordance with Tex. Gov't Code Section 551.128(b-2), (b-4)

**** Executive Session Authorization during Meeting**

The Board of Trustees may conduct a closed or executive meeting or session in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in an open meeting. The Board of Trustees may convene in closed or executive session or meeting as authorized by the Texas Open Meetings Act, under the following Texas Government Code Sections:

§551.071 – For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law including board governance;

§551.072 – For the purpose of discussing the purchase, exchange, lease, or value of real property;

§551.073 – For the purpose of considering a negotiated contract for prospective gifts or donations;

§551.074 – For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of public employee(s)/officer(s) including board governance, and/or to hear complaints or charges against public employee(s)/public official(s).

§551.076 – To consider the deployment, or specific occasions for implementation, of security personnel or devices;

§551.082 – For the purpose of considering the discipline of a public school child or children or to hear a complaint for an employee against another employee;

§551.0821 – For a matter regarding a public school student if personally identifiable information about the student will be revealed by the deliberation;

§551.084 – For the purpose of excluding any witness or witnesses from a hearing during the examination of another witness

§551.089 – Deliberation regarding security devices or security audits

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive session, then such final action, final decision, or final vote shall be at either:

- a) the open meeting covered by this notice upon the reconvening of the public meeting; or
- b) at a subsequent public meeting of the Board upon notice thereof as the Board shall determine.

Citizen Participation

Recommendation:

That the Conroe Independent School District Board of Trustees accept as information the presentations made by citizens, as submitted and recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

Citizens will have the opportunity to address the Board in accordance with Board Policy BED.

Board Policy: BED

Submitted and Recommended by:

Dr. Curtis Null
Superintendent of Schools

Consider and Approve Minutes

Recommendation:

That the Conroe Independent School District Board of Trustees approve the minutes of recent board meetings listed below, as submitted and recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

Attached are the minutes from the July 18, 2023, Regular Board Meeting. These minutes will become official upon your approval.

Policy Reference: Legal and Local Board Policy BE

Submitted and Recommended by:

Dr. Curtis Null
Superintendent of Schools

**Conroe Independent School District
Board of Trustees Regular Board Meeting
July 18, 2023**

OPENING

A regular meeting of the Conroe Independent School District Board of Trustees was held Tuesday, July 18, 2023, in the Board Room of Deane L. Sadler Administration Building located at 3205 W. Davis, Conroe, TX 77304. Superintendent Dr. Curtis Null and the following quorum of the Board of Trustees attended the meeting: Theresa Wagaman, Tiffany Bauman Nelson, Melissa Dungan, and Misty Odenweller. Trustees Stacey Chase, Datren Williams, and Skeeter Hubert did not attend the meeting. Board Vice President Theresa Wagaman called the meeting to order at 6:01 p.m. Mrs. Dungan led the invocation and Mrs. Nelson led the pledges.

SPECIAL BOARD RECOGNITION

Ambassador Awards:

The Board of Trustees honored outstanding employees who exemplify excellence and provide exceptional service to the District with Ambassador Awards. The following employees received the award for their extraordinary dedication to their job:

Transportation Department:

- | | |
|-------------------|------------------------|
| • Lacey Trull | • Shannon Miller |
| • Becky Manderano | • Christopher Holdeman |
| • Renee Williams | • Emily Peterson |
| • Dayna Gray | • Alecsandro Klagenber |
| • Clayton Talley | |

District Support:

- | | |
|---|--------------------------------------|
| • Alejandra Tapia, Student Support Services | • Sherry Howard, Special Education |
| • Kristy Stavinoha, Human Resources | • Holly Urena, Teaching and Learning |
| • Christine Corson, Human Resources | • Jay Anzures, Communications |

Police Department:

- | | |
|------------------------------|----------------------------------|
| • Carla Hinz, Crossing Guard | • Officer Michelle Riggs-Sweeney |
| • Officer Randy Bass | • Sgt. Brandy Walker |

CITIZEN PARTICIPATION

The following citizen(s) addressed the Board:

- | | |
|--------------------|-----------------|
| • Marlo Saucedo | • Carolyn Nini |
| • Alexander Harris | • Paul Laskoski |
| • Wyatt Franklin | • Amber Fusca |
| • Mark Fusca | • Brent Veazey |
| • Carol Durkee | |

CONSENT AGENDA

Motion #7323

Melissa Dungan, seconded by Tiffany Nelson, moved: That the Board of Trustees approve the following items on the consent agenda:

- Consider Approval of Minutes
- Consider Amendment to the 2022-2023 Budget
- Receive Human Resources Report and Consider Employment of Professional Personnel
- Consider Adoption of Annual Resolution Identifying Hazardous Traffic Conditions for the 2023-2024 School Year
- Consider Approval of Canine Detection Service Agreement with Shepherd Independent School District

Carried unanimously by a vote of 4-0.

ADMINISTRATION

Receive Information Regarding Student Discipline:

Deputy Superintendent Dr. Bethany Medford provided the Board with an update on student discipline initiatives and changes for the 2023-2024 school year, and at the end of the presentation, Dr. Medford answered questions from Board members.

Consider Approval of Application for Virtual School Extension Waiver:

Motion #7324

Tiffany Nelson, seconded by Misty Odenweller, moved: That the Board of Trustees approve the submission of an application for a waiver to the Texas Education Agency to become a TXVSN (Texas Virtual School Network) full-time online school for the 2023-2024 and 2024-2025 school years. Should the waiver be approved by TEA, Conroe ISD students will be able to continue to access virtual instruction through the District's virtual school, which would operate under the Texas Virtual School Network and receive funding under those guidelines.

Carried unanimously by a vote of 4-0.

PLANNING AND CONSTRUCTION

Receive Capital Improvements Update:

The Board of Trustees received information regarding the progress and status of current capital improvement projects by Easy Foster, Director of Planning and Construction.

BUSINESS / PURCHASING

Consider Award of RFP# 23-04-02 Addendum 1 Student Accident Insurance:

Motion #7325

Melissa Dungan, seconded by Tiffany Nelson, moved: That the Board of Trustees award RFP# 23-04-02 Addendum 1 Student Accident Insurance to Greater East Texas Insurance Associates (Texas Kids First) for a total annual premium of approximately \$142,600 and authorize the Superintendent to execute any documents necessary to effectuate the purchase.

Carried unanimously by a vote of 4-0.

Consider Award of RFP# 23-04-03 Building and Welding Materials, Tools, Hardware, and Supplies:

Motion #7326

Tiffany Nelson, seconded by Misty Odenweller, moved: That the Board of Trustees award RFP# 23-04-03 Building and Welding Materials, Tools, Hardware, and Supplies to vendors listed on the tabulation for an estimated annual expenditure of \$950,000 and authorize the Superintendent to execute any documents necessary to effectuate purchases.

Carried unanimously by a vote of 4-0.

Consider Award of RFP# 23-04-05 Tree Removal Services:

Motion #7327

Melissa Dungan, seconded by Tiffany Nelson, moved: That the Board of Trustees award RFP# 23-04-05 Tree Removal Services to Top Cut Tree Service, Inc. and Tree Guy, LLC. for an estimated annual expenditure of approximately \$140,000 and authorize the Superintendent to execute any documents necessary to effectuate purchases.

Carried unanimously by a vote of 4-0.

Consider Award of RFP# 23-05-01 Safes for Cafeterias:

Motion #7328

Tiffany Nelson, seconded by Misty Odenweller, moved: That the Board of Trustees award RFP# 23-05-01 Safes for Cafeterias to Dawson Security Group Inc, for an estimated expenditure of \$60,000 and authorize the Superintendent to execute any documents necessary to effectuate purchases.

Carried unanimously by a vote of 4-0.

BUSINESS / FINANCE

Receive Financial Reports:

Director of Finance Karen Garza presented the financial report.

EXECUTIVE SESSION

The Open Session recessed at 7:52 p.m.

The Board of Trustees Conducted A Closed or Executive Meeting or Session in Accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before the Closed Meeting Convened, the Presiding Officer Publicly Identified the Following Sections of the Act Authorizing the Closed Meeting: Tex Govt Code Sections 551.071 and 551.0821.

The Open Session reconvened at 8:18 p.m.

LEGAL

Receive Information Regarding Local Policy Manual Update 121 and Revisions to Board Policies CKE Local Safety Program/Risk Management: Security Personnel, CKEA Local Security Personnel: Commissioned Peace Officers, DEA Local Compensation and Benefits: Compensation Plan, FD Local Admissions, and FFI Local Student Welfare: Freedom from Bullying:

General Counsel Carrie Galatas provided information to the Board on Local Policy Manual Update 121 along with recommended revisions to Local Board Policies CKE *Safety Program/Risk Management: Security Personnel*, CKEA *Security Personnel: Commissioned Peace Officers*, DEA *Compensation and Benefits: Compensation Plan*, FD *Admissions*, and FFI *Student Welfare: Freedom from Bullying*. The Board will be asked to adopt these Local Policies at its August meeting.

Consider Approval of Settlement Agreement in TEA Docket No. 089-SE-1122/SOAH Docket No. 701-23-05448 and Authorize the Superintendent to Complete negotiations and Execute the Necessary Documents:

Motion #7329

Tiffany Nelson, seconded by Melissa Dungan, moved: That the Board of Trustees approve the settlement agreement in TEA Docket No. 089-SE-1122/State Office of Administrative Hearings Docket No. 701-23-05448 and authorize the Superintendent to execute all documents necessary to effectuate the settlement agreement.

Carried unanimously by a vote of 4-0.

TAKE REQUESTS FROM TRUSTEES REGARDING FUTURE BOARD AGENDA ITEMS

The following requests for future board agenda items were made:

- Melissa Dungan – Presence of ideologies in schools
- Misty Odenweller – Student cell phone use in schools
- Misty Odenweller – Guardian program

ADJOURNMENT

Motion #7330

Melissa Dungan, seconded by Tiffany Nelson moved: That the meeting adjourn. Vice President Wagaman adjourned the meeting at 8:36 p.m.

Approved: August 1, 2023 by:

President, Board of Trustees

Secretary, Board of Trustees

**Receive Human Resources Department Report and
Consider and Approve Employment of Professional Personnel
August 1, 2023**

Recommendation:

That the Conroe Independent School District Board of Trustees receive the Human Resources Report and approve the employment of professional personnel as submitted by Paula Green, Executive Director of Human Resources, and as recommended by Dr. Curtis Null, Superintendent of Schools:

Explanation:

As follows, you will find personnel resignations, employment of professional personnel, and employment of substitute teachers:

Personnel Resignations (*Information Only*)

Caney Creek High School

Margaret Henthorn, Special Education

Collins Intermediate School

Laura Boyd, Library Media Specialist

Conroe High School

Dathan Cummings, Social Studies

Gordon-Reed Elementary School

Delia Lewis, Pre-Kindergarten

McCullough Junior High School

Natalie Ha, Language Arts

Jason Phelps, Social Studies

Moorhead Junior High School

Robert Evans, Theater Arts

Rachael Pawlik, Student Success Manager

Peet Junior High School

Bryan Anderson, Math

Teaching and Learning Department

Crystal Deville, District Instructional Coach

Tough Elementary School

Cari England, Science/Social Studies

Chantel Tessari, Language Arts/Science/Social Studies
Vogel Intermediate School
Maura Price, Language Arts/Social Studies

Wilkinson Elementary School
Angelina Williams, Kindergarten

Employment of Professional Personnel

Armstrong Elementary School
Holly Corbin, Pre-Kindergarten

Austin Elementary School
Shawna Everett, Kindergarten
Sandra Funk, Kindergarten
Kimberly Sandoval, Pre-Kindergarten
Melissa Yates, Third Grade

Birnham Woods Elementary School
Stephanie Derouen, Fourth Grade
Kortnee Devenere, Special Education
Kirstan Jordan, First Grade
Sheryl Peters, Second Grade
Mariaangel White, First Grade

Bozman Intermediate School
Angel Flores, Bilingual Fifth Grade
Raquel Anton Pinero, Bilingual Sixth Grade

Broadway Elementary School
Kayla Lujan-Espinosa, Special Education
Eileen Teeter, First Grade

Bush Elementary School
Sydney Karr, Special Education

Caney Creek High School
Daniela Archila Conde, Dance
Kelle Castleberry, Social Studies
Matias Gonzalez, Spanish
Jeffrey Hutchison, English
Rachel Runneberg, Science
Gracelyn Wilcox, Special Education

Clark Intermediate School
Felecia Phelps Harper, Sixth Grade

Conroe High School

Barbara Bortz, Dyslexia
Dana Corbit, Health Science
Frank Corolla, Special Education
Kelly Hansen, Math
Cady Nulton, Social Studies
Briana Peterson, English
Kira Pomykal, English
Russell Shafer, Math
Jacorea Taylor, Special Education
Aaron Villemmez, Social Studies

Conroe High School – Ninth Grade Campus

Crystal Deveau, Biology
Evelyn Paulino, Math
Mekko Timmons, Assistant Principal

Cox Intermediate School

Melanie Sowa-Li, Technology
Jamie Tyler, Fifth Grade

Creighton Elementary School

Chris Brown, Fourth Grade
Lindsay Camp, Special Education
Maggie Danna, Kindergarten
Maria RamirezCorreal, Bilingual First Grade

Cryar Intermediate School

Alexis Matthews, Special Education
Marietta Newman, Sixth Grade

Finance Department

Desiree Smith, Senior Accountant
Ladonna Walker, Assistant Coordinator of Payroll

Ford Elementary School

Theodore Ciccone, Special Education
Betsy Fuller, Third Grade
Monika Mendoza, Bilingual Third Grade
Alyson Sanford, First Grade

Galatas Elementary School

Brandy Damico, Second Grade
Carrie Parrow, Fourth Grade

Giesinger Elementary School
Summer Willig, Pre-Kindergarten

Glen Loch Elementary School
Grace Sample, Fourth Grade
Samantha Smith, Third Grade

Gordon-Reed Elementary School
Samantha Macheska, Special Education

Grand Oaks High School
Allison Anderson, Social Studies
Eva Brister, Social Studies
Ne' Keisha King-Price, Business
Leslee McFee, Academic Interventionist
Nelson Patino, Spanish
Renee Weller, English

Grangerland Intermediate School
Myklyn Bruder, Sixth Grade
Derek Johnson, Special Education
Javier Valenciano, Fifth Grade

Guidance and Counseling Department
MaryAnna Turrubiarres, Elementary Counseling Specialist

Hailey Elementary School
Haley Miller, First Grade

Hines Elementary School
Erica Gleason, Second Grade
Korie Hurst, Fourth Grade
Chelsea Muse, Third Grade

Hope Elementary School
Amber Arriaga, Second Grade
Evelyn Vasquez, Bilingual Third Grade
Alisa William, Special Education

Houser Elementary School
Molly McGinnis, Special Education
Raquel Robledo, Second Grade
Natalia Salas, Positive Behavior Interventions and Support Liaison

Irons Junior High School

Jamie Beaton, Social Studies
Krystal Ganno, Art
Alexandra Harden, Special Education
Sofia Miranda, Science
Michael Tengvall, Social Studies
Iris Viruet-Rosa, Spanish

Knox Junior High School

Connor Bancroft, Language Arts
Regina Chapple, Language Arts
Audra Debrine, Social Studies
Anna McGee, Math
Joshua Schmidt, Social Studies
Hollingsworth Tiblier, Special Education
Lauren Whitmire, Counselor

Lamar Elementary School

Candace McGuire, Second Grade

McCullough Junior High School

Raemi Anglin, Composite Science
Michael Decuir, Science
Brittani Harvey, Language Arts
Kerri McWilliams, Language Arts
Charles Shriver, Language Arts
Robert Youngblood, Composite Science

Milam Elementary School

Chelsea Liñan, Second Grade
Guadalupe Valdez, Bilingual First

Moorhead Junior High School

Cade Baker, Special Education
Sage Benson, Science
Madison Chapman, Math

Oak Ridge Elementary School

Luisa Sanchez Valera, Bilingual Third Grade
Jaquelyn Villarreal, Bilingual Pre-Kindergarten

Oak Ridge High School

Kristen Damon, Special Education
Reggina Magee, Consumer Science
Rachel Reed, Art
Kittie Sorrells, Dyslexia
Ginka Vasileva, Spanish

Peet Junior High School

Andrea Horton, Choir
Sarah Moore, Special Education
Jason Teel, Assistant Principal

Planning and Construction Department

Michael Colschen, Coordinator Planning and Construction

Reaves Elementary School

Keri Maier, Fourth Grade
Haley Potter, Kindergarten
Lesley Yu, Third Grade

Rice Elementary School

Rachel West, Library Media Specialist

Runyan Elementary School

Alexandria Todd, Fourth Grade
Dimetria Warren, Third Grade

San Jacinto Elementary School

Celia Alvarez-Rios, Bilingual Pre-Kindergarten
Amy Goldberg-Tseng, Academic Interventionist
Centhia Hamilton, Third Grade
Kimberly Johnson, English as a Second Language
Charlene Morganti, Fourth Grade
Cheryl Moyers, Third Grade
Jennifer Southwell, Pre-Kindergarten

Snyder Elementary School

Dezarae Gonzales, Special Education

Special Education Department

Julio Payan, Licensed Specialist in School Psychology

Stewart Elementary School

Michael Zaruba, Sixth Grade

Stockton Junior High School

George Eakin, Business

Suchma Elementary School

Stacie Cheney, Third Grade
Michaela Gilman, Special Education
Kristen MacDonald, Fifth Grade

Sarah Martin, Fourth Grade
Jessica Stege, Special Education

The Woodlands College Park High School

Zachary Dickson, Special Education
Hunter McEachern, Special Education
Benjamin Mendoza, Special Education
Hunter Todd, Math

The Woodlands High School

Katherine Maddock, Health

The Woodlands High School – Ninth Grade Campus

Shanna Parker, English

Tough Elementary School

Kaylan Bieberle, Fifth Grade

Veterans Memorial Intermediate School

Fallon Baker, Fifth Grade
MacKenzie Logan, Language Arts

Vogel Intermediate School

Nicole Cullens, Special Education
Theresa Haley, Language Arts
Olivia Villafranco, Sixth Grade

Wilkerson Intermediate School

Anthony Andrade, Orchestra
Lyndsey Martin, Special Education

York Junior High School

Josh Orozco, Special Education
Christine Pointer, Investigating Careers-Technology

Employment of Substitute Teachers (*Information Only*)

Sage Benson
Jayne Bull
Katherine Byrne
Alyssa Carruth
Lymarie Guzman Hernandez
Korie Hurst
Regina Maria Lerdo De Tejada West
Limari Martinez Rodriguez

Candace McGuire
Martha Meerscheidt
Maleigh Mifkovic
Haley Miller
Yessenia Morales
Fredrick Nixon
Jameel Sneed

Board Acceptance is requested:

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Paula Green
Director of Human Resources

Review State Board of Educator Certification Professional Development Clearinghouse and Consider and Approve the District's Professional Development Plan for the 2023-2024 School Year

Recommendation:

That the Conroe Independent School District Board of Trustees review the State Board of Educator Certification Professional Development Clearinghouse and approve the District's Professional Development Plan for the 2023-2024 school year as submitted by Mr. Chris McCord, Assistant Superintendent of Operations, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

Texas Education Code §21.4514 *Continuing Education and Training Clearinghouse; Advisory Group*, addresses training and continuing education requirements for school district employees. The State Board for Educator Certification (SBEC) maintains a clearinghouse of information about continuing education and training requirements for educators and other school personnel. The law requires school boards to annually review the SBEC clearinghouse and other school personnel based on SBEC clearinghouse recommendations.

In accordance with Board Policy DMA, the District developed the attached Professional Development Plan for the 2023-2024 school year. The District was guided in creating the attached plan by the SBEC clearinghouse training recommendations. The District's plan meets the requirements of state law. It includes all the recommendations made by the SBEC clearinghouse, additional training the District believes is important and necessary for the noted groups of employees to safely and effectively perform their jobs, and the frequency of each training.

After a review of the SBEC clearinghouse recommendations, the District asks that the Board approve its Professional Development Plan for the coming school year.

Policy Reference: Board Policy DMA Legal and Local

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Chris McCord
Assistant Superintendent of Operations

Clearinghouse

Continuing Education and Training Clearinghouse Purpose: The Clearinghouse includes best practices and industry recommendations for the frequency for training of educators and other school personnel.

Professional Development Best Practices: [Effective Schools Framework](#)

Topics Outlined in SB 1267	Statutory Provisions	Required Trainings with Embedded Best Practices	Required Personnel	Recommended Frequency
1. Suicide Prevention	<ul style="list-style-type: none"> 21.451(d)(3)(A) and (d-1)(1)(A) for the frequency and population, and (d-2) for the program/content 21.451(d-1)(1)(B) and 38.351 states that training programs are to be developed by the agency in coordination with the Health and Human Services Commission and Education Service Centers 38.351(h) states school districts to provide suicide prevention training (minus elementary campuses if sufficient funding not available) 21.451(d-1)(2) states that the training may include two or more topics listed together 	Suicide Prevention, Intervention and Postvention	School counselors, teachers, nurses, administrators, and other staff as well as law enforcement officers and social workers who regularly interact with students.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community <p>OR</p> <ul style="list-style-type: none"> *Annually
2. Strategies for establishing and maintaining positive relationships among students, including conflict resolution	<ul style="list-style-type: none"> 21.451(d)(3)(B) and (d-1)(1)(A) for the frequency and population and (B) for the program/content 38.351 states that training programs are to be developed by the agency in coordination with 	Building Skills Related to Managing Emotions, Establishing and Maintaining	Teachers, school counselors, principals, and all other appropriate personnel.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community <p>OR</p>

Topics Outlined in SB 1267	Statutory Provisions	Required Trainings with Embedded Best Practices	Required Personnel	Recommended Frequency
	the Health and Human Services Commission and Education Service Centers <ul style="list-style-type: none"> 21.451(d-1)(2) states that the training may include two or more topics listed together 	Positive Relationships, and Responsible Decision-Making		<ul style="list-style-type: none"> *Annually
3. Preventing, identifying, responding to, and reporting incidents of bullying	<ul style="list-style-type: none"> 21.451(d)(3)(C) and (d-1)(1)(A) for the frequency and population and (B) for the program/content 38.351 states that training programs are to be developed by the agency in coordination with the Health and Human Services Commission and Education Service Centers 21.451(d-1)(2) states that the training may include two or more topics listed together 	Positive Youth Development Bullying and Cyberbullying	Teachers, school counselors, principals, and all other appropriate personnel.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community OR <ul style="list-style-type: none"> *Annually
4. Safety training program	<ul style="list-style-type: none"> 33.202(b) for the frequency and population and (c) for the certification of participants and the content. (a) requires the UIL to develop the program 	UIL Safety Training	Coaches, trainers, sponsors for an extracurricular activity, director responsible for school marching band.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community OR <ul style="list-style-type: none"> *Annually
5. Increasing awareness of issues regarding sexual abuse, sex trafficking, and other	<ul style="list-style-type: none"> 38.0041(c)(1)(A) for the frequency and (B) population. (2) for the program/content 38.0041(a) requires each district and charter school to adopt a 	Human Trafficking	All employees Part of new employee orientation.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community

Topics Outlined in SB 1267	Statutory Provisions	Required Trainings with Embedded Best Practices	Required Personnel	Recommended Frequency
maltreatment of children	<p>policy to be included in the district improvement plan and (b)(1) requires that policy to include methods using resources developed by the agency under 38.004.</p> <ul style="list-style-type: none"> 38.004 states that the agency shall develop and update a child abuse training program. 			<p>OR</p> <ul style="list-style-type: none"> *Annually
6. Increasing awareness and implementation of trauma-informed care	<ul style="list-style-type: none"> 38.036(c)(1)(B) and (C) for frequency, and 38.036(d) for population 38.036(c)(1) and 38.351 state that training programs are to be developed by the agency in coordination with the Health and Human Services Commission and Education Service Centers 	Grief Informed and Trauma Informed Training	<p>All staff in the school district.</p> <p>Part of new employee orientation.</p>	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community <p>OR</p> <ul style="list-style-type: none"> *Annually
7. Administration of an epinephrine auto-injector	<ul style="list-style-type: none"> 38.210(b)(1) and (2) for program content and format and (3) for frequency. states that if a district or charter school or private school adopts a policy under 38.208(a), they are responsible for the training, and points to (c) which states that the Health and Human Services Commission, with advice from the Texas Dept of State Health Services appointed committee in 	Epinephrine Auto-Injector Training	School personnel and volunteers who are authorized and trained.	<ul style="list-style-type: none"> Job embedded or as part of a professional learning community <p>OR</p> <ul style="list-style-type: none"> *Annually

Topics Outlined in SB 1267	Statutory Provisions	Required Trainings with Embedded Best Practices	Required Personnel	Recommended Frequency
	38.207 (38.202 role and composition of the committee) which states that they advise on the training required, must develop rules regarding maintenance and administration of epinephrine injectors, and that the rules must state the amount of training required for school personnel.			

Clearinghouse section:

Texas Constitution and Statutes: For the complete language of the statutory provisions listed above, see [Texas Constitutions and Statutes](#).

Additional Resources: [TASB School District Training Chart](#), [Texas School Mental Health Toolkit](#), [Texas Model for Comprehensive School Counseling, 5th edition](#), [Criteria for Success in Job Embedded Professional Development](#).

Continuing Professional Education Requirements: [Continuing Professional Education Information](#)

*Although several organizations recommended annual training in this topic, they did not submit research or supporting evidence supporting the recommendation.

Conroe ISD Professional Development and Specific Trainings

SB 1267 requires that the board of trustees of a school district and the governing body of an open-enrollment charter school, to the extent applicable, review the Clearinghouse and adopt a professional development policy that must:

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

The courses below are taken by all employees in Conroe ISD, except for the Safety Training Program. This training is completed by UIL affiliated employees. There are department-specific courses that are taken outside of the required which fulfill the 7-8 hours of yearly training.

SBEC Clearinghouse Recommendation	Conroe ISD Course in Vector Solutions	Frequency
Suicide Prevention	Youth Suicide: Awareness and Prevention	Annually 21
Strategies for establishing and maintaining positive relationships among students, including conflict resolution	Conflict Management: Student-to-Student Course	Annually
Preventing, identifying, responding to, and reporting incidents of bullying	Bullying: Recognition & Response	Annually
Safety training program	Part of CCP (Coach's Certification Program) Coordinator site-specific training in August.	Annually
Increasing awareness of issues regarding sexual abuse, sex trafficking, and other maltreatment of children	Human Trafficking Awareness	Annually
Increasing awareness and implementation of trauma-informed care	Trauma Informed Care Training Course or Kognito from last year	New Employees

Administration of an epinephrine autoinjector	Medication Administration: Epinephrine Auto-Injectors	Annually
Additional	Bloodborne Pathogens Exposure Prevention (Full course)	Annually
Additional	Active Shooter (Staff)	Annually
Additional	Sexual Harassment: Student Issues & Response	Annually
Additional	Sexual Misconduct: Staff to Student	Annually
Additional	Epilepsy Foundation Training	New Employees
Additional	Cybersecurity Module	Annually
Additional	Integrated Pest Management	At least once every three years
Additional	Sexual Harassment: Staff-to-Staff (Full course)	Annually
Additional	Cardiopulmonary Resuscitation (CPR) Course	Annually
Additional	Heat Illness Prevention	At least once every three years
Additional	FERPA: Confidentiality of Records	At least once every three years

Name Director of Transportation

Recommendation:

Information will be presented at the meeting.

Consider and Accept the Recommendation of the 2023 Bond Planning Committee

Recommendation:

That the Conroe Independent School District Board of Trustees accept the 2023 Bond Planning Committee recommendation to address the needs of the District through a Bond Election for November 7, 2023, as submitted and recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

The 150-member Bond Planning Committee began meeting in February 2023 to evaluate the needs of the District and determine if a bond election was warranted. Over the course of six months, the Committee made up of Board Member appointees, parents, business owners, residents, students, employees, and elected officials, determined that the District had significant needs and a bond election was necessary. Two committee members, Chane Reagan, and Harry Vein, were elected by their peers to bring the Committee's recommendation to the Board of Trustees.

Policy Reference: BAA (Legal) and CDB Legal

Submitted and Recommended by:

Dr. Curtis Null
Superintendent of Schools

Consider and Approve Order Calling a School Bond Election

Recommendation:

That the Conroe Independent School District Board of Trustees approve the Order Calling a School Bond Election, as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

In January 2023, the Board of Trustees approved the selection of a Bond Planning Committee (Committee) for the purpose of making recommendations to the Board regarding the facility needs of the District and whether a bond election would be necessary to meet those needs.

The Committee, composed of representatives from all geographic areas of Conroe ISD and Board Member appointees, met on a regular basis throughout the spring and summer months. After many hours of studying data, the Committee determined the facility needs of the District and recommends that the District have a bond election to meet those needs.

The attached *Order Calling School Building Bond Election* calls for a bond referendum to be presented in several propositions based on the information received from the Bond Planning Committee. The Committee's recommendation includes the construction of new schools, major renovations to accommodate student growth and improvements to aged buildings along with continuing safety and security upgrades.

The election, if called by the Board, will be held jointly with other Montgomery County governmental entities. The Montgomery County Election's office will conduct the election.

Policy Reference: Legal CCA

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Consider and Approve Elections Services Agreement with Montgomery County

Recommendation:

That the Conroe Independent School District Board of Trustees approve the Election Services Agreement with Montgomery County, Texas to conduct the District's November 7, 2023, Bond Election, as submitted by Carrie Galatas, General Counsel, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

By contracting with Montgomery County to conduct the District's Bond Election, the District ensures its compliance with all applicable voting laws (electronic voting, bilingual poll workers, etc.). The election services agreement sets out the responsibilities of both the County and the District relating to the election. Exhibit C, which sets out the cost to each participating political subdivision is not attached because not all jurisdictions have not yet notified the County if they are participating in the election. Once the participating jurisdictions have been confirmed, a cost estimate will be prepared.

Policy Reference: Legal Board Policy BBBA

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Carrie Galatas
General Counsel

ELECTION SERVICES AGREEMENT

STATE OF TEXAS 0
COUNTY OF MONTGOMERY 0

THIS CONTRACT is made this 11th day of July, 2023, by and between the Political Subdivision of The Conroe Independent School District, hereinafter called “Political Subdivision,” and Montgomery County, Texas, by its County Election Officer, Suzie Harvey, hereinafter called “Contracting Officer,” pursuant to Texas Election Code Section 31.092. The parties agree to hold a November 7, 2023 Joint Election with all participating Political Subdivisions in accordance with Chapter 271 of the Texas Election Code and this Agreement. This Agreement is entered into in consideration of the mutual covenants and promises hereinafter set out:

1. **RECITALS.** Contracting Officer is the Elections Administrator of Montgomery County, Texas, and is the County Officer in charge of election duties. Political Subdivision is a political entity situated wholly or partially within Montgomery County, Texas. Political Subdivision and Contracting Officer have determined that it is in the public interest of Montgomery County voters that the following contract be made and entered into for the purpose of having Contracting Officer furnish to Political Subdivision certain election services and equipment needed by Political Subdivision in connection with holding its November 7, 2023 Election. Montgomery County's certified Hart InterCivic Verity Voting System Version 2.5 voting equipment is to be used in the November 7, 2023 Joint Election, hereinafter called "Joint Election."
2. **DUTIES AND SERVICES OF CONTRACTING OFFICER.** Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:
 - (a) Determine the number of election officials and voting equipment units needed for each polling location. Notify and coordinate presiding election judges, alternate judges, and all other election officials appointed by Montgomery County Commissioners' Court and the County Election Board or recommended by Contracting Officer, as applicable. Montgomery County or Contracting Officer, as applicable, will make emergency appointments of election officials if necessary.
 - (b) Conduct necessary training of election officials or arrange for training through a third party. Notify all early voting and Election Day officials of the date, time, and place thereof.
 - (c) Arrange for the use of early voting locations per the attached Exhibit A and Election Day polling locations per the attached Exhibit B. If the need arises for emergency replacement polling location(s), make necessary alternate arrangements and notify Political Subdivision as soon as possible.

- (d) Procure election kits and supplies and distribute to the election judges and deputy early voting clerks. Assemble and edit lists of registered voters to be used in conducting the election in conformity with the boundaries of Political Subdivision and the election precincts established for the election. The Election Day list of registered voters shall be arranged in alphabetical order, as applicable to the election, in lieu of alphabetical order by political entity.
- (e) Prepare and test all voting equipment, format ballot styles, record audio, oversee all equipment and voter registration database programming, assure compliance with equipment security requirements, and arrange for transport of equipment to and from polling locations.
- (f) Serve as Early Voting Clerk for the Joint Election. Process, print, mail, email, or deliver in person, as applicable, and tabulate ballots for any eligible voter who applies for a mail ballot including all eligible Federal Post Card Application voters. Supervise the conduct of early voting in person and appoint sufficient personnel to serve as deputy early voting clerks. Provide lists of early voters as provided by law through the Montgomery County Elections website and Public Information web access program.
- (g) Provide the publication in English and Spanish of one legal notice of the date, time, and place of the public logic and accuracy test and first test of automatic tabulating equipment in *The Conroe Courier*. Prepare test materials and conduct internal election testing and the required public logic and accuracy test and tests of tabulation equipment. Provide the publication in English and Spanish of a legal notice of joint election one time in Montgomery County newspaper(s).
- (h) Arrange for all personnel, equipment, and supplies needed for the early voting ballot board, signature verification committee if applicable, tabulation, and central counting station. Tabulate early voting and Election Day results, including mail ballots and provisional ballots. Tabulate unofficial returns and assist in preparing the tabulation for the official canvass. Provide Political Subdivision its voter history report following the election through the Montgomery County Elections Public Information web access program.
- (i) Serve as Custodian of Records for election records in Contracting Officer's custody and provide the required temporary storage and permanent storage of said election records as provided by law.
- (j) Provide information services for voters and election officers.
- (k) Maintain accurate records of all expenses incurred in connection with the responsibilities under this Agreement and provide Political Subdivision a final invoice after the conduct of the election. Provide any detailed backup to such invoice, if requested, reflecting the charges or components of the costs set forth on the invoice submitted to Political Subdivision.
- (l) Conduct a partial manual count as provided by Section 127.201 of the Texas Election Code if required for the County election or if Political Subdivision provides Contracting Officer precincts and races ordered by the Secretary of State to be manually counted. Contracting

Officer shall deliver a written report of the results of any such count to the Office of the Secretary of State in accordance with Section 127.201(e) of the Texas Election Code and, if requested, to Political Subdivision in a timely manner.

- (m) Place the funds paid by Political Subdivision hereunder in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code.

3. DUTIES AND SERVICES OF POLITICAL SUBDIVISION. Political Subdivision shall be responsible for performing the following duties:

- (a) Prepare all election orders, resolutions, notices, and other pertinent documents for adoption and execution by the appropriate Political Subdivision officer or body. Take all actions necessary for calling Political Subdivision's election which are required by the Texas Election Code and/or the Political Subdivision's governing body, charter, ordinances, or other applicable laws. Execute a Joint Election Agreement with all participating Political Subdivisions for the purpose of sharing election equipment, election officials, polling places, and costs. Serve as Custodian of Records for all election records in its possession as provided by law.
- (b) Political Subdivision shall be responsible for the legal sufficiency of any order calling its election. Political Subdivision shall be responsible for all substantive and procedural legal issues governing the conduct of its election. Political Subdivision understands and agrees that Contracting Officer provides no legal advice to Political Subdivision.
- (c) Adopt the County Election Precincts, consolidated County Election Precincts ordered by the Montgomery County Commissioners' Court, or precincts recommended by Contracting Officer, as applicable, for this election. Adopt all early voting dates, times, and locations on the attached Exhibit A. Adopt the election day polling locations on the attached Exhibit B at which Political Subdivision's election will be held.
- (d) If required, prepare any necessary preclearance submission on all voting changes made by Political Subdivision and timely submit to the U. S. Department of Justice under the Federal Voting Rights Act of 1965, as amended.
- (e) Prepare, post, and publish all required election notices for Political Subdivision with the exception of the joint election notice and the notice of the public test, which Contracting Officer shall publish. In addition, if polling locations for Joint Election are different than those for Political Subdivision's previous election, Political Subdivision shall post notice at the entrance to any previous polling places in its jurisdiction stating that the polling location has changed and shall provide the polling location and address for those voters for this election, pursuant to Texas Election Code Section 43.062, unless Contracting Officer has posted notice of the change at that location for Joint Election. Educate the voters in Political Subdivision as much as possible about early voting dates, times, and locations and election day polling locations.
- (f) Timely confirm with Contracting Officer Political Subdivision's boundaries, County Election Precincts, and street details within those boundaries. If boundaries are not defined properly within Montgomery County Elections voter registration database, maps and street

lists with block ranges and odd/even/both indicators must be provided to Contracting Officer. Proof and approve all programming work done for the jurisdiction according to the Exhibit C Timetable.

- (g) Deliver to Contracting Officer, according to the attached Exhibit C Timetable, an Entity Fact Sheet, Ballot Template with Spanish translations, candidate names or measures, copies of candidate applications, and the order in which all items are to be printed on the ballot with the exact form and spelling. Provide pronunciation for difficult names or words for use on the ballot audio recording. Review ballot proofs and approve by signature within deadlines provided.
- (h) Appoint Contracting Officer as Early Voting Clerk to receive applications for ballot by mail at

<u>Mail</u>	<u>Email*</u>	<u>Fax*</u>
Suzie Harvey Elections Administrator P. O. Box 2646 Conroe, TX 77305-2646	election.ballot@mctx.org	(936) 788-8340

*If an Application for Ballot By Mail is submitted by email or fax or if a Federal Post Card Application is submitted by fax, to be effective, the original application must also be physically submitted and be received not later than the fourth business day after it is received by email or fax.

All requests for early voting ballots to be voted by mail that are received by Political Subdivision must be forwarded in person or by email or fax to Contracting Officer on the day of receipt. Original applications that are received by mail and forwarded by email or fax must also be mailed to Contracting Officer for all processing.

- (i) Appoint election officials as appointed by Montgomery County Commissioners' Court and the County Election Board or recommended by Contracting Officer, as applicable.
- (j) If requested, assist Contracting Officer with recruiting bilingual poll workers and provide documentation of Political Subdivision's efforts if requested by the U. S. Department of Justice.
- (k) If candidate information packet is provided to Political Subdivision by Contracting Officer, distribute to all candidates at time of candidate filing or in another appropriate manner.
- (l) Pay additional costs incurred by Contracting Officer for any ballot or election changes after deadlines, recount, election contest, newly ordered election, or a runoff election, if required, unless prohibited by law.
- (m) Immediately forward to Contracting Officer any information received from the Secretary of State regarding a manual count of precincts and races or a waiver of the manual count. Contracting Officer must receive this information on the same day received by Political Subdivision because of the short deadline for Contracting Officer to begin the process.

- (n) Canvass the returns and declare the election results for Political Subdivision. Political Subdivision is responsible for filing any precinct reports with the Secretary of State if required, unless both parties agree that Contracting Officer will submit precinct reports.
- (o) Pay a deposit of 60% of its estimated cost per the Exhibit D Cost Estimate within thirty days from the date of Exhibit D Cost Estimate, if required. Pay the balance for conducting said election within thirty days from the date of final invoice. All payments shall be made from current revenues available to Political Subdivision. If the amount owed for conducting the election is less than the deposit paid by Political Subdivision, Contracting Officer shall refund the overpayment in a prompt manner.

Checks shall be made payable to:

Montgomery County Elections Administrator
P O Box 2646, Conroe, Texas 77305-2646.

- 4. **COST OF SERVICES.** Political Subdivision shall share some expenses for the above services, supplies, and equipment in accordance with the Exhibit D Cost Estimate. This cost estimate may be amended, if necessary, after filing deadlines and election cancellations. Additional elections may reduce costs for each entity, and election cancellations may increase costs for each remaining entity. It is understood that other political entities may wish to participate in the use of the County's voting equipment and polling locations, and it is agreed that Contracting Officer may enter into other contracts with entities for those purposes on terms and conditions generally similar to those set forth in this Agreement. Only the actual expenses directly attributable to this Agreement and any prorated shared expenses plus a 10% administrative fee may be charged to Political Subdivision.

5. **GENERAL CONDITIONS.**

- (a) The parties agree that the timing is critical for all duties in this Agreement. Failure to adhere to any deadline in the Exhibit C Timetable without prior agreement of Contracting Officer may result in cancellation of Contracting Officer's duties and obligations to conduct Political Subdivision's election under this Agreement or, at the discretion of Contracting Officer, a late penalty surcharge in an amount not to exceed 10% of the final election cost. Adherence to the Timetable is critical because of Montgomery County's obligation to complete all programming and testing, process, print, and mail or email, as applicable, any military and overseas ballots by state and federal deadlines, and conduct federal, state, county, and/or other contracted elections, as applicable.
- (b) In accordance with Section 31.098 of the Texas Election Code, Contracting Officer is authorized to contract with third persons for election services and supplies and hire necessary temporary personnel to perform contracted duties. Part-time and seasonal personnel will be compensated at the hourly rate set by Montgomery County.
- (c) Pursuant to Section 31.100(d) of the Texas Election Code, Contracting Officer may not be personally compensated for election services performed under this Agreement. In accordance with Section 31.100(e) of the Texas Election Code, only costs for contractual duties performed outside of normal business hours by personnel regularly employed by Contracting Officer will be allocated to Political Subdivision under this Agreement.

- (d) Political Subdivision acknowledges that voting equipment is highly technical and it is conceivable that, despite the best effort of the parties and technical assistance, it might fail during the election. Contracting Officer will take every possible action to remedy the situation, but Political Subdivision agrees that should such equipment fail, it will not make any claim for damages of any kind.
- (e) The county early voting sites as per the attached Exhibit A will be used for the Joint Election. Any eligible Montgomery County voter in the Joint Election may vote early by personal appearance at any one of the joint early voting locations in Exhibit A.
- (f) Montgomery County Elections Department is contracting with numerous political entities for the Joint Election, and the parties agree that all ballot styles will be programmed into one electronic voting system. Each voter will receive one ballot that contains all races and measures in the Joint Election for which the voter is eligible at the address and in the precinct of the voter's current registration in Montgomery County. One joint voter sign-in process consisting of a common list of Montgomery County registered voters and common signature rosters shall be used.
- (g) In accordance with Section 31.099 of the Texas Election Code, Contracting Officer shall file copies of this Agreement with the Auditor and Treasurer of Montgomery County not later than the 10th day from receipt of the fully executed Agreement by Contracting Officer.
- (h) Montgomery County is self-insured for personal liability issues. Should Political Subdivision desire insurance for injuries during this election or other liabilities, it shall make such arrangements separate from this Agreement.
- (i) In the event that the performance by Contracting Officer of any of its obligations hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or the result of war, riot, civil commotion, sovereign conduct, or the act or condition of any persons not a party thereof, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.
- (j) The parties to this Agreement agree that Political Subdivision may cancel this Agreement in the event that it has no need to participate in Joint Election. If Political Subdivision cancels its participation after the deadline in Exhibit C Timetable, a \$1,000 contract preparation and processing fee will be assessed to Political Subdivision in addition to any costs incurred by Contracting Officer on behalf of Political Subdivision prior to said cancellation. A 10% administrative fee will be added to all charges for services provided under this agreement, including services related to a canceled election or canceled participation for which notification is provided to Contracting Officer after the deadline in Exhibit C Timetable.
- (k) Political Subdivision has the option of extending the applicable terms of this Agreement through its runoff election, if required. Political Subdivision shall be responsible for locating acceptable runoff polling locations, although Contracting Officer may assist. Political Subdivision may reduce the number of early voting locations and/or election day

polling locations in a runoff election. If Political Subdivision elects to have Contracting Officer conduct a runoff election, the date must be acceptable to Contracting Officer and shall be coordinated with other participating entities. Costs will be allocated to the participating entities, plus a 10% administrative fee shall be charged. Political Subdivision shall be responsible for all orders, notices, and notice of election postings and publications required for its runoff, except the publication of the notice of public logic and accuracy test which Contracting Officer will publish.

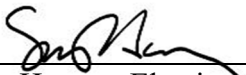
The foregoing Election Services Agreement is made in Montgomery County, Texas, and is signed on the dates below.

[Remainder of this page intentionally left blank; signature page to follow.]

MONTGOMERY COUNTY, TEXAS

July 11, 2023

Date Signed

By: 
Suzie Harvey, Elections Administrator
"Contracting Officer"
9159 Airport Road
Conroe, Texas 77303
Phone: (936) 539-7843 Fax: (936) 788-8340
Email: suzie.harvey@mctx.org

August 1, 2023

Date Signed

"Political Subdivision"

By: _____
Name: Skeeter Hubert
Title: CISD Board President
Address: 3205 W. Davis
City, State, Zip: Conroe, Texas 77304
Phone: 936-709-7700 Fax: 936-709-9787
Email: cagalatas@conroeisd.net

Consider and Approve Joint Election Agreement with Montgomery County and other Political Subdivisions

Recommendation:

That the Conroe Independent School District Board of Trustees approve the Joint Election Agreement with Montgomery County and other political subdivisions participating in the November 7, 2023 Election, as submitted by Carrie Galatas, General Counsel, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

State law requires school districts to hold bond elections on uniform election dates. This agreement with Montgomery County and other political subdivisions meets the legal requirements for a joint election. Exhibit D is not yet available as costs of the election cannot be calculated until each political subdivision participating in the November 7, 2023 election approves and submits a joint election agreement indicating their participation.

Policy Reference: Legal Board Policy CCA

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Carrie Galatas
General Counsel

Joint Election Agreement

Political Subdivision of The Conroe Independent School District

WHEREAS, the undersigned Political Subdivisions (collectively referred to hereinafter as "Participating Entities") will each hold an election on November 7, 2023; and

WHEREAS, Montgomery County Elections Administrator, Suzie Harvey, as Montgomery County's Election Officer, has entered into separate Election Services Agreements with each of the undersigned Participating Entities wherein the County's Election Officer will administer elections occurring on November 7, 2023, to be held in precincts in Montgomery County, as authorized under Subchapter D of Chapter 31 of the Texas Election Code ("Election Services Agreements"); and

WHEREAS, the Participating Entities desire to enter into a Joint Election Agreement, as authorized under Chapter 271 of the Texas Election Code, for the purpose of sharing election equipment, election officials, polling places, and costs where appropriate.

NOW, THEREFORE, Participating Entities enter this Joint Election Agreement under the terms that follow:

I. Scope of Joint Election Agreement

The Participating Entities enter this Joint Election Agreement ("Agreement") for the purpose of jointly conducting elections to be held on November 7, 2023 ("Joint Election").

II. Appoint Election Officer

The Participating Entities appoint Suzie Harvey, Montgomery County Elections Administrator ("Contracting Officer"), to serve as the Election Officer to perform the duties and responsibilities of Election Officer itemized in the Election Services Agreements for the Joint Election.

III. Early Voting and Election Day

Early voting and election day voting shall be held in common precincts where appropriate, at the dates, times, and locations adopted by Montgomery County Commissioners' Court and/or authorized and ordered by the governing body of each Participating Entity.

IV. Joint Election Costs; Adjustment of Costs in the Event of Cancellation of Election; Payment

The estimated election expenses for each Participating Entity, including administrative costs and expenses for facilities, personnel, supplies, equipment, and training, are reflected in the Exhibit D - Cost Estimate incorporated into each Election Services Agreement. The Participating Entities agree that they will be responsible for and will pay from budgeted funds their share of the actual election expenses attributable to each entity according to the table incorporated into the Election Services Agreements as the Final Invoice.

V. Reasonable Cooperation

The Participating Entities agree to reasonably cooperate with each other as is necessary to carry out the terms of this Agreement.

VI. Miscellaneous Provisions


1. This Agreement becomes effective with respect to each Participating Entity upon execution by that Participating Entity. The obligations of this Agreement will continue as to each Participating Entity until each Participating Entity has made full payment of its share of election costs under this Agreement and its respective Election Services Agreement, which costs are related to the Joint Election.
2. If for any reason a Participating Entity does not participate in the Joint Election, this Joint Election Agreement shall remain in effect between all remaining Participating Entities.
3. Notices given under this Agreement must be in writing and may be effected by hand delivery, fax, email, or by certified mail to the Contracting Officer and/or the Participating Entities at the addresses listed on their respective signature blocks below.
4. This Agreement may not be amended or modified except in writing executed by the Contracting Officer and each respective Participating Entity with whom the amendment or modification has been mutually agreed.
5. The obligations under this Agreement are performable in Montgomery County, Texas.
6. Venue for any dispute arising under this Agreement shall be in Montgomery County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
7. If any provision of this Agreement is found to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Agreement; and the Participating Entities shall perform their obligations under this Agreement as expressed in the terms and provisions of this Agreement.
8. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original for all purposes. Faxed signatures and/or electronic signatures shall have the same force and effect as an original signature.

IN TESTIMONY WHEREOF, this Agreement is executed by Montgomery County, Texas or the Contracting Officer, as applicable, and each Participating Entity on the dates indicated below.

See attached signature page(s):

July 11, 2023
Date

Signature:
Printed name:
Title:
Political Subdivision:


Mark Keough
County Judge
Montgomery County, Texas
All correspondence to be directed to:
Montgomery County Elections Office
P. O. Box 2646
Conroe, Texas 77305-2646
(936) 539-7843
(936) 788-8340
suzie.harvey@mctx.org

August 1, 2023
Date

Signature:
Printed name:
Title:
Political Subdivision:
Address:
City, State, Zip:
Telephone:
Fax:
Email:

Skeeter Hubert
President Board of Trustees
Conroe Independent School District
3205 W. Davis
Conroe, Texas 77304
(936) 709-7700
(936) 709-9787
cagalatas@conroeisd.net

Date

Signature:
Printed name:
Title:
Political Subdivision:
Address:
City, State, Zip:
Telephone:
Fax:
Email:

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Date

Signature:
Printed name:
Title:
Political Subdivision:
Address:
City, State, Zip:
Telephone:
Fax:
Email:

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NOTICE OF PUBLIC HEARING TO DISCUSS BUDGET AND PROPOSED TAX RATE

Conroe ISD will hold a Public Hearing Tuesday, August 1, 2023, during a Special Meeting of the Board of Trustees beginning at 6:00 p.m. in the Board Room of the Deane L. Sadler Administration Building at 3205 W. Davis, Conroe, TX 77304. The purpose of this hearing is to discuss the District's 2023-2024 budget that will determine the tax rate to be adopted.

In accordance with Board Policy BED, public comment is welcome but is limited to only this item.

This will be the first of two planned public meetings to discuss the proposed 2023-2024 budget and tax rate.

Although a quorum of Board Trustees may be present, no official business will be conducted.

Dr. Curtis Null
Superintendent of Schools

Posted: July 28, 2023 at 4:00 PM

Consider and Adopt a Resolution Approving the Payment of a Retention Stipend to Qualifying Employees

Recommendation:

That the Conroe Independent School District Board of Trustees adopt a resolution approving a retention stipend for each qualifying employee as submitted by Darrin Rice, Chief Financial Officer, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

Because the Legislature has not yet passed legislation to provide funds to school districts for employee raises, the District recommends paying qualifying employees a retention stipend in the amount of \$1,200 or \$600 depending on the employee's status as full or part-time. Stipends ensure that the District can continue to retain employees that are highly qualified and well-versed in the District's expectations. Stipends also boost employee job satisfaction and productivity. A one-time expenditure of \$11 million, utilizing ESSER funds, will fund the stipends.

To qualify for a retention stipend, an employee must:

- have been employed on or before September 15, 2023; and
- expect to be employed through May 23, 2024.

Qualifying employees considered full-time employees – those working at least 50% - would receive the first \$600 payment on their October 15, 2023, paycheck and the second \$600 payment on their November 15, 2023, paycheck. Employees working less than 50% will receive a stipend in the amount of \$600, in two payments of \$300 each, and on the same paychecks noted above.

Policy Reference: Legal and Local Board Policy CE

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Darrin Rice
Chief Financial Officer

RESOLUTION OF THE BOARD OF TRUSTEES
OF
THE CONROE INDEPENDENT SCHOOL DISTRICT

STATE OF TEXAS	§
	§
COUNTY OF MONTGOMERY	§

On the 1st day of August 2023, the Board of Trustees of the Conroe Independent School District adopted the following findings and resolutions, and took the following action:

WHEREAS, the District desires to ensure that it continues to retain employees that exceed the District's expectations, boost job satisfaction and productivity; and

WHEREAS, the Board of Trustees approved a retention bonus in the amount of \$1,200 to be paid in two separate payments of \$600 funded through ESSER; and

WHEREAS, all employees who are classified as fulltime or as a .5 or greater full-time equivalent, who were employed on or before September 18, 2023, and have not or will not resign before May 23, 2024, are eligible for two \$600 payments and will receive the supplemental payments on October 15, 2023, and November 15, 2023; and

WHEREAS, all employees who are classified as .49 or less full-time equivalent, who were employed on or before September 15, 2023, and have not or will not resign before May 23, 2024, are eligible for two \$300 payments and will receive the supplemental payments on their October 15, 2023, and November 15, 2023, paychecks; and

Be it therefore RESOLVED:

That the Board of Trustees has determined that there is a benefit to the District as set forth above, particularly in ensuring the continued retention, high job satisfaction, and productivity, maintaining sound fiscal management and stability, as well as a legitimate and predominant public purpose served by letting the District's employees know at this time that they will receive two supplemental payments on their October 15, 2023, and November 15, 2023, paychecks, payment being made through ESSER funds; and

All eligible employees of record on September 18, 2023, will be eligible for the two payments as set forth above; and

Finally, the Superintendent has committed to and is, by the adoption of this resolution,

required to take all necessary steps to make sure that payment of the one-time supplemental payment be done in accordance with this resolution.

SIGNED this 1st day of August 2023.

President, Conroe ISD Board of Trustees

Secretary, Conroe ISD Board of Trustees

Receive Information from the School Health Advisory Council Regarding the Use of Cell Phones and Their Impact on Student Mental Health

Recommendation:

That the Conroe Independent School District Board of Trustees receive information from the School Health Advisory Council Regarding the Use of Cell Phones and their Impact on Student Mental Health as submitted by Dr. Hedith Upshaw, Assistant Superintendent for Teaching and Learning, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

Under state law, the Student Health Advisory Council (SHAC) is responsible for recommending policies, procedures, and strategies to prevent student mental health concerns. The Chairperson of the SHAC will present recommendations to the Board regarding cell phone use by students during school hours. The recommendation prepared by the SHAC is attached.

Policy Reference: Legal Board Policies BDF and EHAA, and Local Board Policy FFA

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Dr. Hedith Upshaw
Assistant Superintendent

13 June 2023

Student Health Advisory Council

Advisory Statement on the Use of Cell Phones on Conroe ISD Campuses

Per TEC 28.004 2(c-2), the Student Health Advisory Council is responsible for recommending policies, procedures, and strategies to prevent mental health concerns.

Given the abundance of data linking student cell phone use with higher risks of mental health issues such as anxiety, depression, loneliness, and suicide, the CISD SHAC recommends the following strategies to protect the mental health of our students, by avoiding cell phone use during school hours while concurrently providing a safe, collaborative school culture that promotes independent thinking, creativity, face-to-face connections, student success, and professionalism:

1. Cell Phone Access in Emergencies
 - a. It should be noted that with the following SHAC recommendations on cell phone use during school hours, students will continue to have access to their cell phones during emergencies.
 - b. Student security and access to phones during campus emergencies should remain unchanged.
2. 504 OR Individualized Educational Plan (IEP)
 - a. Any student on a 504 or Individualized Educational Plan (IEP) plan, requiring the use of cell phones or other electronic devices, should maintain use consistent in the approved 504 or IEP.
3. Time and space
 - K-8th**
 - a. For Kindergarten through eighth grade, cell phones may be used respectfully and responsibly before school and after school dismissal. Cell phones should not be used for recording, videoing, or photographing.
 - b. During school hours, use of cell phones and electronic devices should be avoided and should be kept “away for the day.”
 - c. Cell phones should be set on silent mode, kept in backpacks, and should not be visible during school hours including classroom time, lunch, hallways, and locker rooms.
 - 9-12th**
 - a. For ninth through twelfth grades, cell phones may be used respectfully and responsibly before school and after school dismissal.
 - b. Given the evidence that students learn best from an in-person instructor and the criticality of human connection, the use of cell phones should be avoided during the school day.

- c. Students may have access to their cell phones during designated periods (not lunch) on the order of ~20 total minutes a day. For example, students may have two, 10-minute cell phone periods each school day to manage more pressing personal matters.
 - d. Outside of the designated periods, cell phones should be set on silent mode, kept in backpacks, and should not be visible during school hours including classroom time, lunch, hallways, and locker rooms.
 - e. Cell phones should not be used for recording, videoing, or photographing.
- 4. Extracurricular communications
 - a. To avoid sending mixed messages about the use of cell phones at school, all CISD communication with students regarding extracurriculars should occur outside of school hours and should include various methods of communication, such as school monitors, announcements, canvas etc., for inclusion purposes.
 - b. For 9-12th, on the rare occasions where extracurricular communication must occur during school hours, students will be able to check for messages during designated cell phone periods throughout the school day.
- 5. Campus awareness
 - a. Given the negative impacts on the mental health of students due to cell phone use, CISD campuses should be aware of mixed messages sent to students when requiring students to use their cell phones to access information. As such, cell phones should not be the primary mode for access to forms, extracurricular communication, QR codes, etc.
 - b. Campuses should utilize Chromebooks, monitors, announcements etc. in lieu of cell phones, to communicate with students during the school day.
- 6. Accountability
 - a. Students should be supported with appropriate interventions, if necessary, based on mental health concerns.
 - b. Students should be held accountable with appropriate interventions that deter their desire to be non-compliant with campus cell phone policies.
 - c. Cell phones or other electronic accessories should not be used to incentivize behavior or to fill classroom time in the event “free time” occurs in the classroom.

Board Member Requested Discussion Regarding the Presence of Personal Ideologies in School

Recommendation:

That the Conroe Independent School District Board of Trustees discuss, at the request of Trustee Melissa Dungan, the presence of personal ideologies in school.

Explanation:

Trustee Dungan requested that the Board of Trustees discuss the presence of personal ideologies in schools.

Policy Reference: Board Policy BE Local

Board Member Requested Discussion Regarding HB 3

Recommendation:

That the Conroe Independent School District Board of Trustees discuss, at the request of Trustee Misty Odenweller, HB 3

Explanation:

Trustee Odenweller requested that the Board of Trustees discuss HB 3. Chief of Police Matt Blakelock will make a brief presentation regarding portions of HB 3 to assist in the Board's discussion.

Policy Reference: Board Policy BE Legal and Local and the CKE Legal

Consider and Adopt the 2023-2024 Student Code of Conduct

Recommendation:

That the Conroe Independent School District Board of Trustees adopt the 2023-2024 Student Code of Conduct, as submitted by Carrie Galatas, General Counsel, and Dr. Curtis Null, Superintendent of Schools.

Explanation:

The information included in the Code of Conduct is dictated by state law. Specifically, Texas Education Code §37.001 sets out the required components of the Code of Conduct, including the circumstances under which students will be removed from classrooms for disciplinary reasons, the conditions that require a student to be placed in the District's Disciplinary Alternative Education Program or the Juvenile Justice Alternative Education Program, and the factors that must be considered when assigning disciplinary consequences. State law requires that the Board of Trustees annually adopt the Code of Conduct.

There were several changes to the Code of Conduct prompted by new legislation. The changes are summarized below:

- Mandatory expulsion is no longer a requirement for felony marijuana, THC, and alcohol-related conduct. Discretionary expulsion is still an available consequence. (HB 114)
- DAEP placement is now required for a student who possesses, uses, or is under the influence of, or sells, gives, or delivers marijuana, THC, abusable volatile chemicals, or an e-cigarette within 300 feet of school property or at a school-related event. (HB 114)
- If DAEP is at capacity, a student who commits an offense related to marijuana, THC, or e-cigarettes, must be placed in ISS until a place in DAEP becomes available or the period of the student's placement ends. (HB 114)
- If a DAEP is at capacity and a student who engaged in violent conduct needs to be placed in DAEP, the District may move a student placed in DAEP for a marijuana, THC, e-cigarette, or abusable volatile chemicals offense to ISS to make room for the student who engaged in violent conduct. If a place becomes available in DAEP before the moved student's placement time ends, then the student must be returned to a DAEP. (HB 114)
- The offense of harassment under Penal Code 42.07 has been expanded to include making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means. (HB 1427)
- School districts are required to provide information to a student's parent or guardian about the process for requesting a full individual and initial evaluation of the student for purposes of special education services, both when the student is placed in a DAEP, and as a part of the student's transition plan to return to the student's campus. (HB 3928)

The *Code of Conduct* was presented to and approved by the District Level Planning and Decision-Making Committee and is recommended for your approval.

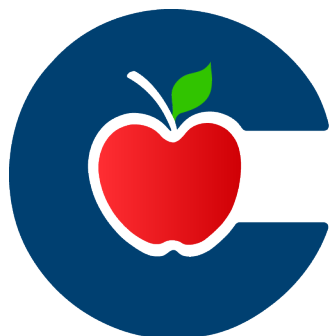
Policy Reference: FO Legal and Local

Submitted by:

Dr. Curtis Null
Superintendent of Schools

Carrie Galatas
General Counsel

Student Code of Conduct



CONROE
INDEPENDENT
SCHOOL DISTRICT

Accessibility

If you have difficulty accessing the information in this document because of a disability, please contact the District's Communications Department at 936-709-7752.

Table of Contents

Accessibility	1
Student Code of Conduct	5
Purpose	5
School District Authority and Jurisdiction	5
Standards for Student Conduct	7
General Conduct Violations	7
Disregard for Authority	7
Mistreatment of Others	8
Property Offenses	8
Possession of Prohibited Items	8
Possession of Telecommunications or Other Electronic Devices	9
Illegal, Prescription, and Over-the-Counter Drugs	9
Misuse of Technology Resources and the Internet	10
Safety Transgressions	10
Miscellaneous Offenses	10
Discipline Management Techniques	11
Students with Disabilities	11
Techniques	11
Prohibited Aversive Techniques	12
Notification	13
Appeals	13
Removal from the School Bus	13
Removal from the Regular Educational Setting	13
Formal Removal	14
Returning a Student to the Classroom	14
Out-of-School Suspension	14
Misconduct	14
Process	15
Coursework During Suspension	15
Disciplinary Alternative Education Program (DAEP) Placement	15
Discretionary Placement: Misconduct That May Result in DAEP Placement	16
Misconduct Identified in State Law	16

Mandatory Placement: Misconduct That Requires DAEP Placement	16
Sexual Assault and Campus Assignments	17
Process	18
Conference	18
Consideration of Mitigating Factors	18
Placement Order	18
DAEP at Capacity	18
Length of Placement	19
Appeals.....	19
Restrictions During Placement.....	20
Placement Review	20
Additional Misconduct	20
Notice of Criminal Proceedings.....	20
Withdrawal During Process.....	21
Newly Enrolled Students.....	21
Emergency Placement Procedure.....	21
Transition Services	21
Placement and/or Expulsion for Certain Offenses.....	22
Registered Sex Offenders.....	22
Review Committee	22
Newly Enrolled Student	22
Appeal	22
Certain Felonies	22
Hearing and Required Findings.....	23
Length of Placement	23
Placement Review.....	23
Newly Enrolled Students.....	23
Expulsion	24
Discretionary Expulsion: Misconduct That May Result in Expulsion	24
Any Location.....	24
At School, Within 300 Feet, or at a School Event	24
Within 300 Feet of School.....	25
Property of Another District	25

While in DAEP	25
Mandatory Expulsion: Misconduct That Requires Expulsion.....	26
Under Federal Law	26
Under the Penal Code	26
Under Age Ten	27
Process	27
Hearing.....	27
Board Review of Expulsion.....	27
Expulsion Order.....	27
Length of Expulsion	28
Withdrawal During Process.....	28
Additional Misconduct.....	29
Restrictions During Expulsion	29
Newly Enrolled Students.....	29
Emergency Expulsion Procedures	29
DAEP Placement of Expelled Students.....	29
Transition Services	29
Glossary.....	30

Student Code of Conduct

Purpose

The Student Code of Conduct (Code) is the Conroe Independent School District's response to the requirements of Chapter 37 of the Texas Education Code.

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

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

This Student Code of Conduct has been adopted by the District's Board of Trustees and developed with the advice of the District-level committee. This Code provides information to parents and students regarding standards of conduct, consequences of misconduct, and procedures for administering discipline. It remains in effect during summer school and at all school-related events and activities outside of the school year until an updated version adopted by the Board of Trustees becomes effective 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 administrative offices of the campus 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; therefore, in case of conflict between the Code and the student handbook, the Code shall prevail.

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

Please Note: The discipline of students with disabilities who are eligible for services under federal law (Individuals with Disabilities Education Act of 2004 and Section 504 of the Rehabilitation Act of 1973) is subject to the provisions of those laws.

School District Authority and Jurisdiction

As required by law, administrators at each District school are designated to serve as campus behavior coordinators. The District posts on its website and in the Student Handbook, for each campus, the email address and telephone number of each school's administrative staff. Campus administrators are primarily responsible for maintaining student discipline and serve as campus behavior coordinators.

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

The District has disciplinary authority over a student:

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

A campus administrator will work closely with the campus Threat Assessment Safe and Supportive School Team to implement the District's threat assessment policy and procedures, as required by law, and shall take appropriate disciplinary action in accordance with the Code of Conduct.

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), FNF(LOCAL), and the Student Handbook 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.

To ensure sufficient security and protection of students, staff, and property, the Board employs police officers. In accordance with law, the Board has coordinated with the campus administrators and other District employees to ensure appropriate law enforcement duties are assigned to its police officers. The law enforcement duties of District police officers are listed in policy CKEA. The law enforcement duties of school police officers include protecting the safety and welfare of the District's staff, students, visitors, and facilities, investigating criminal activity, and serving as liaisons with outside law enforcement agencies.

Campus administrators as appropriate shall report crimes as required by law and shall call the District's Police when an administrator suspects that a crime has been committed on campus.

The District has the right to limit a student's participation in graduation activities for violating the District's Code. To be considered as an eligible student speaker at graduation ceremonies, a student

shall not have engaged in any misconduct in violation of the District's Code resulting in an out-of-school suspension, removal to DAEP, or expulsion during the semester immediately preceding graduation.

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

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

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

Standards for Student Conduct

Each student is expected to:

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

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. However, the list does not include the most severe offenses. In the subsequent sections on Out-of-School Suspension, DAEP Placement, Placement and/or Expulsion for Certain Offenses, and Expulsion, certain offenses that require or permit specific consequences are listed. However, any offense may be severe enough to result in Removal from the Regular Educational Setting as detailed in that section.

Disregard for Authority

Students shall not:

- Fail to comply with directives given by school personnel (insubordination).
- Leave school grounds or school-sponsored events without permission.
- Disobey rules for conduct on District vehicles.
- Refuse to accept discipline management techniques 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 Expulsion.)
- Threaten a District student, employee, or volunteer, including off school property, if the conduct causes a substantial disruption to the educational environment.
- Engage in bullying, cyberbullying, harassment, or making hit lists. (See glossary for all four terms.)
- Release or threaten to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent.
- Engage in conduct that constitutes sexual or gender-based harassment or sexual abuse, whether by word, gesture, or any other conduct, directed toward another person, including a District student, employee, Board member, or volunteer.
- Engage in conduct that constitutes dating violence. (See glossary.)
- Engage in inappropriate or indecent exposure of private body parts.
- Participate in hazing. (See glossary.)
- Cause an individual to act through the use of or threat of force (coercion).
- Commit extortion or blackmail (obtaining money or an object of value from an unwilling person).
- Engage in inappropriate verbal, physical, or sexual conduct directed toward another person, including a District student, employee, or volunteer.
- Record the voice or image of another without the prior consent of the individuals being recorded or in any way that disrupts the educational environment or invades the privacy of others.

Property Offenses

Students shall not:

- Damage or vandalize property owned by others. (For felony criminal mischief see DAEP Placement or Expulsion.)
- Deface or damage school property—including textbooks, technology and electronic resources, lockers, furniture, and other equipment—with graffiti or by other means.
- Steal from students, staff, or the school.
- Commit or assist in a robbery or theft even if it does not constitute a felony according to the Penal Code. (For felony robbery, aggravated robbery, and theft see DAEP Placement and Expulsion.)
- 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;
- Knuckles;
- A club;
- A stun gun;
- A location –restricted knife;
- A hand instrument designed to cut or stab another by being thrown;
- A firearm silencer or suppressor;
- A pocketknife or any other small knife;
- A firearm;
- Mace or pepper spray;
- Pornographic material;
- Tobacco products (including cigarettes, e-cigarettes, and any component, part, or accessory for an e-cigarette device, including a vaping device);
- Matches or a lighter;
- A laser pointer for other than 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 Expulsion.)

Possession of Telecommunications or Other Electronic Devices

Students shall not use telecommunications devices, including cellular telephones, or other electronic devices in violation of District and campus rules.

Illegal, Prescription, and Over-the-Counter Drugs

Students shall not:

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

Misuse of Technology Resources and the Internet

Unless otherwise noted, the following conduct that takes place off school property but causes a substantial disruption to the educational environment or infringes on the rights of another student at school is prohibited.

Students shall not:

- Violate policies, rules, or agreements signed by the student or the student's parent regarding the use of technology resources on school property.
- Attempt to access or circumvent passwords or other security-related information of the District, students, or employees or upload or create computer viruses.
- 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.
- Use the Internet or other electronic communications to threaten or harass District students, employees, Board members, or volunteers.
- 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."
- Use the Internet or other electronic communication to engage in or encourage illegal behavior or threaten school safety.

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 or campus rules.
- Cheat or copy the work of another.
- Gamble.
- Engage in academic dishonesty, which includes, cheating, or copying the work of another student, plagiarism, and unauthorized communication between students during an examination.
- Falsify records, passes, or other school-related documents.

- Engage in actions or demonstrations that substantially disrupt or materially interfere with school activities.
- Violate extracurricular standards of behavior.
- 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 to encourage students to adhere to their responsibilities as members of the school community. Disciplinary action shall draw on the professional judgment of teachers and administrators and on a range of discipline management techniques. Discipline shall be based on the seriousness of the offense, the student's age and grade level, the frequency of misbehavior, the student's attitude, the effect of the misconduct on the school environment, and statutory requirements.

Students with Disabilities

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

In accordance with the Texas Education Code, a student who is enrolled in a special education program may not be disciplined for conduct meeting the definition of bullying, cyberbullying, harassment, or making hit lists (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 vehicle 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.
- Grade reductions for cheating, plagiarism, and as otherwise permitted by policy.
- Detention, including outside regular school hours.
- Sending the student to the office or other assigned area, or to in-school suspension.

- Assignment of school duties such as cleaning or picking up litter.
- Withdrawal of privileges, such as participation in extracurricular activities, eligibility for seeking and holding honorary offices, or membership in school-sponsored clubs and organizations.
- Penalties identified in individual student organizations' extracurricular standards of behavior.
- Restriction or revocation of District transportation privileges.
- School-assessed and school-administered probation.
- Out-of-school suspension, as specified in the Out-of-School Suspension section of this Code.
- Placement in a DAEP, as specified in the DAEP section of this Code.
- Placement and/or expulsion in an alternative educational setting, as specified in the Placement and/or Expulsion for Certain Offenses section of this Code.
- Expulsion, as specified in the Expulsion section of this Code.
- Referral to an outside agency or legal authority for criminal prosecution in addition to disciplinary measures imposed by the District.
- Other strategies and consequences as determined by school officials.
- Loss of participation in senior privileges including prom and graduation ceremonies.

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, including a taser, or any procedure involving pressure points or joint locks.
- Directed release of noxious, toxic, or unpleasant spray, mist, or substance near a student's face.
- Denying adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility.
- Ridiculing or demeaning a student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse.
- Employing a device, material, or object that immobilizes all four of a student's extremities, including prone or supine floor restraint.
- Impairing the student's breathing, including applying pressure to the student's torso or neck or placing something in, on, or over the student's mouth or nose or covering the student's face.
- Restricting the student's circulation.
- Securing the student to a stationary object while the student is standing or sitting.
- Inhibiting, reducing, or hindering the student's ability to communicate.
- Using chemical restraints.
- Using time-out in a manner that prevents the student from being able to be involved in and progress appropriately in the required curriculum or any applicable individualized education program (IEP) goals, including isolating the student by the use of physical barriers.
- 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

A campus administrator shall promptly notify a student's parent of any violation that may result in in-school or out-of-school suspension, placement in a DAEP, placement in a JJAEP, or expulsion. Notification may be in person or through a phone call or electronic message (such as e-mail). The campus administrator shall also notify a student's parent if the student is taken into custody by a law enforcement officer under the disciplinary provisions of the Education Code. A good faith effort shall be made on the day the action was taken to provide to the student for delivery to the student's parent written notification of the disciplinary action. If the parent has not been reached by telephone or in person by 5:00 p.m. of the first business day after the day the disciplinary action was taken, a campus administrator shall send written notification by U.S. Mail. If the administrator is not able to provide notice to the parent, the principal or designee shall provide the notice. Before the principal or appropriate administrator assigns a student under 18 to detention outside regular school hours, notice shall be given to the student's parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Appeals

Questions from parents regarding disciplinary measures should be addressed to the teacher or campus administrator as appropriate. Appeals of the assignment of disciplinary consequences must be made to the campus principal whose decision is final. Consequences are not delayed while a student or parent pursues an appeal or during the complaint process.

The District shall not delay 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 a campus administrator's office to maintain effective discipline on the bus. The campus administrator must employ additional discipline management techniques, as appropriate, which can include restricting or revoking a student's bus riding privileges. Since the District's primary responsibility in transporting students in District vehicles is to do so as safely as possible, the operator of the vehicle must focus on driving and not have his or her attention distracted by student misbehavior. Therefore, when appropriate disciplinary management techniques fail to improve student behavior or when specific misconduct warrants immediate removal, a campus administrator may restrict or revoke a student's transportation privilege, 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. A routine referral occurs when a teacher sends a student to a campus administrator's office as a discipline management technique. The campus administrator shall employ alternative discipline management techniques, including progressive interventions. A teacher or administrator may remove a student from class for a behavior that violates this Code to maintain effective discipline in the classroom.

Formal Removal

A teacher may initiate a formal removal from class if:

- The student's behavior has been documented by the teacher as repeatedly interfering with the teacher's ability to teach his or her class or with the student's classmates' ability to learn; or
- 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 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 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 administrator may place the student in another appropriate classroom, in-school suspension, out-of-school suspension or DAEP. A teacher or administrator must remove a student from class if the student engages in behavior that under the Education Code requires or permits the student to be placed in a DAEP or expelled. When removing for those reasons, the procedures in the subsequent sections on DAEP or expulsion shall be followed.

Returning a Student to the Classroom

When a student has been formally removed from class by a teacher for conduct against the teacher containing the elements of assault, aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, or criminal attempt to commit murder or capital murder, the student may not be returned to the teacher's class without the teacher's consent. When a student has been formally removed by a teacher for any other conduct, the student may be returned to the teacher's class without the teacher's consent, if the placement review committee determines that the teacher's class is the best or only alternative available.

Out-of-School Suspension

Misconduct

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

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

A student in grade 2 or below or a student who is homeless shall not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- Conduct that contains the elements of a weapons offense, as provided in Penal Code Section 46.02 or 46.05;
- Conduct that contains the elements of assault, sexual assault, aggravated assault, or aggravated sexual assault as provided by the Penal Code; or

- Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of marijuana, an alcoholic beverage, or a controlled substance or dangerous drug as defined by federal or state law.

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 a campus administrator, who shall advise the student of the alleged misconduct. The student shall have the opportunity to respond to the allegation before the administrator makes a decision. The campus administrator 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 administrator shall take into consideration:

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

Any work missed during suspension must be made up in accordance with campus and classroom rules. The appropriate administrator will determine any restrictions on participation in school-sponsored or school-related extracurricular and co-curricular activities. The decision to suspend a student is appealable to the campus principal. The decision of the campus principal is final.

Coursework During Suspension

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

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

Disciplinary Alternative Education Program (DAEP) Placement

The DAEP shall be provided in a setting other than the student's regular classroom. An elementary school student may not be placed in a DAEP with a student who is not an elementary school student. For purposes of DAEP, elementary classification shall be kindergarten-grade 6 and secondary classification shall be grades 7-12. 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 administrator shall take into consideration:

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

Discretionary Placement: Misconduct That May Result in DAEP Placement

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

Misconduct Identified in State Law

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

- Engaging in bullying that encourages a student to commit or attempt to commit suicide.
- Inciting violence against a student through group bullying.
- Releasing or threatening to release intimate visual material of a minor or a student who is 18 years or age or older without the student's consent.
- Involvement in a public school fraternity, sorority, gang, or secret society, including participating as a member or pledge, or soliciting another person to become a pledge or member of a public school fraternity, sorority, secret society, or gang. (See glossary.)
- Involvement in criminal street gang activity. (See glossary.)
- Criminal mischief, not punishable as 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 has engaged in conduct punishable as a felony, other than aggravated robbery or those listed as offenses in Title 5 (see glossary) of the Penal Code, that occurs off school property and not at a school-sponsored or school-related event, if the student's presence in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process.

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

Mandatory Placement: Misconduct That Requires DAEP Placement

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

- Engages in conduct relating to a false alarm or report (including a bomb threat) or a terroristic threat involving a public school. (See glossary.)

- Commits the following offenses on school property or within 300 feet of school property as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off school property:
 - Engages in conduct punishable as a felony.
 - Commits an assault (see glossary) under Penal Code 22.01(a)(1).
 - Sells, gives, or delivers to another person or possesses, uses or is under the influence of a controlled substance or dangerous drug in an amount not constituting a felony offense. (School-related felony drug offenses are addressed in Expulsion on page 26.) (See glossary for "under the influence," "controlled substance," and "dangerous drug.")
 - Sells, gives, or delivers to another person, or possesses, uses, or is under the influence of marijuana or THC. A student with a valid prescription for low-THC cannabis as authorized by Chapter 487 of the Health and Safety Code does not violate this provision.
 - Sells, gives, or delivers to another person an alcoholic beverage; commits a serious act or offense while under the influence of alcohol; or possesses, uses, or is under the influence of alcohol.
 - Behaves in a manner that contains the elements of an offense relating to abusable volatile chemicals.
 - Sells, gives, or delivers to another person or possesses or uses an e-cigarette.
 - Behaves in a manner that contains the elements of the offense of public lewdness or indecent exposure. (See glossary).
 - Engages in conduct that contains the elements of an offense of harassment against an employee under Penal Code 42.07(a)(1), (2), (3), or (7).
- Engages in expellable conduct and is between six and nine years of age.
- Commits a federal firearms violation and is younger than six years of age.
- Engages in conduct that contains the elements of the offense of retaliation against any school employee or volunteer on or off school property. (Committing retaliation in combination with another expellable offense is addressed in the Expulsion section of this Code.)
- Engages in conduct punishable as aggravated robbery or a felony listed under Title 5 (see glossary) of the Penal Code when the conduct occurs off school property and not at a school-sponsored or school-related event and:
 - The student receives deferred prosecution (see glossary),
 - A court or jury finds that the student has engaged in delinquent conduct (see glossary), or
 - The superintendent or designee has a reasonable belief (see glossary) that the student engaged in the conduct.

Sexual Assault and Campus Assignments

If a 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 if the victim's parent or another person with the authority to act on behalf of the victim requests that the Board transfer the offending student to another campus, the offending student shall be transferred to another campus in the District. If there is no other campus in the District serving the grade level of the offending student, the offending student shall be transferred to a DAEP.

Process

Removals to a DAEP shall be made by a campus administrator.

Conference

When a student is removed from class for a DAEP offense, the campus administrator shall schedule a conference within three school days with the student's parent, the student, and the teacher, in the case of a teacher removal. At the conference, the campus administrator shall inform the student, orally or in writing, of the reasons for the removal and shall give the student an explanation of the basis for the removal and an opportunity to respond to the reasons for the removal. Following valid attempts to require attendance, the District may hold the conference and make a placement decision regardless of whether the student or the student's parents attend the conference. Until the conference is held, the principal may place a student in another appropriate classroom, in-school suspension or out-of-school suspension.

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 administrator, or District hearing officer shall take into consideration:

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

Placement Order

After the conference, if the student is placed in the DAEP, the campus administrator shall write a placement order. A copy of the DAEP placement order and information for the parent or person standing in parental relation to the student regarding the process for requesting a full individual and initial evaluation of the student for purposes of special education services shall be sent to the student and the student's parent. Not later than the second business day after the conference, the Board's designee shall deliver to the juvenile court a copy of the placement order and all information required by Section 52.04 of the Family Code. If the student is placed in the DAEP and the length of placement is inconsistent with the guidelines included in this Code of Conduct, the placement order shall give notice of the inconsistency.

DAEP at Capacity

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

If a DAEP is at capacity at the time the campus administrator is deciding placement for a student who engaged in violent conduct, a student placed in a DAEP for conduct related to marijuana, THC, an e-

cigarette, alcohol, or an abusable volatile chemical may be placed in ISS to make a position in the DAEP available for the student who engaged in violent conduct. If a position becomes available in a DAEP before the expiration of the period of the placement for the student removed, the student shall be returned to a DAEP for the remainder of the period.

Length of Placement

The campus administrator 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. A DAEP placement longer than 60 successful school days, but not to exceed one school year, is only permitted if a recommendation is made by the campus administrator and approved by the District's hearing officer. Unless otherwise specified in the placement order, days absent from DAEP shall not count toward fulfilling the total number of days the student is assigned to DAEP. 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. Placement in a DAEP may exceed one year when a review by the District determines that:

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

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

Exceeds School Year

Students who commit offenses requiring placement in a DAEP at the end of one 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 principal/campus behavior coordinator, appropriate administrator or the Board's designee must determine that:

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

Exceeds 60 Days

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

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 that does not extend beyond the end of the next grading period following placement in a DAEP or into the next school

year shall be made to the campus principal in accordance with policy FOC(LEGAL and LOCAL). The decision of the campus principal is final. Student or parent complaints regarding the process used for the placement decision, such as issues related to the administration's handling of the conference or proper notice being provided, should be addressed in accordance with policy FNG(LOCAL). Copies of these policies can be obtained from the principal's office or on the District's Web site. Disciplinary consequences shall not be delayed pending the outcome of an appeal or during the complaint process. The decision to place a student in a DAEP cannot be appealed beyond the Board.

Restrictions During Placement

State law prohibits a student placed in a DAEP for reasons specified in state law from attending or participating in school-sponsored or school-related extracurricular activities. The District shall provide transportation to students in DAEP. For seniors who are eligible to graduate and are assigned to DAEP at the time of graduation, the last day of placement in the program shall be the last instructional day, and the student shall not be allowed to participate in the graduation ceremony and related graduation activities unless otherwise specified in the DAEP placement order.

Placement Review

A student placed in a DAEP shall be provided a review of his or her status, including academic status, by the District hearing officer 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 conduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the District hearing officer may enter an additional disciplinary order as a result of those proceedings.

Notice of Criminal Proceedings

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

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

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

After reviewing the notice and receiving information from the student's parent, the superintendent or designee may continue the student's placement if there is reason to believe that the presence of the student in the regular classroom threatens the safety of other students or teachers. The student or the student's parent may appeal the superintendent's decision to the Board. The student may not be returned to the regular classroom pending the appeal. In the case of an appeal, the Board shall, at the next scheduled meeting, review the notice from the prosecutor and receive information from the student, the student's parent, and the superintendent or designee, and confirm or reverse the decision of the superintendent or designee. The Board shall make a record of the proceedings. If the Board confirms the decision of the superintendent or designee, the student and the student's parent may appeal to the Commissioner of Education. The student may not be returned to the regular classroom pending the appeal.

Withdrawal During Process

When a student violates the District's Code 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, a campus administrator may complete the proceedings and issue a placement order. If the student then reenrolls 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 District hearing officer or the Board fail to issue a placement order after the student withdraws, the next district in which the student enrolls may complete the proceedings and issue a placement order.

Newly Enrolled Students

The District shall continue the DAEP placement of a student who enrolls in the District and was assigned to a DAEP in an open-enrollment charter school or another district. A newly enrolled student with a DAEP placement from a district in another state shall be placed as any other newly enrolled student if the behavior committed is a reason for DAEP placement in the receiving district. If the student was placed in a DAEP by a school district in another state for a period that exceeds one year, this District, by state law, shall reduce the period of the placement in accordance with District policies and procedures. 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 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 placement shall be in either DAEP or JJAEP for at least one semester. If the student is not under any form of court supervision, the placement may be in DAEP or JJAEP for one semester or the placement may be in a regular classroom. The placement may not be in the regular classroom if the Board or its designee determines that the student's presence:

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

Review Committee

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

Newly Enrolled Student

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

Appeal

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

Certain Felonies

Regardless of whether placement or expulsion is required or permitted by one of the reasons in the DAEP Placement or Expulsion sections, in accordance with Education Code 37.0081, a student may be expelled and placed in either DAEP or JJAEP if the Board, District hearing officer or other appropriate administrator 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:

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

Hearing and Required Findings

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

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

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

Length of Placement

The student is subject to the placement until:

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

Placement Review

A student placed in a DAEP or JJAEP under these circumstances is entitled to a review of his or her status, including academic status, by the District hearing officer or an appropriate administrator 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 District hearing officer will take into consideration:

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

Discretionary Expulsion: Misconduct That May Result in Expulsion

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

Any Location

A student may be expelled for:

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

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

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

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

Within 300 Feet of School

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

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

Property of Another District

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

While in DAEP

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

- Deliberate violent behavior that poses a direct threat to the health or safety of others;

- Extortion, meaning the gaining of money or other property by force or threat;
- Conduct that constitutes coercion, as defined by Section 1.07 Penal Code; or
- Conduct that constitutes the offense of:
 - Public lewdness under Penal Code 21.07,
 - Indecent exposure under Penal Code 21.08,
 - Criminal mischief under Penal Code 28.03,
 - Hazing under Education Code 37.152, or
 - 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 which 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.)

Under the Penal Code

- Unlawfully carrying on or about the student's person the following, in a 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 off-campus approved target range facility while participating in or preparing for a school-sponsored shooting sports competition or a shooting sports educational activity that is sponsored or supported by the Parks and Wildlife Department, or a shooting sports sanctioning organization working with the department.
 - 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 children.
 - Behavior punishable as a felony that involves selling, giving, or delivering to another person, or possessing, using, or being under the influence of marijuana, a controlled substance, or a dangerous drug.

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

Under Age Ten

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

Process

If a student is believed to have committed an expellable offense, a campus 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 or other appropriate 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:

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

After providing notice to the student and parent of the hearing, the District may hold the hearing regardless of whether the student or the student's parent attends. The Board of Trustees has designated to a hearing officer the authority to conduct hearings and expel students.

Board Review of Expulsion

After the due process hearing, the expelled student may request that the Board review the expulsion decision. 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 will 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. Consequence shall not be deferred pending the outcome of the hearing.

Expulsion Order

Before ordering the expulsion, the District hearing officer shall take into consideration:

1. Self-defense (see glossary),
2. Intent or lack of intent at the time the student engaged in the conduct, and
3. The student's disciplinary history.
4. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
5. A student's status in the conservatorship of the Department of Family Protective Services (foster care).
6. 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 hearing officer shall deliver to the juvenile court a copy of the expulsion order and the information required by Section 52.04 of the Family Code. If the length of the expulsion is inconsistent with the guidelines included in the Student Code of Conduct, the expulsion order shall give notice of the inconsistency.

Length of Expulsion

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

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

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

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

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

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

Withdrawal During Process

When a student has violated the District's Code in a way that requires or permits expulsion from the District and the student withdraws from the District before the expulsion hearing takes place, the District may conduct the hearing after sending written notice to the parent and student. If the student then reenrolls in the District during the same or subsequent school year, the District may enforce the expulsion order at that time, less any expulsion period that has been served by the student during enrollment in another district. If the District hearing officer 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 misconduct for which placement in a DAEP or expulsion is required or permitted, additional proceedings may be conducted, and the District hearing officer may issue an additional disciplinary order as a result of those proceedings.

Restrictions During Expulsion

Expelled students are prohibited from being on school grounds or attending school-sponsored or school-related activities during the period of expulsion. No District academic credit shall be earned for work missed during the period of expulsion unless the student is enrolled in a JJAEP or another District-approved program.

Newly Enrolled Students

The District shall continue the expulsion of any newly enrolled student expelled from another district or an open-enrollment charter school until the period of the expulsion is completed. If a student expelled in another state enrolls in the District, the District may continue the expulsion under the terms of the expulsion order, may place the student in a DAEP for the period specified in the order, or may allow the student to attend regular classes if:

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

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

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

Emergency Expulsion Procedures

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

DAEP Placement of Expelled Students

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

Transition Services

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

Glossary

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

Abuse is improper or excessive use.

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

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

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

Arson is defined in part by Penal Code 28.02 as:

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

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

Breach of Computer Security includes knowingly accessing a computer, computer network, or computer system without the effective consent of the owner as defined in Penal Code 33.02, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf

of a school district; and the student knowingly alters, damages, or deletes school district property or information; or commits a breach of any other computer, computer network, or computer system.

Bullying is defined in Section 38.0832 of the Education Code as a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:

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

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

1. Bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. Bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and
3. Cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying interferes with a student's education 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 36.01 as an instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death. A blackjack, mace, and tomahawk are in the same category.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Such term does not include an antique firearm.

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

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

Harassment includes:

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

- f. Knowingly permitting a telephone under the person's control to be used by another to commit an offense under this section;
- g. Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another;
- h. Publishing on an internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern, as defined by law; or
- i. Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an internet application or other technological means.

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

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

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

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

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

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

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

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

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

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

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

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

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

Prohibited weapon under Penal Code 46.05(a) means:

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

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

Public school fraternity, sorority, secret society, or gang means an organization composed wholly or in part of students that seeks to perpetuate itself by taking additional members from the students enrolled in school based on a decision of its membership rather than on the free choice of a qualified student. Educational organizations listed in Section 37.121(d) of the Education Code are 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 Article 15.27 of the Code of Criminal Procedure.

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

Serious misbehavior means:

1. Deliberate, violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Section 1.07 Penal Code; or
4. Conduct that constitutes the offense of:
 - a. Public lewdness under Penal Code 21.07.;
 - b. Indecent exposure under Penal Code 21.08;
 - c. Criminal mischief under Penal Code 28.03;
 - d. Personal hazing under Penal 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 work as assigned.
- Insubordination.
- Profanity, vulgar language, or obscene gestures.
- Leaving school grounds without permission.
- Falsification of records, passes, or other school-related documents.
- Refusal to accept discipline assigned by the teacher or principal.

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

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

1. Cause a reaction of any type by an official or volunteer agency organized to deal with emergencies;
2. Place any person in fear of imminent serious bodily injury;
3. Prevent or interrupt the occupation or use of a building; room, place of assembly, or place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place;

4. Cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service;
5. Place the public or a substantial group of the public in fear of serious bodily injury; or
6. Influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the District).

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

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

- Murder, manslaughter, or homicide under Sections 19.02-19.05;
- Kidnapping under 20.03;
- Trafficking of persons under Section 20A.02, Texas Penal Codes;
- 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 under Section 22.04;
- Abandoning or endangering a child under Section 22.041, e;
- Deadly conduct under Section 22.05;
- Terroristic threat under Section 22.07;
- Aiding a person to commit suicide under Section 22.08; and
- Tampering with a consumer product under Section 22.09. [See FOC(EXHIBIT)]

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

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

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

Consider and Repeal Local Board Policy CKE *Safety Program/Risk Management: Security Personnel*, and Adopt Local Board Policies CKEA *Security Personnel: Commissioned Peace Officers*, *DEA Compensation and Benefits: Compensation Plan*, *FD Admissions*, and *FFI Student Welfare: Freedom from Bullying*

Recommendation:

That the Conroe Independent School District Board of Trustees adopt the recommended revisions to Local Board Policies, including the repeal of CKE *Safety Program/Risk Management: Security Personnel*, and the adoption of CKEA *Security Personnel: Commissioned Peace Officers*, *DEA Compensation and Benefits: Compensation Plan*, *FD Admissions*, and *FFI Student Welfare: Freedom from Bullying*, as submitted by Carrie Galatas, General Counsel and Dr. Curtis Null, Superintendent of Schools.

Explanation: The specific changes to the following local policies are explained in more detail below. The changes were prompted by guidance issued by the Texas Education Agency, new regulations, and minor revisions for clarity. Administration has reviewed and approved of the recommended changes to the Local policies affected by Update 121.

CKE *Safety Program/Risk Management - Security Personnel*: This policy is recommended for deletion. A new policy code – CKEA *Security Personnel – Commissioned Peace Officers*, was created to include the contents of policy CKE Local, which is addressed below.

CKEA *Security Personnel - Commissioned Peace Officers*: The content of Board Policy CKE Local *Safety Program/Risk Management: Security Personnel* was moved to this new policy code as this code more accurately represents the content of the policy. A provision related to the use of body-worn cameras has also been added.

DEA *Compensation and Benefits: Compensation Plan*: The revisions to this policy are for clarity and consistency. The heading related to pay increases has been modified to make clear the provision applies to pay increases made midyear.

FD *Admissions*: A new Administrative Code provision requires that school district policy include a provision that ensures credit is appropriately awarded to students who are identified as homeless or who are in substitute care. The recommended revision complies with this provision.

FFI *Student Welfare – Freedom from Bullying*: On January 31, 2023, TEA issued *Minimum Standards for Bullying Prevention*. The guidance included requirements related to monitoring reports of bullying. The recommended revisions bring the District's policy into compliance with TEA's guidance.

Policy Reference: BF Local

Submitted by:

Dr. Curtis Null
Superintendent of Schools

Carrie Galatas
General Counsel

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

**District Police
Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the formation of a District police department and shall employ and commission police officers.

**Supervisory
Authority**

The chief of police shall be accountable to and shall report to the Superintendent. In accordance with law, the Superintendent shall not delegate this supervisory responsibility.

Jurisdiction

The jurisdiction of police officers shall include all territory within District boundaries, as well as all real and personal property outside the boundaries of the District that is owned, leased, or rented by the District, or is otherwise under the District's control.

Police Authority

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

89

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

District police officers shall not be assigned routine classroom discipline or administrative tasks.

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

<i>Temporary Assignment</i>	District police officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency as may be provided in an interlocal agreement between the District and the other agency.	
Limitations on Nonschool Employment	No officer commissioned under this policy shall provide law enforcement or security services for an outside employer without prior written approval from the chief of police in accordance with the department regulations manual.	
Relationship with Outside Agencies	The District's police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The chief of police shall review the memorandum of understanding as appropriate. The memorandum of understanding shall be approved by the Board.	90
Video Monitoring	If available, video equipment shall be used on a District police car for safety purposes whenever the flashing lights on the car are in use.	
<i>Access to Recordings</i>	Recordings shall be considered law enforcement records, shall remain in the custody of the chief of police, and shall be maintained as required by the department regulations manual and law. [See FL(LEGAL)]	
Body-Worn Cameras	District officers shall use body-worn cameras only when performing official law enforcement duties and in accordance with the provisions of the District police department's body-worn camera program. Officers shall receive training on the program, including proper use and operation of cameras. Any District employee who has access to data from body-worn cameras shall receive training on storage, retention, and release of recordings.	
Training	All District officers shall receive at least the minimum amount of education and training required by law.	
Department Regulations Manual	To carry out the provisions in this policy, the police department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services.	
<i>Racial Profiling</i>	The chief of police shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Police officers employed by the District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.	

SECURITY PERSONNEL
COMMISSIONED PEACE OFFICERS

CKEA
(LOCAL)

<i>Use of Force</i>	The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the department regulations manual.
<i>High-Speed Pursuit</i>	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Complaints	<p>Complaints against a District police officer shall be in writing on a form provided by the District and shall be signed by the person making the complaint. In accordance with law, the District shall provide to the police officer a copy of the complaint.</p> <p>Appeals regarding this complaint process shall be filed in accordance with DGBA, FNG, or GF, as appropriate.</p>

91

COMPENSATION AND BENEFITS
COMPENSATION PLAN

DEA
(LOCAL)

The Superintendent shall recommend an annual compensation plan for all District employees. The compensation plan may include wage and salary structures, stipends, benefits, and incentives. [See also DEAA] The recommended plan shall support District goals for hiring and retaining highly qualified employees. The Board shall review and approve the compensation plan to be used by the District. The Board shall also determine the total compensation package for the Superintendent. [See BJ series]

Pay Administration

The Superintendent shall implement the compensation plan and establish procedures for plan administration consistent with the budget. The classification of each job title within the compensation plan shall be based on the qualifications, duties, and market value of the position.

Annualized Salary

The District shall pay all salaried employees over 12 months in equal monthly or semi-monthly installments, regardless of the number of months employed during the school year. Salaried employees hired during the school year shall be paid in accordance with administrative regulations.

92

Pay Increases

The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. Any pay adjustments for individual employees shall be determined within the approved budget following established procedures.

*Midyear Pay
Increases*

*Contract
Employees*

A contract employee's pay may be increased after performance on the contract has begun only if authorized by the compensation plan of the District or there is a change in the employee's job assignment or duties during the term of the contract that warrants additional compensation. Any such changes in pay that do not conform with the compensation plan shall require Board approval. [See DEA(LEGAL) for provisions on pay increases and public hearing requirements.]

*Noncontract
Employees*

The Superintendent may grant a pay increase to a noncontract employee after duties have begun because of a change in the employee's job assignment or to address pay equity. The Superintendent shall report any such pay increases to the Board at the next regular meeting.

Pay During Closing

If the Board chooses to pay employees during an emergency closure for which the workdays are not scheduled to be made up at a later date, then that authorization shall be by resolution or other Board action and shall reflect the purpose served by the expenditure. [See EB for the authority to close schools.]

ADMISSIONS

FD
(LOCAL)

Persons Age 21 and Over	The District shall not admit into its public schools any person age 21 or over unless otherwise required by law.
Registration Forms	The student's parent, legal guardian, or other person having lawful control shall annually complete registration forms. A student who has reached age 18 shall be permitted to complete these forms.
Proof of Residency	In accordance with administrative procedures, the parent, guardian, or other person having lawful control of the student under order of a court shall present proof of residency. The District may investigate stated residency, as necessary.
Minor Living Apart	A minor student residing in the District but whose parent, guardian, or other person having lawful control under a court order does not reside in the District shall present a power of attorney or an authorization agreement as provided in Chapter 34 of the Family Code assigning responsibility for the student in all school-related matters to an adult resident of the District.
Person Standing in Parental Relation	
Misconduct	A minor student living apart who has engaged in misconduct that results in any of the consequences found in Education Code 25.001(d) shall not be permitted to attend a District school.
Exceptions	Based on an individual student's circumstance, the Superintendent shall have authority to grant exceptions to the requirement for a power of attorney or authorization agreement and to the exclusion for misconduct.
Extracurricular Activities	The Superintendent shall determine whether a minor student living apart is present in the District for the primary purpose of participating in extracurricular activities.
Nonresident Student in Grandparent's After-School Care	<p>The parent and grandparent of a nonresident student requesting admission under Education Code 25.001(b)(9) shall provide to the Superintendent the required information on the grandparent's residency and complete a form provided by the District describing the extent of after-school care to be provided by the grandparent.</p> <p>The Superintendent shall have authority to approve or deny such admissions requests in accordance with criteria approved by the Board.</p>
"Accredited" Defined	For the purposes of this policy, "accredited" shall be defined as accreditation by TEA, an equivalent agency from another state, or an accrediting association recognized by the commissioner of education.
Grade-Level Placement	The parent, guardian, or other person having lawful control of a student enrolling in a District school from an accredited public, private, or parochial school shall provide evidence of the prior schooling outside the District. The student shall be placed initially at the
Accredited Schools	

93

ADMISSIONS

FD
(LOCAL)

grade level reached elsewhere, pending observation by the classroom teacher, guidance personnel, and the principal. On the basis of these observations and results of tests that may be administered by appropriate District personnel, the principal shall determine the final grade placement.

**Nonaccredited
Schools**

A student enrolling in a District school from a nonaccredited public, private, or parochial school, including a homeschool, shall be placed initially at the discretion of the principal, pending observation by classroom teachers, guidance personnel, and the principal. Criteria for placement may include:

1. Scores on achievement tests and/or locally developed assessments, which may be administered by appropriate District personnel.
2. Recommendation of the sending school.
3. Prior academic record.
4. Chronological age and social and emotional development of the student.
5. Other criteria deemed appropriate by the principal.

94

Transfer of Credit

**Accredited Texas
Public Schools**

Credit toward state graduation requirements earned in an accredited public school district in Texas shall be transferable and recognized by the District.

**Other Accredited or
Nonaccredited
Schools**

Before recognizing credit in a course earned in an accredited non-public school, an accredited school outside of Texas, or a nonaccredited school, appropriate personnel shall evaluate a student's records and transcript. The District may require the student to demonstrate mastery of the content or use alternative methods to verify course content for the award of credit.

**Transition
Assistance**

In accordance with law, when a student who is identified as homeless or in substitute care enrolls in the District, the District shall assess the student's available records and other relevant information to ensure credit, including proportionate credit, is awarded appropriately for all subjects and courses taken prior to enrollment.

[See EI]

Withdrawal

A parent or guardian wishing to withdraw a minor student shall present a signed statement that includes the reason for the withdrawal. A student who is 18 or older may submit a withdrawal statement without a parent's or guardian's signature.

[For District withdrawal of students no longer in attendance, see FEA(LOCAL).]

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

Note: This policy addresses bullying of District students. For purposes of this policy, the term bullying includes cyber-bullying.

For provisions regarding discrimination and harassment involving District students, see FFH. Note that FFI shall be used in conjunction with FFH for certain prohibited conduct. For reporting requirements related to child abuse and neglect, see FFG.

Bullying Prohibited

The District prohibits bullying, including cyberbullying, as defined by state law. Retaliation against anyone involved in the complaint process is a violation of District policy and is prohibited.

Examples

Bullying of a student could occur by physical contact or through electronic means and may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism.

95

Minimum Standards

In accordance with law, the Superintendent shall develop administrative procedures to ensure that minimum standards for bullying prevention are implemented.

Retaliation

The District prohibits retaliation by a student or District employee against any person who in good faith makes a report of bullying, serves as a witness, or participates in an investigation.

Examples

Examples of retaliation may include threats, 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, offers false statements, or refuses to cooperate with a District investigation regarding bullying shall be subject to appropriate disciplinary action.

Timely Reporting

Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the District's ability to investigate and address the prohibited conduct.

**Reporting
Procedures**

Student Report

To obtain assistance and intervention, any student who believes that he or she has experienced bullying or believes that another student has experienced bullying should immediately report the alleged acts to a teacher, school counselor, principal, or other District employee. The Superintendent shall develop procedures allowing a student to anonymously report an alleged incident of bullying.

**STUDENT WELFARE
FREEDOM FROM BULLYING**

**FFI
(LOCAL)**

Employee Report	Any District employee who suspects or receives notice that a student or group of students has or may have experienced bullying shall immediately notify the principal or designee.
Report Format	A report may be made orally or in writing. The principal or designee shall reduce any oral reports to written form.
Periodic Monitoring	The Superintendent shall periodically monitor the reported counts of bullying incidents, and that declines in the count may represent not only improvements in the campus culture because bullying declines but also declines in the campus culture because of a decline in openness to report incidents.
Notice of Report	When an allegation of bullying is reported, the principal or designee shall notify a parent of the alleged victim on or before the third business day after the incident is reported. The principal or designee shall also notify a parent of the student alleged to have engaged in the conduct within a reasonable amount of time after the incident is reported.
Prohibited Conduct	The principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined by policy FFH, including dating violence and harassment or discrimination on the basis of race, color, religion, sex, gender, national origin, or disability. If so, the District shall proceed under policy FFH. If the allegations could constitute both prohibited conduct and bullying, the investigation under FFH shall include a determination on each type of conduct.
Investigation of Report	The principal or designee shall conduct an appropriate investigation based on the allegations in the report. The principal or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.
Concluding the Investigation	<p>Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the initial report alleging bullying; however, the principal or designee shall take additional time if necessary to complete a thorough investigation.</p> <p>The principal or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the Superintendent or designee.</p>
Notice to Parents	If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the student who engaged in bullying.

96

STUDENT WELFARE
FREEDOM FROM BULLYING

FFI
(LOCAL)

District Action	If the results of an investigation indicate that bullying occurred, the District shall promptly respond by taking appropriate disciplinary action in accordance with the District's Student Code of Conduct and may take corrective action reasonably calculated to address the conduct. The District may notify law enforcement in certain circumstances.
Bullying	
<i>Discipline</i>	<p>A student who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.</p> <p>The discipline of a student with a disability is subject to applicable state and federal law in addition to the Student Code of Conduct.</p>
<i>Corrective Action</i>	Examples of corrective action may include a training program for the individuals involved in the complaint, a comprehensive education program for the school community, follow-up inquiries to determine whether 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 bullying has occurred, and reaffirming the District's policy against bullying.
<i>Transfers</i>	The principal or designee shall refer to FDB for transfer provisions.
<i>Counseling</i>	The principal or designee shall notify the victim, the student who engaged in bullying, and any students who witnessed the bullying of available counseling options.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the District may take action in accordance with the Student Code of Conduct or any other appropriate corrective action.
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.
Appeal	A student who is dissatisfied with the outcome of the investigation may appeal through FNG(LOCAL), beginning at the appropriate level.
Records Retention	Retention of records shall be in accordance with CPC(LOCAL).
Access to Policy and Procedures	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 shall be readily available at each campus and the District's administrative offices.

97

Consider and Approve the Purchase of an Approximately 18.00 Acre School Site in the Caney Creek High School Feeder Zone and Delegate to the Superintendent the Authority to Finalize Negotiations and Execute Contract Documents

Recommendation:

That the Conroe Independent School District Board of Trustees approve the purchase of an approximately 18-acre school site in the Caney Creek High School feeder zone and authorize the Superintendent to negotiate and execute the documents necessary to effectuate the transaction as submitted by Carrie Galatas, General Counsel, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

The 18-acre school site in the Caney Creek High School feeder zone will serve students in both the Oak Ridge High School and Caney Creek feeder zones by addressing growth in that area as well as relieving crowding at Suchma Elementary and the elementary schools in the south portion of the Caney Creek feeder zone.

The District requests the Board delegate to the Superintendent the authority to finalize negotiations and execute the contract documents under the terms previously discussed. Upon execution of the contract by both parties, the due diligence phase will begin.

Policy Reference: BAA (Legal)

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Carrie Galatas
General Counsel

Consider and Approve the Sale of a 1.38 Acre Parcel to Cooper Rose LLC, and Delegate to the Superintendent the Authority to Finalize Negotiations and Execute the Contract Documents

Recommendation:

That the Conroe Independent School District Board of Trustees approve the sale of a 1.38 parcel to Cooper Rose, LLC, and authorize the Superintendent to negotiate and execute the documents necessary to effectuate the transaction as submitted by Carrie Galatas, General Counsel, and as recommended by Dr. Curtis Null, Superintendent of Schools.

Explanation:

In March 2022, the District purchased an approximately 18-acre school site from Cooper Rose, LLC. Cooper Rose, LLC approached the District requesting to purchase an approximately 1.38-acre tract that was a part of the 18-acre parcel previously purchased by the District. Cooper Rose, LLC, will build a daycare center on the site. Selling the parcel does not interfere with the District's site plan. The District requests that the Board delegate to the Superintendent the authority to finalize negotiations and execute the contract documents.

Policy Reference: BAA (Legal) and CDB Legal

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Carrie Galatas
General Counsel

Take Requests from Trustees Regarding Future Board Agenda Items

Recommendation:

That the Conroe Independent School District Board of Trustees take requests from Trustees for agenda items for future Board meetings as submitted by Carrie Galatas, General Counsel, and as recommended by Dr. Curtis Null Superintendent of Schools.

Explanation:

Board Policy BE Local requires the Board President and Superintendent to prepare the agenda for all Board meetings. The policy states that any Board member may request an agenda item. The policy further requires that the Superintendent include on the preliminary agenda of the meeting all agenda items that have been timely submitted by a Board member.

When requesting an item to be placed on the agenda the requesting trustee must provide the Superintendent with the name of the person to be placed on the agenda, the subject, or issues to be presented, and the approximate length of time needed for the agenda item. Local Board Policy BE requires that before the official agenda is finalized for any meeting, the Superintendent must consult the Board President to ensure that the agenda and the agenda items included meet with the Board President's approval. The policy further requires the Board President in his or her review of the preliminary agenda, ensure that any agenda items the Board or individual Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. This could be at a future meeting of the Board or at a Board workshop. Policy BE Local does not give the Board President the authority to remove from an agenda item requested by a Board member without that Board member's specific authorization.

To allow the District's administration to prepare for future Board meetings, the President will take requests for agenda items from Board members and work with administration and the requesting Board member to schedule the item for a future Board meeting or Board workshop. Board members will continue to be able to submit agenda item requests directly to the Board President or Superintendent in accordance with Board Policy BE Local.

Policy Reference: BE Local

Recommended by:

Dr. Curtis Null
Superintendent of Schools

Submitted by:

Carrie Galatas
General Counsel

BOARD MEETINGS

BE
(LOCAL)

Meeting Place and Time

The notice for a Board meeting shall reflect the date, time, and location of the meeting.

Regular Meetings

Regular meetings of the Board shall normally be held on the third Tuesday of each month at 6:00 p.m. When determined necessary and for the convenience of Board members, the Board President may change the date, time, or location of a regular meeting with proper notice.

**Special or
Emergency Meetings**

The Board President shall call special meetings at the Board President's discretion or on request by two members of the Board.

The Board President shall call an emergency meeting when it is determined by the Board President or three members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

Agenda

Deadline

The deadline for submitting items for inclusion on the agenda is the fifth calendar day before regular meetings and the fifth calendar day before special meetings.

Preparation

In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any Board member may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all topics that have been timely submitted by a Board member.

In order for items to be placed on the agenda, the Superintendent must have the following information:

1. Name of the person to be placed on the agenda.
2. Subject or issues to be presented.
3. Approximate length of time needed.

Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the Board President's approval. In reviewing the preliminary agenda, the Board President shall ensure that any topics the Board or individual Board members have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a Board member without that Board member's specific authorization.

BOARD MEETINGS

BE
(LOCAL)

Notice to Members	Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting and at least one hour prior to the time of an emergency meeting.
Closed Meeting	<p>Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, in accordance with law.</p> <p>The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC]</p>
Order of Business	The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members.
Rules of Order	The Board shall observe the parliamentary procedures as found in <i>Robert's Rules of Order, Newly Revised</i> , except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.
Voting	Voting shall be by voice vote or show of hands, as directed by the Board President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. [See BDAA(LOCAL) for the Board President's voting rights]
Consent Agenda	When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.
Minutes	<p>Board action shall be carefully recorded by the Board Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the Board President and the Board Secretary.</p> <p>The official minutes of the Board shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.</p>
Discussions and Limitation	Discussions shall be addressed to the Board President and then the entire membership. Discussion shall be directed solely to the

BOARD MEETINGS

BE
(LOCAL)

business currently under deliberation, and the Board President shall halt discussion that does not apply to the business before the Board.

The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the Board President shall not interfere with debate so long as members wish to address themselves to an item under consideration.