



**Fabens ISD**

**Special Meeting**

**Wednesday, August 26, 2020 6:30 PM**

**All students of Fabens Independent School District will  
be successful, life-long, global learners.**

# Agenda of Special Meeting

## The Board of Trustees Fabens ISD

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A Special Meeting of the Board of Trustees of Fabens ISD will be held August 26, 2020, beginning at 6:30 PM in the Central Office, Board Room, 821 NE G Avenue, Fabens, TX 79838.

**Due to health and safety concerns related to the COVID-19 Coronavirus, this meeting will be conducted by video conference or telephone call. At least a quorum of the Board will be participating by video conference or telephone call in accordance with the provisions of Sections 551.125 or 551.127 of the Texas Government Code that have been suspended by the Order of the Governor.**

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

1. **Call to Order, Roll Call and Pledge of Allegiance** 4
2. **Communication and Visitors** 5
  - A. To Submit Questions or Comments - please email:  
boardmeeting@fabensisd.net
  - B. To view Board Meeting:  
Youtube: [https://www.youtube.com/channel/UC-x1AKV1N4MC4\\_bHIShDLdg](https://www.youtube.com/channel/UC-x1AKV1N4MC4_bHIShDLdg) or go to  
[www.fabensisd.net](http://www.fabensisd.net) a link is available under Fabens ISD Announcements  
Webinar ID: 968 4837 8180
3. **Board of Trustees Business**
  - A. Remote Homebound Instruction for Special Education Students 6
  - B. Discussion and Selection of Inclusion/Exclusion of Students from  
Extracurricular Activities and Elective Courses During Remote Instruction 10
  - C. Approval of Fabens ISD 2019 -2020 Budget Amendments 13
  - D. Adoption of Fabens ISD 2020 -2021 Budget 14
  - E. Adoption of Fabens ISD 2020 -2021 Tax Rate 15

#### **4. Adjourn**

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**FABENS I.S.D.  
BOARD OF TRUSTEES**

Date: 08/20/2020 Presented By: Board President  
Subject: Call to Order, Roll Call and Pledge of Allegiance Related Page(s) N/A

**Action**

**BACKGROUND INFORMATION:  
CALL to ORDER, ROLL CALL and  
PLEDGE OF ALLEGIANCE**

The August 26, 2020 Special Meeting is called to order at \_\_\_\_\_.  
Let the minutes show that:

1) all members are in attendance

OR

2) \_\_\_\_\_ is (are) not in attendance.

Reason:     ( ) Illness             ( ) Family Emergency  
              ( ) Out of Town     ( ) Other \_\_\_\_\_

\_\_\_\_\_(name) will lead us in the reciting of the Pledge of Allegiance

**FABENS ISD  
BOARD OF TRUSTEES**

**COMMUNICATION AND VISITORS  
Board Agenda Item**

<b>TITLE</b>	<b>Communication &amp; Visitors</b>	<b>Date Requested</b>	08/20/2020
<b>Requested By:</b>	N/A	<b>Approximate Time</b>	Up to 15 minutes
<b>Division Approval:</b>	N/A	<b>Action Needed by:</b>	N/A
<b>Action Requested:</b>	N/A	<b>Information Only:</b>	Yes
<b>People Participating In Presentation:</b>	Community	<b>Who Has Been Involved:</b>	N/A
<b>How Will It Benefit the District's Mission/Goals?</b>		<b>How Will Request Be Financed?</b>	
		<b>Cost to District:</b>	

This meeting is being conducted by audio conference in accordance with the governance authorization concerning suspension of certain open meeting law requirements for the COVID-19 disaster.

As we would at any in-person meeting, members of the public who have followed the instructions on the meeting notice for registering to speak during the public comment portion will be recognized. If the speaker submitted written comments to the email provided in advance, the comments will be read into record. If you would like to provide comment at a future meeting conducted via teleconference, please follow the instructions on the meeting notice.

**FABENS ISD  
BOARD OF TRUSTEES**

**BOARD OF TRUSTEES BUSINESS  
Board Agenda Item**

<b>TITLE</b>	<b>Remote Homebound Instruction for Special Education Students</b>	<b>Date Requested</b>	08/19/2020
<b>Requested By:</b>	Jorge Saenz, Executive Director of Special Programs	<b>Approximate Time</b>	5 minutes
<b>Division Approval:</b>	Texas Education Agency approval needed after Board of Trustees approval	<b>Action Needed:</b>	Board of Trustees
<b>Action Requested:</b>	Administration requests approval for remote homebound instruction to a special education student	<b>Information Only:</b>	No
<b>People Participating In Presentation:</b>	Jorge Saenz	<b>Who Has Been Involved:</b>	Jorge Saenz & Richard Lopez
<b>How Will It Benefit the District's Mission/Goals?</b>	The student's ARD committee determined, in a manner consistent with state and federal law, that remote homebound instruction to be provided meet the needs of the student.	<b>How Will Request Be Financed?</b>	n/a
		<b>Cost to District:</b>	None

Situation	Is the Remote Homebound Waiver for SpEd Required?
If the remote instruction is temporary (3-4 weeks) until a return to in-person instruction, is the remote homebound (HB) waiver necessary?	Yes. Refer to Section 12.3.4, Remote Homebound Instruction, in the Student Attendance Accounting Handbook (SAAH) for guidance related to submitting the waiver.
If the ARD committee recommends a special education (SE) student be included in the asynchronous instruction plan, is the remote HB waiver necessary?	No. Be sure the asynchronous plan includes how services will be provided to SE students who require remote HB instruction at home or hospital bedside when the plan is submitted for TEA approval.
If districts (districts include open-enrollment charter schools in this table) address in their asynchronous instruction plans how they will deliver services, is the remote HB waiver necessary?	No. Be sure the asynchronous plan includes how services will be provided to SE students who require remote HB instruction at home or hospital bedside when the plan is submitted for TEA approval.
Are districts required to submit a remote HB waiver for SE students who require services at home or hospital bedside if instruction is provided via synchronous or asynchronous instructional methods?	No. If the district submits to TEA an asynchronous plan that includes how services will be provided to SE students that require remote HB instruction at home or hospital bedside and the plan is approved, no remote HB waiver is needed.
If a district is only providing on-campus instruction, is the remote HB waiver for students that require services from their home or hospital bedside necessary?	Yes. Refer to section 12.3.4, Remote Homebound Instruction, in the SAAH for guidance related to submitting the waiver.
If the district has included how it will provide remote services/instruction to SE students who require services/instruction at their home or hospital bedside (based on students' IEPs) in their asynchronous plan and the plan is approved, does the district need a remote HB waiver?	No. Please refer to the SY 20-21 Attendance and Enrollment FAQ on the TEA COVID-19 site (question #24 for additional guidance).
Can a district include in its asynchronous plan how it will serve remote HB SE students that require services from their home/hospital bedside if they are not currently serving students but anticipate they will at some point in the school year?	Yes. Districts can include it in their asynchronous plan how they will serve SE homebound students that require services from their home/hospital bedside if the district anticipates that the need will arise during the school year. If it is in the plan, a waiver need not be submitted for each student. The plan should be written to cover

	all students that may need homebound services from their home or hospital bedside.
Does a district submit a remote HB waiver to TEA through TEAL?	Yes. The waiver is submitted through TEAL under General Waivers. The requestor will need to have a TEAL account to access the waiver. The TEAL instructions and other waiver related information is on the Waiver Unit's webpage at <a href="https://tea.texas.gov/texas-schools/waivers/state-waivers">https://tea.texas.gov/texas-schools/waivers/state-waivers</a> . Also, when submitting the waiver request, follow the instructions in SAAH Section 12.3.4 and cite the requirement in #3 of the waiver request.
Is board approval required when the district submits a request for a remote HB waiver? Who submits them and authorizes the waiver requests?	Yes. The board is required to approve the waiver request, and the date of the board approval is required when completing the waiver request. All waiver requests go to the superintendent or the designee for approval (that means the superintendent or designee has to have TEAL access also). The submitter is the person approved by the superintendent or designee to submit the waiver. In some instances it may be the special education director or another district staff member who has TEAL access.
Does a district need to file a waiver retroactively because homebound, like the rest of its instruction, shifted to virtual instruction in the spring?	No.



#### **12.3.4 Remote Homebound Instruction—Special Education Students**

In this subsection, remote homebound instruction means remote instruction in which a special education student with an instructional setting code of 01 - Homebound receives individualized instruction through special education homebound instruction and in which all requirements related to special education homebound instruction are met except for in-person instruction from the homebound teacher. See 4.7.2 Code 01 - Homebound for special education homebound requirements.

A student's ARD committee is responsible for determining, in a manner consistent with state and federal law, whether remote homebound instruction meets the needs of the student.

If your school district provides remote homebound instruction to a special education student, your district may, **with the approval of a waiver request**, count the student in attendance for FSP funding purposes, including weighted funding purposes, provided that the following requirements are met:

- The student's ARD committee must have determined, in a manner consistent with state and federal law,<sup>250</sup> that the remote homebound instruction to be provided meets the needs of the student.
- The ARD committee must have documented that determination in the student's IEP.
- All requirements related to the provision of special education homebound instruction must be met except for face-to-face instruction from the homebound teacher.

If a waiver is granted, the affected student will generate attendance (eligible days present) according to the homebound funding provisions in 4.7.2.5 Homebound Funding and Homebound Documentation Requirements.

Your district can submit a request for a general waiver using TEA's automated waiver application system, which is available in TEAL. When submitting a waiver request, cite the following requirement in item 3 of the General Waivers section: the requirement that a homebound teacher serve a student in person at the student's home or hospital bedside in order for FSP funding to be generated, as required by 4.7.2.5 Homebound Funding and Homebound Documentation Requirements of the handbook, which is adopted annually through 19 TAC §129.1025.

#### **12.3.5 Distance Learning**

In 12.3 Remote Instruction That Is not Delivered through the TXVSN, including this subsection, distance learning means remote instruction in which a student physically located at his or her home campus participates in a class provided at another campus in the same district or in another district at which students and a teacher are physically present. Distance learning does not include instruction provided through the TXVSN. For requirements related to the TXVSN, see 12.2 Texas Virtual School Network (TXVSN).

<sup>250</sup> including provisions related to LRE and FAPE requirements

**FABENS ISD**  
**BOARD OF TRUSTEES**

**BOARD OF TRUSTEES BUSINESS**  
**Board Agenda Item**

<b>TITLE</b>	<b>Discussion and Selection of Inclusion/Exclusion of Students from Extracurricular Activities and Elective Courses During Remote Instruction</b>	<b>Date Requested</b>	08/2020
<b>Requested By:</b>	Dr. Veronica Vijil Mr. Jake Belshe	<b>Approximate Time</b>	15 minutes
<b>Division Approval:</b>		<b>Action Needed:</b>	Yes
<b>Action Requested:</b>	<b>Board Recommendation</b> The Board must decide to include or exclude remote learners. If excluded, the Board must select Option 1, Option 2 <u><b>OR</b></u> Option 3 on the Resolution.	<b>Information Only:</b>	No
<b>People Participating In Presentation:</b>	Dr. Veronica Vijil Mr. Jake Belshe	<b>Who Has Been Involved:</b>	Dr. Vijil and Mr. Belshe
<b>How Will It Benefit the District's Mission/Goals?</b>		<b>How Will Request Be Financed?</b>	
		<b>Cost to District:</b>	



Home of the "Wildcats"

Fabens Independent School District  
821 NE "G" Avenue  
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Fabens, Texas 79838  
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## **Resolution of the Board Regarding Exclusion from Extracurricular Activities and Elective Courses**

**WHEREAS**, Texas Education Agency (TEA) guidance authorizes school districts to develop local policy that would exclude students who are receiving all-remote instruction from participating in extracurricular activities and elective courses open only to students in particular University Interscholastic League (UIL) activity;

**WHEREAS**, The TEA guidance states that the policy may apply to all students who are learning remotely or only to interdistrict transfer students who are learning remotely and that the exclusion policy must otherwise be applied equally to all students and to all extracurricular activities;

**WHEREAS**, TEA guidance provides that if a parent chooses remote instruction for their child, the District may limit the student's return to an on-campus setting to occur only at the end of a grading period if the District believes it is in the student's educational interest;

WHEREAS, the UIL has clarified that students participating in remote learning offered by their school district, whether synchronous or asynchronous, may participate in UIL activities if they meet all other UIL eligibility requirements in accordance with the UIL Constitution and Contest Rules but that districts may develop local policies with additional requirements for participation; and

WHEREAS, Texas Education Code 11.151 gives the Board of Trustees the exclusive power and duty to govern and oversee the management of the public schools of the District.

Now, therefore, be it resolved that the 2020 -2021 school year, the Board of Trustees of Fabens Independent School District approves the following provisions:

### **\_\_\_\_\_ Option 1 - Addresses extracurricular activities only**

A student who is voluntarily participating in an all remote instructional method, whether synchronous or asynchronous, shall not be permitted to participate in any extracurricular activity, practice, or performance for the grading period in which the student is receiving all-remote instruction.

### **\_\_\_\_\_ Option 2 - Addresses extracurricular activities and elective courses by grade period**

A student who is voluntarily participating in an all-remote instructional method, whether synchronous or asynchronous, shall not be permitted to participate in any extracurricular activity, practice, or performance or elective course open only to students participating in a particular UIL activity for the grading period in which the student is receiving all-remote instruction.

**\_\_\_\_\_ Option 3 – Addresses extracurricular activities by grade period and elective courses for duration of the course.**

A student who is voluntarily participating in an all-remote instructional method, whether synchronous or asynchronous, shall not be permitted to participate in any extracurricular activity, practice, or performance for the grading period in which the student is receiving all-remote instruction or any elective course open only to students participating in a particular UIL activity.

The authority granted by this resolution shall only apply for the 2020 -2021 school year unless the Board takes further action.

Adopted this 26<sup>th</sup> day of August, 2020 by the Board of Trustees.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Secretary

**FABENS ISD  
BOARD OF TRUSTEES**

**BOARD OF TRUSTEES BUSINESS  
Board Agenda Item**

<b>TITLE</b>	<b>Approval of Fabens ISD 2019 -2020 Budget Amendments</b>	<b>Date Requested</b>	08/2020
<b>Requested By:</b>	Ms. Yvonne Coupland	<b>Approximate Time</b>	15 minutes
<b>Division Approval:</b>		<b>Action Needed:</b>	Yes
<b>Action Requested:</b>	The administration recommends the Board approve the 2019 – 2020 budget amendments as presented	<b>Information Only:</b>	No
<b>People Participating In Presentation:</b>	Ms. Yvonne Coupland	<b>Who Has Been Involved:</b>	Ms. Coupland
<b>How Will It Benefit the District's Mission/Goals?</b>		<b>How Will Request Be Financed?</b>	
		<b>Cost to District:</b>	

**In order to accurately finalize the 2019 -2020 Fabens ISD Budget - amendments will be reviewed via a Power point presentation on Wednesday.**

**FABENS ISD  
BOARD OF TRUSTEES**

**BOARD OF TRUSTEES BUSINESS  
Board Agenda Item**

<b>TITLE</b>	<b>Adoption of Fabens ISD 2020 – 2021 Budget</b>	<b>Date Requested</b>	08/2020
<b>Requested By:</b>	Ms. Yvonne Coupland	<b>Approximate Time</b>	15 minutes
<b>Division Approval:</b>		<b>Action Needed:</b>	Yes
<b>Action Requested:</b>	The administration recommends the Board approve the 2020 -2021 Fabens ISD Budget as presented in the community meeting prior to our Special Meeting	<b>Information Only:</b>	No
<b>People Participating In Presentation:</b>	Ms. Yvonne Coupland	<b>Who Has Been Involved:</b>	Ms. Coupland
<b>How Will It Benefit the District's Mission/Goals?</b>		<b>How Will Request Be Financed?</b>	
		<b>Cost to District:</b>	

**The 2020 – 2021 budget will have been presented during our community meeting at 6:00 PM**

**FABENS ISD  
BOARD OF TRUSTEES**

**BOARD OF TRUSTEES BUSINESS  
Board Agenda Item**

<b>TITLE</b>	<b>Adoption of Fabens ISD 2020 – 2021 Tax Rate</b>	<b>Date Requested</b>	08/2020
<b>Requested By:</b>	Ms. Yvonne Coupland	<b>Approximate Time</b>	15 minutes
<b>Division Approval:</b>		<b>Action Needed:</b>	Yes
<b>Action Requested:</b>	The administration recommends the Board approve the 2020 -2021 Fabens ISD Tax Rate as presented in the community meeting prior to our Special Meeting	<b>Information Only:</b>	No
<b>People Participating In Presentation:</b>	Ms. Yvonne Coupland	<b>Who Has Been Involved:</b>	Ms. Coupland
<b>How Will It Benefit the District's Mission/Goals?</b>		<b>How Will Request Be Financed?</b>	
		<b>Cost to District:</b>	

**The 2020 – 2021 Tax Rate will have been presented during our  
community meeting at 6:00 PM**

**FABENS ISD  
BOARD OF TRUSTEES**

Date: 08/2020 Presented By: Board President

Subject: Adjourn Related Page(s) N/A

**Action**

**BACKGROUND INFORMATION:  
ADJOURN**

If there is no further business the meeting is adjourned at \_\_\_\_\_ p.m.