

*Board of Education
Regular Meeting
April 28, 2020*



Fort Worth
INDEPENDENT SCHOOL DISTRICT

Regular Meeting via Webinar

Notice is hereby given that on April 28, 2020, the Board of Education of the Fort Worth Independent School District will hold a Regular Meeting via Webinar beginning at 5:30 PM. Due to health and safety concerns related to the COVID-19 Coronavirus, this meeting will be conducted by videoconference or telephone call. At least a quorum of the Board will be participating by videoconference or telephone call in accordance with the provisions of Sections 551.125 or 551.127 of the Texas Government Code that have not been suspended by order of the governor. Members of the public may access the live broadcast for this meeting from either Spectrum (Charter) Channel 192, the Fort Worth ISD EDTV channel on YouTube (search for YouTube FWISD EDTV) or by using this link: <https://esc11.zoom.us/j/97296151208>. An electronic copy of the agenda packet is attached to this online notice. The subjects to be discussed or considered or upon which any formal action may be taken are listed on the agenda which is made a part of this notice. Items do not have to be taken in the order shown on this meeting notice. Those individuals desiring to make a public comment can sign up by calling 469-223-5985 until 5:30 PM the day of the meeting.

Those who need a sign language interpreter, email amanda.coleman@fwisd.org by 5 PM the Friday prior to the scheduled meeting.

Additional instructions to join this meeting:

Or iPhone one-tap :

US: +13462487799,,97296151208# or +16699006833,,97296151208#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 972 9615 1208

International numbers available: <https://esc11.zoom.us/u/adMVXvLhJt>

FORT WORTH INDEPENDENT SCHOOL DISTRICT

AGENDA

1. 5:30 P.M. - CALL MEETING TO ORDER - WEBINAR

Join the live broadcast from either Spectrum (Charter) Channel 192, the Fort Worth ISD EDTV channel on YouTube (search for YouTube FWISD EDTV) or the link above.

2. PLEDGES

3. PUBLIC COMMENT

(Those individuals desiring to make a public comment can sign up by calling 469-223-5985 until 5:30 PM the day of the meeting)

4. DISCUSSION OF CONSENT AGENDA ITEMS

5. CONSENT AGENDA ITEMS

(Action by the Board of Education in adopting the "Consent Agenda" means that all items appearing herein are adopted by one single motion, unless a member of the Board requests that such item be removed from the "Consent Agenda" and voted upon separately.)

- A. Board of Education Meeting Minutes
 - 1. March 31, 2020 - Regular Meeting 4
 - 2. April 14, 2020 - Regular Meeting 13
- B. Acceptance of Bids/Proposals, Single Source, and Agreement Purchases \$50,000 and More
 - 1. Approve Purchase of Travel Services 18
- C. Approve Budget Amendment for the Period Ended March 31, 2020 21
- D. Approve Second Reading-Revisions to Board Policies CO, DCB, DF, DIA, EHBAF, FDA, FDB, and FNG(LOCAL) 27
- E. Approve Ratification of Remaining Funds from the 2013 Capital Improvement Program Construction Reserves for Middle School Restroom Renovations 63
- F. Approve Authorization to Negotiate and Enter into a Contract with Reeder + Summit Joint Venture for a GMP for Construction Services in Conjunction with the 2017 Capital Improvement Program Job No. 171-011 (RFP #20-004) Tanglewood Elementary School Renovation 66
- G. Approve Change Order for Job No. 008-203 North Side High School Addition & Renovation (RFQ #19-098) in Conjunction with the 2017 Capital Improvement Program 69
- H. Approve Change Order for the Teaching and Learning Center Phase II (CSP19-137) to the General Contractors' Contract 72

6. RECESS - RECONVENE IN CLOSED MEETING FOR EXECUTIVE SESSION - WEBINAR

7. EXECUTIVE SESSION

The Board will convene in closed session as authorized by the Texas Government Code Chapter 551.

- A. Seek the Advice of Attorneys (Texas Government Code §551.071)
- B. Deliberation Regarding the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee, Including Action Items Related to the Recommendation to Terminate Certain Continuing Contract Employees for Good Cause, the Recommendation to Terminate Certain Term Contract Employees for Good Cause and the Recommendation to Terminate Certain Probationary Contract Employees for Good Cause (Texas Government Code §551.074)
- C. Security Implementation (Texas Government Code §551.076)
- D. Real Property (Texas Government Code §551.072)

8. RECONVENE IN REGULAR SESSION - WEBINAR

9. ACCEPT CONSENT AGENDA ITEMS

10. ACTION ITEMS

- A. Item/Items Removed from Consent Agenda
- B. Personnel

11. ACTION AGENDA ITEMS

- A. Approve Waiving of First Reading and Approve Revised Board Policy DEA(LOCAL) 75

12. DISCUSSION ON SELECTION OF BOARD OFFICERS

13. COMMENTS BY BOARD MEMBERS OR SUPERINTENDENT ON CURRENT DISTRICT ACTIVITIES AND ANNOUNCEMENTS

14. ADJOURN

**CONSENT AGENDA ITEM
BOARD MEETING
April 28th, 2020**

TOPIC: APPROVE BOARD OF EDUCATION MEETING MINUTES

BACKGROUND:

The Open Meetings Act (the “Act”) was adopted in 1967 with the sole intent of making governmental decision-making accessible to the public. (It was codified without substantive change as Government Code Chapter 551.) The “Act” requires meetings of governmental bodies (school district board of trustees) to be open to the public, except for expressly authorized closed sessions, and to be preceded by public notice of the time, place and subject matter of the meeting.

Section 551.021 of the Texas Government Code states that (a) A governmental body shall prepare and keep minutes of each open meeting of the body with the minutes containing the subject of each deliberation and indicating action taken on each vote, order or decision. Section 551.022 provides that the minutes are public records and shall be available for public inspection and copying on request to the governmental body’s chief administrative officer or designee.

In order to maintain compliance with Chapter 551 of the Texas Government Code and the Texas Open Meetings Act, the Board must approve each set of minutes presented. Upon approval, the minutes can then be made available to the public as an official record of a given meeting.

STRATEGIC GOAL:

2 – Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Board of Education Meeting Minutes
2. Decline to Approve Board of Education Meeting Minutes
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Board of Education Meeting Minutes

FUNDING SOURCE:

Additional Details

None

None

COST:

None

VENDOR:

Not Applicable

PURCHASING MECHANISM

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Board of Education

RATIONALE:

Approval of the attached Board of Education minutes allows the District to provide the public with an official record of any given meeting.

INFORMATION SOURCE:

Karen Molinar

MINUTES OF THE MEETING
OF
FORT WORTH BOARD OF EDUCATION

The Board of Education of the Fort Worth Independent School District held a meeting on March 31, 2020.

The following is a copy of the Meeting Notice and Return which is submitted and filed as a matter of record.

MEETING NOTICE
FORT WORTH INDEPENDENT SCHOOL DISTRICT

Notice is hereby given on March 26, 2020, the Board of Education of the Fort Worth Independent School District will hold a meeting beginning at 05:30 p.m. via a Zoom webinar. The subjects to be discussed are listed on the agenda which is made a part of this notice.

Under the authority of Texas Government Code, Section 551.001, et seq., the Board, during the course of the meeting covered by this notice, may enter into closed or executive session for any of the following reasons:

1. To consult with the Board's attorney with respect to pending or contemplated litigation, or settlement offers, or on matters where the attorney's duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Laws. Sec. 551.071
2. To discuss the purchase, exchange, lease, or value of real property. Sec. 551.072
3. To discuss negotiated contracts for prospective gifts or donations. Sec. 551.073
4. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against a public officer or employee, unless such officer or employee requests a public hearing. Sec. 551.074
5. To consider the deployment, or specific occasions for implementation, of security personnel or devices. Sec. 551.076
6. To deliberate a case involving discipline of a public school child or children, unless an open hearing is requested in writing by a parent or guardian of the child; or to deliberate a case in which a complaint or charge is brought against an employee of the District by another employee and the complaint or charge directly results in a need for a hearing, unless the employee complained of or charged requests an open hearing. Sec. 551.082
7. To exclude a witness from a hearing during the examination of another witness in an investigation when the Board is investigating a matter. Sec. 551.084

All final votes, actions, or decisions on any matter discussed in closed or executive session shall be taken or made in open session.

This notice was posted and filed in compliance with the Open Meetings Law on March 26, 2020 at 05:30 p.m.

Amanda Coleman, PhD
Director
Policy and Planning

RETURN OF THE MEETING MARCH 31, 2020

I, Amanda Coleman, Director of Policy and Planning of the Fort Worth Independent School District, do verify that a copy of this notice of meeting was posted on March 26, 2020, on the Fort Worth ISD main web page as District offices are closed due to the COVID-19 pandemic.

Given under my hand on March 26, 2020.

Amanda Coleman, PhD
Director
Policy and Planning

1. 5:30 P.M. - CALL REGULAR MEETING TO ORDER - WEBINAR

President Ramos called the meeting to order at 5:31 p.m.

The following Board Members were present:

Daphne Brookins
Anne Darr
CJ Evans
Tobi Jackson
Anael Luebanos
Quinton Phillips
Jacinto Ramos
Norman Robbins

(Trustee Ashley Paz joined online at 5:50p.m.)

The following administrators were present:

Dr. Kent Scribner, Superintendent
Sherry Breed, Chief of Equity & Excellence
Vicki Burris, Chief of Capital Projects/Capital Improvement Program
Art Cavazos, Chief of District Operations
Michael Ball, Chief Financial Officer
Karen Molinar, Chief of Staff, Policy and Planning
Jerry Moore, Chief Academic Officer
Raul Pena, Chief of Elementary Schools
Cynthia Rincon, Chief of Human Capital Management
Cherie Washington, Chief of Secondary Schools
Barbara Griffith, Senior Communications Officer
Clint Bond, Executive Director of External & Emergency Communications

2. PLEDGES

Pledges were led by Clint Bond.

3. PUBLIC COMMENT

Speakers:

Charlisa Evans' statement was read by Clint Bond.

Steven Poole

Dedra Mosley

4. RECESS - RECONVENE IN REGULAR SESSION - WEBINAR

No recess was needed.

5. DISCUSSION OF AGENDA ITEMS

6. CONSENT AGENDA ITEMS (Action by the Board of Education in adopting the "Consent Agenda" means that all items appearing herein are adopted by one single motion, unless a member of the Board requests that such item be removed from the "Consent Agenda" and voted upon separately.)

A. Acceptance of Bids/Proposals, Single Source, and Agreement Purchases \$50,000 and More

1. Approve Purchase of Wide Area Network Services for Overton Park Elementary
2. Approve Purchase of Computer Hardware for Program Growth for I.M. Terrell Academy for STEM and VPA
3. Approve Purchase of Network Electronics for the Teaching and Learning Center

4. Approve Purchase of Classroom Interactive Panels, Displays and Services for High School Renovations and New Construction
 5. Approve Renewal of Enrollment for Education Solutions (EES) Program
 6. Approve Purchase of Furniture for the Family Action Center-East
- B. Approve First Reading-Revisions to Board Policies CO, DCB, DF, DIA, EHBAF, FDA, FDB, and FNG(LOCAL)
 - C. Approve Budget Amendment for the Period Ended February 29, 2020
 - D. Approve Authorization to Negotiate and Enter into Contract with an Electric Provider
 - E. Approve Interlocal Participation Agreement and Resolution Between the TASB Energy Cooperative and the Fort Worth Independent School District
 - F. Approve Memorandum of Understanding Between the Fort Worth Independent School District and Tarleton State University Regarding the Distinguished High School Partnership Program
 - G. Approve Memorandum of Understanding with Early Matters, an Initiative of the Commit Partnership
 - H. Approve Minutes of the February 10, 2020 Citizens' Oversight Committee Meeting for the 2017 Capital Improvement Program
 - I. Approve Authorization to Enter into a Contract with a Construction Manager at Risk for Pre-Construction Services for Tanglewood Elementary School Renovation Job #171-011 (RFP #20-004) in Conjunction with the 2017 Capital Improvement Program
 - J. Approve Ratification of the Closeout for the Contract with RJM Contractors, Inc. for Job #176-011 (CSP #19-034) and Authorize Final Payment in Conjunction with the 2017 Capital Improvement Program
 - K. Approve Ratification to Authorize to Enter into a Contract with a General Contractor for Middle School Restroom Renovations (8 Schools) (CSP #20-005) in Conjunction with the 2013 Capital Improvement Program
 - L. Approve Ratification to Negotiate and to Enter into a Contract with a General Contractor for Middle School Restroom Renovations (4 Schools) (CSP #20-007) in Conjunction with the 2013 Capital Improvement Program
 - M. Approve Ratification to Negotiate and Enter into a Contract with a General Contractor For Middle School Restroom Renovations (CSP #20-008) in Conjunction with the 2013 Capital Improvement Program

- N. Approve Ratification to Negotiate and to Enter into a Contract with a General Contractor for Middle School Restroom Renovations (CSP #20-009) in Conjunction with the 2013 Capital Improvement Program
 - O. Approve Ratification of City of Fort Worth Drainage Facility Easement for Diamond Hill-Jarvis High School Job No. 004-201 in Conjunction with the 2017 Capital Improvement Program
 - P. Approve Ratification for Vacation of Drainage Easement for Diamond Hill-Jarvis High School Job No. 004-201 in Conjunction with the 2017 Capital Improvement Program
 - Q. Approve Purchase of Furniture, Fixtures & Equipment (FF&E) for Dunbar High School Job #005-212 in Conjunction with the 2017 Capital Improvement Program
 - R. Approve Purchase of Furniture, Fixtures & Equipment (FF&E) for Eastern Hills High School Job #006-202 in Conjunction with the 2017 Capital Improvement Program
 - S. Authorization to Negotiate Additional Service Fee for an Existing Facilities Analysis for the Long-Range Facilities Master Plan
7. RECESS-RECONVENE IN CLOSED VIRTUAL MEEINGING FOR EXECUTIVE SESSION
8. EXECUTIVE SESSION The Board will convene in closed session as authorized by the Texas Government Code Chapter 551.
- A. Seek the Advice of Attorneys (Texas Government Code §551.071)
 - 1. Palazzolo v. Fort Worth Independent School District; No. CV12-07-438, 271st Judicial District Court, Wise County
 - B. Deliberation Regarding the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee, Including Action Items Related to the Recommendation to Terminate Certain Continuing Contract Employees for Good Cause, the Recommendation to Terminate Certain Term Contract Employees for Good Cause and the Recommendation to Terminate Certain Probationary Contract Employees for Good Cause (Texas Government Code §551.074)
 - C. Security Implementation (Texas Government Code §551.076)
 - D. Real Property (Texas Government Code §551.072)
9. RECONVENE IN REGULAR SESSION - WEBINAR

The meeting was reconvened at 7:07 p.m.

10. ACCEPT CONSENT AGENDA

Motion was made by Anne Darr, seconded by, CJ Evans to approve CONSENT AGENDA.

The motion was unanimously approved.

11. ACTION ITEMS

A. Item/Items Removed from Consent Agenda

There were no items removed.

A. Personnel

There were no personnel appointments.

12. ACTION AGENDA ITEMS

A. Approve Second Reading-Revisions to Board Policies BBB, BBE, BDD, BE, BED, BJCD, EFD, and ELA(LOCAL)

Motion was made by Ashley Paz, seconded by Norman Robbins

The motion was unanimously approved.

B. Approve Ratification of Electric Delivery Company Easement and Right-of-Way Agreement for Arlington Heights High School Athletic Addition Job No. 002-001 in Conjunction with the 2017 Capital Improvement Program

Motion was made by Anael Luebanos, seconded by Tobi Jackson

The motion was unanimously approved.

C. Approve Resolution of the Board of Trustees of the Fort Worth Independent School District Regarding Delegation of Authority During the COVID-19 Emergency

Motion was made by Ashley Paz, seconded by Daphne Brookins

The motion was unanimously approved.

D. Action in the Current Palazzolo Lawsuit in Keeping with the Discussion with Legal Counsel in Executive Session

Motion was made by Ashley Paz, seconded by Tobi Jackson

The motion was passed with 8 For and 1 Abstain.

13. COMMENTS BY BOARD MEMBERS OR SUPERINTENDENT ON CURRENT DISTRICT ACTIVITIES AND ANNOUNCEMENTS

Tobi Jackson
Quinton Phillips
Daphne Brookins
Anne Darr
Norman Robbins
Anael Luebanos
Ashley Paz
Dr. Kent Scribner
Jacinto Ramos

14. ADJOURN

The meeting was adjourned at 7:44 p.m.

Amanda Coleman, PhD
Policy and Planning

Video of the meeting is available on the Board of Education website at <http://www.fwisd.org>

MINUTES OF THE MEETING
OF
FORT WORTH BOARD OF EDUCATION

The Board of Education of the Fort Worth Independent School District held a meeting on April 14, 2020.

The following is a copy of the Meeting Notice and Return which is submitted and filed as a matter of record.

MEETING NOTICE
FORT WORTH INDEPENDENT SCHOOL DISTRICT

Notice is hereby given on April 9, 2020, the Board of Education of the Fort Worth Independent School District will hold a meeting beginning at 05:30 p.m. via a Zoom webinar. The subjects to be discussed are listed on the agenda which is made a part of this notice.

Under the authority of Texas Government Code, Section 551.001, et seq., the Board, during the course of the meeting covered by this notice, may enter into closed or executive session for any of the following reasons:

1. To consult with the Board's attorney with respect to pending or contemplated litigation, or settlement offers, or on matters where the attorney's duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Laws. Sec. 551.071
2. To discuss the purchase, exchange, lease, or value of real property. Sec. 551.072
3. To discuss negotiated contracts for prospective gifts or donations. Sec. 551.073
4. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against a public officer or employee, unless such officer or employee requests a public hearing. Sec. 551.074
5. To consider the deployment, or specific occasions for implementation, of security personnel or devices. Sec. 551.076
6. To deliberate a case involving discipline of a public school child or children, unless an open hearing is requested in writing by a parent or guardian of the child; or to deliberate a case in which a complaint or charge is brought against an employee of the District by another employee and the complaint or charge directly results in a need for a hearing, unless the employee complained of or charged requests an open hearing. Sec. 551.082
7. To exclude a witness from a hearing during the examination of another witness in an investigation when the Board is investigating a matter. Sec. 551.084

All final votes, actions, or decisions on any matter discussed in closed or executive session shall be taken or made in open session.

This notice was posted and filed in compliance with the Open Meetings Law on April 9, 2020 at 05:30 p.m.

Amanda Coleman, PhD
Director
Policy and Planning

RETURN OF THE MEETING APRIL 14, 2020

I, Amanda Coleman, Director of Policy and Planning of the Fort Worth Independent School District, do verify that a copy of this notice of meeting was posted on April 9, 2020, on the Fort Worth ISD main web page as District offices are closed due to the COVID-19 pandemic.

Given under my hand on April 9, 2020.

Amanda Coleman, PhD
Director
Policy and Planning

1. 5:30 P.M. - CALL REGULAR MEETING TO ORDER - WEBINAR

President Ramos called the meeting to order at 5:30 p.m.

The following Board Members were present:

Daphne Brookins
Anne Darr
Tobi Jackson
Anael Luebanos
Ashley Paz
Quinton Phillips
Jacinto Ramos
Norman Robbins

(Trustee C.J. Evans joined online after Executive Session)

The following administrators were present:

Dr. Kent Scribner, Superintendent
Sherry Breed, Chief of Equity and Excellence
Vicki Burris, Chief of Capital Projects/Capital Improvement Program Art
Cavazos, Chief of District Operations
Michael Ball, Chief Financial Officer
Karen Molinar, Chief of Staff, Policy and Planning
Jerry Moore, Chief Academic Officer
Raul Pena, Chief of Elementary Schools
Cynthia Rincon, Chief of Human Capital Management
Cherie Washington, Chief of Secondary Schools
Barbara Griffith, Senior Communications Officer
Clint Bond, Executive Director of External & Emergency Communications

2. PLEDGES

Pledges were led by Clint Bond.

3. PUBLIC COMMENT

No speakers

4. DISCUSSION OF CONSENT AGENDA ITEMS

5. CONSENT AGENDA ITEMS (Action by the Board of Education in adopting the "Consent Agenda" means that all items appearing herein are adopted by one single motion, unless a member of the Board requests that such item be removed from the "Consent Agenda" and voted upon separately.)

A. Board of Education Meeting Minutes

1. February 25, 2020
2. March 17, 2020

B. Acceptance of Bids/Proposals, Single Source, and Agreement Purchases \$50,000 and More

1. Approve Modernization of Hydraulic Elevator at Rosemont Middle School
2. Approve HVAC Air Flow Upgrade at North Hi Mount Elementary School
3. Approve Resurfacing of Track at Clark Field and Reconstruction of Five Middle School Tracks
4. Approve Amendment and Ratification of Emergency Purchase of Chromebooks for Elementary School Students
5. Approve Emergency Purchase of Student Internet Connectivity (Hotspots) Lines

C. Approve Amendment and Ratification to the College Board Contract

- D. Approve Use of 2017 Capital Improvement Program Funds for Design of New Elementary School in Benbrook Ventana Community
 - E. Approve Authorization to Enter into a Contract with a Construction Manager at Risk for Pre-Construction Services for South Hills High School Athletics Job No. 003-001 (RFP #20-001) in Conjunction with the 2017 Capital Improvement Program
 - F. Approve Ratification of an Electric Delivery Company Easement and Right-Of-Way Agreement for Amon Carter-Riverside High School Addition / Renovation Job No. 001-102 in Conjunction with the 2017 Capital Improvement Program
6. RECESS-RECONVENE IN CLOSED MEETING FOR EXECUTIVE SESSION-WEBINAR
7. EXECUTIVE SESSION The Board will convene in closed session as authorized by the Texas Government Code Chapter 551.
- A. Seek the Advice of Attorneys (Texas Government Code §551.071)
 - B. Deliberation Regarding the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee, Including Action Items Related to the Recommendation to Terminate Certain Continuing Contract Employees for Good Cause, the Recommendation to Terminate Certain Term Contract Employees for Good Cause and the Recommendation to Terminate Certain Probationary Contract Employees for Good Cause (Texas Government Code §551.074)
 - C. Security Implementation (Texas Government Code §551.076)
 - D. Real Property (Texas Government Code §551.072)
8. RECONVENE IN REGULAR SESSION - WEBINAR
- The meeting was reconvened at 7:50 p.m.
9. ACCEPT CONSENT AGENDA
- Motion was made by Anael Luebanos, seconded by, Anne Darr to approve CONSENT AGENDA.
- The motion was unanimously approved.
10. ACTION ITEMS

A. Item/Items Removed from Consent Agenda

There were no items removed.

11. ACTION AGENDA ITEMS

A. Approve the Proposed Termination of Certain Term Contract Employees for Good Cause Pursuant to Chapter 21 of the Texas Education

No action needed

B. Approve Food Service Management Renewal for the 2020-2021 School Year Contingent Upon Review and Final Approval by the Texas Department of Agriculture (TDA)

Motion was made by Ashley Paz, seconded by Tobi Jackson

The motion was unanimously approved.

12. COMMENTS BY BOARD MEMBERS OR SUPERINTENDENT ON CURRENT DISTRICT ACTIVITIES AND ANNOUNCEMENTS

Tobi Jackson
Quinton Phillips
Daphne Brookins
Anne Darr
Norman Robbins
Anael Luebanos
Ashley Paz
Jacinto Ramos

14. ADJOURN

The meeting was adjourned at 8:11 p.m.

Amanda Coleman, PhD
Policy and Planning

Video of the meeting is available on the Board of Education website at <http://www.fwisd.org>

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE PURCHASE OF TRAVEL SERVICES

BACKGROUND:

The current contract for travel services has expired and the district published a Request for Proposal (RFP) 20-042 to procure a new service provider. The district received 10 responses and evaluated all 10 companies. The new company will continue to provide us the ability to purchase airline tickets and make hotel reservations; however, the new company is less expensive and has a reduced ticket turnaround time. The Purchasing Department’s travel personnel conducted the evaluation and the results are below.

The period of performance for this contract will be for two (2) years from date of award by the board; however, the first six months will be a probationary period. If initial awarded company fails to perform as stated, the contract will be subsequently awarded to the next most qualified company. After the initial two (2) year period, this agreement may be extended for an additional ten (10) years in two (2) year increments based upon agreement of both parties.

Vendor	Score (of 145)	Rank
The Travel Group	132	1
Campbell Travel	126	2
Sun Travel*(HUB Vendor)	116	4
Travelmax Global	112	3
Daniels Leisure Travel	106	5
Corporate Travel Management	102	6
Green Light Group Tours	101	7
Champion Tours & Events	89	8
Directors Choice	86	9
World View Travel	79	10

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Purchase of Travel Services
2. Decline to Approve Purchase of Travel Services
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve the purchase of travel services

FUNDING SOURCE

All funds

COST:

\$500,000 (Not to exceed annually)

The annual service fees have ranged between \$35,000 to \$37,000 historically. These costs will decrease due to the lower rate of the new travel service provider. The remaining costs cover the purchase of airline tickets and hotel reservations.

VENDOR:

The Travel Group

PURCHASING MECHANISM

Bid/RFP/RFQ

Bid/Proposal Statistics

Bid Number: 20-042

Number of Bid/Proposals received: 10

HUB Firms: 1*

Compliant Bids: 10

The above bid/proposal has been evaluated in accordance with the Texas Education Code section 44.031 (b) regarding specifications, pricing, performance history, etc. The recommended vendor listed above.

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

All schools and departments.

RATIONALE:

Approval of these services will enable us to provide uninterrupted travel services to the district.

INFORMATION SOURCE:

Michael Ball

**CONSENT AGENDA ITEM
BOARD MEETING
APRIL 28, 2020**

TOPIC: APPROVE BUDGET AMENDMENT FOR THE PERIOD ENDED MARCH 31, 2020

BACKGROUND:

The 2019-2020 Consolidated General Fund Budget was initially adopted on June 25, 2019 and last amended through the period ended February 29, 2020. During the month of March 2020, requests were made by Campuses and Departments to transfer funds between functions for the Consolidated General Operating Fund, as reflected on the spreadsheet provided. All requests are necessary in the normal course of District operations.

Once amendments have Board approval, they will be posted to the General Ledger.

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Budget Amendment for the Period Ended March 31, 2020
2. Decline to Approve Budget Amendment for the Period Ended March 31, 2020
3. Remand to staff for further study.

SUPERINTENDENT'S RECOMMENDATION:

Approve Budget Amendment for the Period Ended March 31, 2020

FUNDING SOURCE

Additional Details

General Fund

Not Applicable

COST:

Not applicable

VENDOR:

Not Applicable

PURCHASING MECHANISM

Not a purchase

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Campuses and Departments as necessary

RATIONALE:

Education Code 44.006(b) and the State Board of Education's Financial Accounting and Reporting Resource Guide require amendment, if needed, of the annual budget by official Board action. The proposed revision complies with legal requirements.

INFORMATION SOURCE:

Michael Ball

**Consolidated General Fund
Budget Amendments 2019-2020
For The Period Ended March 31, 2020**

	Consolidated General Fund 2019-2020 Amended Budget 2/29/2020	Adjustments	Consolidated General Fund 2019-2020 Amended Budget 3/31/2020
<u>REVENUE & OTHER SOURCES</u>			
5700 Local Revenue	\$386,356,807	\$0	\$386,356,807
5800 State Revenue	395,378,408	\$0	395,378,408
5900 Federal Revenue	12,325,000	\$0	12,325,000
7900 Other Sources	3,500,000	\$0	3,500,000
Total Revenue & Other Sources	\$797,560,215	\$0	\$797,560,215
<u>EXPENDITURES</u>			
11 Instruction	\$489,670,383	(\$189,685)	\$489,480,698
12 Instruction Resources and Media Services	\$11,780,478	\$200,399	\$11,980,877
13 Curriculum and Instructional Staff Development	\$12,334,306	(\$51,361)	\$12,282,945
21 Instructional Administration	\$16,059,075	\$0	\$16,059,075
23 School Administration	\$50,941,453	\$3,877	\$50,945,330
31 Guidance and Counseling Services	\$50,689,784	(\$123)	\$50,689,661
32 Social Work Services	\$6,928,338	\$0	\$6,928,338
33 Health Services	\$10,572,494	(\$1,842)	\$10,570,652
34 Student Transportation	\$21,311,870	\$1	\$21,311,871
35 Food Services	\$295,822	\$0	\$295,822
36 Cocurricular/Extracurricular Activities	\$15,359,085	\$40,000	\$15,399,085
41 General Administration	\$20,742,403	\$0	\$20,742,403
51 Plant Maintenance and Operations	\$83,772,271	\$94,033	\$83,866,304
52 Security and Monitoring Services	\$12,447,180	(\$300)	\$12,446,880
53 Data Processing Services	\$16,821,080	\$0	\$16,821,080
61 Community Services	\$6,121,903	\$1	\$6,121,904
71 Debt Service	\$0	\$0	\$0
81 Facilities Acquisition & Construction	\$16,785,683	(\$95,000)	\$16,690,683
95 Payments to Juvenile Justice Alt Ed Program	\$169,692	\$0	\$169,692
97 Tax Increment Financing	\$0	\$0	\$0
99 Other Intergovernmental Charges	\$2,721,405	\$0	\$2,721,405
Total Budgeted Expenditures	\$845,524,705	\$0	\$845,524,705
Total Deficit	(\$47,964,490)	\$0	(\$47,964,490)
Beginning Fund Balance (Audited)	202,295,371		202,295,371
Fund Balance-Ending (Unaudited)	\$154,330,881		\$154,330,881

		March 31, 2020 Budget Amendment		Increase	Decrease	Net Effect
Object 5700 5800 5900	Revenue					
	Total		0	0	0	0
Expenses						
Function						
11	199-Transfer to function 36 for additional budget needed to fund Choral Music student travel				36,000	
	199-Transfer from function 13 to fund SAT testing at campuses		48,654			
	198-Transfer to function 12 to purchase library books for Overton Park Elementary				201,450	
	Campus/Dept. normal course of District operations				889	
	Overall effect on Function 11		48,654	238,339		(189,685)
12	198-Transfer from function 11 to purchase library books for Overton Park Elementary		201,450			
	Campus/Dept. normal course of District operations				1,051	
	Overall effect on Function 12		201,450	1,051		200,399
13	199-Transfer to function 11 to fund SAT testing at campuses				48,654	
	Campus/Dept. normal course of District operations				2,707	
			0		51361	(51,361)
23	Campus/Dept. normal course of District operations		3,877			
	Overall effect on Function 23		3,877	0		3,877
31	Campus/Dept. normal course of District operations		0		123	
	Overall effect on Function 31		0	123		(123)
33	Campus/Dept. normal course of District operations		0		1,842	
	Overall effect on Function 31		0	1,842		(1,842)
	Overall effect on Function 35		0	0		0
36	199-Transfer from function 11 for additional budget needed to fund Choral Music student travel		36,000			
	Campus/Dept. normal course of District operations		4,000			
	Overall effect on Function 36		40,000	0		40,000
51	199-transfer from function 81 for elevator repair at campuses		45,000			
	199-transfer from function 81 to fund p-cards for additional supplies and materials for repair at campuses		50,000			
	Campus/Dept. normal course of District operations				967	
	Overall effect on Function 51		95,000	967		94,033
52	Campus/Dept. normal course of District operations				300	
	Overall effect on Function 52		0	300		(300)
81	199-transfer to function 51 for elevator repair at campuses				45,000	
	199-transfer to function 51 to fund p-cards for additional supplies and materials for repair at campuses				50,000	
	Overall effect on Function 81		0	95,000		(95,000)
	Total		388,983	388,983		0

FORT WORTH INDEPENDENT SCHOOL DISTRICT

SUMMARY OF 2019-2020 BUDGET AMENDMENTS

CONSOLIDATED GENERAL FUND

	ORIGINAL	ADD/ SUBTRACT	7/31/19	ADD/ SUBTRACT	8/31/19	ADD/ SUBTRACT	REVISED 9/30/19	ADD/ SUBTRACT	REVISED 10/31/19	ADD/ SUBTRACT
Resources (Inflows):										
5700 Local and Intermediate Sources	\$386,356,807		\$386,356,807		\$386,356,807		\$386,356,807		\$386,356,807	
5800 State Program Revenues	\$390,581,792	4,796,616	\$395,378,408		\$395,378,408		\$395,378,408		\$395,378,408	
5900 Federal Program Revenues	\$12,325,000		\$12,325,000		\$12,325,000		\$12,325,000		\$12,325,000	
7900 Other Financing Sources	\$3,500,000		\$3,500,000		\$3,500,000		\$3,500,000		\$3,500,000	
Amounts Available for Appropriations	792,763,599	4,796,616	797,560,215		797,560,215		797,560,215		797,560,215	
Charges to Appropriations (Outflows)										
11 Instruction	474,885,825	17,882,432	492,768,257		492,768,257	(199,895)	492,568,362	301,302	492,869,664	(1,244,308)
12 Instructional Resources and Media Services	11,487,868	314,784	11,802,652		11,802,652	(7,290)	11,795,362	(19,002)	11,776,360	(5,260)
13 Curriculum Development and Instructional Personnel Development	10,756,296	122,536	10,878,832		10,878,832	96,380	10,975,212	29,861	11,005,073	1,308,125
21 Instructional Administration	15,738,046	220,627	15,958,673		15,958,673	109,494	16,068,167	(86,579)	15,981,588	(53,830)
23 School Administration	50,040,799	825,957	50,866,756		50,866,756	51,620	50,918,376	(1,351)	50,917,025	(397)
31 Guidance and Counseling Services	49,427,721	1,098,406	50,526,127		50,526,127	57,336	50,583,463	1,493	50,584,956	(527)
32 Attendance and Social Work Services	6,829,026	102,152	6,931,178		6,931,178	(60)	6,931,118	500	6,931,618	
33 Health Services	10,219,448	327,822	10,547,270		10,547,270		10,547,270	300	10,547,570	250
34 Student (pupil) Transportation	20,397,332	627,594	21,024,926		21,024,926		21,024,926		21,024,926	94,400
35 Food Services	260,367		260,367		260,367	7,500	267,867	(1,268)	266,599	(5,360)
36 Cocurricular/Extracurricular Activities	15,151,195	112,359	15,263,554		15,263,554	71,900	15,335,454	(1,940)	15,333,514	600
41 General Administration	20,151,126	291,693	20,442,819		20,442,819	324,769	20,767,588	(5,000)	20,762,588	
51 Plant Maintenance and Operations	81,473,978	1,553,058	83,027,036		83,027,036	1,753,879	84,780,915	(5,787)	84,775,128	(293)
52 Security and Monitoring Services	12,098,877	272,119	12,370,996		12,370,996	14,900	12,385,896	9,195	12,395,091	1,000
53 Data Processing Services	18,268,418	197,781	18,466,199		18,466,199	(1,487,263)	16,978,936	(177,474)	16,801,462	
61 Community Services	6,126,237	57,610	6,183,847		6,183,847	(16,520)	6,167,327	(44,250)	6,123,077	
71 Debt Service										
81 Facilities Acquisition & Construction	15,315,524		15,315,524		15,315,524	(776,750)	14,538,774		14,538,774	(94,400)
95 Juvenile Justice Alternative Education	169,692		169,692		169,692		169,692		169,692	
97 Tax Increment Financing										
99 Other Intergovernmental Charges	2,720,000		2,720,000		2,720,000		2,720,000		2,720,000	
Total Charges to Appropriations	821,517,775	24,006,930	845,524,705		845,524,705		845,524,705		845,524,705	
Net Change in Fund Balance	(28,754,176)	(19,210,314)	(47,964,490)		(47,964,490)		(47,964,490)		(47,964,490)	
Fund Balance-Beginning (Audited)	202,295,371		202,295,371		202,295,371		202,295,371		202,295,371	
Fund Balances-Ending (Unaudited)	\$173,541,195	(\$19,210,314)	\$154,330,881		\$154,330,881		\$154,330,881		\$154,330,881	



Fort Worth
INDEPENDENT SCHOOL DISTRICT

	REVISED 11/30/19	ADD/ SUBTRACT	REVISED 12/31/19	ADD/ SUBTRACT	REVISED 1/31/20	ADD/ SUBTRACT	REVISED 2/29/20	ADD/ SUBTRACT	REVISED 3/31/20
Resources (Inflows):									
5700 Local and Intermediate Sources	\$386,356,807		\$386,356,807		\$386,356,807		\$386,356,807		\$386,356,807
5800 State Program Revenues	\$395,378,408		\$395,378,408		\$395,378,408		\$395,378,408		\$395,378,408
5900 Federal Program Revenues	\$12,325,000		\$12,325,000		\$12,325,000		\$12,325,000		\$12,325,000
7900 Other Financing Sources	\$3,500,000		\$3,500,000		\$3,500,000		\$3,500,000		\$3,500,000
Amounts Available for Appropriations	797,560,215		797,560,215		797,560,215		797,560,215		797,560,215
Charges to Appropriations (Outflows)									
11 Instruction	491,625,356	(116,813)	491,508,543	(549,783)	490,958,760	(1,288,377)	489,670,383	(189,685)	489,480,698
12 Instructional Resources and Media Services	11,771,100	(1,426)	11,769,674	12,737	11,782,411	(1,933)	11,780,478	200,399	11,980,877
13 Curriculum Development and Instructional Personnel Development	12,313,198	(9,018)	12,304,180	49,267	12,353,447	(19,141)	12,334,306	(51,361)	12,282,945
21 Instructional Administration	15,927,758	136,922	16,064,680	20,924	16,085,604	(26,529)	16,059,075	-	16,059,075
23 School Administration	50,916,628	48,238	50,964,866	(65,385)	50,899,481	41,972	50,941,453	3,877	50,945,330
31 Guidance and Counseling Services	50,584,429	(5,501)	50,578,928	76,904	50,655,832	33,952	50,689,784	(123)	50,689,661
32 Attendance and Social Work Services	6,931,618	(2,500)	6,929,118	(780)	6,928,338		6,928,338	-	6,928,338
33 Health Services	10,547,820	15,709	10,563,529	8,965	10,572,494		10,572,494	(1,842)	10,570,652
34 Student (pupil) Transportation	21,119,326		21,119,326		21,119,326	192,544	21,311,870	1	21,311,871
35 Food Services	261,239	6,910	268,149	29,123	297,272	(1,450)	295,822	-	295,822
36 Cocurricular/Extracurricular Activities	15,334,114	17,222	15,351,336	(4,346)	15,346,990	12,095	15,359,085	40,000	15,399,085
41 General Administration	20,762,588	(2,000)	20,760,588	165	20,760,753	(18,350)	20,742,403	-	20,742,403
51 Plant Maintenance and Operations	84,774,835	(1,428,483)	83,346,352	280,477	83,626,829	145,442	83,772,271	94,033	83,866,304
52 Security and Monitoring Services	12,396,091	4,242	12,400,333	34,053	12,434,386	12,794	12,447,180	(300)	12,446,880
53 Data Processing Services	16,801,462	53,543	16,855,005	75	16,855,080	(34,000)	16,821,080	-	16,821,080
61 Community Services	6,123,077	(8,022)	6,115,055	(3,652)	6,111,403	10,500	6,121,903	1	6,121,904
71 Debt Service									
81 Facilities Acquisition & Construction	14,444,374	1,289,572	15,733,946	111,256	15,845,202	940,481	16,785,683	(95,000)	16,690,683
95 Juvenile Justice Alternative Education	169,692		169,692		169,692		169,692	-	169,692
97 Tax Increment Financing									
99 Other Intergovernmental Charges	2,720,000	1,405	2,721,405		2,721,405		2,721,405	-	2,721,405
Total Charges to Appropriations	845,524,705		845,524,705		845,524,705		845,524,705		845,524,705
Net Change in Fund Balance	(47,964,490)		(47,964,490)		(47,964,490)		(47,964,490)		(47,964,490)
Fund Balance-Beginning (Audited)	202,295,371		202,295,371		202,295,371		202,295,371		202,295,371
Fund Balances-Ending (Unaudited)	\$154,330,881		\$154,330,881		\$154,330,881		\$154,330,881		\$154,330,881

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE SECOND READING-REVISIONS TO BOARD POLICIES CO, DCB, DF, DIA, EHBAF, FDA, FDB, AND FNG(LOCAL)

BACKGROUND:

The Texas Association of School Boards (TASB) assists school districts by ensuring proper standards are met in regards to state and federal guidelines by supporting and navigating through policy and regulation updates and changes. School districts with localized policy manuals receive several major updates per year called numbered updates. They are called “numbered updates” because they are numbered sequentially. These updates respond to changes in state and federal law, court cases, and decisions by the Attorney General and by the Commissioner of Education. In numbered updates TASB only makes recommendations where the district’s local policies are concerned. District personnel updates policies incorporating TASB’s recommendations and/or the needs of the district. The Board of Trustees always has the final say regarding which policies go in the manual.

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Second Reading-Revisions to Board Policies CO, DCB, DF, DIA, EHBAF, FDA, FDB, and FNG(LOCAL)
2. Decline to Approve Second Reading-Revisions to Board Policies CO, DCB, DF, DIA, EHBAF, FDA, FDB, and FNG(LOCAL)
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Second Reading-Revisions to Board Policies CO, DCB, DF, DIA, EHBAF, FDA, FDB, and FNG(LOCAL)

FUNDING SOURCE

Additional Details

No Cost

Not Applicable

COST:

Not Applicable

VENDOR:

Not Applicable

PURCHASING MECHANISM

Not a Purchase

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

All schools and departments

RATIONALE:

The approval of these policies will update the language as recommended by TASB and/or District personnel.

INFORMATION SOURCE:

Karen Molinar

BOARD POLICY UPDATE #113

CO(LOCAL): FOOD AND NUTRITION MANAGEMENT

Rationale

A recommended revision to this local policy expands the provision authorizing the Superintendent to develop regulations on donation of food to refer to other disposal methods for leftover food that the District might want to permit, such as implementing a sharing table or selling leftovers. The Texas Department of Agriculture offers guidance on this topic.

A change at Federal Law deletes the specific references to reimbursable or alternate meals to provide that the District's procedures shall address the parameters under which meals shall be served to a student who has insufficient funds to purchase a meal following exhaustion of the District's meal grace period. The federal USDA Food and Nutrition Service encourages districts to provide a reimbursable meal to such students.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes ~~moved text~~.
- *Revision bars* appear in the right margin, as above.

Food Donations

The Superintendent shall be authorized to develop regulations for the District to donate or otherwise dispose of leftover food in accordance with law.

Meal Charges

State Law

As established by the Board, a student with an exhausted or insufficient balance on his or her meal card or meal account shall be allowed to continue to purchase up to three lunches for a student with a full-price meal status and up to 18 lunches for a student with a reduced-price meal status. The Superintendent shall develop administrative regulations for this grace period to address:

1. The District's processes for parent notification during the grace period, including a schedule for repayment; and
2. Whether the student will be limited to certain foods or beverages during this grace period, and, if so, the District's efforts to minimize overt identification of the student.

No fees or interest shall be charged by the District for meals purchased during the grace period.

Federal Law

For each campus that participates in the federal school breakfast or lunch programs under which students may incur a meal charge, the District's administrative regulations shall also address procedures for a student who has insufficient funds to purchase a meal following exhaustion of the grace period described above. The procedures shall address:

1. The parameters under which meals shall be served to the student;
2. The District's efforts to minimize overt identification of the student; and
3. How the District will attempt to collect unpaid debt in order to maintain the financial integrity of the food service account.

~~While the food service department is responsible for the preparation and serving of food, the principal will assume responsibility for discipline in the cafeteria, maintaining equipment in good condition when the lunchroom is used as a classroom or a study hall, and reporting to the director of food service any conditions which are not satisfactory.~~

Board Policy Update #112

➤ DCB(LOCAL): EMPLOYMENT PRACTICES-TERM CONTRACTS

RATIONALE

To ensure that the District provides term contracts as required by law, this local policy includes the comprehensive list of positions required by law to receive term contracts. Any District employee in one of the listed positions who has served the probationary contract period required by the District shall be given a term contract.

In addition, the text makes clear that any employee in a position for which the District requires current SBEC certification is also entitled to a term contract.

Details regarding employees who were hired under continuing contracts are recommended for deletion as this is appropriately addressed at DCC, the policy code for continuing contracts.

Also recommended for deletion are the details addressing the possible length of term contracts, as well as the generic position titles the District uses on educator contracts. Such information is not required in board policy, and the District's current practices may be more effectively communicated in administrative regulations or the employee handbook.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

**Contracts Required
by Law**

General Provisions

~~This policy applies to individuals who are eligible to receive a Chapter 21 term contract and who are employed by the District. Term contracts are governed by Chapter 21 of the after July 1, 2005.~~

~~For employees who are currently employed under continuing and probationary contracts, see policy DCC.~~

~~All term contracts shall be in writing in a form approved by the Board setting forth the length of the contract and other terms and conditions of employment. In most circumstances, contracts shall not be for specific assignments, but shall indicate employment as "teacher," "administrator," or other general employment category. No term contract shall be valid or binding on the District until approved by Board action. Contracts shall be signed by the employee, the Board President, and the Superintendent.~~

Eligible Positions

~~The Board has chosen to employ by term contracts, as authorized by Education Code. After any applicable probationary contract period required by the District, a term contract shall be provided to:~~

1. ~~Any employees in positions required by statute to receive such contracts, including SBEC-certified employees serving 21.002 and 21.201, the following categories of full-time as principals, assistant principals, certified professional employees: certified campus administrators, supervisors, classroom teachers, librarians, school counselors, diagnosticians, librarians, and athletic directors;~~

~~Full or other full-time professional employees in other positions for which the District requires current SBEC certification; and who are required to hold a certificate issued under the State Board for Educator Certification, or nurses.~~

2. ~~Full-time nurses. [For District employees hired under a continuing contract, see also DCC]~~

**Contract
Consideration**

~~After serving the required number of one-year probationary contracts as specified in Education Code 21.201, the above-listed certified professional employees are eligible to receive contracts from one to two years in length. [See DCA(LEGAL)]~~

~~Contracts for employees who are serving under a probationary contract may be reviewed and/or terminated at any time before the end of the contract term. [See (LEGAL) policies at DCA, DFAA, and DFD]~~

Retired Teachers

~~A teacher certified under Chapter 21 of the Texas Education Code, returning to full-time employment after retirement, shall be employed under a one-year Chapter 21 term contract.~~

Board Policy Update #109

➤ DF(LOCAL): TERMINATION OF EMPLOYMENT

RATIONALE

This policy is recommended as an addition to our LOCAL policies. As described at DF(LEGAL), SB 7 authorizes the Board to delegate to a designee the authority to take certain termination actions without further Board action when a contract employee has engaged in serious criminal conduct. This delegation would allow a faster response in these situations. The recommended policy designates the Superintendent as the Board's designee.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

TERMINATION OF EMPLOYMENT

DF
(LOCAL)

**Board's Designee
for Certain
Termination Actions**

The Superintendent shall serve as the Board's designee to suspend a contract employee without pay, provide written notice that the person's contract is void, and terminate employment as soon as practicable when the District:

1. Receives notice that an individual's certificate has been revoked by the State Board for Educator Certification (SBEC) for reasons that require immediate action by the District; or
2. Becomes aware that a contract employee has been convicted of or has received deferred adjudication for a felony offense.

[See also DFAA, DFBA, and DFCA, as appropriate.]

Board Policy Update #112

➤ **DIA(LOCAL): EMPLOYEE WELFARE-FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION**

RATIONALE

Two revisions are recommended to this local policy on discrimination, harassment, and retaliation:

1) We have added the word "sex" to the statement of nondiscrimination and to the definition of discrimination for a complete listing of all the protected categories under law and for consistency throughout the policy manual.

2) So as not to deter reports of discrimination, harassment, and retaliation, we have moved to DH(LOCAL) the provision subjecting employees to discipline for making false claims of discrimination, harassment, and retaliation or refusing to participate in an investigation. Placement at DH(LOCAL), addressing the broader topic of employee standards of conduct, makes it clear that the District may discipline employees for such conduct in any circumstance, not just in relation to claims of discrimination, harassment, and retaliation.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes ~~moved text~~.
- *Revision bars* appear in the right margin, as above.

Note: This policy addresses discrimination, bullying, harassment, and retaliation involving District employees. For discrimination, harassment, and retaliation involving students, see FFH. For bullying involving students, see FFI. For reporting requirements related to child abuse and neglect, see FFG.

Definitions Solely for purposes of this policy, the term “**employeeemployees**” includes former employees, applicants for employment, and unpaid interns.

Role of the District The District shall provide training and counseling as needed to promote awareness of this policy and the elimination of bullying, harassment, discrimination, or retaliation based on race, ethnicity, religion, **sex**, gender, disability, age, sexual orientation, gender identity and expression, or military/veteran status throughout the District. The Human Capital Management Division shall be made aware of all cases related to these types of discrimination, bullying, harassment, or retaliation and shall work with the parties involved to resolve conflicts in a manner consistent with the spirit and requirements of this policy.

Statement of Nondiscrimination The District prohibits discrimination, including harassment, against any employee on the basis of race, color, religion, **sex**, gender, national origin, age, sexual orientation, disability, gender identity and expression, military/veteran status, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of District policy.

Discrimination Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, religion, **sex**, gender, national origin, age, sexual orientation, disability, gender identity and expression, military/veteran status, or any other basis prohibited by law that adversely affects the employee’s employment.

Bullying Bullying in the context of the work environment is repeated abusive mistreatment that undermines, humiliates, or threatens employees, prevents work from being done, and harms employee health. Bullying must not be confused with the non-abusive exercise of management rights to assign tasks, coach, or take work-related disciplinary action against employees. Bullying may be supervisor-to-subordinate or employee-to-employee. [See DH]

Harassment Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee’s race, color, religion, **sex**, gender, national origin, age, sexual orientation, disability, gender identity and expression, military/veteran status, or any oth-

er basis prohibited by law when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

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

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee; or
2. The conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment.

Examples

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; and other sexually motivated conduct, communication, or contact.

Retaliation

The District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

~~An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a District investigation regarding harassment or discrimination is subject to appropriate discipline.~~

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
Prohibited Conduct	In this policy, the term “prohibited conduct” includes discrimination, bullying, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
Reporting Procedures	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her supervisor or campus principal.</p> <p>Alternatively, the employee may report the alleged acts to one of the District officials below.</p>
Definition of District Officials	For the purposes of this policy, District officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent.
Title IX Coordinator	Reports of discrimination based on sex, including sexual harassment, may be directed to the designated Title IX coordinator. [See DIA(EXHIBIT)]
ADA / Section 504 Coordinator	Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator. [See DIA(EXHIBIT)]
<i>Role of the ADA / Section 504 Coordinator</i>	The ADA/Section 504 coordinator shall be responsible for ensuring that complaints are processed according to procedures but shall not be responsible for making a decision or determination about a complaint. The responsibility for a decision rests with the administrator who has jurisdiction over the complainant’s area of employment.
Superintendent	The Superintendent or designee shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.
Alternative Reporting Procedures	<p>An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator may be directed to the Superintendent.</p> <p>A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
Timely Reporting	Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to

promptly report may impair the District's ability to investigate and address the prohibited conduct.

Notice of Report

Any District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate District official listed above and take any other steps required by this policy.

Investigation of the Report

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

Upon receipt or notice of a report, the District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If appropriate, the District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

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

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

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ten District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the District official overseeing the investigation.

District Action

If the results of an investigation indicate that prohibited conduct occurred, the District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

EMPLOYEE WELFARE
FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

DIA
(LOCAL)

The District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

To the greatest extent possible, the District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Appeal

A complainant who is dissatisfied with the outcome of the investigation may appeal through DGBA(LOCAL), beginning at the appropriate level.

The complainant may have a right to file a complaint with appropriate state or federal agencies.

Records Retention

Copies of reports alleging prohibited conduct, investigation reports, and related records shall be maintained by the District for a period of at least three years. [See CPC]

Access to Policy

This policy shall be distributed annually to District employees. Copies of the policy shall be readily available at each campus and the District administrative offices.

BOARD POLICY UPDATE #113

EHBAF(LOCAL): SPECIAL EDUCATION-VIDEO/AUDIO MONITORING

Rationale:

Recommended revisions to this local policy on video and audio monitoring of special education classrooms are from revised Administrative Code rules effective January 31, 2019. Changes include:

- Clarification that requests for cameras to be installed the following school year must be in writing;
- At Installation and Operation, the addition of an affirmative statement that the District must operate the cameras during the instructional day at all times when "one or more" students are in the classroom;
- The revision of language regarding areas used for changing a student's clothes to match language in the rules, also at Installation and Operation;
- The reference to "release" of video recordings to specified individuals at Confidentiality of Recordings; and
- At Complaints, new provisions addressing the ability of a parent, staff member, or District administrator to request an expedited review of certain complaints by the Texas Education Agency.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

Note: Unless otherwise noted, the terms “video recording,” “video surveillance,” and “video monitoring” shall also include any associated audio recordings. In addition, the term “classroom” shall also include other special education settings subject to video and audio recording required by law.

To promote student safety, the District shall comply with requests for video and audio monitoring of certain self-contained special education classrooms as required by law. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

The Superintendent or designee is responsible for coordinating the provision of equipment to campuses in compliance with the law.

The Superintendent or designee shall ensure that administrative regulations are developed to implement this policy.

Requests

For Following Year

A parent of a student receiving special education services and whose placement for the following school year will be in a self-contained classroom eligible for video surveillance may request [in writing](#) that a video camera be placed in the classroom by the end of the current school year or by the tenth business day after the student’s admission, review, and dismissal (ARD) committee determines the student’s placement, whichever is later. If such a request is made, the campus shall begin operation of the camera by the deadlines in law.

For Current Year

Written requests from a parent, assistant principal, principal, staff member, or the Board shall be submitted and processed in accordance with the procedures in law.

Response

As required by law, the District shall provide a response to the ~~requester~~ [requester](#) not later than the seventh business day after receipt of the request.

Notice

Before a camera is activated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be conducted in the classroom.

Installation and Operation

The classroom subject to the request shall begin operation of video surveillance not later than the time frames required in law, except when the District is granted an extension of time.

When the District has installed video cameras in a classroom as required by law, the District shall operate the cameras during the

instructional day at all times when **one or more** students are in the classroom. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom.

For the school year in which a campus receives a request for video and audio surveillance, the campus shall continue to operate and maintain any video cameras placed in the classroom for as long as the classroom continues to satisfy the requirements in Education Code 29.022(a). However, the campus may discontinue operation of the video camera during the year if the ~~requester~~ requester withdraws the request in writing and no request is submitted to continue the surveillance. **Before a camera is deactivated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be discontinued in the classroom and of the opportunity to request continued video and audio surveillance.**

Video cameras must be capable of recording video and audio of all areas of the classroom, including a room attached to the classroom used for time out as defined by law. No visual monitoring, other than incidental coverage, shall be conducted of the inside of a bathroom or other area used for ~~toileting or diapering a student or removing or~~ changing a student's clothes.

The District shall post notice at the entrance to a classroom in which video cameras are placed stating that video and audio surveillance is conducted in that classroom.

Retention of Recordings

Video recordings shall be retained for at least three months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

Confidentiality of Recordings

Video recordings made in accordance with this policy shall be confidential and shall only be accessed or viewed by the individuals and in the limited circumstances permitted by law. The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an alleged incident documented by a recording and reported to the District;
2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;

3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or Human Capital Management staff member in response to a report of an alleged incident or an investigation of an employee or a report of alleged abuse committed by a student; and
4. Appropriate ~~TEA~~ [Texas Education Agency](#) or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term “Human Capital Management staff member” shall include the Superintendent, a principal, an assistant principal or other campus administrator, and any supervisory position within the District’s Human Capital Management Division. If an individual listed in items 2 ~~through~~ -4, above, believes that a recording shows a violation of District policy or campus procedures, the individual may allow access to the recording by appropriate legal and Human Capital Management personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy.
[See FFG]

Reporting an Incident

A person alleging that an incident, as defined by law, has occurred in a classroom in which video surveillance is conducted shall file a report on the form provided by the District with the principal as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within 48 hours of the facts giving rise to the allegation. The principal shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. No later than ten District business days after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District’s video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

Complaints

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. A complainant who is dissatisfied with the outcome of the District’s complaint process may appeal in writing to the commissioner of education in accordance with Education Code 7.057, ~~including requesting an expedited review~~ and [19 Administrative Code 103.1303](#). A parent, staff member, or District administrator may request an expedited review in accordance with [19 Administrative Code 103.1303](#).

Board Policy Update

➤ FDA(LOCAL): ADMISSIONS – INTERDISTRICT TRANSFERS

RATIONALE

This LOCAL policy is recommended for revisions in the District's policy manual to mirror the District's educational philosophy as specified in AE(LOCAL) ensuring equitable practices in enrollment for all students.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

AUTHORITY	The Superintendent is authorized to accept or reject any transfer requests, provided that such action is without regard to race, religion, color, sex, disability, national origin, ancestral language, sexual orientation, or gender identity or expression.
FACTORS	In approving transfers, the Superintendent or designee shall consider availability of space and instructional staff and the student's disciplinary history and attendance records.
TRANSFER REQUESTS	A nonresident student wishing to transfer into the District shall file an application for transfer with the Superintendent or designee.
CHANGE OF RESIDENCE	A District student who moves out of his or her school attendance zone or out of the District during a school year shall be permitted to continue in attendance at the current school for the remainder of the school year.
TRANSFERS FOR SCHOOLS OF CHOICE (OTHER THAN COMO MONTESSORI AND DAGGETT MONTESSORI SCHOOLS)	A nonresident student may make application for admission into a School of Choice by the application deadline established annually by the District. Selection for a School of Choice shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority: <ol style="list-style-type: none">1. A resident sibling of a student currently enrolled at the requested School of Choice.2. A child of a resident District employee.3. A resident of the District.4. A child of a nonresident District employee.5. A nonresident student, subject to tuition.
TRANSFERS FOR COMO MONTESSORI SCHOOL OR DAGGETT MONTESSORI SCHOOL	A nonresident student may make application for admission into Como Montessori School or Daggett Montessori School by the application deadline established annually by the District. Selection for these schools shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority:<ol style="list-style-type: none">1. A resident of the attendance area of Como Elementary School for Como Montessori School or a resident of the attendance area for Daggett Elementary School for Daggett Montessori School.2. A resident sibling of a student currently enrolled at the requested school.3. A child of a resident District employee.4. A resident of the District, but residing outside the attendance area of the requested school.

~~5. A child of a nonresident District employee.~~

~~6. A nonresident student, subject to tuition.~~

TRANSFERS FOR
PROGRAMS OF
CHOICE

A nonresident student must make application for admission into a Program of Choice by the application deadline established annually by the District for consideration of acceptance. Selection for a Program of Choice shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority:

1. A resident of the attendance area of the Program of Choice.
2. A resident sibling of a student currently enrolled in a Program of Choice at the requested school.
3. A child of a resident District employee.
4. A resident of the District, but residing outside the attendance area of the requested Program of Choice.
5. A child of a nonresident District employee.
6. A nonresident student, subject to tuition.

A student may not gain acceptance into Schools of Choice through the open transfer process.

OPEN TRANSFERS

Provided that a school or grade level has not reached capacity and that the school does not have a Program of Choice waiting list, a transfer request shall be considered and granted on the following characteristics of each applicant, in this order of priority:

1. A PEG student applying from a school within the District.
2. A resident sibling of a student currently enrolled at the requested school.
3. A child of a resident District employee.
4. A resident of the District, but residing outside the attendance area of the requested school.
5. A child of a nonresident District employee.
6. A PEG student applying from a school outside the District.
7. A nonresident student, subject to tuition.

A student, once accepted as a nonresident transfer, shall be permitted to complete enrollment in the school specified in the transfer application. A change in schools shall require a new application for transfer.

ADMISSIONS
INTERDISTRICT TRANSFERS

FDA
(LOCAL)

CHILDREN OF NONRESIDENT DISTRICT EMPLOYEES	<p>A nonresident full-time or part-time (but not substitute or temporary) employee may request that his or her child attend District schools on a tuition-waived basis. If the employee ceases to work for the District, his or her child shall be permitted to continue in school for the remainder of the school year. Thereafter, the child shall be charged the annual tuition as determined by the Board.</p> <p>The student may attend the appropriate school in the pyramid where the parent works, depending on available space.</p> <p>A student, once accepted as a nonresident transfer, shall be permitted to complete enrollment in the school specified in the transfer application. A change in schools shall require a new application for transfer.</p>
TRANSPORTATION	<p>Transportation for a nonresident student who is granted a transfer to attend a District school shall be the responsibility of the parent or guardian or of the student.</p>
TRANSFER AGREEMENTS	<p>A transfer student shall be notified in the written transfer agreement that he or she must follow all rules and regulations of the District. Violation of the terms of the agreement may result in a transfer request not being approved the following year.</p>
WITHDRAWING FROM A PROGRAM OF CHOICE OR SCHOOL OF CHOICE	<p>A student who withdraws from any School of Choice or Program of Choice in which he or she is enrolled shall not be permitted to remain enrolled at the campus unless:</p> <ol style="list-style-type: none">1. The student lives within the attendance area of the campus, if applicable; or2. Space is available for the student to attend under the open transfer provisions of this policy, if applicable, and the principal approves an open transfer. <p>If the student does not continue enrollment at the campus, he or she shall be permitted to enroll in the campus located in the student's attendance area.</p> <p>If a student in grades 6–9 withdraws from a School of Choice or Program of Choice prior to the end of the first six-week grading period, a student on the waiting list for the School of Choice or Program of Choice shall be given an opportunity to enroll in the School of Choice or Program of Choice, in accordance with the priority order detailed in this policy.</p>
TUITION	<p>The Board shall determine, within statutory limits, the amount of tuition to be charged.</p>
PROPERTY TAX OFFSET	<p>A transfer student whose parent, guardian, or other person having sworn educational authority resides outside the District, but pays</p>

property taxes within the District shall be allowed to offset such property tax payments against tuition fees.

Procedures for receiving a tuition reduction include:

1. The parent or guardian shall provide required documentation including:
 - a. Documentation of tax payment.
 - b. Additional documentation required to determine ownership of the property if the parent or guardian is not listed as the owner.
2. The percentage of ownership of the assessed property by the parent or guardian shall determine the amount of tuition reduction.
3. The calculation of the reduction in tuition shall be based on the documented payment of school taxes for the year preceding the enrollment of the student. The reduction shall be a dollar-for-dollar reduction based on the amount of tax paid.
4. Based on the tuition rate approved by the Board, the amount of yearly tuition payments, including any reductions for property tax payment, shall be established by the administration prior to the student's enrollment in school. Once established, the yearly tuition payment amount shall not be adjusted or tuition payments refunded.

WAIVERS

In accordance with administrative procedures, the Superintendent may waive tuition:

1. For an individual student based on financial hardship upon written application by the student, parent, or guardian [see FP]; or
2. For interdistrict enrollment in designated District programs after accommodation of District students.

NONPAYMENT

The District may initiate withdrawal of students whose tuition payments are delinquent.

APPEALS

Any appeals shall be made in accordance with FNG(LOCAL) and GF(LOCAL), as appropriate.

Board Policy Update

➤ **FDB(LOCAL): ADMISSIONS – INTRADISTRICT
TRANSFERS AND CLASSROOM ASSIGNMENTS**

RATIONALE

This LOCAL policy is recommended for revisions in the District's policy manual to mirror the District's educational philosophy as specified in AE(LOCAL) ensuring equitable practices in enrollment for all students.

Annotations are shown as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
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ADMISSIONS
INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

FDB
(LOCAL)

DISTRICT STUDENTS Attendance areas shall be established by the Board. Each student shall be expected to attend school in the attendance area in which he or she resides except as provided below. The purpose of attendance areas is to promote neighborhood schools. A student's primary "home school" is always in the attendance area where the student resides. [See FD]

A student whose parent moves during the school year from one attendance area to another within the District shall be permitted to attend the school in which he or she was originally registered for the remainder of the school year.

CHANGE OF
RESIDENCE

A District student who moves out of his or her school attendance zone or out of the District during a school year shall be permitted to continue in attendance at the current school for the remainder of the school year.

REASSIGNMENT
AUTHORITY AND
APPROVAL

The Board delegates to the Superintendent or designee, inclusive of the principal when appropriate, the authority to assign and transfer any student from one school facility or classroom to another facility or classroom within the District.

TRANSFERS FOR
SCHOOLS OF CHOICE
(OTHER THAN COMO
AND DAGGETT
MONTESSORI)

A student may make application for admission into a School of Choice by the application deadline established annually by the District. Selection for a School of Choice shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority:

1. A resident sibling of a resident student currently enrolled at the requested School of Choice.
2. A child of a resident District employee.
3. A resident of the District.
4. A child of a nonresident District employee.
5. A nonresident student, subject to tuition.

~~TRANSFERS FOR
COMO OR DAGGETT
MONTESSORI
SCHOOLS~~

~~A student may make application for admission into Como Montessori School or Daggett Montessori School, or Marine Creek Collegiate High School by the application deadline established annually by the District. Selection for these schools shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority:~~

- ~~1. A resident of the attendance area of Como Elementary School for Como Montessori School, Daggett Elementary School for Daggett Montessori School, or Diamond Hill-Jarvis High School for Marine Creek Collegiate High School.~~

~~2. A resident sibling of a student currently enrolled at the requested school.~~

~~3. A child of a resident District employee.~~

~~4. A resident of the District, but residing outside the attendance area of the requested school.~~

~~5. A child of a nonresident District employee.~~

6. A nonresident student, subject to tuition.

TRANSFERS FOR
PROGRAMS OF
CHOICE

A student must make application for admission into a Program of Choice by the application deadline established annually by the District for consideration of acceptance. Selection for a Program of Choice shall be based on a lottery system as well as the following characteristics of each applicant, in this order of priority:

1. A resident of the attendance area of the Program of Choice.
2. A resident sibling of a resident student currently enrolled in a Program of Choice at the requested school.
3. A child of a resident District employee.
4. A resident of the District, but residing outside the attendance area of the requested Program of Choice.
5. A child of a nonresident District employee.
6. A nonresident student, subject to tuition.

A student may not gain acceptance into Schools of Choice through the open transfer process.

WITHDRAWING FROM
A PROGRAM OF
CHOICE OR SCHOOL
OF CHOICE

A student who withdraws from any School of Choice or Program of Choice in which he or she is enrolled shall not be permitted to remain enrolled at the campus unless:

1. The student lives within the attendance area of the campus, if applicable; or
2. Space is available for the student to attend under the open transfer provisions of this policy, if applicable, and the principal approves an open transfer.

If the student does not continue enrollment at the campus, he or she shall be permitted to enroll in the campus located in the student's attendance area.

If a student in grades 6–9 withdraws from a School of Choice or Program of Choice prior to the end of the first six-week grading period, a student on the waiting list for the School of Choice or Program of Choice shall be given an opportunity to enroll in the School

of Choice or Program of Choice, in accordance with the priority order detailed in this policy.

OPEN TRANSFERS

Provided that a school or grade level has not reached capacity and that the school does not have a Program of Choice waiting list, a transfer request shall be considered and granted based on the following characteristics of each applicant, in this order of priority:

1. A PEG student applying from a school within the District.
2. A resident sibling of a resident student currently enrolled at the requested school.
3. A child of a resident District employee.
4. A resident of the District, but residing outside the attendance area of the requested school.
5. A child of a nonresident District employee.
6. A PEG student applying from a school outside the District.
7. A nonresident student, subject to tuition.

MEDICAL
REASSIGNMENTS

A reassignment may be granted, as determined by school authorities, for medical reasons. Documentation from a physician licensed to practice medicine shall be required, must describe the nature of the health problem, and set forth the reason a reassignment is medically necessary. A review team, consisting of the program director of health services, a physician, and a selected staff member shall screen each request for a medical reassignment.

GUIDELINES FOR
TRANSFERS

The following guidelines shall apply:

1. Once a transfer is made outside of a student's attendance area, the school to which the student is reassigned shall become the student's secondary "home school."
2. A transfer, once made, shall remain in effect as long as the student is in the same school.
3. A transfer in prekindergarten and kindergarten may be granted so long as space is available at the receiving school. A prekindergarten transfer shall be granted for one year only. A kindergarten transfer shall remain in effect through grade 5.
4. A student shall have the right at all times to return to his or her primary "home school" or primary "home school" pyramid from a reassigned school upon application and notification to both principals.
5. A student who transfers or is reassigned and desires to participate in athletics shall be subject to the regulations listed in

the District athletic handbook. A student-parent transfer agreement waiver shall be required in each instance.

6. In addition to athletic eligibility, a transfer between a primary and/or a secondary “home school” may affect other student activities (including academic honors).

Note: For the transfer of a student who is the victim of bullying or who engaged in bullying, see FDB(LEGAL). For the transfer of a student who attends a persistently dangerous school, becomes a victim of a violent criminal offense, or becomes a victim of sexual assault, see FDE.

Board Policy Update #112

➤ **FNG(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES-
STUDENT AND PARENT COMPLAINTS/GRIEVANCES**

RATIONALE

A new commissioner of education rule effective August 26, 2018, addresses Education Code 37.105, which authorizes District officials to refuse entry to or eject a person from property under the District's control in certain circumstances. See GKA(LEGAL).

The recommended revision to this grievance policy at Complaints is to address new Board policy requirements in the rule, which requires a Board to adopt a policy that will allow a person refused entry to or ejected from property under the District's control to appeal by using the District's current grievance process and to permit a person appealing to address the Board in person within 90 days of filing the complaint, unless the complaint is resolved before the Board considers the complaint.

No other changes have been made to the District's current policy provisions.

Annotations are shown as follows.

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- *Revision bars* appear in the right margin, as above.

Complaints

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

Other Complaint
Processes

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process:

1. Complaints alleging discrimination or harassment based on race, color, gender, gender identity and expression, national origin, disability, religion, or sexual orientation shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with EF.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
14. Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Notice to Students and Parents

The District shall inform students and parents of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

General Provisions

Filing

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including ~~email~~ and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

on the deadline. Filings submitted by electronic communication shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Scheduling
Conferences

The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.

Response

At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication to the student's or parent's ~~email-mail~~ address of record, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

Days

"Days" shall mean District business days. In calculating ~~timelines-time lines~~ under this policy, the day a document is filed is "day zero." The following business day is "day one."

Representative

"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel. The District may be represented by counsel at any level of the process.

Consolidating
Complaints

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Untimely Filings

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Costs Incurred

Each party shall pay its own costs incurred in the course of the complaint.

Complaint and
Appeal Forms

Complaints and appeals under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

A complaint or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiling is within the designated time for filing.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, students and parents shall file Level One complaints with the campus principal.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating circumstances, the administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

Level Two

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall schedule a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the

Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

Level Three

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board

shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the student or parent or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE RATIFICATION OF REMAINING FUNDS FROM THE 2013 CAPITAL IMPROVEMENT PROGRAM CONSTRUCTION RESERVES FOR MIDDLE SCHOOL RESTROOM RENOVATIONS

BACKGROUND:

On January 19, 2019 the Board of Education approved the use of the estimated \$15M that would remain in construction funds for Middle School restroom renovations. The Capital Projects that were presented to voters in the 2013 Capital Improvement Program (CIP) have been closed-out to date. CIP staff has reviewed internal accounts and located additional 2013 CIP funds. Therefore, CIP is requesting to ratify the use of an additional \$800,000 remaining funds that have been used to complete the funding of the Middle School restroom renovations that will soon be under construction

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Ratification of Remaining Funds from the 2013 Capital Improvement Program Construction Reserves for Middle School Restroom Renovations
2. Decline to Approve Ratification of Remaining Funds from the 2013 Capital Improvement Program Construction Reserves for Middle School Restroom Renovations
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Ratification of Remaining Funds from the 2013 Capital Improvement Program Construction Reserves for Middle School Restroom Renovations

FUNDING SOURCE

Additional Details

CIP 2013

681-8 1-6629-B52-XXX-99-000-000B39
681-8 1-6629-B52-XXX-99-000-000B40

COST:

Not to exceed \$800,000

VENDOR:

Northridge/Basecom JV
Morales Construction
SDB Contracting Services

PURCHASING MECHANISM

Bid/RFP/RFQ

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Capital Improvement Program
Como Montessori
Daggett MS
Elder MS
Forest Oak MS
Glencrest 6th
Handley MS
Jacquet Martin MS
Kirkpatrick MS
Leonard MS
McLean 6th
McLean MS
Meacham MS
Meadowbrook MS
Monnig MS
Morningside MS
Riverside MS
Stripling, J.P.
Wedgwood MS
Wedgwood 6th
William James MS

RATIONALE:

The usage of 2013 CIP reserves for these renovations is in the best interest of the District, students, and the voters who approved the 2013 bond authorization. Ratification of this item is needed to complete funding of the Middle School restroom renovations that will soon be under construction.

INFORMATION SOURCE:

Vicki Burris

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE AUTHORIZATION TO NEGOTIATE AND ENTER INTO A CONTRACT WITH REEDER + SUMMIT JOINT VENTURE FOR A GMP FOR CONSTRUCTION SERVICES IN CONJUNCTION WITH THE 2017 CAPITAL IMPROVEMENT PROGRAM JOB NO. 171-011 (RFP #20-004) TANGLEWOOD ELEMENTARY SCHOOL RENOVATION

BACKGROUND:

On March 31, 2020, the Board of Education (BOE) approved the authorization to enter into a contract with a Construction Manager at Risk, Reeder + Summit Joint Venture, for pre-construction services for Job No. 171-011 (CMAR RFP #20-004), Tanglewood Elementary School. The GMP will include the expansion of the existing library, science classroom, computer lab, art classroom, and teacher lounge. In addition, renovations will include life cycle items, collaboration/makerspaces, and playground equipment.

Board Date	Item	Activity	Remaining
July 17, 2018	Initial Scope	\$4,252,500.00	\$4,252,500.00
May 14, 2019	Use of CIP 2013 Funds	\$2,100,000.00	\$6,352,500.00
March 31, 2020	Pre-Construction	(\$2,500.00)	\$6,350,000.00
April 28, 2020	GMP	(\$6,350,000.00)	\$0.00

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Authorization to Negotiate and Enter into a Contract with Reeder + Summit Joint Venture for a GMP for Construction Services in Conjunction with the 2017 Capital Improvement Program Job No. 171-011 (RFP #20-004) Tanglewood Elementary School Renovation
2. Decline to Approve Authorization to Negotiate and Enter into a Contract with Reeder + Summit Joint Venture for a GMP for Construction Services in Conjunction with the 2017 Capital Improvement Program Job No. 171-011 (RFP #20-004) Tanglewood Elementary School Renovation
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Authorization to Negotiate and Enter into a Contract with Reeder + Summit Joint Venture for a GMP for Construction Services in Conjunction with the 2017 Capital Improvement Program Job No. 171-011 (RFP #20-004) Tanglewood Elementary School Renovation

FUNDING SOURCE

Additional Details

CIP 2013	681-81-6629-B39-171-99-000-171011 - \$2,100,000
CIP 2017	671-81-6629-B39-171-99-000-171011 - \$4,047,500
	671-81-6629-B40-171-99-000-171011 - \$202,500

COST:

Not to Exceed \$6,350,000

VENDOR:

Reeder + Summit Joint Venture

PURCHASING MECHANISM

Bid/RFP/RFQ

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Capital Improvement Program
TEA #171 Tanglewood Elementary School

RATIONALE:

Construction needs to begin in order for all phases of the project to be completed by the Fall of 2021.

INFORMATION SOURCE:

Vicki Burris

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE CHANGE ORDER FOR JOB NO. 008-203 NORTH SIDE HIGH SCHOOL ADDITION & RENOVATION (RFQ #19-098) IN CONJUNCTION WITH THE 2017 CAPITAL IMPROVEMENT PROGRAM

BACKGROUND:

On April 9, 2019, the Board of Education (BOE) approved the authorization to negotiate and enter into a contract with a General Contractor, Steele & Freeman, Inc., for North Side High School Addition & Renovation Job No. 008-203 (RFQ #19-098).

Additional costs have been identified for the North Side High School Addition & Renovation project, including, but not limited to, adding a new parking lot with a gravity retaining wall, fencing, hardscape & landscape and lighting. The Capital Improvement Program (CIP) requests \$946,763 be used to fund the Change Order as follows:

- B39 - \$899,425 Construction Cost Budget
- B40 - \$47,338 Owner’s Contingency

Board Date	Item	Current Budget	Change(s)	Revised Budget
04/09/2019	Original Contract	\$25,203,231.00	-	\$25,203,231.00
04/28/2020	Additional Costs	\$25,203,231.00	\$946,763.00	\$26,149,994.00

STRATEGIC GOAL:

- 2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Change Order for Job No. 008-203 North Side High School Addition & Renovation (RFQ #19-098) in Conjunction with the 2017 Capital Improvement Program
2. Decline to Approve Change Order for Job No. 008-203 North Side High School Addition & Renovation (RFQ #19-098) in Conjunction with the 2017 Capital Improvement Program
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Change Order for Job No. 008-203 North Side High School Addition & Renovation (RFQ #19-098) in Conjunction with the 2017 Capital Improvement Program

FUNDING SOURCE

Additional Details

CIP 2017

671-81-6629-B40-008-99-000-008203 - \$47,338.00

671-81-6629-B39-008-99-000-008203 - \$899,425.00

COST:

Not to Exceed \$946,763

VENDOR:

Steele & Freeman, Inc.

PURCHASING MECHANISM

Not a Purchase

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Capital Improvement Program
TEA #008 North Side High School

RATIONALE:

A change order is required to address the additional needs for Job No. 008-203 North Side High School Addition & Renovation in a not-to-exceed amount of \$925,523.00 which cannot be covered within the General Contractor's contract.

INFORMATION SOURCE:

Vicki Burris

**CONSENT AGENDA ITEM
BOARD MEETING
April 28, 2020**

TOPIC: APPROVE CHANGE ORDER FOR THE TEACHING AND LEARNING CENTER PHASE II (CSP 19-137) TO THE GENERAL CONTRACTORS' CONTRACT

BACKGROUND:

On June 25, 2019, the Board of Education (BOE) approved the authorization to negotiate and enter into a contract with a General Contractor, Morales Construction Services, for the Teaching and Learning Center Phase II (CSP19-137).

On February 25, 2020, the BOE approved additional funding in the amount of \$1,256,000 to purchase interior signage and graphics, furniture, fixtures and equipment, peripheral signage and lighting. The Capital Improvement Program is requesting a change order to increase the original contract amount with Morales Construction Services totaling \$827,192.00, which will be covered with available funds within the project budget.

In accordance with District Board Policy CVF (LEGAL), the Board of Education shall approve each job, task, or purchase order that exceeds \$500,000.

Construction Cost Budget as follows:

B39 – \$693,192.00 Construction Cost Budget

B40 - \$134,000.00 In-Contract Construction Contingency

Board Date	Item	Current Budget	Change(s)	Revised Budget
06/25/2019	Original Contract	\$5,382,900.00	-	\$5,382,900.00
04/28/2020	Additional Costs	\$5,382,900.00	\$827,192.00	\$6,210,092.00

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Change Order for the Teaching and Learning Center Phase II (CSP19-137) to the General Contractors' Contract
2. Decline to Approve Change Order for the Teaching and Learning Center Phase II (CSP19-137) to the General Contractors' Contract
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Change Order for the Teaching and Learning Center Phase II (CSP19-137) to the General Contractors’ Contract

FUNDING SOURCE

Additional Details

TRE

198-81-6299-728-999-99-002-000000

COST:

Not to Exceed \$827,192

VENDOR:

Morales Construction Services

PURCHASING MECHANISM

Bid/RFP/RFQ

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

Capital Improvement Program
Teaching and Learning Center

RATIONALE:

A Change Order is required to address additional needs for the Teaching and Learning Center project in a not-to-exceed amount of \$827,192.00, which cannot be covered within the original General Contractor's (GC) contract. However, the amount that CIP is requesting to increase the GC contract is available within the project budget.

INFORMATION SOURCE:

Vicki Burris

ACTION AGENDA ITEM
BOARD MEETING
April 28, 2020

TOPIC: APPROVE WAIVING OF FIRST READING AND APPROVE REVISED BOARD POLICY DEA(LOCAL)

BACKGROUND:

The District’s current DEA(LOCAL) Board policy does not include provisions on premium pay during disasters. TEA guidance recommends that districts revise Board policy DEA(LOCAL) if the district’s policy does not include provisions on premium pay and the district will seek reimbursement from FEMA for extraordinary labor costs for employees required to perform disaster-related emergency work during an emergency closing for COVID-19 or will seek reimbursement from other available federal sources.

In the event of a federally declared disaster, such as the COVID-19 pandemic, districts can submit reimbursement requests to the Federal Emergency Management Administration (FEMA) for certain extraordinary labor costs for employees who are required to report for duty during a closure in order to perform disaster-related emergency work in accordance with the FEMA Public Assistance Program and Policy Guide (PAPPG).

STRATEGIC GOAL:

2 - Improve Operational Effectiveness and Efficiency

ALTERNATIVES:

1. Approve Waiving of First Reading and Approve Revised Board Policy DEA(LOCAL)
2. Decline to Approve Waiving of First Reading and Approve Revised Board Policy DEA(LOCAL)
3. Remand to staff for further study

SUPERINTENDENT’S RECOMMENDATION:

Approve Waiving of First Reading and Approve Revised Board Policy DEA(LOCAL)

FUNDING SOURCE

No Cost

Additional Details

Not Applicable

COST:

No Cost

VENDOR:

Not Applicable

PURCHASING MECHANISM

Not a Purchase

Purchasing Support Documents Needed:

- Bid – Bid Summary / Evaluation
- Inter-Local (IL) – Price Quote and IL Contract Summary Required
- Sole Source – Price Quote and Notarized FWISD Sole Source Affidavit
- Emergency – Price Quote and Emergency Affidavit

PARTICIPATING SCHOOL/DEPARTMENTS

District-wide

RATIONALE:

TEA recommends that every district that has adopted premium pay provisions should adopt appropriate policy. The intent is to be able to provide adequate documentation, including the District's written Board policy, to FEMA and any other available federal sources of reimbursement.

INFORMATION SOURCE:

Michael Ball
Cynthia Rincon
Karen Molinar

PROPOSED REVISION

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 Superintendent or designee shall classify each job title within the compensation plan 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 bimonthly 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.
Pay Increases	<p>The Superintendent shall recommend to the Board an amount for employee pay increases as part of the annual budget. The Superintendent or designee shall determine pay adjustments for individual employees, within the approved budget following established procedures.</p> <p>To be eligible for a pay increase, an employee must have a satisfactory evaluation from the prior school year.</p>
<i>Mid-Year Pay Increases</i>	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]
Contract Employees	
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.
Recruitment Incentives	The Board may authorize programs to pay a signing incentive to teachers upon such terms and conditions as the Superintendent

may recommend, to encourage early employment commitments, and to meet critical subject area and other critical needs of the District. Fulfillment of a minimum of one year of service under such contracts where incentives are paid is a requirement to fully earn such an incentive. The District shall seek restitution or reimbursement for incentives paid but not earned, unless such reimbursement is waived by the Superintendent for good cause.

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]

**Premium Pay
During Disasters**

After authorization by resolution or other Board action and in accordance with such authorization, nonexempt employees who are required to work during an emergency closing for a disaster, as declared by a federal, state, or local official or the Board, shall be paid at the rate of one and one half times their regular rate of pay for all hours worked up to 40 hours per week. Overtime for time worked over 40 hours in a week shall be calculated and paid according to law. [See DEAB] The Superintendent shall approve payments and ensure that accurate time records are kept of actual hours worked during emergency closings.

Statutory Requirements

“Under the authority of Texas Government Code, Section 551.001, et seq., the Board, during the course of the meeting covered by this notice, may enter into closed or executive session for any of the following reasons:

1. To consult with the Board’s attorney with respect to pending or contemplated litigation, or settlement offers, or on matters where the attorney’s duty to the Board, pursuant to the Code of Professional Responsibility of the State Bar of Texas, clearly conflicts with the provisions of the Open Meetings Law. Sec. 551.071
2. To discuss the purchase, exchange, lease, or value of real property. Sec. 551.072
3. To discuss negotiated contracts for prospective gifts or donations. Sec. 551.073
4. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against a public officer or employee, unless such officer or employee requests a public hearing. Sec. 551.074
5. To consider the deployment, or specific occasions for implementation, of security personnel or devices. Sec. 551.076
6. To deliberate a case involving discipline of a public school child or children, unless an open hearing is requested in writing by a parent or guardian of the child; or to deliberate a case in which a complaint or charge is brought against an employee of the District by another employee and the complaint or charge directly results in a need for a hearing, unless the employee complained of or charged requests an open hearing. Sec. 551.082
7. To exclude a witness from a hearing during the examination of another witness in an investigation when the Board is investigating a matter. Sec. 551.084

“All final votes, actions, or decisions on any matter discussed in closed or executive session shall be taken or made in open session.

“This notice is posted and filed in compliance with the Open Meetings Law on April 23, 2020 at 5:30 p.m.”



Christian Alvarado
Coordinator
Board of Education