

Regular Meeting
Monday, January 8, 2024 5:30 PM

Administrative Office, Superintendent
1615 St Louis Street
P O Box 157
Gonzales, Texas 78629

Agenda

1. Call to Order
Presenter: Board President
 - 1.A. Roll Call
Presenter: Board President
 - 1.B. Invocation:
Presenter: Justin Schwausch
 - 1.C. Pledge:
Presenter: Gloria Torres
 - 1.D. Mission Statement:
Presenter: D' Anna Robinson
2. Public Comments
Presenter: Board President
3. New Business/Action Items
 - 3.A. Consent Agenda

Discuss and Consider Action to approve the Consent Agenda
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools
 - 3.A.1. Minutes of Meetings:
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools
 - 3.A.2. Budget Amendments:
Presenter: Amanda Smith, Chief Financial Officer; Dr. Elmer Avellaneda, Superintendent of Schools
 - 3.B. Discuss and Consider Action to Approve and Accept the GISD Education Foundation Grant Funding to be used for Future Grant Disbursements and Associated Budget Amendment
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools; Adrienne Steen, Director of Student Supports and Strategic Initiatives
 - 3.C. Discuss and Consider Action to Approve the TASB Board Policy Update 121, affecting GISD local policies(see attached list)
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools
 - 3.D. Discuss and Consider Action to Approve the TASB Board Policy Update 122, affecting GISD local policies(See attached list)
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools
 - 3.E. Discuss and Consider Action to Grant Authority to the Superintendent to contract with Gonzales County Election Administrator for the May 4, 2024 Elections.
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools
4. Reports

- 4.A. Student Performance Report; Focus on Student Sub-Populations
Presenter: Dr. Elmer Avellaneda, Superintendent of Schools; Erin Lindemann-LaBuhn, Executive Director of State and Federal Programs; Brandi Bell, Executive Director of Recruitment, Leadership, and Professional Development
- 4.B. Financial & Quarterly Investment Report
Presenter: Amanda Smith, Chief Financial Officer; Dr. Elmer Avellaneda, Superintendent of Schools
- 4.C. Superintendent Reports
 - 4.C.1. Enrollment-Attendance
 - 4.C.2. Campus Reports
- 5. Board Business
 - 5.A. Board Correspondence
 - 5.B. Dates of Interest
- 6. Adjourn to Closed session: Under Texas Government Code Chapter 551, The board will recess this open session and convene in a closed meeting to discuss items on the agenda. The board may conveniently meet in such a closed or executive session or meeting, concerning any and all subjects and for any and all purposes permitted by Texas government code chapter 551:
Presenter: Board President
 - 6.A. Resignations
 - 6.B. Personnel
 - 6.C. Attorney Consultation
 - 6.D. Superintendent Evaluation
 - 6.E. Land Acquisition and Selling
- 7. Reconvene to Open Meeting: The Board will take appropriate action on items, if necessary, as discussed in Closed Session
Presenter: Board President
- 8. Adjourn



Board of Trustees

Ross Hendershot, III
President

Justin Schwausch
Vice President

Josie Smith-Wright
Secretary

Sandra Gorden

D'Anna Robinson

Ashley Molina

Gloria Torres

GISD School Board Agenda Information Sheet
January 8, 2024

SUBJECT: Public Comments

RATIONAL SUMMARY:

The next item on the agenda is public comment. Before we begin, I will remind our audience members of the Board's procedures for handling public comments. The public comment portion of our meeting is available to members of the public who wish to address a meeting item on tonight's agenda or other matter pertaining to Gonzales ISD.

Anyone who wants to speak during public comment must sign in before the start of the meeting and list the agenda item they want to discuss. Each public comment speaker will be allowed a maximum of 5 minutes to address the Board. If necessary for effective meeting management, or to accommodate large numbers of individuals wishing to address the Board, we may shorten the time for each individual wishing to present comments. The public comment portion of the meeting will allow all speakers who have signed up before the start of the meeting to address the Board regarding an item on tonight's agenda. Persons requiring a translator will be given additional time.

Please keep your comments or criticisms civil and courteous. Please also avoid using profanity during your opportunity to speak. Last, we ask that you not discuss students who are not your child.

If a speaker is seeking Board resolution of a specific complaint, that concern should be addressed through the District's grievance process. District policy DGBA has been established for addressing employee complaints, policy FNG is the avenue for filing parent complaints, and policy GF address community member complaints. Grievance forms can be obtained at any campus administration office, or in the central administration offices.

**GROWING
GREATNESS**

Our Students. Our Future.



Board of Trustees

Ross Hendershot, III
President

Justin Schwausch
Vice President

Josie Smith-Wright
Secretary

Sandra Gorden

D'Anna Robinson

Ashley Molina

Gloria Torres

GISD School Board Agenda Information Sheet
January 8, 2024

ACTION ITEM

SUBJECT: Discuss and Consider Action to Approve the Consent Agenda

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY:

A. Meeting Minutes: December 4, 2023-Board Workshop
December 11, 2023- Regular Board Meeting

B. Budget Amendments:

SUPERINTENDENT'S RECOMMENDATION: APPROVE

MOTION: *I move that the Board approve the consent agenda, as presented.*

**GROWING
GREATNESS**

Our Students. Our Future.

Minutes
Monday, December 4, 2023
Board Workshop at 5:30 P.M.
Location of Meeting: GISD Administrative Board Room, 1615 St Lawrence St.
Gonzales, Texas 78629

Board Members Present: Ross Hendershot, III, President
Justin Schwausch, Vice President
Josie Smith-Wright, Secretary
D'Anna Robinson
Ashley Molina
Gloria Torres
Sandra Gorden

Board Member Absent:

Item #1. Call to Order

The Board of Trustees of the Gonzales Independent School District met Monday, December 4, 2023 at the Administrative Office Board Room, Gonzales, Texas. President, Ross Hendershot, III called the meeting to order at 5:30 P.M.

A quorum was declared with 7 members present.

Invocation, Pledge, Mission Statement

Gloria Torres gave the Invocation, Sandra Gorden led the Pledge to the Flag, and D'Anna Robinson read the Mission Statement.

Item #2: Public Comments: There were no public comments.

Item #3: Reports:

A. **November 2023 Bond Construction Program Management Services**

Dr. A spoke to the board about the next step of the bond phase.

Casey Sledge of Sledge Engineering, LLC spoke to the board about how ESC Region 13 Program Management Service could assist the board and what the cost would be for the service if GISD chooses to use them for the project. Mr. Sledge included a PowerPoint to address each item.

- Their vision
- Project Accounting
- Broad Experience
- Peace of Mind
- Value
- Return on Investment
- Independent Source of Truth
- Project Leadership

B. **Architectural/Engineering and Construction Administration Services for the November 2023 Bond Construction Program Selection Update**

Casey Sledge of Sledge Engineering, LLC spoke to the board about the RFQ request that GISD issued for professional architectural and engineering services for the November 2023 Bond Construction Program.

The district received 14 responses on 9/19/23. A committee comprised of ten individuals met on 9/22/23 to review and score all firms. The Committee then interviewed the 5 highest scoring firms on 11/16/23. Of the 5 firms interviewed, the Committee unanimously agreed on the following ranking:

1. VLK Architects
2. Garza/Bomberger & Associates (GBA)

3. IDG +Architects

The Committee recommends the firms be considered in the above order. If only one firm will be hired, procurement regulations require that negotiations may occur with the top-ranking firm. If a contract is not successfully negotiated with the top-ranked firm, then the District must cease negotiations with that firm and move to the 2nd-ranked firm and so on. The district may not reconsider a firm once negotiations have been ceased. Casey shared that the committee planned to bring the ranking to the board for possible action at the regular board meeting on December 11, 2023.

C. **November 2023 Bond Construction Program Delivery Method**

Casey Sledge of Sledge Engineering, LLC presented to the board the Construction Program Delivery Methods which included a slide show. Mr. Sledge explained the available methods and options.

TASB policy requires the board to select the Delivery Method(s) for school facilities construction projects.

Casey explained that administration would be bringing this to the board at the next regular meeting on December 11, 2023 for formal selection.

D. **Reimbursement Resolution**

Amanda Smith, Chief Financial Officer, presented the Reimbursement Resolution to board members.

Ms. Smith shared that reimbursement resolutions have been an accounting tool utilized by districts, including Gonzales ISD, to proactively address needs in an efficient and effective manner. She explained that utilizing one now would allow the district to begin bond-related projects with general funds until the bond funds were received by the district (planning for June 2024). Once bond funds were received, the general fund could be reimbursed with bond funds for eligible expenditures.

Item #4 Adjourn

There being no further business, Justin Schwausch adjourned the training 7:24 P.M.

Ross Hendershot, III, President
Board of Trustees

Josie Smith-Wright, Secretary
Board of Trustees

Meeting Minutes
Monday, December 11, 2023
Regular Board Meeting at 5:30 P.M.
Location of Meeting: GISD Administrative Board Room, 1615 St Lawrence St.
Gonzales, Texas 78629

Board Members Present: Ross Hendershot, III, President
Justin Schwausch, Vice President
Josie Smith-Wright, Secretary
D'Anna Robinson
Ashley Molina
Gloria Torres
Sandra Gorden

Board Member Absent:

Item #1. Call to Order

The Board of Trustees of the Gonzales Independent School District met Monday, December 11, 2023, at the Administrative Office Board Room, Gonzales, Texas. President, Ross Hendershot, III called the meeting to order at 5:30 P.M.

A quorum was declared with 7 members present.

Invocation, Pledge, Mission Statement

Josie Smith-Wright gave the Invocation. Sandra Gorden led the Pledge to the Flag, and Gloria Torres read the Mission Statement.

Item #2: Public Comments: There were 2 individuals with Public Comments

- Lisa Blackwell-GE Cafeteria Manager
Ms. Blackwell came before the board to request a raise for all GISD Food Service Employees. FS employees have been told that the raise has been approved so they were questioning why has the increase had not been applied.
- Adriana Perez-HS Cafeteria Manager
Mrs. Perez came before the board requesting a raise for the Food Service Department.

Item#3: Recognitions:

Recognitions were presented by Veronica Johannsen, Chief of Administration, Communications, & Safety and Joey Rivera, Athletic Director.

Ms. Johannsen presented the Student Recognitions and Staff Recognitions. Coach Rivera recognized the Athletes of the Month.

Item #4: New Business/Action Items:

A. **Discuss and Consider Action to Approve the Consent Agenda**

1. Budget Amendments
2. Minutes: November 13, 2023, Regular Board Meeting
November 17, 2023, Special Board Meeting

Amanda Smith, Chief Financial Officer, reviewed the budget amendments. There were three adjustments to the Budget Amendments that Ms. Smith presented to the board.

- Increase "other local revenue" and function 11 by \$4,700 each: Winter Wonderland Donations (\$50 from Torres Insurance, \$250 from Texas Poultry Supply, \$500 from Walsh Gallegos, \$500 from GVTC, \$500 from Gonzales Healthcare Systems, \$100 from Chief Gregory Brooks, \$100 from Officer James Macias, \$100 from Joann Leifeste, \$100 from Kridler Boys Mowing, \$500 from Baker Boys, \$2,000 from Monthalia Methodist Church)
- Increase function 11 (\$6,520) & function 12 (\$30,915) for 2022-23 unfulfilled purchase commitments (GHS & GNA Furniture)
- Increase "Other Local Revenue" by \$33,653: Excess Property Sale Proceeds

Justin Schwausch made a motion, with a second from Josie Smith-Wright, to approve the consent agenda, as presented.

The motion carried 7/0.

B. **Discuss and Consider Action to Approve the Annual Financial & Compliance Report for Fiscal Year Ended August 31, 2023 and the Engagement Letter from Singleton, Clark, & Company, PC for the 2024 Fiscal Year Audit**

Amanda Smith, Chief Financial Officer, came to the board to seek approval of the Annual Financial Audit Report and the Engagement Letter. Ms. Smith introduced the lead external auditor, Preston Singleton, with the district's auditing firm, Singleton, Clark, & Co.

Mr. Singleton presented the audit report, including the approach their firm takes to ensure the financial statements are accurate, and highlights from the annual financial report to the board. Highlights included that the district has approximately seven months of expenditures in fund balance. Given the minimum recommendation is three months, the district is in good standing. He also mentioned that there were no findings or questioned costs reported. He concluded his presentation by praising the Business Office for a job well done.

Dr. A praised Mrs. Smith and the business office stating they were the best business office he'd ever worked with.

Justin Schwausch made a motion, with a second from Gloria Torres, to approve the annual financial report and engagement letter, as presented.

The motion carried 7/0.

C. **Discuss and Consider Action to Approve an Amendment to the Lease Contract with the Texas Department of Public Safety Clarifying Terms for Maintenance Costs**

Amanda Smith, Chief Financial Officer, recommended and sought approval to an amendment of a previously approved Lease with the Texas Department of Public Safety for the building located at 1711 N. Sarah Dewitt Dr. Upon receipt of the previously approved agreement, GISD received notification from DPS that they were prohibited from performing maintenance on a leased facility. The amendment clarified that GISD will perform the routine maintenance of the building and DPS will reimburse the district costs incurred outside of routine maintenance and normal wear and tear.

Justin Schwausch made a motion, with a second from Sandra Gorden, to approve the amended interlocal agreement, as presented.

The motion carried 7/0

D. **Discuss and Consider Action to Approve the Purchase of One Regular Education School Bus and One Special Education School Bus and Associated Budget Amendment**

Gene Kridler recommended to the board the purchasing of one regular yellow school bus and one special needs school bus and the Associated Budget Amendment.

Ms. Smith-Wright asked if we had other busses from Thomas Bus Gulf Coast.

Josie Smith-Wright made a motion, with a second from Ashley Molina, that the approve the purchase of one regular school bus from Longhorn Bus Sales, LLC and One Special Needs bus from Thomas Bus Gulf Coast and Associated Budget Amendment, as presented.

The motion carried 7/0.

E. **Discuss and Consider Action to Approve the Interlocal Agreement with Region 13 Education Service Center for 2023 Bond Program Management**

Dr. Elmer Avellaneda, Superintendent of Schools, recommended the approval of the Interlocal Agreement with Region 13 Education Service Center for the 2023 Bond Program Management. R13's Program Management service will provide project accounting, project plan review, and project management. Their team will provide transparency via monthly board presentations and public meetings to share program progress and details with our taxpayers.

ESC 13 is already a partner with GISD and was recently engaged to support the District during the Pre-Bond phase. R13 utilizes the services of Sledge Engineering, LLC(SE) as their preferred partner and professional engineering firm to support District's facilities needs.

Josie Smith-Wright asked a question about the total fee. Mr. Hendershot answered the question for her stating it was 2.85% of the project costs.

Mr. Sledge also answered questions from board members.

Justin Schwausch made a motion, with a second from D'Anna Robinson, to approve the interlocal agreement, as presented.

The motion carried 7/0.

F. **Discuss and Consider Action to Approve the Ranking of Offerors and Delegate Contract Negotiations to the Superintendent for the Architectural/Engineering and Construction Administration Services for the November 2023 Bond Construction Program**

Casey Sledge with Sledge Engineering, LLC presented this action item. The district solicited and received fourteen A/E proposals for the November 2023 bond construction program.

A committee comprised of ten individuals met twice to review proposals and interview firms. That committee narrowed down and ranked the firms they believed were most qualified to provide A/E services to the district.

Five firms were interviewed November 16, 2023 and of those five firms interviewed the committee unanimously agreed upon a ranking and listed the top 3 firms in order 1-3. The committee recommends that the board consider approval of that ranking. If approved the next step would to move forward with the top-ranking firm and start negotiations to be the architect and engineer for our bond program. If negotiations are not reached with the first firm we would move in order to the next. The rankings in order are VLK Architects, GBA, IDG+.

Mr. Schwausch asked if Mr. Sledge had worked with all three firms. Mr. Sledge response was that he worked with one firm extensively but was familiar with all three.

Mrs. Robinson asked for clarification about the order of firms.

Justin Schwausch made a motion, with a second from Sandra Gorden, to approve the ranking and selection of the highest ranked offeror and delegate to the superintendent the ability to negotiate the contract, as presented"

The motion carried 7/0,

G. **Discuss and Consider Action to Approve the Method for Construction Services for the 2023 Bond Program**

Dr. Elmer Avellaneda came to the board seeking approval for the Method for Construction Services for the 2023 Bond Program.

The Texas Government Code, Chapter 2269 states that the governing body of a governmental entity that considers a construction contract using a method authorized by the chapter, other than competitive bidding, must determine which method provides the best value for the governmental entity before advertising it.

Methods for construction services authorized under the Texas Government Code, Chapter 2269, are competitive bidding, competitive sealed proposals, construction manager-agent, construction manager-at-risk (CMAR), design-build contracts, and job order contracting.

Gonzales ISD successfully used the CMAR method for both the 1998 and 2013 bond programs. The administration recommends using CMAR again.

Justin Schwausch made a motion, with a second from Gloria Torres to approve the construction manager at risk method for the 2023 bond program construction projects, as presented.

The motion carried 7/0

H. **Discuss and Consider Action to Approve a Resolution Declaring Intention to Reimburse Project Expenditures and Associated Budget Amendment**

Amanda Smith, Chief Financial Officer, came before the board seeking approval of a Resolution that will declare the districts intent to reimburse project expenditures with bond proceeds. This resolution was discussed at the December 4, 2023 Board Workshop. It was described by Mrs. Smith as an accounting tool that will allow the district the flexibility to move forward with voter approved projects associated with the 2023 Bond Program. GISD would initially fund the eligible projects with General Fund monies and once the bond proceeds are received in the district we could reimburse the General Fund for the projects that were previously funded. GISD and many other districts have successfully used the method in the past. These projects have to be bond project eligible and Procurement Laws and Procedures will apply. The board would have to review and approve any high-dollar purchase that would be made.

Mrs. Smith recommended that the budget be amended as needed rather than the whole not to exceed amount of \$5M.

Mr. Hendershot asked about the language that was on the resolution and Mrs. Smith confirmed that it was the ballot language from the November Bond Election.

Ashley Molina made a motion, with a second from Gloria Torres to approve the resolution declaring intention to reimburse project expenditures and Associated Budget Amendment as presented.

The motion carried 7/0

Item#5 Reports:

A. **Financial Report**

The Financial Report was presented by Amanda Smith, CFO.

B. **Superintendent Reports**

Presented by Superintendent, Dr. Elmer Avellaneda

Enrollment as of 12/8/23: 2565

Daily Average Attendance for the District (November): 92.5%

Item#6 Board Business:

Board Correspondence: No Correspondence

Dates of Interest:

The month of December	
December 18, 2023	New Hire Christmas Party
December 22, 2023	Student and Staff Early Release
December 25, 2023- January 5, 2024	Winter Break
January 25, 2024	1 Yr Update for Strategic Planning

Item #7 Adjourn to Closed Session:

Under Texas Government Section [551.071](#) (Consultation with Attorney), Code Section [551.072](#) (Deliberation Regarding Real Property), [551.73](#) Deliberation Regarding Prospective Gift, Texas Government Code Section [551.074](#), (Personnel, to deliberate regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee), Texas Government Code Section [551.076](#) (Deliberation regarding implementation of Security, personnel or devices) and Section [551.082](#): School Children; School District Employees; Disciplinary Matter or Complaint, Section [551.083](#): Certain School Boards; Meeting Regarding Consultation with Representative of Employee Group, Section [551.084](#): Investigation; Exclusion of witnesses from a hearing.

The board went into a closed session at 6:33 P.M.

Item #8 Reconvene to Open Meeting:

The Board will take appropriate action on items, if necessary, as discussed in the Closed Session. The board returned to an open session at 8:27 P.M.

A motion was made by Josie Smith-Wright, with a second from Ashley Molina, to approve the Superintendent Evaluation Instrument as presented.

The motion carried 7/0.

Item #9 Adjourn

There being no further business, President Hendershot adjourned the meeting at 8:28 P.M.

Ross Hendershot, III, President
Board of Trustees

Josie Smith-Wright, Secretary
Board of Trustees

**2023-24 Proposed Budget Revision
General Operating Fund
Regular Board Meeting - January 8, 2024**

	<u>Current Budget</u>	<u>Proposed Amendment</u>	<u>Proposed Revised Budget</u>
REVENUES			
5700 Local Property Taxes	20,030,181		20,030,181
5700 Other Local Sources	941,653	1,031	942,684
5800 State Revenues	8,069,636		8,069,636
5900 Federal Sources	632,469	86,113	718,582
TOTAL REVENUES	29,673,939	87,144	29,761,083
EXPENDITURES			
0011 Instruction	16,403,519	900	16,404,419
0012 Instructional Resources & Media Services	312,710		312,710
0013 Curriculum & Staff Development	569,394		569,394
0021 Instructional Leadership	524,292		524,292
0023 School Leadership	1,858,791		1,858,791
0031 Guidance, Counseling, & Evaluation	937,057	131	937,188
0032 Social Work Services	78,345		78,345
0033 Health Services	412,113		412,113
0034 Student Transportation	1,444,811		1,444,811
0035 Food Services	15,000		15,000
0036 Co-Curricular/Extra-Curricular Activities	1,296,622		1,296,622
0041 General Administration	2,003,953		2,003,953
0051 Plant Maintenance and Operations	4,493,929	83,592	4,577,521
0052 Security & Monitoring Services	958,344		958,344
0053 Data Processing Services	1,054,996	2,521	1,057,517
0061 Community Services	11,050		11,050
0071 Debt Services	751,496		751,496
0091 Contracted Inst Services Btw Public Schools	314,527		314,527
0099 Other Intergovernmental Charges	514,828		514,828
TOTAL EXPENDITURES	33,955,777	87,144	34,042,921
8911 Operational Transfer Out	500		500
NET ACTIVITY	<u>(4,282,338)</u>	<u>0</u>	<u>(4,282,338)</u>

Notes:

-Increase "other local revenue" and Function 11 by \$50 each: Winter Wonderland Donations (\$25 from Penny Lee, \$25 from John Parr; \$100 from Officer Guerra, \$250 from Prosperity Bank, \$500 from GVTC)

-Increase "other local revenue" and Function 31 by \$131 each: Donation from the Presbyterian Church for mental health counselor supplies

-Increase federal revenue (\$86,113) & Function 51 (\$83,592) & Function 53 (\$2,521): E-rate current year funding (supports fiber maintenance & internet)



Board of Trustees

Ross Hendershot III
President

Justin Schwausch
Vice President

Josie Smith-Wright
Secretary

Sandra Gorden

Gloria Torres

D'Anna Robinson

Ashley Molina

GISD School Board Agenda Information Sheet
January 8, 2024

ACTION ITEM

SUBJECT: Discuss and Consider Action to approve and accept the GISD Education Foundation Grant Funding to be used for Future Grant Disbursements and Associated Budget Amendment.

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools, and Adrienne Steen, Director of Student Supports and Strategic Initiatives.

RATIONAL SUMMARY: On behalf of the GISD Education Foundation, Board President Josh Gray, will be in attendance to recommend that the board of trustees consider action to accept the sum of \$19,844.66 to be used for future grant recipients as awarded according to GISD Education Foundation Grant Application Guidelines. Additionally, approval of amendments to include funds in district budget as required.

ADMINISTRATION'S RECOMMENDATION: Accept & Approve

SAMPLE MOTION: *"I move that the Board of Trustees approve the acceptance of the \$19,845 from GISD Education Foundation and additions of \$19,845 to the revenue and expenditure budget by budget amendment as presented"*



Board of Trustees

Ross Hendershot, III
President

Justin Schwausch
Vice President

Josie Smith-Wright
Secretary

Sandra Gorden

Ashley Molina

D'Anna Roberson

Gloria Torres

GISD School Board Agenda Information Sheet
January 8, 2024

ACTION ITEM

SUBJECT: Discuss and Consider Action to Approve the TASB Board Policy Update 121, affecting GISD local policies (see attached list)

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY: The Texas Association of School Boards has provided the Gonzales ISD with Policy Update 121. Overview information concerning these proposed policy revisions was included in the following pages. Explanatory Notes, Instruction Sheet, and other materials are provided to the board to explain the changes that occurred during the Regular Legislative Session.

SUPERINTENDENT'S RECOMMENDATION: APPROVE

MOTION: I move that the Board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service for Update 121 as presented.

Instruction Sheet

TASB Localized Policy Manual Update 121

Gonzales ISD

Code	Type	Action To Be Taken	Note
AC	(LEGAL)	Replace policy	Revised policy
AF	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
BBBA	(LEGAL)	Replace policy	Revised policy
BQ	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CCA	(LEGAL)	Replace policy	Revised policy
CCGA	(LEGAL)	Replace policy	Revised policy
CCGB	(LEGAL)	Replace policy	Revised policy
CCGB	(LOCAL)	Replace policy	Revised policy
CFB	(LOCAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CKE	(LOCAL)	DELETE policy	See explanatory note
CKEA	(LOCAL)	ADD policy	See explanatory note
CL	(LEGAL)	Replace policy	Revised policy
CLA	(LEGAL)	Replace policy	Revised policy
CLB	(LEGAL)	Replace policy	Revised policy
CLB	(LOCAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CNC	(LEGAL)	Replace policy	Revised policy
CO	(LEGAL)	Replace policy	Revised policy
CQ	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CRF	(LOCAL)	Replace policy	Revised policy
CSA	(LEGAL)	No policy enclosed	See explanatory note
CVA	(LOCAL)	Replace policy	Revised policy
CVB	(LOCAL)	Replace policy	Revised policy
DBAA	(LEGAL)	Replace policy	Revised policy
DEA	(LOCAL)	Replace policy	Revised policy
DEAB	(LEGAL)	Replace policy	Revised policy
DEC	(LOCAL)	Replace policy	Revised policy
E	(LEGAL)	Replace table of contents	Revised table of contents
EF	(LEGAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 121

Gonzales ISD

Code	Type	Action To Be Taken	Note
EHAD	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAF	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EHBCA	(LEGAL)	ADD policy	See explanatory note
EBBH	(LEGAL)	Replace policy	Revised policy
EHBI	(LEGAL)	Replace policy	Revised policy
EHBJ	(LEGAL)	Replace policy	Revised policy
EI	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
FD	(LEGAL)	Replace policy	Revised policy
FD	(LOCAL)	Replace policy	Revised policy
FDA	(LEGAL)	Replace policy	Revised policy
FDC	(LEGAL)	Replace policy	Revised policy
FEA	(LEGAL)	Replace policy	Revised policy
FEB	(LEGAL)	Replace policy	Revised policy
FFAF	(LEGAL)	Replace policy	Revised policy
FFC	(LEGAL)	Replace policy	Revised policy
FFI	(LEGAL)	Replace policy	Revised policy
FFI	(LOCAL)	Replace policy	Revised policy
FL	(LEGAL)	Replace policy	Revised policy
G	(LEGAL)	Replace table of contents	Revised table of contents
GB	(LEGAL)	Replace policy	Revised policy
GBA	(LEGAL)	Replace policy	Revised policy
GBAA	(LEGAL)	Replace policy	Revised policy
GRA	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

AC(LEGAL) GEOGRAPHIC BOUNDARIES

This legal policy has been revised to include additional Education Code provisions related to ways in which a district's geographic boundaries may change, such as by detachment, annexation, consolidation, and abolition.

AF(LEGAL) INNOVATION DISTRICTS

Amended Administrative Code rules, effective October 25, 2022, revised the list of Education Code sections and administrative rules from which a district of innovation may not be exempted. Changes include a requirement to provide TEA a link to the local innovation plan posted on the district's website. Previously, the rule required the district to provide TEA with a copy of the local innovation plan.

AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS

Changes reflect revised Administrative Code provisions regarding compliance investigations by TEA, effective October 26, 2022. Other changes are to better reflect legal sources.

BBBA(LEGAL) ELECTIONS: CONDUCTING ELECTIONS

Provisions regarding confidentiality of the email address and personal phone number of an election judge or clerk have been moved from GBA(LEGAL) to this code addressing elections.

BQ(LEGAL) PLANNING AND DECISION-MAKING PROCESS

An existing requirement to include the district's bullying prevention policy and procedures in the district improvement plan has been added to this policy.

C(LEGAL) BUSINESS AND SUPPORT SERVICES

The C section table of contents has been revised to add the new code CKED, Security Personnel: Other Security Arrangements. We have also added for future expansion new codes addressing facility standards at CSA (Safety and Security) and CSB (Gas and Pipelines).

CBB(LEGAL) STATE AND FEDERAL REVENUE SOURCES: FEDERAL

Revisions are to better reflect legal sources.

CCA(LEGAL) LOCAL REVENUE SOURCES: BOND ISSUES

Citations have been updated to reflect the repeal and replacement of an Administrative Code provision regarding the bond guarantee program, effective March 1, 2023. References to Administrative Code provisions regarding the instructional facilities allotment and existing debt allotment have been clarified.

CCGA(LEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS

This policy has been revised to reflect the increased homestead exemption of \$40,000 approved by voters on May 7, 2022.

CCGB(LEGAL) AD VALOREM TAXES: ECONOMIC DEVELOPMENT

We have added a note regarding the expiration of the Texas Economic Development Act on December 31, 2022, and the continued application of the law to limitations on appraised value in existence at that time.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

CCGB(LOCAL)

AD VALOREM TAXES: ECONOMIC DEVELOPMENT

The Texas Economic Development Act expired on December 31, 2022. We recommend adding a note to this local policy regarding the expiration and continued application of the law to limitations on appraised value in existence at that time.

CFB(LOCAL)

ACCOUNTING: INVENTORIES

Revisions regarding the capitalization threshold are based on amended guidance from *GASB Implementation Guide 2021-1*, Question 5.1, regarding the capitalization of assets with individual acquisition costs below the threshold if the assets in the aggregate are significant. The amended guidance applies to reporting periods beginning after June 15, 2023.

CH(LEGAL)

PURCHASING AND ACQUISITION

We have replaced the citation to a repealed Administrative Code rule regarding purchases of automated information systems with a citation to a new rule effective December 19, 2022.

CKE(LOCAL)

SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

To better align the district's legal and local policies, provisions addressing commissioned peace officers have been relocated to CKEA(LOCAL).

CKEA(LOCAL)

SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

Provisions addressing commissioned peace officers have been relocated to this code from CKE(LOCAL). Please review the provisions for accuracy. If revisions are needed regarding other security personnel or if the district discontinues a body-worn camera program and wishes to remove the language from this policy, please contact your policy consultant.

CL(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

We have replaced the citation to repealed Administrative Code provisions regarding public pool sanitation and safety with a citation to new provisions effective January 1, 2023.

CLA(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY

New Administrative Code rules, effective February 2, 2023, have been added to address required warning signs regarding human trafficking.

CLB(LEGAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: MAINTENANCE

Changes reflect revisions to Administrative Code rules regarding integrated pest management, effective January 16, 2023.

CLB(LOCAL)

BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: MAINTENANCE

Administrative Code rules regarding integrated pest management (IPM) were amended to include district-owned residential property among the district facilities subject to the IPM requirements. Although the changes to the rules add "residential property" to the buildings and grounds subject to IPM requirements, it is our understanding from the Texas Department of Agriculture that this inclusion is intended to apply only to district-owned residential property that is primarily used as student housing. As requested by TDA, revisions include such residential property among the district facilities subject to the district's IPM program.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

CMD(LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

An Administrative Code provision, effective June 7, 2022, has been added regarding purchasing technological equipment with the instructional materials and technology allotment.

CNC(LEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY

Provisions have been added regarding the use of school bus warning signals.

CO(LEGAL) FOOD AND NUTRITION MANAGEMENT

New Administrative Code provisions were adopted regarding appeals related to federal food and nutrition programs administered by the Texas Department of Agriculture. A reference to these provisions, effective November 27, 2022, has been added.

CQ(LEGAL) TECHNOLOGY RESOURCES

A reference to Administrative Code provisions regarding management of electronic transactions and signed records has been clarified.

CQA(LEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

The link to the Texas Department of State Health Services Guidelines for the Care of Students with Food Allergies has been updated.

CRF(LOCAL) INSURANCE AND ANNUITIES MANAGEMENT: UNEMPLOYMENT INSURANCE

There are no significant revisions to the text on reasonable assurance; however, the policy template has been updated to accommodate the new adoption date function in Policy Online®. This policy is being issued at no charge to the district.

CSA(LEGAL) FACILITY STANDARDS: SAFETY AND SECURITY

The Commissioner of Education proposed new School Safety Requirements in the Commissioner's Rules Concerning School Facilities in November 2022. The public comment period closed December 12, 2022, but the rules are not yet finalized. The proposed rules require local policy provisions. Policy Service will include legal provisions in this new policy code and provide local policy provisions for consideration following publication of the final rules.

CVA(LOCAL) FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Policy BJA(LOCAL) authorizes the superintendent to delegate responsibilities to other employees of the district as permitted by law; thus, it is not necessary to include a reference to the superintendent's designee at Specifications. In addition, the policy template has been updated to accommodate the new adoption date function in Policy Online®. This policy is being issued at no charge to the district.

CVB(LOCAL) FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS

As noted above, policy BJA(LOCAL) authorizes the superintendent to delegate responsibilities to other employees of the district as permitted by law; thus, it is not necessary to include a reference to the superintendent's designee at Specifications. In addition, the policy template has been updated to accommodate the new adoption date function in Policy Online®. This policy is being issued at no charge to the district.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

DBAA(LLEGAL)

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: PRE-EMPLOYMENT REVIEWS

Changes have been made to better reflect legal sources and to delete obsolete provisions.

DEA(LOCAL)

COMPENSATION AND BENEFITS: COMPENSATION PLAN

To eliminate the possibility of confusion about the frequency of pay, we recommend replacing *bimonthly* with the more specific and widely used *semi-monthly*. Other revisions are recommended for policy style and to clarify the circumstances under which certain employees will receive premium pay during an emergency closing for a disaster.

If the district no longer wants to provide premium pay for nonexempt employees who are required to work during an emergency closing for a disaster, please contact your policy consultant for appropriate revisions to this policy.

The [Legal Issues in Update 121](#) memo describes common legal concerns and best practices specific to this policy's topic.

DEAB(LLEGAL)

COMPENSATION PLAN: WAGE AND HOUR LAWS

Changes have been made to better reflect legal sources.

DEC(LOCAL)

COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

Revisions addressing mental health leave and quarantine leave for peace officers are based on information recently provided by the district and the requirements of state law.

The [Legal Issues in Update 121](#) memo describes common legal concerns and best practices specific to this policy's topic.

E(LLEGAL)

INSTRUCTION

The E section table of contents has been updated to add the new code EHBCA, which includes provisions addressing accelerated instruction previously located at EHBC. The subtitle for policy EHBC has been changed to Compensatory Services and Intensive Programs.

EF(LLEGAL)

INSTRUCTIONAL RESOURCES

Legal definitions of "harmful materials" and "obscene" have been added for ease of access.

EHAD(LLEGAL)

BASIC INSTRUCTIONAL PROGRAM: ELECTIVE INSTRUCTION

A reference to Administrative Code provisions has been added regarding driver education safety program requirements.

EHBAB(LLEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

Changes reflect revised Administrative Code provisions regarding students who are homeless or in substitute care, effective January 1, 2023.

EHBAF(LLEGAL)

SPECIAL EDUCATION: VIDEO/AUDIO MONITORING

Revisions reflect amended Administrative Code provisions, effective January 22, 2023, pertaining to filing certain documents electronically.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

Update 121 includes a reorganization of the information regarding compensatory, intensive, and accelerated instructional services. Provisions addressing accelerated instruction have been moved to the new code EHBCA. The remaining provisions at this code, now subtitled Compensatory Services and Intensive Programs, have been reordered and adjusted for clarity.

EHBCA(LEGAL) COMPENSATORY SERVICES AND INTENSIVE PROGRAMS: ACCELERATED INSTRUCTION

This new policy addressing accelerated instruction comprises provisions moved from EHBC(LEGAL). For clarity, we have reordered and adjusted the material.

EHBH(LEGAL) SPECIAL PROGRAMS: OTHER SPECIAL POPULATIONS

An amended Administrative Code provision, effective January 18, 2023, has been added pertaining to regional day school programs for the deaf.

EHBI(LEGAL) SPECIAL PROGRAMS: ADULT AND COMMUNITY EDUCATION

Changes reflect revisions to Administrative Code provisions, effective November 24, 2022, regarding essential program components of adult education programs.

EHB(LEGAL) SPECIAL PROGRAMS: INNOVATIVE AND MAGNET PROGRAMS

Changes include a new Administrative Code provision, effective February 26, 2023, regarding requests for approval of an innovative course by the State Board of Education.

EI(LEGAL) ACADEMIC ACHIEVEMENT

This legal policy has been revised to replace a repealed Administrative Code rule with a new rule, effective January 1, 2023, related to awarding credit to students who are homeless or in substitute care for coursework completed prior to the student enrolling in or transferring to the district. Other changes are to better reflect legal sources.

EKB(LEGAL) TESTING PROGRAMS: STATE ASSESSMENT

Duplicative text regarding students who fail to perform satisfactorily on a state assessment instrument has been deleted and replaced with a note pointing to EHBC and EHBCA.

FD(LEGAL) ADMISSIONS

The policy has been updated to delete an Administrative Code rule repealed by the State Board of Education, effective March 9, 2023.

FD(LOCAL) ADMISSIONS

Recommended revisions to this policy at Transition Assistance reflect the repeal and replacement of an Administrative Code provision regarding awarding credit to a student who is homeless or in substitute care. Under the new rule, a district must adopt a policy to ensure credit has been awarded appropriately prior to enrollment. Other changes provide greater flexibility for the district with regard to requiring proof of residency by removing specific requirements and referring to administrative regulations.

The [Legal Issues in Update 121](#) memo describes common legal concerns and best practices specific to this policy's topic.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

FDA(LLEGAL)

ADMISSIONS: INTERDISTRICT TRANSFERS

This policy has been reorganized for clarity. Other changes are to better match statutory wording. Notes have been added to more clearly indicate the application of certain provisions.

FDC(LLEGAL)

ADMISSIONS: HOMELESS STUDENTS

A note has been added to clarify that information regarding support services for students experiencing homelessness, including provisions regarding district liaisons and transition services, is located at FFC.

FEA(LLEGAL)

ATTENDANCE: COMPULSORY ATTENDANCE

This legal policy has been updated to remove provisions of Administrative Code rules repealed by the State Board of Education, effective March 9, 2023. A note has been added referring to the *Student Attendance Accounting Handbook* for additional guidance.

FEB(LLEGAL)

ATTENDANCE: ATTENDANCE ACCOUNTING

This legal policy has been updated to remove provisions of Administrative Code rules repealed by the State Board of Education, effective March 9, 2023. We have also added a note referring to the *Student Attendance Accounting Handbook* for additional guidance, as well as existing statutory provisions for completeness and clarification.

FFAF(LLEGAL)

WELLNESS AND HEALTH SERVICES: CARE PLANS

Links to the Texas Department of State Health Services' guidance for the care of students with diabetes and of students with food allergies have been updated.

FFC(LLEGAL)

STUDENT WELFARE: STUDENT SUPPORT SERVICES

Revisions throughout this policy reflect amended Administrative Code provisions, effective January 1, 2023, regarding transition assistance for students experiencing homelessness or in substitute care.

FFI(LLEGAL)

STUDENT WELFARE: FREEDOM FROM BULLYING

A note has been added with a link to the [Minimum Standards for Bullying Prevention](#) finalized by TEA on January 31, 2023.

FFI(LOCAL)

STUDENT WELFARE: FREEDOM FROM BULLYING

The [Minimum Standards for Bullying Prevention](#), completed by TEA on January 31, 2023, include a requirement for policy provisions on reporting bullying incidents. Existing policy language addresses reporting by students and staff. The enclosed revisions are recommended to address the new minimum standards.

FL(LLEGAL)

STUDENT RECORDS

Provisions at Access, Disclosure, and Amendment, beginning on page 4, have been revised and reorganized for clarity and to better reflect legal sources. The definition of eligible student has been added. Additional reporting requirements under the National School Lunch Act or the Child Nutrition Act have also been added. A note has been added at the beginning of the policy to clarify that information regarding juvenile law enforcement records is located in GBA.

G(LLEGAL)

COMMUNITY AND GOVERNMENTAL RELATIONS

The G section table of contents has been revised to reflect the correct subtitle for GBA, Access to Public Information.

Explanatory Notes

TASB Localized Policy Manual Update 121

Gonzales ISD

GB(LLEGAL) PUBLIC INFORMATION PROGRAM

Update 121 includes a reorganization of the public information policies in the GB series. As part of the reorganization, we have deleted provisions that are duplicated at other policy codes and adjusted provisions for clarity and to better match statutory wording.

GBA(LLEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO PUBLIC INFORMATION

As part of the reorganization of the public information policies, we have made the following changes:

- Deleted provisions that are duplicated at other policy codes and added cross-references, if necessary, to improve usability.
- Moved provisions regarding confidentiality based on statutes outside the Public Information Act (Government Code Chapter 552) to the policy code addressing the specific topic.
- Reordered and adjusted provisions for clarity and to better match statutory wording.

GBAA(LLEGAL) ACCESS TO PUBLIC INFORMATION: REQUESTS FOR INFORMATION

As part of the reorganization of the GB series, we have made the following changes:

- Deleted provisions that are duplicated at other policy codes and added cross-references, if necessary.
- Reordered and adjusted provisions for clarity and to better match statutory wording.

GRA(LLEGAL) RELATIONS WITH GOVERNMENTAL ENTITIES: STATE AND LOCAL GOVERNMENTAL AUTHORITIES

This policy has been revised to include an Education Code provision prohibiting citation of a student alleged to have committed a school offense. Family Code definitions have also been added to support existing content regarding students taken into custody.

(LOCAL) Policy Action List

GONZALES ISD (089901) - Update 121

CCGB(LOCAL): AD VALOREM TAXES - ECONOMIC DEVELOPMENT

CFB(LOCAL): ACCOUNTING - INVENTORIES

CKE(LOCAL): SAFETY PROGRAM/RISK MANAGEMENT - SECURITY PERSONNEL

CKEA(LOCAL): SECURITY PERSONNEL - COMMISSIONED PEACE OFFICERS

CLB(LOCAL): BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT - MAINTENANCE

CRF(LOCAL): INSURANCE AND ANNUITIES MANAGEMENT - UNEMPLOYMENT
INSURANCE

CVA(LOCAL): FACILITIES CONSTRUCTION - COMPETITIVE BIDDING

CVB(LOCAL): FACILITIES CONSTRUCTION - COMPETITIVE SEALED PROPOSALS

DEA(LOCAL): COMPENSATION AND BENEFITS - COMPENSATION PLAN

DEC(LOCAL): COMPENSATION AND BENEFITS - LEAVES AND ABSENCES

FD(LOCAL): ADMISSIONS

FFI(LOCAL): STUDENT WELFARE - FREEDOM FROM BULLYING



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GISD School Board Agenda Information Sheet
January 8, 2024

ACTION ITEM

SUBJECT: Discuss and Consider Action to Approve the TASB Board Policy Update 122, affecting GISD local policies (see attached list)

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY: The Texas Association of School Boards has provided the Gonzales ISD with Policy Update 122. Overview information concerning these proposed policy revisions was included in the following pages. Explanatory Notes, Instruction Sheet, and other materials are provided to the board to explain the changes that occurred during the Regular Legislative Session.

SUPERINTENDENT'S RECOMMENDATION: APPROVE

MOTION: I move that the Board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service for Update 122 as presented.

Instruction Sheet
TASB Localized Policy Manual Update 122

Gonzales ISD

Code	Type	Action To Be Taken	Note
ATTN	(NOTE)	No policy enclosed	See explanatory note
AF	(LEGAL)	Replace policy	Revised policy
AIB	(LEGAL)	Replace policy	Revised policy
BBB	(LEGAL)	Replace policy	Revised policy
BBBA	(LEGAL)	Replace policy	Revised policy
BBBB	(LEGAL)	Replace policy	Revised policy
BBBC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(LEGAL)	Replace policy	Revised policy
BBI	(LEGAL)	Replace policy	Revised policy
BE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CCA	(LEGAL)	Replace policy	Revised policy
CDA	(LEGAL)	Replace policy	Revised policy
CDB	(LEGAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CJA	(LEGAL)	Replace policy	Revised policy
CK	(LEGAL)	Replace policy	Revised policy
CKA	(LEGAL)	Replace policy	Revised policy
CKC	(LEGAL)	Replace policy	Revised policy
CKE	(LEGAL)	Replace policy	Revised policy
CKEA	(LEGAL)	Replace policy	Revised policy
CKEB	(LEGAL)	Replace policy	Revised policy
CKEC	(LEGAL)	Replace policy	Revised policy
CLA	(LEGAL)	Replace policy	Revised policy
CLE	(LEGAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CNA	(LEGAL)	Replace policy	Revised policy
CNC	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CQB	(LEGAL)	Replace policy	Revised policy
CQB	(LOCAL)	Replace policy	Revised policy
CQC	(LEGAL)	Replace policy	Revised policy
CS	(LEGAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 122

Gonzales ISD

Code	Type	Action To Be Taken	Note
CSA	(LEGAL)	ADD policy	See explanatory note
CSA	(LOCAL)	ADD policy	See explanatory note
CSB	(LEGAL)	ADD policy	See explanatory note
CSC	(LEGAL)	ADD policy	See explanatory note
CV	(LEGAL)	Replace policy	Revised policy
DBAA	(LEGAL)	Replace policy	Revised policy
DBE	(LEGAL)	Replace policy	Revised policy
DC	(LOCAL)	Replace policy	Revised policy
DEAA	(LEGAL)	Replace policy	Revised policy
DEC	(LEGAL)	Replace policy	Revised policy
DF	(LEGAL)	Replace policy	Revised policy
DG	(LEGAL)	Replace policy	Revised policy
DGC	(LEGAL)	Replace policy	Revised policy
DH	(LEGAL)	Replace policy	Revised policy
DI	(LEGAL)	Replace policy	Revised policy
DIA	(LEGAL)	Replace policy	Revised policy
DL	(LEGAL)	Replace policy	Revised policy
DLB	(LEGAL)	Replace policy	Revised policy
DMA	(LEGAL)	Replace policy	Revised policy
DP	(LEGAL)	Replace policy	Revised policy
DP	(LOCAL)	No policy enclosed	See explanatory note
EEB	(LEGAL)	Replace policy	Revised policy
EF	(LEGAL)	Replace policy	Revised policy
EFA	(LEGAL)	Replace policy	Revised policy
EFB	(LEGAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHAB	(LEGAL)	Replace policy	Revised policy
EHAC	(LEGAL)	Replace policy	Revised policy
EHB	(LEGAL)	Replace policy	Revised policy
EHB	(LOCAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 122

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Code	Type	Action To Be Taken	Note
EHBC	(LOCAL)	DELETE policy	See explanatory note
EHBCA	(LEGAL)	Replace policy	Revised policy
EHBCA	(LOCAL)	ADD policy	See explanatory note
EHBG	(LEGAL)	Replace policy	Revised policy
EHBK	(LEGAL)	Replace policy	Revised policy
EHDD	(LEGAL)	Replace policy	Revised policy
EHDE	(LEGAL)	Replace policy	Revised policy
EHDF	(LEGAL)	DELETE policy	See explanatory note
EI	(LEGAL)	Replace policy	Revised policy
EIA	(LEGAL)	Replace policy	Revised policy
EIC	(LOCAL)	No policy enclosed	See explanatory note
EIE	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
F	(LEGAL)	Replace table of contents	Revised table of contents
FA	(LEGAL)	ADD policy	See explanatory note
FD	(LEGAL)	Replace policy	Revised policy
FDA	(LEGAL)	Replace policy	Revised policy
FDB	(LEGAL)	Replace policy	Revised policy
FEA	(LEGAL)	Replace policy	Revised policy
FEA	(LOCAL)	Replace policy	Revised policy
FEB	(LEGAL)	Replace policy	Revised policy
FEC	(LEGAL)	Replace policy	Revised policy
FED	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy
FFAC	(LOCAL)	Replace policy	Revised policy
FFAF	(LEGAL)	Replace policy	Revised policy
FFB	(LEGAL)	Replace policy	Revised policy
FFB	(LOCAL)	Replace policy	Revised policy
FFBA	(LEGAL)	Replace policy	Revised policy
FFEA	(LEGAL)	Replace policy	Revised policy
FFG	(LEGAL)	Replace policy	Revised policy
FL	(LEGAL)	Replace policy	Revised policy
FL	(LOCAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 122

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Code	Type	Action To Be Taken	Note
FM	(LEGAL)	Replace policy	Revised policy
FNCA	(LEGAL)	Replace policy	Revised policy
FNCC	(LEGAL)	Replace policy	Revised policy
FNCD	(LEGAL)	Replace policy	Revised policy
FNCF	(LEGAL)	Replace policy	Revised policy
FNCG	(LEGAL)	Replace policy	Revised policy
FNG	(LEGAL)	Replace policy	Revised policy
FO	(LEGAL)	Replace policy	Revised policy
FOC	(LEGAL)	Replace policy	Revised policy
FOCA	(LEGAL)	Replace policy	Revised policy
FOD	(LEGAL)	Replace policy	Revised policy
FODA	(LEGAL)	Replace policy	Revised policy
GBA	(LEGAL)	Replace policy	Revised policy
GBAA	(LEGAL)	Replace policy	Revised policy
GC	(LEGAL)	Replace policy	Revised policy
GKA	(LEGAL)	Replace policy	Revised policy
GKC	(LEGAL)	Replace policy	Revised policy
GKG	(LEGAL)	Replace policy	Revised policy
GRAC	(LEGAL)	Replace policy	Revised policy
GRB	(LEGAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 122

Gonzales ISD

ATTN(NOTE)

GENERAL INFORMATION ABOUT THIS UPDATE

Please note:

Changes at Update 122 are based almost exclusively on legislation from the 88th Regular Legislative Session.

Unless otherwise noted, references to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 88th Regular Legislative Session. All referenced bills have already gone into effect unless otherwise noted.

Each regular legislative session, legislation is passed that makes nonsubstantive additions, revisions, or corrections to existing statutes. HB 4595 was passed for this purpose in the 88th Regular Legislative Session. Minor nonsubstantive changes throughout Update 122 result from HB 4595 and are not otherwise mentioned in the explanatory notes.

For more information about the bills mentioned throughout and other changes from the 88th Legislative Session, download the free [2023 Legislative Summary for TASB Members](#) PDF from the TASB store.

The *Local Policy Overview* for Update 122, available with your Update 122 materials under [Local Manual Updates](#) on Policy Online® (TASB login required), provides a general, high-level overview of the changes to the local policies included in the update. **Legal policies provide the legal framework for key areas of district operations and are not adopted by the board.**

Changes to the policy manual based on bills from the special called sessions will be included in Update 123.

AF(LLEGAL)

INNOVATION DISTRICTS

New and amended Administrative Code rules, effective June 20, 2023, revise the process and timeline for renewing an innovation plan. (See pages 5-6.)

AIB(LLEGAL)

ACCOUNTABILITY: PERFORMANCE REPORTING

Provisions regarding remote instruction expired on September 1, 2023, and have been removed from this legal policy.

BBB(LLEGAL)

BOARD MEMBERS: ELECTIONS

This legal policy has been updated to increase the population threshold for certain districts to conduct elections jointly with a hospital district. (HB 4559)

BBBA(LLEGAL)

ELECTIONS: CONDUCTING ELECTIONS

HB 1217 repeals Election Code provisions creating different requirements for days and hours of early voting at temporary branch polling places in counties with a population under 100,000. The same requirements now apply regardless of county size.

BBBB(LLEGAL)

ELECTIONS: POST-ELECTION PROCEDURES

HB 2559 adds retired justices of the peace, the comptroller of public accounts, and former comptrollers to the list of persons authorized to administer an oath in Texas. Because this legal policy includes only the four broadest categories of authorized persons, it has been amended to include retired justices of the peace. (See Oath of Office on page 4.)

Explanatory Notes

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BBBC(LLEGAL) ELECTIONS: CAMPAIGN FINANCE

HB 2626 requires all districts, regardless of size, to post campaign finance reports filed with the district on the district website not later than the 10th business day after receipt. Certain address information may be removed before posting, and the reports must remain accessible on the website for five years.

BBC(LLEGAL) BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE

SB 232 implements automatic removal from office for certain criminal offenses. If a board member is removed, the board must fill the vacancy at the first regular meeting following the removal. (See page 4.)

HB 17 makes nonsubstantive changes to existing law regarding removal of a board member by written petition and trial. (See page 3.)

BBD(LLEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION

The attorney general (AG) may require board members to complete Public Information Act (PIA) training if the AG determines the district has failed to comply with a requirement of the PIA (see page 1). (HB 3033)

BBI(LLEGAL) BOARD MEMBERS: TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

The Note at the beginning of this policy has been updated to include a reference to CQC(LLEGAL), where provisions from SB 1893 regarding prohibited applications on district-owned devices have been added.

BE(LLEGAL) BOARD MEETINGS

HB 3440 requires all districts to post both the notice *and* agenda for a board meeting on the district website under the Open Meetings Act. (See Internet Posting — Notice on page 4.) The bill repeals the previous provision that tied the requirement to post the agenda to the size of a municipality in the district.

C(LLEGAL) BUSINESS AND SUPPORT SERVICES

The Section C table of contents has been revised to rename CKA as Safety Program/Risk Management: Safety and Security Audits and Monitoring. Provisions regarding asbestos management have been moved to a new code CSC, Facility Standards: Asbestos Management.

CCA(LLEGAL) LOCAL REVENUE SOURCES: BOND ISSUES

For bonds authorized at an election after September 1, 2023, HB 3 allows the use of bond proceeds to pay for compliance with school safety and security requirements for school facilities. If TEA finds that the district is not in compliance, the district must use bond proceeds to achieve compliance before using the proceeds for other purposes. (See page 3.)

CDA(LLEGAL) OTHER REVENUES: INVESTMENTS

SB 1246 amends the Public Funds Investment Act to authorize districts to invest in repurchase agreements through a joint account.

CDB(LLEGAL) OTHER REVENUES: SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

HB 2518 requires a public property lease between a district and another person to include terms requiring the person to include payment and performance bond requirements in any construction contract the person enters related to the leased property. In addition, the person must provide notice of commencement to the district at least 90 days before any construction begins. (See pages 3-4.)

Explanatory Notes

TASB Localized Policy Manual Update 122

Gonzales ISD

CHE(LEGAL)

PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

HB 1817 specifies the circumstances under which a district contract is voidable for the vendor's failure to provide the required disclosure of interested parties. (See page 2.)

A provision has been added from HB 900 prohibiting the purchase of library material from vendors included on a list created by TEA. Other provisions of HB 900 are set out in EFB(LEGAL). (See page 10.)

CJA(LEGAL)

CONTRACTED SERVICES: CRIMINAL HISTORY

HB 4123 makes significant changes to the laws regarding criminal history record information (CHRI) reviews by the district and "qualified school contractors," as defined in the bill, and repeals provisions relating to CHRI reviews for certain public works contractors. The bill creates a single statutory approach to CHRI reviews for contractors and their employees.

CK(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT

Several legislative changes affect this legal policy on safety programs and risk management:

- HB 3 requires sheriffs in counties with a population of less than 350,000 to conduct semiannual meetings to discuss issues related to school safety.
- HB 1905 allows districts to make school safety training courses, including active shooter training courses, available at no cost to employees of private schools or child-care facilities in the district.
- SB 29 prohibits districts from implementing mandates related to COVID-19.

To better present legislative changes related to school safety and make the associated policies easier to use, provisions in this policy related to safety and security audits have been relocated to CKA(LEGAL).

CKA(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: SAFETY AND SECURITY AUDITS AND MONITORING

To better present legislative changes related to school safety and make the associated policies easier to use, this legal policy has been renamed Safety and Security Audits and Monitoring, and provisions regarding asbestos management have been relocated to CSC(LEGAL) in the policy series related to facility standards. Provisions regarding safety and security audits have been moved from CK(LEGAL) and amended by HB 3.

Other revisions from HB 3 include new provisions related to the following:

- Monitoring by TEA of district implementation and operation of safety and security requirements through a new office of school safety and security
- Vulnerability assessments by TEA
- Intruder detection audits by regional school safety review teams
- Assignment of a conservator by the commissioner if a district fails to comply with specified safety and security requirements

CKC(LEGAL)

SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS

Numerous legislative changes affect this legal policy on emergency plans.

Under HB 3, a district must:

- Adopt a policy for providing notice regarding violent activity at a district campus or facility or at a district-sponsored activity. (See page 1.) [TEA issued a [To the Administrator Addressed letter](#) to provide

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guidance to educational leaders on September 7, 2023, with [Guidance on Model Standards for Parental Notification](#) that can be used to develop administrative procedures.]

- Provide the Department of Public Safety (DPS) and local law enforcement with emergency response maps and an opportunity to conduct a walk-through using the maps. (See page 1.)
- Follow TEA guidelines in adopting and implementing the district's multihazard emergency operations plan (EOP) to ensure the safety of students and personnel with disabilities or impairments in a disaster or emergency. TEA must develop the guidelines. (See page 3.)
- Submit its multihazard EOP no later than the 30th day after the Texas School Safety Center (TxSSC) requests it. HB 3 modifies the timelines related to submitting the plan and correcting any deficiencies. (See page 5.)
- Provide information from DPS and TxSSC regarding safe storage of firearms to parents. (See pages 6-7.) [TxSSC released [information](#) on September 1, 2023.]

Provisions have been added to this policy from the Texas Disaster Act regarding confidentiality of certain types of information the district may have related to safety and disaster response. (See pages 7-8.)

CKE(LLEGAL) SAFETY PROGRAM/RISK MANAGEMENT: SECURITY PERSONNEL

Several revisions to this legal policy on security personnel result from HB 3.

- The board must determine the appropriate number of armed security officers for each campus. The board must ensure that at least one armed security officer, as defined by the bill, is present during regular school hours at each campus or claim a good cause exception due to availability of funding or qualified personnel. A board that claims a good cause exception must develop an alternative standard. (See page 1.)
- The board's options as to who may be hired for security purposes are expanded. (See pages 1-2.)
- Security personnel are no longer required to be commissioned peace officers to carry weapons, but a person permitted to carry a firearm on campus may not perform certain law enforcement duties, except in an emergency, unless they are commissioned peace officers. (See page 5.)

HB 3 and SB 999 modify requirements related to active shooter response training. (See page 3.)

HB 1133 allows peace officers providing volunteer security services at school events to wear their uniforms under certain circumstances. (See pages 3-4.)

For more information, see TASB Legal Services' School Law eSource article "[Armed Security Officer Requirement in House Bill 3 \(2023\)](#)."

CKEA(LLEGAL) SECURITY PERSONNEL: COMMISSIONED PEACE OFFICERS

This legal policy has been updated to include existing provisions regarding the circumstances under which a body-worn camera recording may be released. (See page 5.)

CKEB(LLEGAL) SECURITY PERSONNEL: SCHOOL MARSHALS

HB 3623 allows a district to enter into a memorandum of understanding with another district, open-enrollment charter school, or private school to share a school marshal on the other school's campus for certain events. (See page 4.)

CKEC(LLEGAL) SECURITY PERSONNEL: SCHOOL RESOURCE OFFICERS

HB 3 implements requirements for a memorandum of understanding for the provision of school resource officers.

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CLA(LLEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: SECURITY

SB 2069 revises the requirements for schools to post human trafficking signs. The signs must now be posted in a conspicuous place reasonably likely to be viewed by employees and visitors.

CLE(LLEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT: FLAG DISPLAYS

HB 2012 allows a classroom teacher to display the national motto in a classroom if the poster or framed copy meets existing requirements.

CMD(LLEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING

HB 1605 makes numerous changes to this legal policy on instructional materials care and accounting, including revisions to permitted expenditures, requisition procedures, requirements related to open education resources (OER), and certification. In addition, districts may be entitled to additional state aid for certain instructional materials.

Administrative code provisions have been deleted to the extent they are superseded by new laws.

CNA(LLEGAL) TRANSPORTATION MANAGEMENT: STUDENT TRANSPORTATION

Duplicative information regarding the transportation of students to accelerated instruction programs has been replaced with a reference on page 7 to EHBCA for more information.

CNC(LLEGAL) TRANSPORTATION MANAGEMENT: TRANSPORTATION SAFETY

HB 2190 changes all references in state law from "accident" to "collision."

CQA(LLEGAL) TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES

The list of required internet postings has been updated to include:

- Campaign finance filings at item 18 (HB 2626)
- Item 46 regarding annual reports on measurable outcomes for dropout recovery education programs (SB 1647)

A district may now either post online or provide physical copies of the report on library materials (see item 4 at Optional Internet Postings). (HB 900)

CQB(LLEGAL) TECHNOLOGY RESOURCES: CYBERSECURITY

SB 768 shortens the deadline to notify the attorney general of a system security breach from 60 to 30 days and requires the notice to be submitted electronically. (See page 4.)

SB 271 creates additional notification requirements for "security incidents" as defined in the bill. (See page 6.)

CQB(LOCAL) TECHNOLOGY RESOURCES: CYBERSECURITY

Based on the new notification requirements imposed by SB 271, the security breach notification provisions have been revised to include security incidents.

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CQC(LEGAL)

TECHNOLOGY RESOURCES: EQUIPMENT

HB 18 amends requirements related to transferring data processing equipment or electronic devices to students. Beginning with the 2023-24 school year, in addition to existing requirements, districts must adopt rules establishing programs that promote parents as partners in cybersecurity and online safety and install filters to block pornographic or obscene materials or applications. TEA must adopt standards for permissible devices and applications used by a district. If necessary, Policy Service will recommend policy revisions following publication of the TEA standards.

SB 1893 requires the district to adopt a policy prohibiting the installation or use of a "covered application," as defined in the bill, on any device owned or leased by the district. (See page 3.) The Department of Information Resources (DIR) and the Department of Public Safety (DPS) must develop a model policy for districts to use in developing the required policy, and the district must adopt the required policy no later than 60 days after the model is released. Policy Service will recommend local policy revisions, as appropriate, following publication of the DIR/DPS model policy.

CS(LEGAL)

FACILITY STANDARDS

For clarity and ease of use, this legal policy on Facility Standards has been divided into four codes:

- CS: Facility Standards
- CSA: Safety and Security
- CSB: Gas and Pipelines
- CSC: Asbestos Management

CS includes the existing school facility standards that apply to all district capital improvement projects. Accessibility standards as well as provisions related to portable buildings and outdoor lighting also remain in this policy code.

CSA(LEGAL)

FACILITY STANDARDS: SAFETY AND SECURITY

This new policy code regarding safety and security includes existing provisions moved from CS(LEGAL) as well as the commissioner's new school safety rules for facilities, effective May 31, 2023.

HB 3 implements additional safety and security requirements for facilities.

SB 838 requires a district to provide each classroom with silent panic alert technology that allows immediate contact with emergency services and law enforcement. This applies beginning with the 2025-26 school year. (See page 9.)

CSA(LOCAL)

FACILITY STANDARDS: SAFETY AND SECURITY

This new local policy on facility safety and security includes recommended provisions addressing audits of building access control to comply with the commissioner's new school safety rules for facilities, effective May 31, 2023.

CSB(LEGAL)

FACILITY STANDARDS: SAFETY AND SECURITY

To present legal requirements more clearly, this new legal policy regarding gas and pipelines includes existing provisions moved from CS(LEGAL).

CSC(LEGAL)

FACILITY STANDARDS: ASBESTOS MANAGEMENT

To present legal requirements more clearly, existing provisions related to asbestos management have been moved from CKA(LEGAL) to this new policy code.

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CV(LEGAL) FACILITIES CONSTRUCTION

This legal policy regarding facilities construction includes several revisions:

- HB 679 prohibits requiring a specified experience modifier in construction contracts or solicitations. (See pages 5-6.)
- HB 3485 allows vendors and subcontractors to elect not to proceed with additional work without a properly executed change order. (See page 8.)
- HB 2518 adds the failure to include required lease terms to the circumstances under which a district may be liable for failure to obtain a payment bond. (See page 13.)
- HB 2965 prohibits the waiver of Government Code Chapter 2272 regarding construction liability claims. (See page 20.)

DBAA(LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: PRE-EMPLOYMENT REVIEWS

Changes to the laws regarding the use, confidentiality, and destruction of criminal history record information (CHRI) are from HB 4123. (See pages 4-5.) Other revisions are to better reflect statutory sources.

DBE(LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS: NEPOTISM

HB 1789 provides an exception to the nepotism prohibition for hiring bus drivers if the board approves the employment. (See page 4.)

DC(LOCAL) EMPLOYMENT PRACTICES

HB 1789 creates a nepotism exception for hiring bus drivers, regardless of county population, if the *board* approves employment. We recommend adding a note referring to DBE(LEGAL) (concerning nepotism) to this policy that delegates hiring authority for noncontractual employees to the superintendent as a reminder of the special requirements related to this nepotism exception for bus drivers.

The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

DEAA(LEGAL) COMPENSATION PLAN: INCENTIVES AND STIPENDS

For at least two school years, a district must assign a mentor teacher to a teacher who has been issued a temporary certificate for military service members and first responders to teach career and technology education (see page 5). (HB 621)

DEC(LEGAL) COMPENSATION AND BENEFITS: LEAVES AND ABSENCES

Two bills impact leave requirements for district police officers and emergency personnel.

- HB 1486 adds full-time telecommunicators authorized under the Occupations Code to those entitled to paid mental health leave after experiencing a traumatic event in the scope of employment. (See page 6.)
- HB 471 requires a district to extend a leave of absence to a police officer or emergency medical services personnel for an illness or injury related to the person's line of duty. (See pages 6-7.)

DF(LEGAL) TERMINATION OF EMPLOYMENT

HB 4520 adds conviction of or placement on deferred adjudication community supervision for sale, distribution, or display of harmful material to a minor as a basis for mandatory termination. (See page 2.)

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DG(LLEGAL)

EMPLOYEE RIGHTS AND PRIVILEGES

Revisions to this legal policy incorporate recent state and federal legislative changes.

- HB 1605 prohibits a district from penalizing a teacher for failure to follow the pacing of instructional materials for a subject in the required curriculum. A classroom teacher is also immune from disciplinary proceedings for violating certain state and federal laws if the teacher used only approved and adopted instructional material and delivered the instruction with fidelity. (See pages 4-5.)
- The federal Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, effective December 29, 2022, repealed and replaced prior law requiring breaks for employees to express breast milk. The provisions are not limited to nonexempt employees. (See pages 6-7.)

DGC(LLEGAL)

EMPLOYEE RIGHTS AND PRIVILEGES: IMMUNITY

HB 2059 adds local behavioral health authorities to the list of providers of mental health first aid training who receive immunity when assisting an individual experiencing a mental health crisis. (See page 4.)

DH(LLEGAL)

EMPLOYEE STANDARDS OF CONDUCT

HB 4520 adds Penal Code 43.24 (sale, distribution, or display of harmful material to minor) to the qualifying felonies that render a person ineligible for a TRS service retirement annuity if convicted. (See item 4 on page 2.)

DI(LLEGAL)

EMPLOYEE WELFARE

HB 915 requires a district to post information for reporting workplace violence to the Department of Public Safety.

Other changes are to improve online accessibility of the policy.

DIA(LLEGAL)

EMPLOYEE WELFARE: FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION

Revisions to this legal policy incorporate recent state and federal legislative changes.

- HB 567 provides that the prohibition against racial discrimination includes discrimination based on an employee's hair texture or protective hairstyle commonly or historically associated with race. A district commits an unlawful employment practice if it adopts a dress or grooming policy that discriminates against such hair texture or protective hairstyle. (See page 4.)
- The federal Pregnant Workers Fairness Act, effective June 27, 2023, requires employers to provide reasonable accommodations to the known limitations related to the pregnancy, childbirth, or related medical conditions of a qualified employee. (See pages 9-11.)

Additional changes have been made to include citations to Administrative Code provisions and update other citations.

DL(LLEGAL)

WORK LOAD

HB 1605 allows supplemental agreements between a district and a classroom teacher related to lesson planning or selecting instructional material during planning and preparation time. This applies beginning with the 2024-25 school year.

DLB(LLEGAL)

WORK LOAD: REQUIRED PLANS AND REPORTS

HB 1605 allows a unit or weekly lesson plan included in instructional material adopted by the board to satisfy a requirement to prepare such a plan. (See item 6 at Restrictions on Written Reports.)

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DMA(LLEGAL)

PROFESSIONAL DEVELOPMENT: REQUIRED STAFF DEVELOPMENT

Several legislative changes impact this legal policy on staff development.

- A district may satisfy a requirement to implement a program related to substance abuse and prevention and intervention by providing instruction related to fentanyl abuse prevention and drug poisoning awareness (see page 4). (HB 3908)
- A district must require all district employees who regularly interact with students to complete an evidence-based mental health training program (see pages 5-6). (HB 3)
- An athletic trainer who serves as a member of a district's concussion oversight team must take a course that meets the requirements set by the Texas Department of Licensing and Regulation (TDLR) (see page 9). (HB 2495)

Other revisions have been made to clarify the training requirements for other employees related to concussions.

DP(LLEGAL)

PERSONNEL POSITIONS

Revisions to this legal policy include new Administrative Code provisions, effective May 21, 2023, regarding school counselors, including requirements that they track time spent on various work duties and that the district assess its compliance with its counselor policy. (See pages 5-6.)

The policy also includes provisions from SB 763 authorizing a district to employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board. (See pages 8-9.)

DP(LOCAL)

PERSONNEL POSITIONS

SB 763 authorizes districts to employ chaplains or accept chaplains as volunteers to provide support, services, and programs for students as assigned by the board. These provisions apply beginning with the 2023-24 school year. While your district currently may allow chaplains along with other visitors or volunteers on campus, SB 763 requires each board to take a record vote not later than six months after the effective date, September 1, 2023, on whether to adopt a policy authorizing a campus to employ or accept as a volunteer a chaplain. To facilitate this record vote, TASB Policy Service sent a draft resolution with the [2023 Post-Legislative Policy Changes Policy Alert](#), available in the Policy Online® Governance and Management Library (TASB login required), for consideration by the board between September 1, 2023, and March 1, 2024. If the board approves the option to adopt a policy to authorize district campuses to employ or accept as a volunteer a chaplain, send your TASB policy consultant a copy of the resolution for TASB to update the district's DP(LOCAL) policy to reflect the board's decision. If the board would prefer only to accept chaplains as volunteers like other district or campus volunteers, contact your policy consultant for assistance with language at GKG(LOCAL).

EEB(LLEGAL)

INSTRUCTIONAL ARRANGEMENTS: CLASS SIZE

HB 2729 requires a district or an entity with which a district contracts to provide a prekindergarten program to attempt to maintain an average ratio of at least one *qualified*, rather than certified, teacher or aide for each 11 students. (See High-Quality Prekindergarten Program on page 1.)

EF(LLEGAL)

INSTRUCTIONAL RESOURCES

This legal policy includes the following revisions from HB 1605:

- Changes to timelines and other requirements related to parental review of tests and instructional materials

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- New requirements pertaining to district instructional material review on request of a parent or group of parents

The district must adopt a process for a parent to request a district instructional material review. TEA must adopt standards for a district to use in this review. Policy Service will recommend local policy revisions following publication of the TEA standards.

Provisions related to parental rights regarding consent to surveys and information collection have been relocated to new policy FA(LLEGAL), dedicated to parental rights.

EFA(LLEGAL) INSTRUCTIONAL RESOURCES: INSTRUCTIONAL MATERIALS

Numerous revisions throughout this legal policy on instructional materials are the result of HB 1605.

- Expanded definition of "instructional materials"
- Revised provisions regarding the SBOE's review, selection, and approval or rejection of instructional materials
- New provisions related to TEA's instructional materials website and other support for districts
- New and revised provisions pertaining to open education resource (OER) instructional material

EFB(LLEGAL) INSTRUCTIONAL RESOURCES: LIBRARY MATERIALS

HB 900 required revisions throughout this legal policy on library materials.

- A district must adhere to the standards for library collection development adopted by the Texas State Library and Archives Commission (TSLAC) with approval of the SBOE. TSLAC must develop standards by January 1, 2024; Policy Service will recommend local policy revisions following publication of the standards.
- Written parental consent is required before a student may check out library material rated by a vendor as "sexually relevant."
- A district must conduct a biennial review of library contents and post a report not later than January 1 of every odd-numbered year.
- Library material vendors may not sell library materials unless they have issued ratings regarding sexually explicit and sexually relevant material previously sold to the district. No sexually explicit material may be sold and any in use must be recalled. Vendors must submit a list to TEA of rated materials sold and in use, and TEA must post the list online.

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

HB 1605 requires districts, when adopting instructional materials, to ensure sufficient time for teachers to teach and students to learn the essential knowledge and skills for the subject and grade level. (See Scope and Sequence and Instructional Materials on page 3.)

HB 3908 expands the scope of instruction regarding the dangers of opioids about which the school health advisory council (SHAC) must make recommendations. (See item 7 on page 7.)

EHAB(LLEGAL) BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ELEMENTARY)

HB 1605 prohibits any instruction that incorporates three-cueing in the required phonics curriculum.

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EHAC(LLEGAL)

BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (SECONDARY)

Several bills impact this legal policy on required secondary instruction.

- SB 2124 requires districts to develop an advanced mathematics program and automatically enroll certain sixth grade students unless the student's parent opts out. (See page 3.)
- HB 3908 requires a district to provide annual instruction regarding fentanyl abuse prevention and drug poisoning awareness to students in grades 6 through 12. (See page 7-8.)
- HB 4375 requires a district to provide instruction in using an automated external defibrillator (AED) to students in grades 7 through 12 and allows a district to accept donations to provide such instruction. (See pages 8-9.)

A reference to policy EHBAD has been added on page 9 for more information on new notice requirements regarding the driving with disability program from SB 2304.

EHB(LLEGAL)

CURRICULUM DESIGN: SPECIAL PROGRAMS

HB 3928 impacts this legal policy on special programs as follows:

- Further outlines the district's obligations when a student is suspected of having dyslexia or a related disorder (See pages 1-2.)
- Requires the board to adopt a local policy requiring the district to comply with all SBOE and commissioner rules, standards, and guidance related to implementing the program to test students for dyslexia and related disorders (See pages 2-3.)
- Requires the multidisciplinary evaluation team to include a dyslexia specialist when determining a student's eligibility for special education services (See page 3.)
- Implements requirements for progress reports for students receiving dyslexia services (See page 5.)
- Specifies required qualifications for providers of dyslexia instruction (See pages 5-6.)

EHB(LOCAL)

CURRICULUM DESIGN: SPECIAL PROGRAMS

New provisions are recommended to comply with HB 3928, which requires the board to adopt and implement a policy requiring the district to comply with all rules and standards adopted by the SBOE and guidance published by the commissioner to implement the program to test students for dyslexia and related disorders.

EHBAA(LLEGAL)

SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

This policy on identification, evaluation, and eligibility has been updated to include a reference on page 5 to policy EHB for more information on special education of students with dyslexia and related disorders.

EHBAB(LLEGAL)

SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

Changes reflect revised Administrative Code provisions regarding the admission, review, and dismissal (ARD) committee, effective July 18, 2023. The revisions include requirements related to students new to a district (see pages 4-6), including students who register in the summer, and requirements related to interpretation to ensure parent participation and understanding (see Collaborative Process on page 11).

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EHBAD(LEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

SB 2304 requires a district to provide information regarding the Texas Driving with Disability Program to specified students. (See pages 3-4.)

EHBC(LEGAL) SPECIAL PROGRAMS: COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

The requirements for dropout recovery education programs are revised and supplemented by SB 1647. New provisions, beginning on page 6, address who can operate a program, when a district administrator or counselor may refer a student to a program, and reporting requirements.

EHBC(LOCAL) SPECIAL PROGRAMS: COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

This local policy containing provisions on accelerated instruction has been moved to EHBCA(LOCAL) (see below) to align with the legal policy created at that code in Update 121.

EHBCA(LEGAL) COMPENSATORY SERVICES AND INTENSIVE PROGRAMS: ACCELERATED INSTRUCTION

HB 1416 impacts this legal policy on accelerated instruction in numerous ways, including the following:

- Implements exceptions to accelerated instruction for certain students (See pages 1-2.)
- Modifies requirements for supplemental instruction, including requirements regarding the hours of instruction and the instructional group size (See page 3.)
- Provides parents an option to modify or remove a requirement for supplemental instruction for students who failed to perform satisfactorily on certain assessment instruments (See page 4.)
- Expects a district from the requirement to provide transportation for students to accelerated instruction programs if the district does not operate or contract for a transportation system
- Expands the requirements to provide notice to parents and requires TEA to develop a [model notice](#) [TEA released [information](#) on July 13, 2023.]
- Requires a district to develop an accelerated education plan for a student who does not perform satisfactorily on an assessment instrument for two or more school years in the same subject (See pages 6-7.)
- Requires the district to make a good faith attempt to provide a parent conference for a student with an accelerated education plan
- Adds circumstances under which the commissioner may waive a district's accelerated instruction requirements (See pages 8-9.)
- Repeals several provisions, including provisions related to accelerated learning committees
- Amends the ARD committee meeting requirements

EHBCA(LOCAL) COMPENSATORY SERVICES AND INTENSIVE PROGRAMS: ACCELERATED INSTRUCTION

This local policy has been recoded from EHBC(LOCAL) to align with EHBCA(LEGAL) created in Update 121. HB 1416 made several changes to the requirements for accelerated instruction. Recommended changes to this local policy reflect that a parent's ability to request a particular teacher after a student fails to perform satisfactorily on a state assessment is no longer limited to students in grades 3, 5, and 8. Other changes delete references to the accelerated learning committee, which has been eliminated. A

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district now must develop an accelerated learning plan for certain students, and parents still may file a complaint about the plan in accordance with FNG.

EHBG(LLEGAL) SPECIAL PROGRAMS: PREKINDERGARTEN

HB 2729 makes several changes related to prekindergarten programs:

- Expands teacher qualifications (See page 5.)
- Requires a district or an entity with which a district contracts to provide a prekindergarten program to attempt to maintain an average ratio of at least one *qualified*, rather than certified, teacher or aide for each 11 students (See page 6.)
- Prescribes new supervisor requirements for entities with which a district contracts to provide a prekindergarten program (See page 6.)

EHBK(LLEGAL) SPECIAL PROGRAMS: OTHER INSTRUCTIONAL INITIATIVES

HB 3991 designates the first Friday in April as Texas Fruit and Vegetable Day and requires appropriate instruction. (See page 4.)

HB 3908 requires the governor to designate Fentanyl Poisoning Awareness Week, which may include age-appropriate instruction. (See page 7.)

EHDD(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: COLLEGE COURSE WORK/DUAL CREDIT

HB 8 implements the Financial Aid for Swift Transfer (FAST) program to allow certain students to enroll at no cost in a dual credit course. A district must provide notice to parents about the program and determine student eligibility. (See pages 7-8.)

EHDE(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: DISTANCE LEARNING

Provisions related to attendance calculation for off campus electronic instruction expired on September 1, 2023, and have been removed from this legal policy.

EHDF(LLEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT: LOCAL REMOTE LEARNING PROGRAM

Provisions related to local remote learning programs expired on September 1, 2023. This legal policy has been deleted in its entirety.

EI(LLEGAL) ACADEMIC ACHIEVEMENT

Changes reflect new Administrative Code provisions regarding the academic achievement record of a student who earns a diploma for completing the Texas First Early High School Completion Program, effective June 15, 2023. (See page 4.)

EIA(LLEGAL) ACADEMIC ACHIEVEMENT: GRADING/PROGRESS REPORTS TO PARENTS

This policy on grading/progress reports to parents has been updated to include a reference on page 2 to policy EHB for more information on progress reports for students receiving dyslexia instruction.

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EIC(LOCAL)

ACADEMIC ACHIEVEMENT: CLASS RANKING

HB 3803 permits parents to elect to have their student repeat a high school course in which the student was enrolled during the previous school year unless the district determines the student has met all requirements for graduation. Absent local policy, TEA guidance provides that the original passing grade must be retained.

Contact your policy consultant for assistance with policy language that reflects the district's option regarding the use of grades from retaken courses in the calculation of class rank and on the transcript.

EIE(LEGAL)

ACADEMIC ACHIEVEMENT: RETENTION AND PROMOTION

HB 3803 permits a parent to elect for a student to repeat the grade in which the student was enrolled in the previous school year up to grade 8. In addition, a parent may elect for a student to repeat a course taken for high school credit in the previous school year unless the district determines the student has met all requirements for graduation. (See page 1.)

EIF(LEGAL)

ACADEMIC ACHIEVEMENT: GRADUATION

Provisions related to diplomas for certain students who entered ninth grade before the 2011-12 school year expired on September 1, 2023, and have been removed from this legal policy.

SB 2294 requires a district to allow a student to graduate and receive a diploma under the Texas First Early High School Completion Program if the student satisfies other requirements. (See page 7.)

EKB(LEGAL)

TESTING PROGRAMS: STATE ASSESSMENT

This legal policy has been updated to include legislative changes regarding state assessments.

- In establishing the district's calendar and the dates for the administration of state assessment instruments, the board may consider religious holy days or periods of observance likely to be observed by students during the period for administering those instruments (see page 5). (HB 1883)
- A district may administer a state assessment instrument in paper format to up to three percent of students upon request of a student's parent, guardian, or teacher (see pages 6-7). (HB 1225)

F(LEGAL)

STUDENTS

The Section F table of contents has been revised to add the new code FA, Parent Rights and Responsibilities. We have also added for future expansion a new code addressing identification of students at FI.

FA(LEGAL)

PARENT RIGHTS AND RESPONSIBILITIES

Many of the legal provisions regarding parent rights have been moved to this new policy code so that information is available in a single location. In addition, this policy catalogs the other policy codes that address specific parents' rights throughout the policy manual.

FD(LEGAL)

ADMISSIONS

SB 1008 extends the deadline for an active-duty military parent to provide proof of residence in the district from 10 to 90 days after arrival. (See pages 3-4.)

HB 3 requires a parent enrolling a child or the district the child most recently attended to provide the new district a copy of the child's disciplinary record and any threat assessment involving the child's behavior. (See page 8.)

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FDA(LEGAL) ADMISSIONS: INTERDISTRICT TRANSFERS

HB 3 requires a transfer student's district of residence to provide the receiving district with the student's disciplinary record and any threat assessment involving the student's behavior. (See page 1.)

HB 1959 and HB 2892 require the board to grant the request of a peace officer who is a parent of a student or a servicemember who is a parent of a student to transfer the student to another campus or to another district under an agreement between the districts under Education Code 25.035. (See pages 2-3.)

FDB(LEGAL) ADMISSIONS: INTRADISTRICT TRANSFERS AND CLASSROOM ASSIGNMENTS

A reference to information regarding intradistrict transfers requested by a parent who is a servicemember or peace officer has been added to page 2 of this legal policy. The referenced information is located in FDA(LEGAL).

FEA(LEGAL) ATTENDANCE: COMPULSORY ATTENDANCE

HB 1212 prohibits a district from requiring documentation from a clergy member or other religious leader and requires the district to accept a note from a parent when excusing a student's absence to observe a religious holy day. (See page 4.)

SB 68 allows a district to excuse a student from attending school for career investigation days to visit a professional's workplace during the student's junior and senior years to determine the student's interest in a career in the professional's field. (See page 6.)

HB 4559 increases the population threshold for constitutional county courts in certain counties to be designated as truancy courts. (See page 8.)

FEA(LOCAL) ATTENDANCE: COMPULSORY ATTENDANCE

SB 68 allows a district to excuse a student from attending school for career investigation days to visit a professional's workplace during the student's junior and senior years to determine the student's interest in a career in the professional's field. Districts that choose to excuse students for absences to visit a professional's workplace to explore a career in that professional's field must adopt a policy to determine when an absence will be excused for this purpose and a procedure to verify the visit. A new provision offered for the board's consideration at Career Investigation permits such absences for the maximum amount allowed in law — up to two days during a student's junior year and up to two days during the student's senior year. Contact your policy consultant for revisions if the district will allow fewer excused absences or will not allow any excused absences for this purpose.

The *Legal Issues in Update 122* memo describes common legal concerns and best practices specific to this policy's topic.

FEB(LEGAL) ATTENDANCE: ATTENDANCE ACCOUNTING

References regarding funding for courses taken with the Texas Virtual School Network have been updated.

FEC(LEGAL) ATTENDANCE: ATTENDANCE FOR CREDIT

Provisions allowing a district to adopt a policy to exempt students from the 90 percent rule for courses offered under a local remote learning program exception expired on September 1, 2023, and have been removed from this legal policy.

Explanatory Notes

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Gonzales ISD

FED(LLEGAL)

ATTENDANCE: ATTENDANCE ENFORCEMENT

HB 3917 allows a parent against whom a complaint for contributing to nonattendance has been filed to enter a written agreement to complete counseling, training, or another program designated by the district. (See page 10.)

FFAC(LLEGAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

SB 629 requires a district to adopt a policy regarding maintenance, administration, and disposal of opioid antagonists at each campus that serves students in grades 6 through 12; a district may adopt a policy at campuses serving students in grades below 6. Provisions have been added beginning on page 4 regarding reporting, training, immunity, and other topics.

General provisions related to the administration of opioid antagonists have been deleted in light of the new requirements.

SB 294 revises provisions related to a district's option to adopt a policy regarding maintenance, administration, and disposal of medication for respiratory distress. A district that adopts a policy must require each campus to have at least one authorized and trained person present during regular school hours. Provisions have been added beginning on page 11 regarding required referrals after medication is administered, training, reporting, parental notice of the policy, and other topics.

Also under SB 294, a district that implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors must give notice *of the policy* to parents before the policy is implemented or before the start of each school year. (See page 10.)

Finally, SB 294 prohibits disciplinary action against an employee or volunteer who refuses to administer or receive training to administer epinephrine auto-injectors or medication for respiratory distress in accordance with board policy. (See pages 13-14.)

FFAC(LLOCAL)

WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT

Recommended revisions to this policy are based on SB 629, which requires a district to adopt a policy regarding maintenance, administration, and disposal of opioid antagonists at each campus that serves students in grades 6 through 12. Contact the district's policy consultant if your district will implement this policy at campuses serving students in grades below 6.

The [Legal Issues in Update 122](#) memo describes common legal concerns and best practices specific to this policy's topic.

FFAF(LLEGAL)

WELLNESS AND HEALTH SERVICES: CARE PLANS

SB 1506 requires a student's seizure management and treatment plan to be on a form adopted by TEA. TEA must adopt the form by December 1, 2023, and post the form on the TEA website. (See page 5.)

FFB(LLEGAL)

STUDENT WELFARE: CRISIS INTERVENTION

The required policies and procedures for the district's threat assessment and safe and supportive school team are changed as follows (see pages 1-2):

- Under HB 3, the policy must require each campus to establish a procedure for students to report concerning behavior by another student.
- SB 1720 requires the policy to allow employees who report a potential threat to elect to keep their identities confidential.

Explanatory Notes

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Before the threat assessment and safe and supportive school team may conduct a threat assessment, HB 473 requires the team to notify a student's parent regarding the assessment. The team must also notify the parent of its findings and conclusions after the assessment.

HB 3 also requires that materials and information from a threat assessment be maintained in the student's school record until the student's 24th birthday.

FFB(LOCAL) STUDENT WELFARE: CRISIS INTERVENTION

Recommended revisions to this local policy on crisis intervention include the following:

- In accordance with HB 3, provisions have been added at Student Reports to require each campus to establish a clear procedure for students to report concerning behavior by another student.
- Revisions at Employee Confidentiality are based on SB 1720 and allow employees who report a potential threat to elect to keep their identities confidential.

FFBA(LEGAL) CRISIS INTERVENTION: TRAUMA-INFORMED CARE

This policy on trauma-informed care has been updated to include a reference to policy DMA for more information on mental health training for district employees.

FFEA(LEGAL) COUNSELING AND MENTAL HEALTH: COUNSELING

HB 1605 clarifies that materials required to be made available for parent review are those that are not available digitally through an instructional materials parent portal. (See page 1.)

HB 4363 requires that notice be given to students, teachers, counselors, and parents of Future Texas Teachers Scholarship programs. (See page 3.)

FFG(LEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT

HB 63 prohibits the Department of Family and Protective Services from taking anonymous reports of abuse or neglect. Revisions have been made to the required contents of a report, including the name and contact information of the person making the report. (See page 3.) Other provisions have been rearranged for clarity.

FL(LEGAL) STUDENT RECORDS

Information regarding enrollment records has been deleted from this policy to avoid unnecessary duplication of the same information in policy FD. A reference to that policy has been added on page 4.

The following provisions have been relocated to new policy FA(LEGAL) dedicated to parental rights:

- Parental rights regarding consent to surveys and information collection.
- Parental consent requirements related to videotaping or recording students.

FL(LOCAL) STUDENT RECORDS

HB 1416 repeals provisions related to accelerated learning committees. The references to the accelerated learning committee have been replaced with references to the accelerated education plan that now must be created for certain students who fail to perform satisfactorily on state assessments.

The [*Legal Issues in Update 122*](#) memo describes common legal concerns and best practices specific to this policy's topic.

Explanatory Notes

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FM(LLEGAL)

STUDENT ACTIVITIES

HB 1002 allows a licensed chiropractor or physical therapist to serve on the concussion oversight team if the person meets the training requirements. (See pages 4-5.) This bill also allows a physical therapist to remove a student from practice or competition if the physical therapist believes the student has sustained a concussion. (See page 5.)

HB 2484 requires a district to provide a peace officer, SRO, administrator, or security personnel at an athletic event on district property to ensure the safety of an official of the activity under certain circumstances. (See page 8.) This bill also requires a district to prohibit a spectator from attending athletic activities for at least a year if the spectator causes bodily injury to an official because of the official's actions. (See page 18.)

HB 59 implements new requirements for organized water activities including parental affirmation of whether a child can swim and provision of flotation devices for children who cannot swim. (See pages 9-10.)

HB 699 requires UIL, in assigning league classification, to use the same student enrollment calculation formula for a school that allows homeschooled students to participate in UIL activities as for one that does not. (See pages 15-16.)

HB 3708 provides an allotment of \$1,500 for each UIL activity in which a district allows a homeschooled student to participate. (See page 16.)

An existing provision that a nurse or health-care professional who is not in compliance with training requirements may not serve on a concussion oversight team has been relocated from GKG. (See page 5.)

FNCA(LLEGAL)

STUDENT CONDUCT: DRESS CODE

HB 567 prohibits a student dress or grooming policy, including an extracurricular dress code, that discriminates against a hair texture or protective hairstyle commonly or historically associated with race. In light of this new Education Code provision, citations to older caselaw have been deleted.

FNCC(LLEGAL)

STUDENT CONDUCT: PROHIBITED ORGANIZATIONS AND HAZING

SB 1900 expands the offense of coercing, inducing, or soliciting membership in a criminal street gang to include a foreign terrorist organization. (See page 1.)

SB 37 allows a report of hazing to be made to a peace officer or law enforcement agency. Provisions regarding immunity for reporting hazing have been added to this legal policy. (See page 2.)

FNCD(LLEGAL)

STUDENT CONDUCT: TOBACCO USE AND POSSESSION

This legal policy on tobacco use and possession has been updated to include a reference to policy FOC regarding the new disciplinary consequences for conduct involving e-cigarettes.

FNCF(LLEGAL)

STUDENT CONDUCT: ALCOHOL AND DRUG USE

This legal policy has been updated on page 1 to increase the population threshold for certain districts to petition for an alcohol-free zone. (HB 4559)

FNCG(LLEGAL)

STUDENT CONDUCT: WEAPONS

HB 114 clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to expulsion. (See Possession of Weapons on page 1.)

Explanatory Notes

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FNG(LEGAL) STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Provisions outlining parental rights have been relocated to new policy FA(LEGAL) dedicated to parent rights.

FO(LEGAL) STUDENT DISCIPLINE

A district peace officer or security personnel may not restrain or use a chemical irritant or Taser on a student in fifth grade or below unless the student poses a serious risk of harm (see page 6). (SB 133)

FOC(LEGAL) STUDENT DISCIPLINE: PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING

Several bills impact this legal policy regarding placement in a DAEP.

- HB 114:
- Clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to placement in a DAEP (see page 1).
- Requires DAEP placement for certain conduct involving e-cigarettes (see item 5 on page 2).
- Allows placement in in-school suspension of students who engaged in certain conduct when DAEP is at capacity (see page 9).
- HB 2187 expands the Title V felony offense of abandoning or endangering a child to include elderly or disabled individuals. (See item 25 on page 4.)
- HB 3928 requires the district, upon placement of a student in DAEP, to provide information to the parent about the process to request an evaluation of the student for special education services. (See page 8.)

FOCA(LEGAL) PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION SETTING: DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM OPERATIONS

HB 114 allows a program of educational and support services to be provided to a student and the student's parents when a DAEP offense involves e-cigarettes. (See page 5.)

HB 3928 requires the personalized transition plan for a student exiting a DAEP to include the provision of information to the parent about the process to request an evaluation of the student for special education services. (See pages 6-7.)

FOD(LEGAL) STUDENT DISCIPLINE: EXPULSION

HB 114 clarifies that the procedural requirements of Education Code 37.009(a) regarding conference and mitigating factors apply to expulsion. For ease of reference, content related to pre-placement proceedings has been duplicated in this policy. (See page 6.)

This legal policy also has been updated to increase the population threshold for certain counties considered to be a county with a population of 125,000 or less for purposes of JJAEP requirements (see page 10). (HB 4559)

Explanatory Notes

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FODA(LLEGAL) EXPULSION: JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM

This legal policy has been updated to increase population thresholds for certain counties considered to be a county with a population of 125,000 or less for purposes of JJAEP requirements. (See pages 1-2.) (HB 4559)

GBA(LLEGAL) PUBLIC INFORMATION PROGRAM: ACCESS TO PUBLIC INFORMATION

Several legislative changes affect this legal policy on access to public information.

- HB 1161 adds victims of child abduction to those covered by the address confidentiality program. (See page 10.)
- HB 3130 restricts the release of information about certain persons who hold or apply for a license issued by the district. (See page 12.)
- HB 4123 prohibits the release of criminal history record information (CHRI) obtained from the FBI and limits the release of CHRI obtained from other Texas criminal justice agencies. (See page 12.)
- HB 3033 provides that the litigation exception to disclosure does not apply to election information in the possession of the entity that administers elections. (See page 16.)
- HB 30 and HB 3033 address the release of information related to certain arrests and crimes. (See page 17.)

GBAA(LLEGAL) ACCESS TO PUBLIC INFORMATION: REQUESTS FOR INFORMATION

Numerous revisions throughout this legal policy on requests for information are the result of HB 3033, including the following:

- The attorney general (AG) may require board members and the officer for public information to complete Public Information Act (PIA) training if the AG determines the district has failed to comply with a requirement of the PIA. (See page 4.)
- "Business day" is defined. A board may designate 10 nonbusiness days each calendar year. (See page 7.)
- With limited exceptions, a district must submit a request for an AG decision through the AG's electronic filing system. (See page 14.)
- A district must take certain actions as soon as practicable after receiving an AG decision. (See pages 20-21.)
- A district may request photo identification from a requestor to establish the requestor has not exceeded a personnel time limit and concealed the requestor's identity. A requestor may decline to provide identification and pay a charge for exceeding the time limit. (See page 30.)

The list of state and national holidays has been added on page 8.

GC(LLEGAL) PUBLIC NOTICES

This legal policy has been updated to increase the population threshold for the selection of the newspaper for publication of notice in certain counties (see page 2). (HB 4559)

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GKA(LLEGAL)

COMMUNITY RELATIONS: CONDUCT ON SCHOOL PREMISES

HB 1760 modifies the Penal Code regarding places where weapons are prohibited to require that grounds on which a school-sponsored activity is occurring be owned by and under the control of a school. (See page 7.)

GKC(LLEGAL)

COMMUNITY RELATIONS: VISITORS

HB 3 allows a district to eject a person on district property who fails or refuses to provide identification on request if the person reasonably appears to have no legitimate reason to be on district property.

GKG(LLEGAL)

COMMUNITY RELATIONS: SCHOOL VOLUNTEER PROGRAM

HB 4123 allows a district to obtain criminal history record information (CHRI) from the Department of Public Safety, in addition to other agencies, about a volunteer who is excepted from the required CHRI check but subject to a discretionary check by the district. (See page 2.)

Provisions related to the concussion oversight team have been relocated to FM(LLEGAL).

GRAC(LLEGAL)

STATE AND LOCAL GOVERNMENTAL AUTHORITIES: JUVENILE SERVICE PROVIDERS

HB 446 changed terminology used in statutes to refer to intellectual disability. (See item 8 on page 2.)

GRB(LLEGAL)

RELATIONS WITH GOVERNMENTAL ENTITIES: INTERLOCAL COOPERATION CONTRACTS

This policy has been updated to increase the population threshold for municipalities to contract with one or more school districts to provide school crossing guards. (HB 4559)

(LOCAL) Policy Action List

GONZALES ISD (089901) - Update 122

CQB(LOCAL): TECHNOLOGY RESOURCES - CYBERSECURITY

CSA(LOCAL): FACILITY STANDARDS - SAFETY AND SECURITY

DC(LOCAL): EMPLOYMENT PRACTICES

EHB(LOCAL): CURRICULUM DESIGN - SPECIAL PROGRAMS

EHBC(LOCAL): SPECIAL PROGRAMS - COMPENSATORY SERVICES AND INTENSIVE PROGRAMS

EHBCA(LOCAL): COMPENSATORY SERVICES AND INTENSIVE PROGRAMS - ACCELERATED INSTRUCTION

FEA(LOCAL): ATTENDANCE - COMPULSORY ATTENDANCE

FFAC(LOCAL): WELLNESS AND HEALTH SERVICES - MEDICAL TREATMENT

FFB(LOCAL): STUDENT WELFARE - CRISIS INTERVENTION

FL(LOCAL): STUDENT RECORDS



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GISD School Board Agenda Information Sheet
January 8, 2024

ACTION ITEM

SUBJECT: Discuss and Consider Action to Grant Authority to the Superintendent to contract with Gonzales County Election Administrator for the May 4, 2024 Elections

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY: May 4, 2024, is election day. The district will have 2 seats that will be running during this year's election, districts 4 and 7. Some of the advantages of contracting with the county would be the eliminating of staffing shortages/ Nepotism to candidates, finding and maintaining workers, back up clerks, training and most of all the integrity of the elections. The county has the up to date equipment and statewide reporting procedures.

(The Gonzales County commissioner's court established and appointed a County Election Administrator in November 2021.)

SUPERINTENDENT'S RECOMMENDATION: The Superintendent recommends the Board grant authority to the Superintendent to enter into a contract with the Gonzales County Election Administrator for the May 4, 2024, School Board Election.

MOTION: "I move that the board give authority to the Superintendent to enter into a contract with the Gonzales County Election Administrator for the May 4, 2024, School Board Election"

**JOINT ELECTION AGREEMENT AND ELECTION SERVICE CONTRACT
BETWEEN
GONZALES COUNTY, TEXAS
AND
CITY OF GONZALES, GONZALES ISD, GONZALES MEMORIAL HOSPITAL, GONZALES
WATER DISTRICT, FOR THE CONDUCT OF A JOINT ELECTION TO BE HELD
SATURDAY, MAY 4, 2024 and/or Runoff Election**

This Joint Election Agreement and Election Service Contract is made this ____ day of _____, 20____, by and between Gonzales County Elections Administrator, hereinafter referred to as "EA", and the City of Gonzales, Gonzales Independent School District, Gonzales Memorial Hospital, Gonzales Water District, hereinafter referred to as "Participating Authorities".

WHEREAS, pursuant to Texas Election Code Section 271.002, governing bodies of political subdivisions may enter into an agreement to hold joint elections in election precincts that can be served by common polling places.

NOW, THEREFORE, IT IS AGREED that a joint election will be conducted by EA on behalf of the Participating Authorities under the following terms and conditions:

THIS AGREEMENT is subject to the written approval of all parties and shall not be binding on the parties until such written approval is obtained.

THIS AGREEMENT will require the EA to be appointed the Joint Early Voting Clerk.

THIS AGREEMENT will require the Participating Authorities to use joint ballots, when applicable.

THIS AGREEMENT requires the Participating Authorities to share costs associated with this Joint Election proportionally where polling places are shared by more than one entity.

THIS AGREEMENT requires the Participating Authorities to be responsible for ordering its own election and publishing notice of the elections separately. The cost to publish the notices will be the responsibility of each individual entity.

THIS AGREEMENT will require joint Early Voting and Election Day locations, dates, and times to be used by the Participating Authorities.

THIS AGREEMENT will require the EA to tabulate the precinct results and canvassing separately for each Participating Authority. The results will be delivered to each entity by email, facsimile or mail.

THIS AGREEMENT will require the EA to be responsible for the safekeeping of election records for this joint election.

THIS AGREEMENT will require the EA to be responsible for performing the following duties and to furnish the following services and equipment pursuant to the election services contract with Gonzales County:

1. Recommend election judges, alternate judges and clerks.
2. Pay election judges and other election workers.
3. Procure and distribute all necessary election supplies.
4. Determine time and places of Polling Locations.
5. Ordering of the programming and ballots to be used for the election.
6. Receive and process applications for ballot by mail.
7. Supply all necessary voting equipment; transport equipment to and from the polling locations, and prepare the voting equipment for use at the polling locations.
8. Issue Writs of Election to the election judges appointed.
9. Perform early voting clerk duties.
10. Publish the legal notice of the date, time and place of the electronic tabulating equipment test and conduct such test and provide copies to entities.
11. Arrange for the use of a central counting station and for the tabulating personnel needed at the counting station and assist in the preparation of programs and the test materials for tabulation of the ballots to be used with electronic voting equipment.
12. Assist in providing the general overall supervision of the election and will provide to the Canvassing Authority the prescribed election records and reports as required when a central counting station is used:
 - a. Canvassing Summary Report,
 - b. Accumulated totals Report of early voting and Election Day, and
 - c. Electronically submit results to the Secretary of State.
13. Voting System to be used:
 - a. ExpressVote Ballot Marking Device and DS200 Digital Ballot Scanner for In-Person Voting, Early and Election Day

THIS AGREEMENT will require the PARTICIPATING AUTHORITIES to be responsible for the following:

1. Proper public Notice of Election
2. Conduct ballot order drawing
3. Furnish the Gonzales County Election Administrator a complete list of all candidates and all races to be conducted in the above mentioned election by February 23, 2024, with the order they should appear on the ballot
4. Canvassing of the election and all other statutory requirements by the Texas Election Code and/or the Federal Voting Rights Act
5. Reimbursement of all expenses incurred, including, but not limited to programming, ballots, notices, supplies and payroll as invoiced by Gonzales County.

GENERAL CONDITIONS

1. EARLY VOTING

- A. Gwen Schaefer, Elections Administrator, will be appointed as early voting clerk in compliance with Sections 271.006 of the Texas Election Code. Other deputy early voting clerks will be appointed as needed to process early voting mail and to conduct early voting at the main location. The names of Early Voting Clerks may be obtained from the EA.
- B. Early voting by personal appearance will be conducted on weekdays beginning Monday, April 22, 2024 through Friday, April 26, 2024 between 8:00 a.m. and 5:00 p.m., Monday, April 29, 2024, through Tuesday, April 30, 2024, between 8:00 a.m. and 5:00 p.m. Any qualified voter for the Joint Election may vote early by personal appearance at the main early voting polling place. (Early Voting locations, subject to change)

MAIN EARLY VOTING POLLING PLACE

RANDLE RATHER BUILDING

427 St. George, Suite 100, Gonzales, TX 78962

- C. Persons voting by mail will send their voted ballots to EA.

Election Official
P.O Box 1753, Gonzales, TX 78629

- D. All early voting ballots will be prepared for counting by an Early Voting Ballot Board appointed in accordance with Section 87.001 of the Texas Election Code. EA will appoint members of the board and provide a list of members to the participating authority upon request.

2. VOTING LOCATIONS (subject to change)

- A. Election Day will be conducted at the “Randle Rather Building, 427 St. George, Suite 100, Gonzales, TX 78629”

3. JOINT ELECTION COSTS: PAYMENT

- A. Costs. Each Participating Authority remains responsible for all costs associated with their respective elections.
- B. Cancellation. In the event any of the parties to this Agreement cancel their election because of unopposed candidates under Subchapter C of Title I of the Texas Election Code, the remaining parties shall be responsible for their respective elections, including all associated costs. The canceling party(s) shall be responsible for its respective share of election expenses incurred through the date that the election is

canceled as allocated to that Participating Authority. In that event that a party cancels its election, the other parties shall continue to have access to the polling locations. If an election is to be canceled by one of the parties, notice will be given to all parties within two (2) days of cancellation.

4. GENERAL PROVISIONS

- A. Communication: Throughout the term of this Agreement, the Participating Authorities will engage in ongoing communications concerning the conduct of the Joint Election and discuss and resolves any problems which might arise regarding the Joint Election.

- B. Effective Date: This Agreement takes effect upon the complete execution of this Agreement by all Participating Authorities.

- C. To the extent the geographical boundaries of the political subdivision extend into a county other than Gonzales County, Texas, the obligations of the EA contained in this contract are contingent upon the political subdivision and/or the other county complying with all state or federal requirements for the establishment of polling locations. With respect to election services for the political subdivision provided by the EA relative to polling locations outside of Gonzales County, Texas, the EA's obligations herein are limited strictly to providing election services for the political subdivision who is a signatory to this agreement.

5. RECORDS OF THE ELECTION

- A. Gwen Schaefer, Elections Administrator, is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 217.010 of the Texas Election Code.

- B. Access to the election records will be available to participating authority as well as to the public in accordance with the Texas Public Information act, Chapter 552, Government Code, at the Elections Department, 427 St. George St., Suite 306, Gonzales, TX 78629, at any time during normal business hours.

- C. Records of the election will be retained and disposed of in accordance with the records retention schedules which may have been adopted by each participating authority, and in accordance with the provisions of Title 6, Subtitle C, Chapter 201 through 205, Texas Local Government Code, including the minimum retention requirements established by the Texas State Library and Archives Commission. If records of the election are involved in any pending election contest, investigation, litigation, or Texas Public Information Act, EA shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of the participating authority to bring to the attention of the EA any notice of any pending election contest, investigation, litigation, or Texas Public Information Act request which may be filed with a participating authority.

- D. Upon request to maintain records beyond eligibility for preservation according with Section 66.058 of the Texas Election Code, EA shall supply a written cost estimate for storage to requesting participant.

6. MISCELLANEOUS PROVISIONS

- A. Venue and Choice of Law: Participating Authorities agree that venue for any dispute arising under this Agreement will lie in the appropriate courts of Gonzales County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
- B. Severability: If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and, parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.
- C. Breach: In the event that any Participating Authority breaches any of its obligations under this Agreement, the non-breaching party(s) shall be entitled to pursue any and all rights and remedies allowed by law. Nothing in this Agreement shall be construed as a waiver of any immunity or defense to which any Participating Authority is entitled under statutory or common law.
- D. Other Instruments: The Participating Authorities agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out the purposes of this Agreement.
- E. Mediation: When mediation is acceptable to all parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless all parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.023 of the Texas Civil Practice and Remedies Code, unless all parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act, whenever applicable. The term "confidential" as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.
- F. Amendment/Modification: Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official,

representative, agent, or employee of any Participating Authority has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the respective Participating Authority.

- G. Counterparts: This Agreement may be executed in multiple counterparts, all of which shall be deemed originals and with the same effect as if all parties hereto had signed the same document. All of such counterparts shall be construed together and shall constitute one and the same Agreement.

7. ELECTION JUDGES, CLERKS AND OTHER ELECTION WORKERS

- A. EA will be responsible for the appointment of the presiding judge and an alternate for each polling location. EA shall arrange for the training and compensation of all presiding judges and clerks. The names of Elections Judges may be obtained by contacting the EA.
- B. EA is responsible for notifying all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election Judges appointed for the joint election are eligible to serve. The presiding judge, with the Elections Office assistance, will be responsible for ensuring the eligibility of each appointed clerk hired to assist the judge in the conduct of the election.
- C. EA will hold training classes on the use of voting equipment and election laws at the Gonzales Elections Office, 427 St. George Street, Suite 306, Gonzales, TX. Additional training classes may be scheduled as needed. Election judges will be notified of additional training sessions. No election judges will be appointed unless he/she has attended an election judge training session taught by the Elections Office in the past eighteen (18) months.
- D. The election judges are responsible for picking up election supplies at the time and place determined by EA (which will be set forth in the election judge letter requesting service for this election). Each election judge and clerk will receive \$12.00 per hour for their hours worked on Election Day and Early Voting. The election judge will receive an additional \$25.00 for delivering election returns and supplies to the Randle Rather Building, 427 St. George Street, Gonzales, TX.

8. SUPPLIES AND PRINTING

- A. EA will arrange for all election supplies and election printing, including, but not limited to, all forms, signs and other materials used by the election judges at the voting locations.
- B. EA will provide instructions and other information needed to enable the election judges to conduct a proper election.

- C. Participating authorities shall furnish to EA a list of candidates and/or propositions showing the order and the exact manner in which their candidate names and/or propositions are to appear on the official ballot in both English and Spanish. The list will be delivered to EA as soon as possible after ballot positions have been determined by the participating authority. Participating authority will be responsible for proofreading and approving the ballot in so far as it pertains to the authority's candidates and/or propositions.

9. RETURNS OF ELECTIONS

- A. EA will be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.
- B. Participating authority hereby, in accordance with Section 127.002, 127.003 and 127.005 of the Texas Election Code, appoint the following central counting station officials.

Manager: Gwen Schaefer
Gonzales County Elections Administrator

Tabulating Supervisor: Nicole Vogel
Gonzales County Elections Clerk

- C. The manager or representative will deliver timely cumulative reports of the election results as precincts are tabulated. The manager will be responsible for releasing cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of hard copies (taped on the window in front of the Randle Rather Building) or electronic transmittals (where accessible).
- D. EA will prepare the unofficial canvass report after all precincts have been counted, and will deliver a copy of the unofficial canvass to each participating authority as soon as possible after all returns and provisional ballots have been tabulated, but in no event later than eight (8) days after the election. Participating authority will be responsible for their official canvass of their respective elections.
- E. EA will be responsible for conducting the post-election manual recount, unless a waiver is given from the Secretary of State in accordance with Section 127.201 of the Texas Election Code.

10. ELECTION EXPENSES

- A. The participating authorities agree to share the costs of administering the May 4, 2024 Joint Election. A general supervisory fee not to exceed 10% of the total cost of the election shall be assessed as authorized by the Texas Election Code, Sec. 31.100. Allocation of costs for the entire election, unless specifically stated otherwise, will be shared between the participating authorities.
- B. Any estimate of election costs is strictly an estimate. Final election expenses will be determined within 120 business days after the election. EA will provide each participating authority with a final invoice of expenses.

11. ELECTION REPORTS

EA will be responsible for ensuring the delivery of the reports titled Early Voting Daily Vote Totals and Daily Early Voter Listing (Alphabetical by precinct if applicable) to each participating authority each day of Early Voting for the previous day's voting activity. On the day after the conclusion of Early Voting, a Daily Early Voter Listing by precinct report inclusive of all days of Early Voting is to be delivered to each participating authority. When possible, the Early Voters' reports will be delivered by electronic means via e-mail, facsimile, or website.

12. RUNOFF ELECTION

In the event a runoff is necessary, the agreement will automatically be extended to cover the runoff. The EA will provide the designated entity in the runoff election with an estimate of cost to conduct participating authority's runoff.

13. NOTICE

Whenever this agreement requires any consent, approval notice, request or demand, it must be in writing to be effective and shall be delivered to the party intended to receive it was shown below:

If to the Elections Administrator:

Gwen Schaefer
Gonzales County Elections Administrator
427 St. George Street, Suite 306
Gonzales, TX 78629
830-519-4054

If to the Participating Authority:

Dr. Elmer Avellaneda, Superintendent
Gonzales Independent School District
1615 St. Louis Street
Gonzales, TX 78629

14. This contract may be executed in multiple originals.

May 4, 2024 JOINT AGREEMENT ACCEPTANCE AND APPROVAL

Recommended for approval by:



Gwen Schaefer
Gonzales County Elections Administrator

ACCEPTED AND AGREED TO BY GONZALES ISD:

Dr. Elmer Avellaneda, Superintendent

Patrick C. Davis, Gonzales County Judge



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Vice President

Josie Smith-Wright
Secretary

Sandra Gorden

D'Anna Robinson

Ashley Molina

Gloria Torres

GISD School Board Agenda Information Sheet
January 8, 2024

REPORT ITEM

SUBJECT: Student Performance Report; Focus on Student Sub-Populations

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools; Erin Lindemann-LaBuhn, Executive Director of State and Federal Programs; Brandi Bell, Executive Director of Recruitment, Leadership, and Professional Development

RATIONAL SUMMARY: Gonzales ISD administration will provide a report specific to student achievement from the 2022-2023 school year, with a specific focus on the student sub-population areas of emergent bilingual and special education.

SUPERINTENDENT'S RECOMMENDATION: n/a

SAMPLE MOTION: n/a

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GISD School Board Agenda Information Sheet
January 8, 2024

REPORT ITEM

SUBJECT: Financial & Quarterly Investment Report

ADMINISTRATOR RESPONSIBLE: Amanda Smith, Chief Financial Officer; Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY: Administration will present the monthly update on the district's finances to include the investment report for Quarter 1 of the 2023-24 fiscal year.

SUPERINTENDENT'S RECOMMENDATION: n/a

SAMPLE MOTION: n/a

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Financial Report

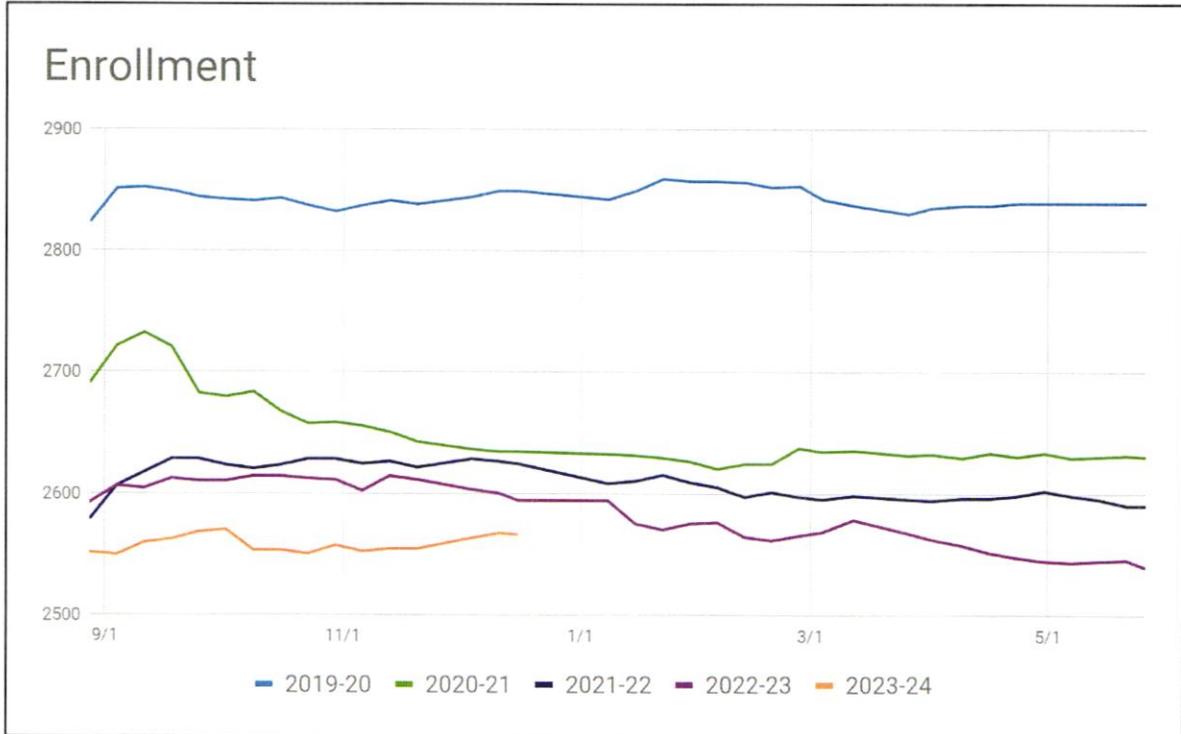
January 2024 Regular Meeting Board of Trustees

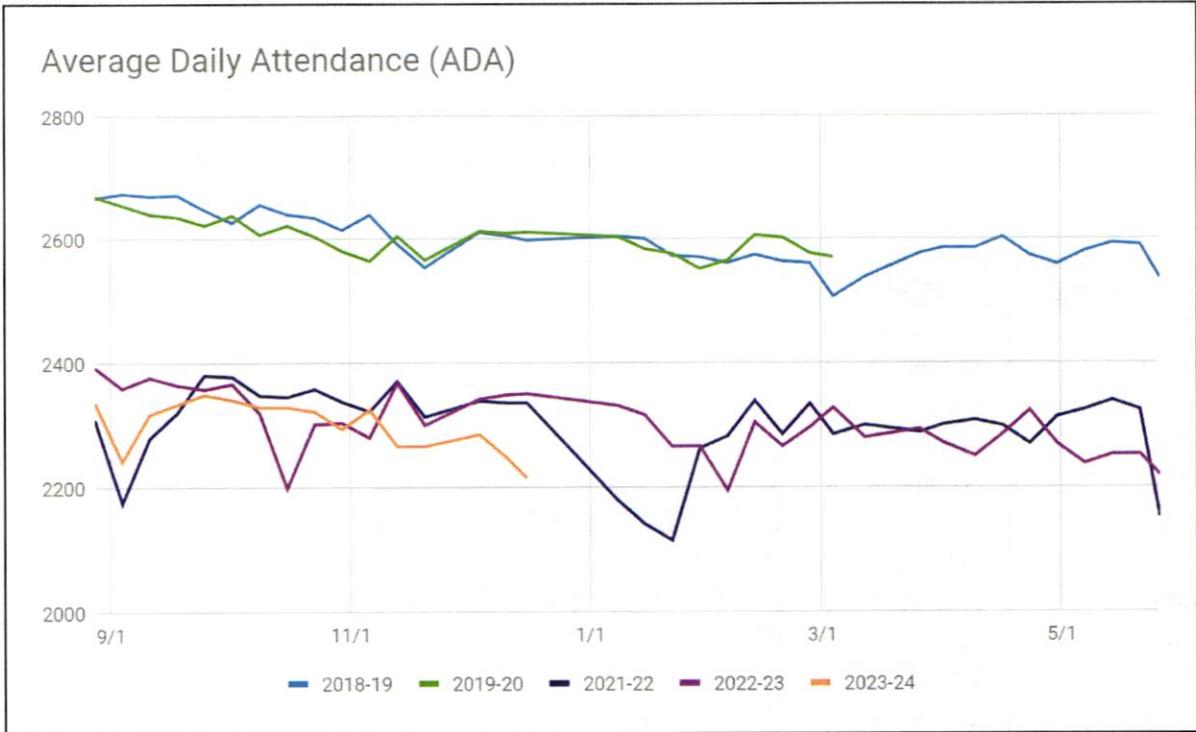
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Monthly Statement of Ad Valorem Collections, November 2023	9
1st Quarter Investment Report	10
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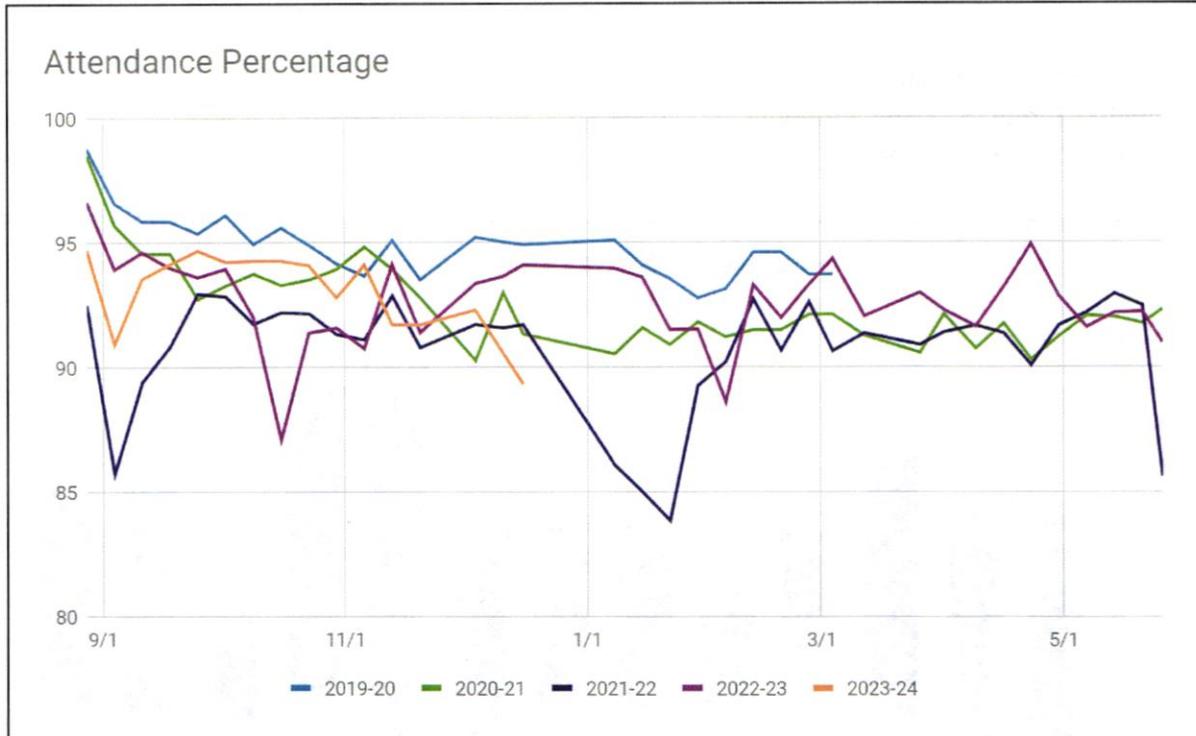
Chief Financial Officer's Summary
Regular Board Meeting - January 8, 2024

ADA & Enrollment





ADA used during budget development: 2,295
 Average ADA through 12/15/23: 2,300 (up 5 from budget)



Average annual attendance percentage (through 12/15/23): 93.12%

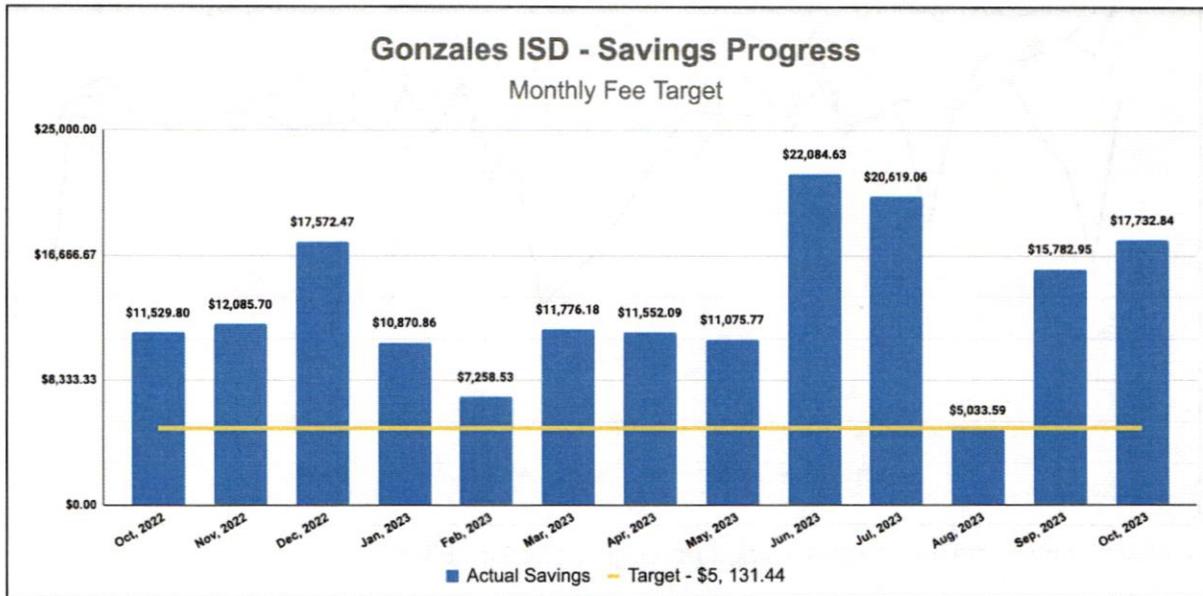
Energy Savings Update

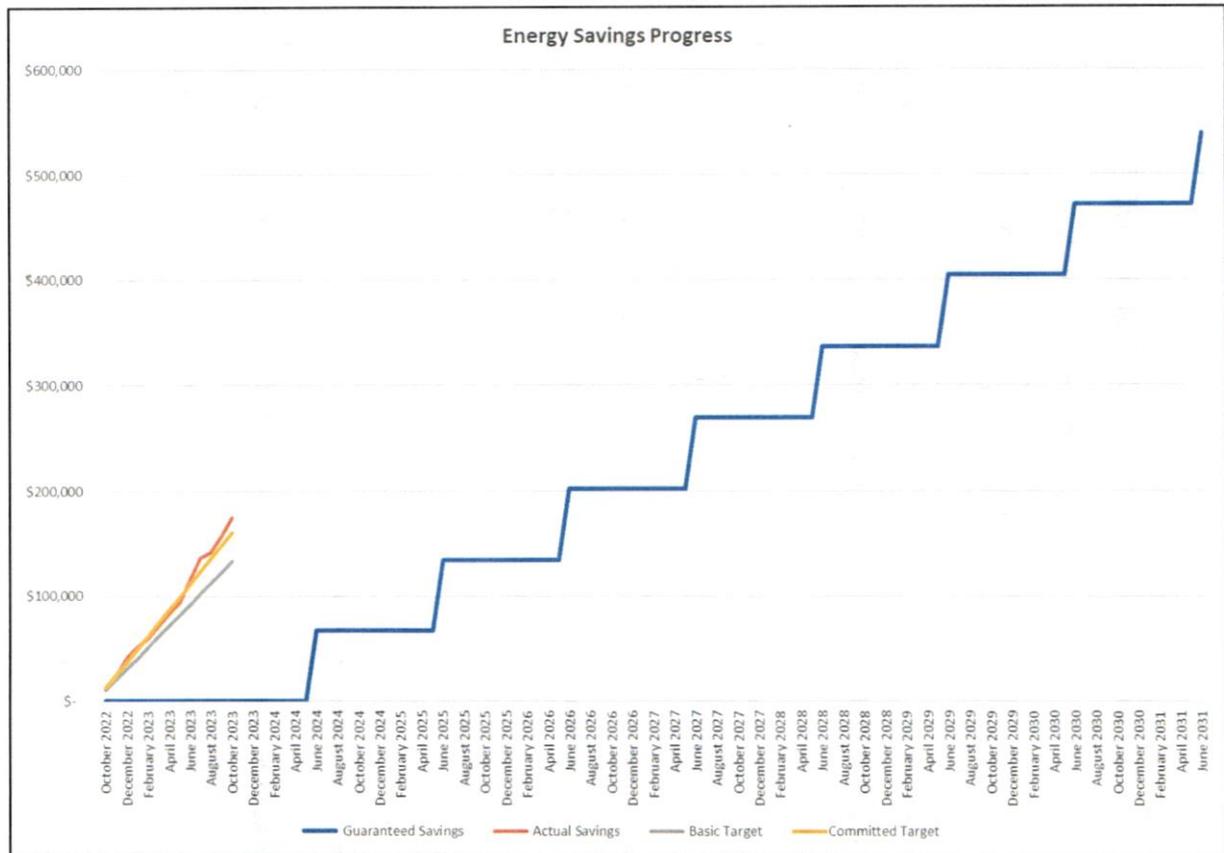
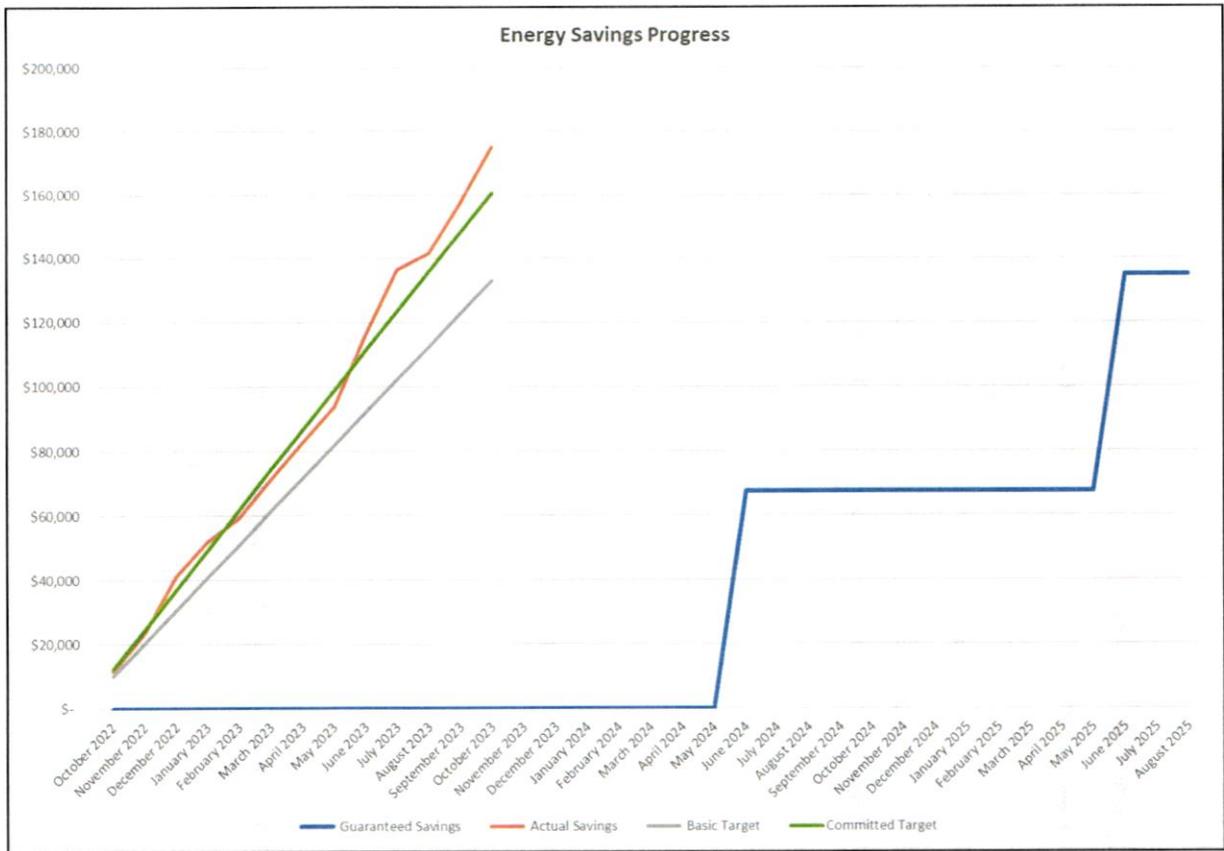
Due to the timing of the report preparation, updated savings data as of November was not yet available.

All Buildings	Total
Oct	\$11,529.80
Nov	\$12,085.70
Dec	\$17,572.47
Jan	\$10,870.86
Feb	\$7,368.59
Mar	\$11,776.18
Apr	\$11,552.09
May	\$11,075.77
Jun	\$22,084.63
Jul	\$20,619.06
Aug	\$5,033.59
Sep	\$15,782.95
Oct	\$17,732.84
Total	\$175,084.53

Cumulative Savings Guarantee	
21 Months	\$ 67,350.13
33 Months	\$ 134,700.25
45 Months	\$ 202,050.38
57 Months	\$ 269,400.50
69 Months	\$ 336,750.63
81 Months	\$ 404,100.75
93 Months	\$ 471,450.88
105 Months	\$ 538,801.00

Basic Target: \$10,224.25/month
 Committed Target: \$12,354.33/month
 Fee Target: \$5,131.44/month





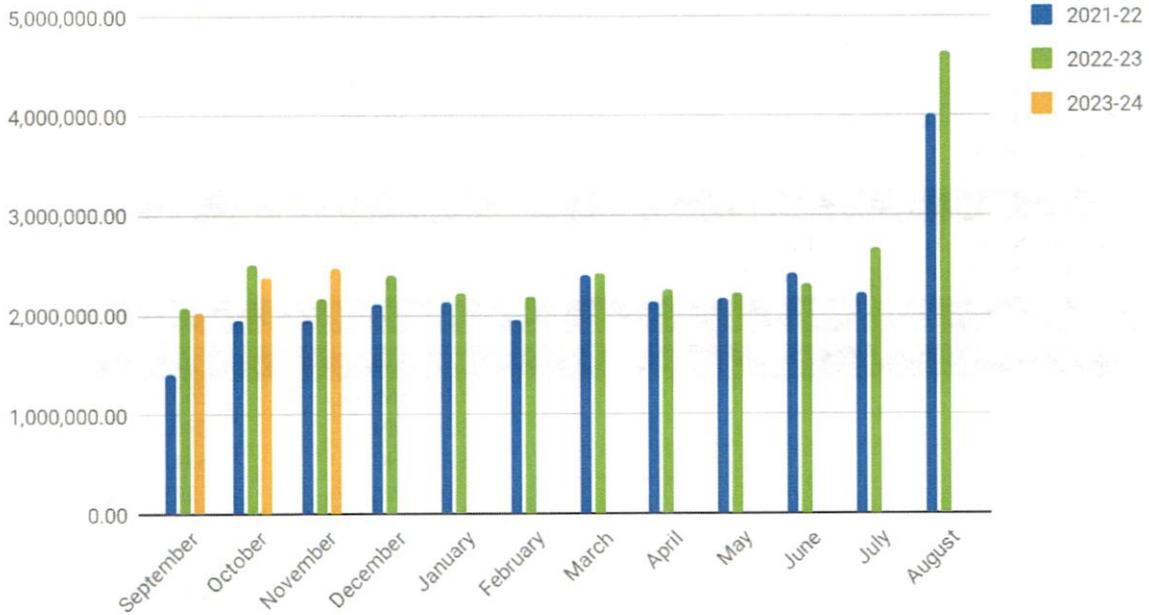
Gonzales ISD
Unaudited/Preliminary Statement of Revenues, Expenditures, and Changes in Fund Balance
As of November 30, 2023

Percent of Fiscal Year Completed 25%
 Percent of 2023-24 School Year Completed 38%

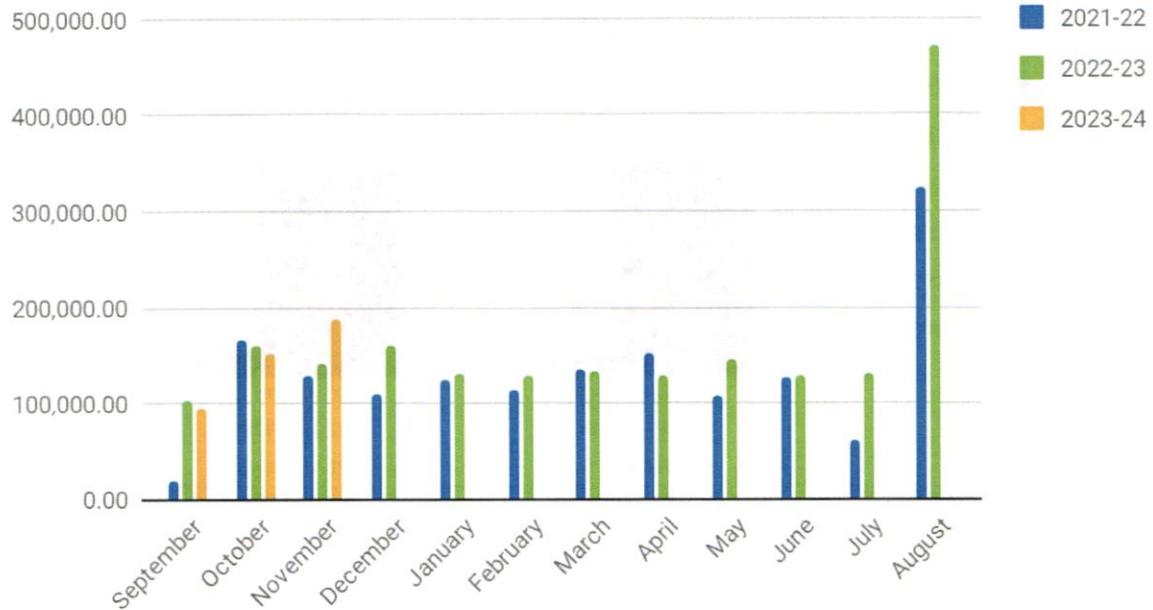
	GENERAL FUND			CHILD NUTRITION FUND			DEBT SERVICE FUND		
	Current Budget	Actual To-Date	% of Budget Recd/Exp	Current Budget	Actual To-Date	% of Budget Recd/Exp	Current Budget	Actual To-Date	% of Budget Recd/Exp
REVENUES									
5700 Local Property Taxes	20,030,181.00	2,175,748.43	10.86%				2,563,332.00	265,884.64	10.37%
5700 Other Local Sources	903,300.00	322,121.95	35.66%	123,863.00	30,380.35	24.53%	50,040.00	13,485.60	26.95%
5800 State Revenues	8,069,636.00	6,123,187.39	75.88%	7,000.00	0.20	0.00%	7,754.00	0.00	0.00%
5900 Federal Sources	632,469.00	30,915.14	4.89%	1,967,887.00	907,725.91	46.13%			
TOTAL REVENUES	29,635,586.00	8,651,972.91	29.19%	2,098,750.00	938,106.46	44.70%	2,621,126.00	279,370.24	10.66%
EXPENDITURES									
0011 Instruction	16,392,299	2,875,218.09	17.54%						
0012 Instructional Resources & Media Services	281,795	66,481.13	23.59%						
0013 Curriculum & Staff Development	569,394	102,941.02	18.08%						
0021 Instructional Leadership	524,292	132,136.70	25.20%						
0023 School Leadership	1,858,791	365,457.90	19.66%						
0031 Guidance, Counseling, & Evaluation	937,057	175,991.38	18.78%						
0032 Social Work Services	78,345	9,936.15	12.68%						
0033 Health Services	412,113	58,030.98	14.08%						
0034 Student Transportation	1,444,811	308,057.77	21.32%						
0035 Food Service	15,000	0.00	0.00%	2,099,250.00	436,924.01	20.81%			
0036 Co-Curricular/Extra-Curricular Activities	1,296,622	238,008.80	18.36%						
0041 General Administration	2,003,953	415,671.33	20.74%						
0051 Plant Maintenance and Operations	4,493,929	1,225,673.15	27.27%						
0052 Security & Monitoring Services	958,344	189,470.07	19.77%						
0053 Data Processing Services	1,054,996	323,687.38	30.68%						
0061 Community Services	11,050	6,232.55	56.40%						
0071 Debt Services	751,496	392,642.23	52.25%				2,621,126.00	0.00	0.00%
0091 Contracted Inst Services Btw Public Schools	314,527	0.00	0.00%						
0099 Other Intergovernmental Charges	514,828	128,561.82	24.97%						
TOTAL EXPENDITURES	33,913,642.00	7,014,198.45	20.68%	2,099,250.00	436,924.01	20.81%	2,621,126.00	0.00	0.00%
7915 Operational Transfer In				500.00	0.00	0.00%			
8911 Operational Transfer Out	500.00	0.00	0.00%						
NET ACTIVITY	(4,278,556.00)	1,637,774.46		0.00	501,182.45		0.00	279,370.24	

*Blended accounting method: Cash & accrual basis.
 *These numbers are subject to change until the final AFR is prepared and accepted/approved.

Monthly Expenditure Level Comparison: General Fund



Monthly Expenditure Level Comparison: Food Service Fund



Crystal Cedillo, Tax Assessor-Collector

Monthly Statement of Ad Valorem Collections

November 2023

MONTHLY COLLECTIONS

CURRENT TAX	\$1,833,975.10	
PENALTY & INTEREST ON CURRENT	\$0.00	
PRIOR YEAR DELINQUENT TAXES	\$15,857.20	
PENALTY & INTEREST ON DELQ	\$10,304.88	
TOTAL COLLECTED	\$1,860,137.18	

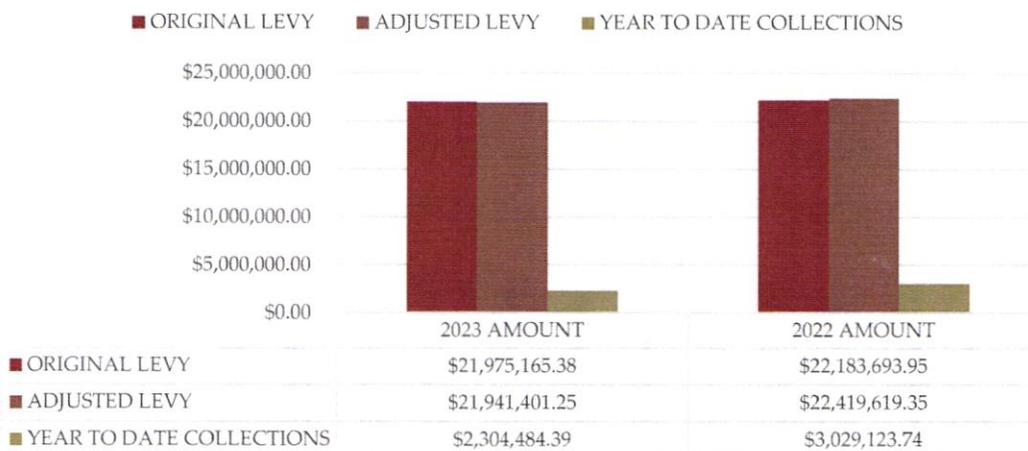
FEES

5% RENDITION PENALTY TO APPRAISAL DISTRICT	\$13.88	
1% COMMISSION TO GONZALES COUNTY	\$ 18,601.37	
BALANCE DUE GONZALES ISD	\$1,841,521.93	

	M&O	I&S
13-Nov	\$440,866.44	\$55,355.76
20-Nov	\$240,749.01	\$30,196.54
27-Nov	\$278,590.91	\$34,853.03
30-Nov	\$675,759.13	\$85,251.11
TOTAL DISBURSEMENTS	\$1,635,965.49	\$205,656.44

LEVY SUMMARY	2023 AMOUNT	2022 AMOUNT
ORIGINAL LEVY	\$21,975,165.38	\$ 22,183,693.95
ADJUSTED LEVY	\$21,941,401.25	\$ 22,419,619.35
YEAR TO DATE COLLECTIONS	\$2,304,484.39	\$ 3,029,123.74
% OF CURRENT ROLL COLLECTED	10.50%	13.51%
YTD DELINQUENT COLLECTIONS	\$100,447.33	\$ 40,229.45

2 Year Collection Comparison



**Gonzales ISD Investment Report
For Quarter Ended November 30, 2023**

	Type of Account	Beginning Market Value	Accured/Paid Interest	Deposits & Withdrawals	Ending Market Value	Year to Date Information	
						Value at 9/1/2023	YTD Increase (Decrease)
General Fund							
Lone Star	Investment Pool	\$ 18,512,269.06	\$ 221,034.42	\$ (3,583,100.60)	\$ 15,150,202.88	\$ 18,512,269.06	\$ (3,362,066.18)
Sage Capital Bank	Checking	\$ 3,066,418.44	\$ 38,262.34	\$ (56,920.04)	\$ 3,047,760.74	\$ 3,066,418.44	\$ (18,657.70)
Sage Capital Bank	Checking	\$ 193,504.52	\$ 2,907.41	\$ (5,282.08)	\$ 191,129.85	\$ 193,504.52	\$ (2,374.67)
Total General Fund		\$ 21,772,192.02	\$ 262,204.17	\$ (3,645,302.72)	\$ 18,389,093.47	\$ 21,772,192.02	\$ (3,383,098.55)
Debt Service Fund							
Lone Star	Investment Pool	\$ 891,946.83	\$ 13,468.57	\$ 185,826.00	\$ 1,091,241.40	\$ 891,946.83	\$ 199,294.57
Sage Capital Bank	Checking	\$ 1,359.90	\$ 17.03	\$ (0.00)	\$ 1,376.93	\$ 1,359.90	\$ 17.03
Total Debt Service Fund		\$ 893,306.73	\$ 13,485.60	\$ 185,826.00	\$ 1,092,618.33	\$ 893,306.73	\$ 199,311.60
Construction Fund							
Sage Capital Bank	Checking	\$ 83.06	\$ 1.04	\$ -	\$ 84.10	\$ 83.06	\$ 1.04
Total Construction Fund		\$ 83.06	\$ 1.04	\$ -	\$ 84.10	\$ 83.06	\$ 1.04
Activity Account - Campus							
Sage Capital Bank	Checking	\$ 172,271.67	\$ 2,155.38	\$ 13,610.49	\$ 188,037.54	\$ 172,271.67	\$ 15,765.87
Total Activity Account - Campus		\$ 172,271.67	\$ 2,155.38	\$ 13,610.49	\$ 188,037.54	\$ 172,271.67	\$ 15,765.87
Activity Account - Student							
Sage Capital Bank	Checking	\$ 81,052.51	\$ 1,048.58	\$ (93.37)	\$ 82,007.72	\$ 81,052.51	\$ 955.21
Total Activity Account - Student		\$ 81,052.51	\$ 1,048.58	\$ (93.37)	\$ 82,007.72	\$ 81,052.51	\$ 955.21
Total Investments		\$ 22,918,905.99	\$ 278,894.77	\$ (3,445,959.60)	\$ 19,751,841.16	\$ 22,918,905.99	\$ (3,167,064.83)

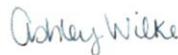
We, the designated Investment Officers of Gonzales ISD, certify that the above Investment Report represents the investment position of the district in compliance with the Board approved investment policy and the Public Funds Investment Act (Government Code, Chapter 2256).



Dr. Elmer Avellaneda, Superintendent

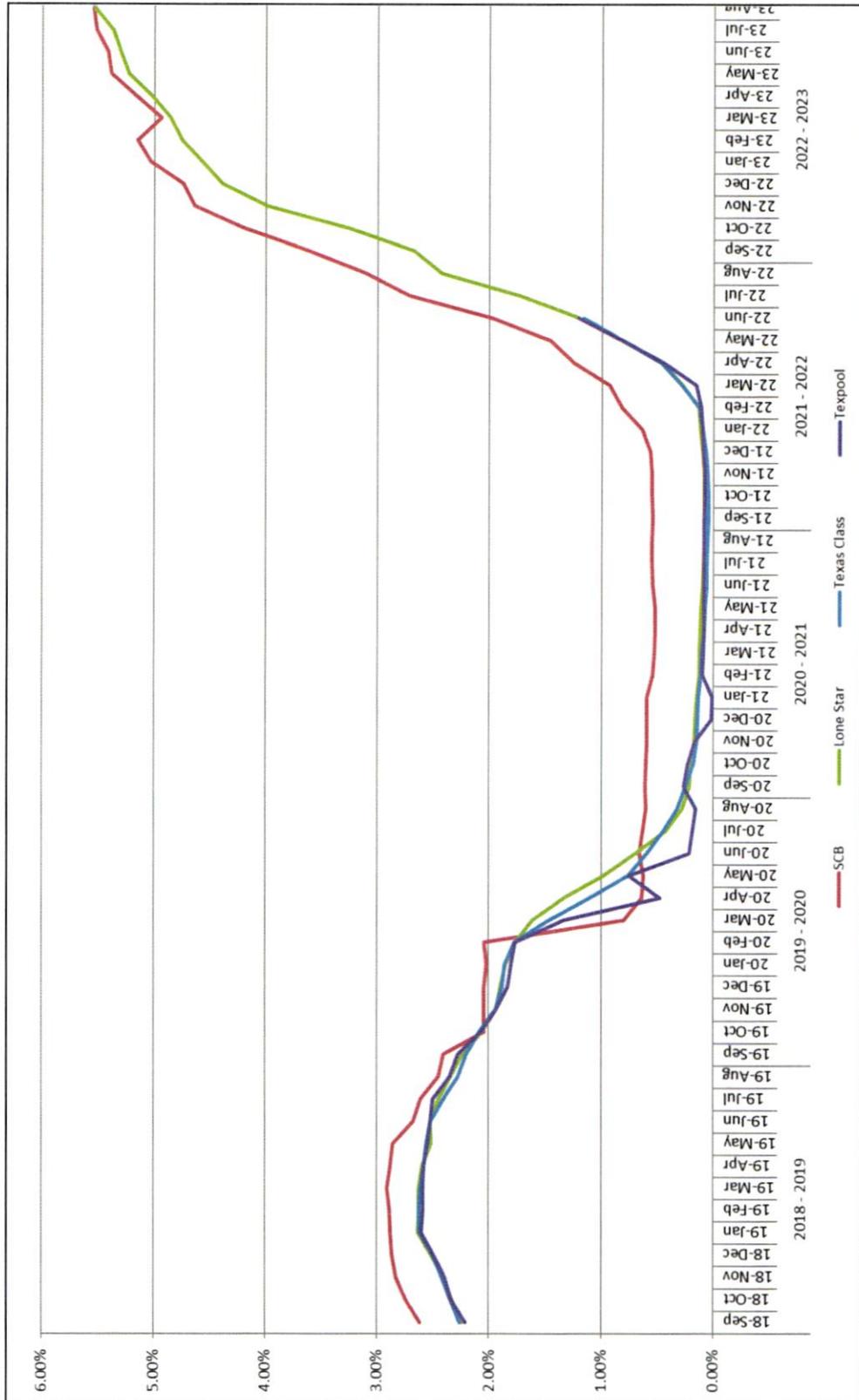


Amanda Smith, Chief Financial Officer



Ashley Wilke, Business Manager

Historical Interest Rates





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Ashley Molina

GISD School Board Agenda Information Sheet
January 8, 2024

REPORT ITEM

SUBJECT: Superintendent's Report

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent

RATIONAL SUMMARY: Information provided by the superintendent is designed to keep the Board of Trustees informed regarding daily operations of the school district.

SUPERINTENDENT'S RECOMMENDATION: N/A

SAMPLE MOTION: N/A

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GISD School Board Agenda Information Sheet
January 8, 2024

INFORMATION ITEM

SUBJECT: Board Business

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

AUTHORITY FOR THIS ACTION: GISD School Board Policy BF (Local)

RATIONAL SUMMARY: Information provided through the Board Business section of the agenda aimed at keeping trustees informed of routine correspondence.

***Added Items**

January 15, 2024	Student and Staff Holiday (MLK)
January 17-Feb.16, 2024	File an Application for a Place on the Ballot for the May Election
February 25, 2024	Strategic Planning Community Update 9AM-3:00PM



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The GISD School Board Agenda Information Sheet
January 8, 2024

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Gloria Torres

Adjourn to Closed Session
Under Texas Government Code Chapter 551

The board will recess this open session and convene in a closed meeting to discuss items on the agenda. The Board may conveniently meet in such closed or Executive Session or meeting, concerning any and all subjects and for any and all purposes permitted by Texas Government Code chapter 551, including, but not limited to:

- Section 551.071: Consultation with Attorney;
- Section 551.072: Deliberation Regarding Real Property;
- Section 551.073: Deliberation Regarding Prospective Gift;
- Section 551.074: Personnel Matters; Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: Closed Meeting.
- Section 551.076: Deliberation Regarding Security Devices;
- Section 551.082: School Children; School District Employees; Disciplinary Matter or Complaint
- Section 551.083: Certain School Boards; Meeting Regarding Consultation with Representative of Employee Group
- Section 551.084: Investigation; Exclusion of witnesses from a hearing.

No voting will take place in the closed meeting. Any action the board wishes to take as a result of discussions in a closed session will take place after the board reconvenes in an open meeting. Today's date is _____ and it is _____ p.m./am

ADMINISTRATOR RESPONSIBLE: Dr. Elmer Avellaneda, Superintendent of Schools

RATIONAL SUMMARY: Personnel Matters

Personnel matters are as follows:

- A. Resignations
- B. Personnel
- C. Attorney Consultation
- D. Superintendent Evaluation
- E. Land Acquisition and Selling



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