



*This Open Meeting of the Board of Trustees is authorized in accordance with the Texas Government Code, §§551.001 through 551.146. Verification of Notice of Meeting and Agenda are on file in the Office of Board Relations. Per Texas Government Code §551.1282, this meeting is being broadcast over the Internet in the manner prescribed by Texas Government Code, §551.128. In accordance with Texas Government Code §551.127 one or more members of the Board of Trustees may participate in the meeting via videoconference in accordance with the provisions thereof.*

**NOTICE OF A REGULAR MEETING OF THE BOARD OF TRUSTEES FOR  
DALLAS COLLEGE AND RICHLAND COLLEGIATE HIGH SCHOOL  
Tuesday, November 1, 2022 | 4:00 PM**

**Administrative Office  
1601 Botham Jean Blvd., Room #007, Dallas, Texas 75215  
[www.dallascollege.edu/boardmeetingslive](http://www.dallascollege.edu/boardmeetingslive)**

*Persons who address the Board are reminded that the Board may not take formal action on matters that are not part of the meeting agenda and may not discuss or deliberate on any topic that is not specifically named in the agenda. For any non-agenda topic introduced during this meeting, there are three (3) permissible responses: 1) to provide a factual answer to a question; 2) to cite specific Board Policy relevant to a topic; or 3) the topic may, at a later date, be placed on a Board Agenda for a subsequent meeting.*

*Speakers shall direct their presentations to the Board Chair, or the Board, as a whole.*

**Regular Meeting Agenda**

Page

- 1. Roll Call - Announcement of Quorum**
- 2. Certification of Notice Posted for the Meeting**
- 3. Pledges of Allegiance to U.S. and Texas Flags**

**4. Citizens Desiring to Address the Board**

**5. Special Presentation: Associated Collegiate Press and College Media Association National Awards - Recognition of Dallas College Student Journalists**

**6. Chancellor and Board Announcements**

*(Comments on Accomplishments; Awards Received; Appointments at the Local, State, and National Level; Published Articles and Newspaper Reports; District/College Reports/Metrics, and Upcoming Events; Workshops, Seminars, and Conferences taking place at the District or any of its Colleges)*

6.1. Announcements from the Chancellor


6.2. Announcements from the Board Chair and/or Trustees

**7. Opportunity for Members of the Board and Chancellor to Declare Conflicts of Interest Specific to this Agenda**

**8. Consent Agenda**

*(Consent Agenda items may be approved by a single motion and vote or, alternatively, upon request of a Trustee(s); any listed item can be removed and considered individually.)*

8.1. Meeting Minutes

a. Approval of Regular Meeting Minutes for October 4, 2022 6 - 14  
[regular meeting minutes for October 4, 2022](#) 





8.2. Finance Items

a. Approval of Order authorizing the issuance of General Obligation Bonds, Series 2022; Delegating the sale of the bonds to the designated financial officer named in this Order; Establishing parameters regarding the sale of the Bonds; and Approving and authorizing instruments and procedures relating thereto 15





[Approval of GO Bond Series 2022](#) 

b. Consideration and Action to Approve the Assignment and Transfer of Two Educational Broadband Service (EBS) Licenses Representing Call Signs WHR830 and WNC582 from Dallas College to NSAC, LLC 16 - 17

[EBS Licenses WHR830 & WNC582 from Dallas College to NSAC,](#)

- 8.3. Policy Items
- a. Approval of Amendment to Policies Concerning Travel – BBG (LOCAL) Compensation and Expenses 18 - 19  
[Approval of Amendment to BBG \(LOCAL\)](#) 
  - b. Approval of Amendments to Policies Concerning Travel - DEE (LOCAL) Compensation and Benefits, Expense Reimbursement 20 - 21  
[Approval of Amendment to DEE \(LOCAL\)](#) 
- 8.4. Education Workforce Item
- a. Approval of Continuing Education Tuition Rate Schedule for Fall 2022 22 - 25  
[Approval Continuing Education Tuition Rate Schedule for Fall 2022](#) 
- 8.5. Richland Collegiate High School Item
- a. Adoption of Resolution Approving 2022-2023 Special Education (SPED) Policies for Richland Collegiate High School 26 - 156  
[Adoption of Resolution Approval 2022-23 SPED Policies for RCHS](#) 

## 9. Informative Reports

- 9.1. Committee Reports  
*(Committee notes are listed only after they have been reviewed and approved by the committee in question.)*
- a. Finance Committee Notes for September 13, 2022 157 - 160  
[finance committee notes for September 13, 2022](#) 
  - b. Governance Committee Notes for October 4, 2022 161 - 162  
[governance committee notes for October 4, 2022](#) 
  - c. Education Workforce Committee Notes for October 4, 2022 163 - 173  
[education workforce committee notes for October 4, 2022](#) 
- 9.2. Current Funds Operating Budget Report (September 2022) 174 - 175  
[Current Funds Operating Budget Report September 2022](#) 

9.3.	Monthly Award and Change Order Summary (September 2022) <a href="#">Monthly Award Change Order Summary Sept 2022</a> 	176 - 178
9.4.	Dallas College Foundation Report (September 2022) <a href="#">Dallas College Foundation Report September 2022f</a> 	179
9.5.	Notice of Grant Awards (November 2022) <a href="#">Notice of Grants Awards November 2022</a> 	180 - 183
9.6.	Workforce & Advancement Ascend Institute Report (September 2022) <a href="#">Workforce &amp; Advancement Ascend Institute Report (September 2022)</a> 	184
9.7.	Dallas College Human Capital new Hire/Position Report (September 12, 2022 - October 12, 2022) <a href="#">Dallas College Human Capital new HirePosition Report (Sept 12, 2022 to Oct 12, 2022)</a> 	185 - 187
9.8.	Richland Collegiate High School Emergent Bilingual Report (August 2, 2021 - September 31, 2022) <a href="#">RCHS Emergent Bilingual Report (August 2, 2021 - September 31, 2022)</a> 	188

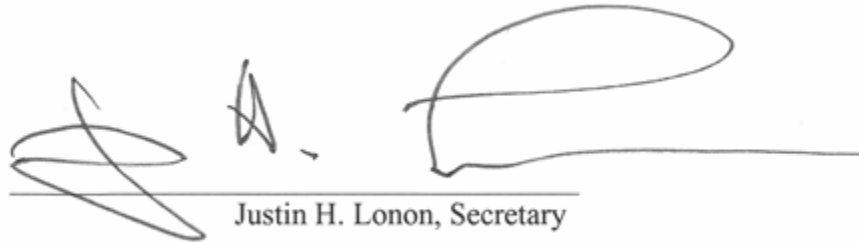
## **10. Executive Session (if required)**

- 10.1. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers - Section 551.071
- 10.2. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignments, Duties, Discipline, or Dismissal of Officers or Employees - Section 551.074
- 10.3. Deliberate Regarding Real Property Since Open Deliberation would have a Detrimental Effect Upon Negotiations with a Third Person - Section 551.072
- 10.4. Deliberate Regarding Security Devices or Security Audits - Sections 551.076 and 551.089

## **11. Adjournment**

*CERTIFICATION OF NOTICE POSTED FOR THE NOVEMBER 1, 2022 REGULAR MEETING OF DALLAS  
COLLEGE AND RICHLAND COLLEGIATE HIGH SCHOOL BOARD OF TRUSTEES*

I, Justin H. Lonon, Secretary of the Board of Trustees of Dallas College, do certify that a copy of the notice for this meeting was posted on the 28th day of October 2022 in compliance with the applicable provisions of the Texas Open Meetings Act.



Justin H. Lonon, Secretary

CONSENT AGENDA NO. 8.1.a.

Approval of Regular Meeting Minutes for October 4, 2022

It is recommended that the Board approve the minutes of the October 4, 2022, Regular Board meeting.

A Regular meeting of the Board of Trustees of Dallas College was held Tuesday, October 4, 2022, beginning at 4:01 p.m. and was broadcasted via the streaming link: <https://dcccd.new.swagit.com/events/12505>. The meeting was convened by Chair Monica Lira Bravo.

Board Members and Officers Present

Mr. Cliff Boyd  
Ms. Monica Lira Bravo (Chair)  
Ms. Charletta Rogers Compton  
Ms. Diana Flores  
Dr. Catalina Garcia  
Dr. Justin H. Lonon (Secretary and Chancellor)  
Mr. Paul Mayer  
Mr. Phil Ritter (Vice Chair)

Members Absent

None.

1. **Roll Call - Announcement of Quorum** was confirmed by Chair Bravo.
2. **Certification of Notice Posted for the Meeting** was confirmed by Chancellor Lonon.
3. **Pledges of Allegiance to U.S. and Texas Flags** were recited.
4. **Citizens Desiring to Address the Board**  
Chair Bravo acknowledged that two citizens will be addressing the Board.

Reginald Gray, faculty member for over 10 years at Mountain View Campus, expressed his concerns about the availability of free laptops and Wi-Fi SIM cards for students who need them. He acknowledged the existence of the current device loaner program but did not know its status

and whether it is being adequately communicated to students. Mr. Gray asked whether Dallas College would be ready to quickly pivot to remote learning if another event such as the pandemic were to occur and who would be accountable in making those decisions. He introduced his friend, Bashir Yamini, a former NFL player for the Dallas Cowboys and part of a non-profit organization called the Affordable Connectivity Program. .

Mr. Yamini shared his background with the Board and explained that the Affordable Connectivity Program is not free, but rather is a deficit program. The program provides \$100 for a laptop and \$30 for internet. He explained the successful efforts made to find a laptop and internet provider for that cost so that there would be no cost to qualified students. Mr. Yamini asked the Board to consider the program.

Chair Bravo thanked both for their time.

## **5. Special Presentations**

Chancellor Lonon talked about our philanthropic community here in Dallas and asked Josh Skolnick, Foundation Executive Director, to introduce special guests. Chancellor Lonon also thanked Mike Myers, Nancy LeCroy, and Michael Brown for being present and supporting our students.

### **5.1. Myers-LeCroy Scholars Recognition**

Mr. Skolnick echoed the gratitude expressed by Chancellor Lonon for the philanthropic community's strong support of Dallas College Foundation and its scholarships. He then introduced Mr. Myers, who established the Myers-LeCroy Scholarship Endowment fund. Mr. Skolnick summarized Mr. Myers' career and many accomplishments, including serving on the Dallas College Foundation Board for 32 years and as Board Chair from 1994-1997.

Mr. Myers spoke about his introduction to education, his mother's career as a teacher, and his growing interest in community colleges. He expressed his admiration for Dr. Jan LeCroy and his wife, Dr. Nancy LeCroy, which led him to name the scholarship the Myers-LeCroy Scholarship and also stated that their continued involvement has been invaluable to the scholarship recipients. He closed by expressing his gratitude for the opportunity to work with the scholars and asked them to come up and introduce themselves.

Janset Aydogdu, Biology major, said she was a North Lake Campus student studying for dental school. She thanked the Board, Mr. Myers and Dr. LeCroy for the opportunity to be there.

Pammela Giliam, Business Administration and Marketing major, addressed the board and expressed her thanks.

Ligio Muthemba, Social Science major at Mountain View Campus, noted that he was from Mozambique, Africa and plans to transfer to a four-year college to study Electrical Engineering. He then thanked the Board.

Kayla Thompson, Nursing major, spoke about her hardships growing up, how she overcame them, and how that caused her to want to help the impoverished through her volunteerism. She also outlined what she hopes to accomplish in both education and her career. She closed by extending her gratitude to the Myers-LeCroy Scholarship, Foundation, and Dallas College.

#### 5.2. Erin Tierney Kramp Scholars Recognition

Mr. Skolnick introduced Michael Brown who leads the Erin Tierney Kramp Scholarship, which is the third largest endowed scholarship at Dallas College. Mr. Brown is the Founder and President of the Erin Tierney Kramp Encouragement Foundation, established in 1999 as a permanent endowment with Dallas College. He formerly served as a Board Member of the Dallas College Foundation and Member of the Foundation Executive Committee.

Mr. Brown began explained the origins of the Erin Tierney Kramp Scholarship and its namesake, Erin Tierney Kramp. The Kramp Foundation established a permanent scholarship endowment with Dallas College Foundation in 1999 with no paid staff and 100% of donations given directly to scholarships, programs, events, and endowment growth. The Erin Tierney Kramp Encouragement Scholarship program recognizes individuals who have demonstrated courage and perseverance in the face of adversity as well as high moral character and leadership qualities as exemplified by Erin herself. Since its inception, the Foundation has awarded 56 scholarships, and the endowment now stands close to \$1 million. Mr. Brown also mentioned the scholarships the Foundation has established with both SMU in 2010 and Austin College in 2016. He



then introduced Daisy Donjuan, who was awarded the 2022 scholarship.

Ms. Donjuan, Paralegal major with one semester remaining at El Centro Campus, spoke about her hardships and lack of support while trying to go to college, including losing her financial aid, saying she had to find the will to do it on her own. She talked about her dream of transferring to SMU and said it wouldn't have been possible without the Foundation and this scholarship. She closed by thanking everyone.

Mr. Skolnick closed by thanking Kathy Hammontree on the Dallas College Foundation team for running these two scholarship programs, adding that she has been with Dallas College for more than 50 years.

Chancellor Lonon thanked all for their commitment. He then asked for the scholarship recipients and their sponsors to come up for a photograph with the Board.

## **6. Chancellor and Board Announcements**

### **6.1. Announcements from the Chancellor**

Chancellor Lonon asked Mr. Skolnick to speak about the just-concluded Employee Giving campaign Mr. Skolnick said the campaign surpassed the \$165,000 goal and raised over \$198,000, the most ever in an employee giving campaign. Chancellor Lonon thanked the Foundation for spearheading a successful campaign.

Chancellor Lonon thanked the Board for their support of the Flex Work initiative that starts this month and will provide new ways for employees to do their work. He added that the Employee Engagement Survey also launches this month and looks forward to receiving robust feedback from employees as part of the Action '22 initiative.

Chancellor Lonon acknowledged the end of Hispanic Heritage Month and thanked all involved, including the Hispanic Leadership Panel moderated by Trustee Flores, who interviewed Chair Bravo and other exceptional panelists about their experiences and their advice for our leadership community.

Chancellor Lonon recognized Dr. Pamela Luckett, Chief Digital Engagement Officer, and Dr. Nikki Ceaser Small, Senior Director of Campus Administration at Cedar Valley Campus, who were both accepted into the 2022 Lincoln Institute Mentor Leadership program. The Lincoln Institute is sponsored by the President's Round Table for African American CEOs of Community Colleges and participates in executive leadership sessions and training.

Chancellor Lonon shared that Dallas College prevailed in litigation related to the 2019 bond initiative, ending with a victory in the State Supreme Court that allows the College to move forward with full implementation of the initiative. He thanked Legal Counsel Robert Wendland, the entire Legal team and outside counsel for their work.

6.2. Announcements from the Board Chair and/or Trustees

Vice Chair Ritter commented on the lawsuit related to the 2019 bond initiative, saying it was important for the public to know the hidden costs of this type of litigation. According to Vice Chair Ritter, the College spent over \$550,000 of taxpayer dollars defending against this lawsuit, in addition to incurring \$17-20 million in delays that would not have been incurred had we moved forward with the original timeline. Taxpayers will also pay an additional \$50-70 million in interest costs because of this delay and higher interest rates that have occurred during this litigation. He concluded that he felt it was important to have this on the record.

Trustee Flores said she was honored to moderate the two panels celebrating Hispanic Heritage Month and was glad to see that we are having more robust events for everyone. She also mentioned her involvement as an Equity Pioneer on a City of Dallas panel that included esteemed guests who did great things for the city in the 1970s and 80s.

Trustee Boyd reminded everyone that, as we move closer to Veterans Day, we will be holding a special event to recognize the service of our veterans. He said he hoped we would see community involvement and welcomed employees who wanted to support this effort.

Chair Bravo reiterated Chancellor Lonon's comments about Hispanic Heritage Month from Sept. 15-Oct 15. She pointed to an article in the North Lake Campus student newspaper about the Hispanic Leadership Panel and thanked everyone who made that event a success. She then pointed out that there was a new statue at Main Street Garden at the corner of Main and Harwood in downtown Dallas of Adelfa Callejo, the civil rights leader and advocate who was the first Latino lawyer in Dallas and the first woman of Hispanic descent to graduate from SMU Law School. Chair Bravo also thanked Eastfield Campus President Eddie Tealer and employees for hosting the annual Paying for College Fair hosted by State Representative Victoria Neave and Chair Bravo. She also mentioned the upcoming Association of Community College Trustees (ACCT) Leadership Congress in New York City. Chair Bravo said she looks forward to attending with her fellow Board members. Chair Bravo concluded by announcing recent retirees and thanked them for their service.

**7. Opportunity for Members of the Board and Chancellor to Declare Conflicts of Interest Specific to this Agenda**

None.

**8. Consent Agenda**

Chair Bravo asked if there were any questions; there were none. Motion to approve Consent Agenda Items 8.1 and 8.2 was moved by Trustee Flores and seconded by Trustee Boyd. All approved and motion passed.

**8.1. Meeting Minutes**

- a Approval of Regular Meeting Minutes for August 2, 2022

**8.2. Finance Items**

- a Approval of Revised Budget for Richland Collegiate High School (RCHS) for 2022-2023

**9. Individual Items**

**9.1. Talent Item**

- a. Approval of Warrants of Appointments for Police Officers

Chair Bravo made a motion to approve individual item 9.1. Trustee Boyd seconded the motion. Trustee Flores asked if the Board's approval of increasing pay rates has helped in attracting and retaining officers. Legal Counsel Robert Wendland responded that it has helped, pointing to seven officers who have returned to Dallas College since the change

was implemented. He also credited recent marketing efforts to recruit police officers.

## **10. Policy Item - First Reading**

### **10.1. Approval of Amendment to Policies Concerning Travel – BBG & DEE (LOCAL)**

Chair Bravo said there would be no action on Item 10.1 since it is only for first reading. If any changes are needed, it can be discussed in a later meeting.

## **11. Informative Reports**

Trustee Flores had a question regarding Item 11.3, the Facilities Improvement Plan (FIP), asking why there is a cancellation for a sewer line. Legal Counsel Wendland said he would get an answer but indicated that priorities may have changed with limited funds but also said that does not mean it will not get done. He later clarified that the project was completed on the campus level and did not need to stay as part of the FIP.

Trustee Flores asked another question regarding Item 11.5, asking why we do a better job on procurement on the construction side than we do on purchasing of regular goods and services that are not construction related. Also regarding 11.5, Trustee Bravo noted good minority participation in the NWB contract for goods and services on the Bond report and asked why we do better on the construction side than on the regular procurement of goods and services that are not construction related. Legal Counsel Wendland explained that he thought there was a better intent on the construction side and are making progress with that in the FIP, but that on regular procurement items there is a lot we could do better. He also stated that one of the groups we have been working on improving is Diversity, Equity & Inclusion (DEI) as we build minority participation in those areas that we have not had before. Trustee Compton then added that she previously worked in that area, and one of the issues is the amount of sole source items purchased that only have a small number of sources that can provide those items. Legal Counsel Wendland then mentioned co-ops, expanding on their benefits and explained how this helps vendors.

Trustee Flores then asked about Item 11.9, Notice of Grant Awards, saying the first one listed from the Higher Education Coordinating Board to serve up to 70,000 students is shown as negative \$25,000.

Dr. Iris Freemon explained this was not a reference to the award but to the amount of dollars that we had to return because there was a challenge with the vendor not being able to fulfill the order before the deadline for the end of the grant. She added that our process requires that we not only pay for it and encumber it, but receive it before we could charge the grant. That could not happen at the hand of the vendor, so we had to return those funds.

Trustee Flores said she had several more questions she would submit in writing. She also said it would be helpful if the Board could get a report on the TRIO grant during one of the Education Workforce Committee meetings because she has several questions about that and will save them until the report is available.

Dr. Freeman provided additional context regarding the grants, stating that the threshold for those grants is established by the Department of Education. They give us a threshold per student cost depending on the particular TRIO grant, which determines how many students we are able to serve. The amounts also vary if it is a new award for that location versus a continued grant.

Trustee Flores then asked about Item 11.11, New Hire/Position Report, stating that every month we get this report showing that Hispanics are not being hired at a number that would serve the number of Hispanic students we currently have. Trustee Flores acknowledged that legally we cannot have quotas or goals, but that it was an aspiration to have people that can best serve students because they come from that understanding and background. She then asked if there was something we are not doing that would allow us to bring in more Hispanics, and closed by saying she has a concern in this area and is afraid we are missing the mark. Chancellor Lonon acknowledged Trustee Flores comments and concerns. He also said that as an institution we are the most diverse that we have ever been, but that there are still areas we can improve and things we can do to ensure a more robust pool of applicants.

Trustee Garcia commented about the retirement packages we are offering employees and her concern because some of these people are only 15-year veterans and the reason given was so that we could hire more diverse staff, something she does not see happening. She remarked that we need to diversify, and she feels it is an internal problem that we should look at.

Trustee Compton asked if we ever received the detailed HR report. Chair Bravo said yes, it was emailed to them the same day.

#### 11.1. Committee Reports

- a. Governance Committee Notes for March 1, 2022
  - b. Education Workforce Committee Notes for August 2, 2022
- 11.2. 4th Quarter Investment Transactions
- 11.3. 4th Quarter Facilities Improvement Plan
- 11.4. Quarterly Budget Book Vendor Summary
- 11.5. 4th Quarter Bond Status Report (September 2022)
- 11.6. Current Funds Operating Budget Report (August 2022)
- 11.7. Monthly Award and Change Order Summary (August 2022)
- 11.8. Dallas College Foundation Report (August 2022)
- 11.9. Notice of Grant Awards (October 2022)
- 11.10. Workforce & Advancement Ascend Institute Report (August 2022)
- 11.11. Dallas College Human Capital New Hire/Position Report (August 12, 2022 - September 12, 2022)

12. **Executive Session**

None.

13. **Adjournment** at 5:08 p.m.

## FINANCIAL ITEM NO. 8.2.a.

Approval of Order Authorizing the Issuance of General Obligation Bonds, Series 2022; Delegating the sale of the bonds to the designated financial officer named in this Order; Establishing parameters regarding the sale of the Bonds; and Approving and Authorizing instruments and procedures relating thereto

The Chancellor recommends that authorization be given to approve the Order Authorizing the Issuance of General Obligation Bonds, Series 2022 in an amount not to exceed \$350 million as the first issuance of 2019 authorized General Obligation bonds and authorize the Designated Financial Officer to effect the sale.

The 2022 GO Bond will focus on new construction and facility renovations for the Dallas College.

The Phase 1 project list is as follows: (All numbers are estimates.)

### Student Needs

- Brookhaven – ECHS & ECE Expansion \$31.1M
- El Centro West – ECHS student space \$4M
- Cedar Valley – ECHS building E renovation \$25.7M
- Cedar Valley – One Stop Shop renovation (prototype) \$6M
- Eastfield – New inter-disciplinary building \$25.3M
- Eastfield – New Student Success building \$37.1M
- Mountain View – New ECHS building \$24.3M
- Mountain View – Welcome Center (prototype) \$6M
- Richland – New ECHS/Workforce building \$52.9M

### Industry Aligned Workforce

- North Lake North – Construction Science building \$50M
- Cedar Valley – Commercial HVAC renovation \$4.2M
- Mountain View – New Nursing & Allied Health building \$20.6M

### Funding Source

General Obligation Bonds

### Resource Contact

John Robertson, Chief Financial Officer

FINANCIAL ITEM NO. 8.2.b.

Consideration and Action to Approve the Assignment and Transfer of Two Educational Broadband Service (EBS) Licenses Representing Call Signs WHR830 and WNC582 from Dallas College to NSAC, LLC

The Chancellor recommends that the Board of Trustees approve the assignment and transfer of two (2) Educational Broadband Service (EBS) licenses from Dallas College to NSAC, LLC. The licenses cover a total of five (5) EBS channels, with three (3) channels authorized under call sign WHR830 and two (2) channels authorized under call sign WNC582. Dallas College has held the EBS licenses for at least twenty-five (25) years and has leased virtually all the capacity covered by those licenses, under two separate Long Term De Facto Transfer Lease Agreements, to NSAC, LLC since 2005.

No portion of the capacity covered by the EBS licenses is being used by Dallas College in delivery of its services or in any other way in connection with the operations of Dallas College. The Long Term De Facto Transfer Lease Agreements between Dallas College and NSAC, LLC contain provisions which grant NSAC, LLC a right-of-first refusal, exclusivity, a right to participate and confidentiality provisions which prohibit any transfer or assignment of the licenses without first affording certain priority to NSAC, LLC.

Prior to a 2020 FCC Rule change, Dallas College had been permitted to lease unused capacity in the channels covered by the licenses, but it could not assign or transfer the licenses to a third-party like NSAC, LLC, even if Dallas College was not using the licenses. This limited Dallas College to only receiving annual lease revenue from the licenses with no other option to monetize same. With the 2020 FCC Rule change, the FCC authorized educational institutions to assign and transfer EBS licenses they were not using so the institutions could realize a monetary return. Negotiations occurred between Dallas College and NSAC, LLC for transfer and assignment of the EBS licenses, which remain encumbered by the Long Term De Facto Transfer Lease Agreements in favor of NSAC, LLC. Material terms and conditions of the sale have been agreed upon in principle by the parties and the parties are endeavoring to finalize an Asset Purchase Agreement to memorialize the transaction.

The Chancellor seeks approval of the Board to proceed to consummate the transaction with NSAC, LLC upon the material terms and conditions agreed upon between the parties and authorize execution by the Chancellor, or designee, of all documentation in connection therewith, provided that such documentation is in form and substance acceptable to the General Counsel, to include proceeding to seek regulatory approval by the FCC of the assignment and transfer of the licenses to NSAC, LLC.



Resource Contact

Robert Wendland, Interim Vice Chancellor of Operations/General Counsel

POLICY ITEM NO. 8.3.a.

Approval of Amendment to Policies Concerning Travel – BBG (LOCAL)  
Compensation and Expenses

The proposed amendment to Board Policy makes minor changes to the requirements for travel by Board members and employees.

Effective Date

Upon Board Approval

LOCAL POLICY

BBG –  
Compensation and  
Expenses

EXPLANATORY NOTES

Revisions to this policy would add language granting the Chair, as well as the Chancellor, the authority to add to the list of meetings and conventions for attendance by Board members or to otherwise notify members of opportunities relating to their Board duties and responsibilities, including those relating to their committee assignments.

BOARD MEMBERS  
COMPENSATION AND EXPENSES

BBG  
(LOCAL)

Board members shall be reimbursed for reasonable expenses incurred in carrying out the Board's business at the Board's request and for reasonable expenses incurred while attending meetings and conventions as official representatives of the Board.

The Chancellor, in consultation with the Board chair, shall annually prepare and submit to the Board for consideration a list of meetings and conventions that represent opportunities for one or more members of the Board to attend as official representatives of the Board and that are identified as consistent with advancing the goals and mission of the College. If so added, the meeting or convention shall be considered an approved opportunity for one or members of the Board to attend. The Chancellor and/or the Board Chair ~~shall~~ may also ~~update~~ modify or add to the list, as necessary, or otherwise reasonably notify the Board of additional opportunities that relate to their Board duties and responsibilities, including without limitation those relating to a Board member's committee assignment as they may arise. In either case, ~~t~~The Board Chair shall facilitate an informal discussion among the Board members regarding which Board member(s) shall attend meetings and conventions as official representatives of the Board.

A Board member may attend any state or national legislative meeting, ~~without specific Board approval~~ irrespective of its inclusion on the annual list, -upon the request of the Chancellor or Board Chair. The Board shall be notified of all such requests at the next regular meeting following the date of the request.

\*\*\*

POLICY ITEM - NO. 8.3.b.

Approval of Amendments to Policies Concerning Travel - DEE (LOCAL)  
Compensation and Benefits, Expense Reimbursement

The proposed amendment to Board Policy makes minor changes to the requirements for travel by Board members and employees.

Effective Date

Upon Board Approval

LOCAL POLICY

EXPLANATORY NOTES

DEE –  
Compensation and  
Benefits, Expense  
Reimbursement

Revisions to this policy would add language clarifying the requirements for employees to receive a travel advance and the consequences for failure to reconcile expenses or reimburse unreconciled/unused expenses or advances in accordance with the Business Office Procedures Manual.

COMPENSATION AND BENEFITS  
EXPENSE REIMBURSEMENT

DEE  
(LOCAL)

\*\*\*

**Reimbursement  
Procedures**

Procedures for travel expense reimbursement are located in the Business Office Procedures Manual [\(BPM\)](#). In accordance with the procedures, the College District may reimburse an employee for travel expenses after the expense is incurred or may pay the expenses in advance (including a per diem amount). [To receive an advance, the College District requires an approved travel request and signed promissory note.](#) ~~In either event, Receipts must be presented to verify travel and other business expenses or obtain reimbursement for major expense items (e.g., transportation by common carrier and lodging) in accordance with the reconciliation schedule outlined in the BPM. , as illustrated by, but not limited to, transportation by common carrier and lodging.~~

[Unused or unverified cash advances for travel or other business expenses must be returned to the College District within 30 days of the completed travel or expenditure. Employees who fail to return unused cash advances and/or to verify expenses within the allotted period will be subject to payroll deductions for the amount not returned or unverified at the next available payroll cycle. The College shall not advance additional funds to employees with outstanding advances until all outstanding advances are reconciled.](#)

\*\*\*

C

## EDUCATION WORKFORCE ITEM NO. 8.4.a.

### Approval of Continuing Education Tuition Rate Schedule for Fall 2022

The Chancellor recommends approval of the attached continuing education courses' tuition. This recommendation is made to comply with the Texas Higher Education Coordinating Board guideline: "Tuition and fees for workforce continuing education courses offered for continuing education units (CEUs) must be established by the institution's governing board and be uniformly and consistently assessed." Effective for Fall 2022.

#### Purpose

- Continued uniformity of non-credit tuition rates
- Reflects market conditions based on sector
- Keeps Dallas College competitive with other higher education institutions
- Simplifies CE pricing for the consumer

#### Resource Contacts

Shawnda Floyd, Provost

Pyeper Wilkins, Vice Chancellor Workforce and Advancement

<b>Continuing Education Categories</b>	<b>Category Description</b>	<b>Tuition Rate</b>
Education and Teacher Training	Teacher Assistant, Paraprofessional, Educational Aides	\$4.94
3 <sup>rd</sup> Party Vendor Partnership	Training services provided by an external vendor or agency, etc.	Contracted Agreement
Aviation	Airport Management, Pilot, Air Traffic Control, Aircraft Mechanic, Aircraft Mechanic, Airport Maintenance, TSA Training, etc.	\$ 25.00
Business Management and Administration Careers	General and Operation Managers, Retail, Leadership and Supervisory (i.e., soft skills, etc.)	\$ 4.94
Business Services/Contract Training	Customized training for Business and Industry and/or Workforce Development grants, etc.	Contracted Agreement
*Community and Leisure Programs for Seniors	Emeritus, Seniors.	\$5.00*
Community and Leisure Programs for Youth Innovation	STEM, STEAM, youth-based camps (requiring equipment, software, summer staffing, etc.)	\$ 10.00
Community and Leisure Programs for General Leisure	Golfing, tennis, storytelling, fishing, dance, etc.	\$ 7.00
Concurrent/Cross-Listed Courses	Non-credit courses cross-listed with semester credit courses.	Same instructional rate as credit (\$79) books and materials are an additional cost
Construction Careers	Electricians, General Maintenance and Repairers, HVAC, Plumbers, and Pipefitters, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$ 13.50
Educational Programs	ESL (These courses are workforce focused for students who are not eligible for the free AEL program or who prefer not to attend the free AEL program.)	\$ 4.94
Engineering Technology	Electrical/Electrical Engineering Tech, Industrial Engineers, etc. (Cost increase reflects inclusion of industry-recognized credential	\$ 13.50

	and/or certification fees in the student experience.)	
Health Office Careers	Medical Front Office, Billing and Coding, Electronic Medical Records, Medical Secretary, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$ 15.00
Health Science Careers, Direct Patient Care	EKG, Dental Assisting, Phlebotomy, Nursing, Pharmacy Technician, EMT Technician, Health-related careers, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$ 15.00
Hospitality	Food Service Managers, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$ 9.75
Professional/Industry Certifications	Example: PMP (Project Management), MSSC, CISCO, Microsoft, Oracle, AWS, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$ 15.00
Information Technology Careers	Computer and Information System Managers, Network Architects, Support Specialists, Programmers, Security Analysts, Software Developers, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$15.00
Law, Public Safety, Corrections and Security Careers	Fire Fighters, EMT, Police/Sheriff Patrols, etc.	\$6.50
Manufacturing Careers	Computer Numeric Control (CNC) Operators, Machinists, Precision Metals, PLC's, Welders, Cutters/Soldiers/Glaziers, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$15.00
Transportation, Distribution and Logistics Careers	Automotive Body Repairers, Automotive Service Technicians, Diesel Engine Technician, Heavy/Tractor-Trailer Truck Drivers, etc. (Cost increase reflects inclusion of industry-recognized credential and/or certification fees in the student experience.)	\$9.75



### Note

- Tuition Rate for Continuing Education Programs (CEU) that are approved by THECB for 360 contact hours or more contact will be offered at \$4.93 per program total contact hours.
- Tuition Rate for Continuing Education externship courses (Clinical, Practicum, Internship) will be offered at \$3.75 per contact hour.
- Tuition Rate for Continuing Education courses offered through 3<sup>rd</sup> Party Agreements will be a negotiated tuition rate between the college and the training provider for specialized training as specified in the agreement.
- Tuition Rate for Continuing Education courses offered through Business/ Contract Training Agreements will be a negotiated tuition rate between the college and employer as specified in the agreement.

RICHLAND COLLEGIATE HIGH SCHOOL ITEM NO. 8.5.a.

Adoption of Resolution Approving 2022-2023 Special Education (SPED)  
Policies for Richland Collegiate High School

To comply with requirements of the Individual with Disabilities Education Act (IDEA), the Chancellor recommends that the Board of Trustees of Dallas College adopt the attached resolution approving SPED policies for Richland Collegiate High School (RCHS).

The Board last adopted SPED policies for RCHS in September 2012.

Effective Date

Upon Board Approval

**RESOLUTION APPROVING 2022-2023 SPED POLICIES FOR  
RICHLAND COLLEGIATE HIGH SCHOOL**

**WHEREAS**, pursuant to 34 Code of Federal Regulations (CFR) §300.149(b), the Individuals with Disabilities Education Act (the “Act”), the state must have in effect policies and procedures to ensure that it complies with the monitoring and enforcement requirements of the Act;

**WHEREAS**, pursuant to the Act, a Local Education Agency (LEA), in providing for the education of children with disabilities within its jurisdiction, must have in effect, policies, procedures, and programs that are consistent with the state policies and procedures established under the Act;

**WHEREAS**, Richland Collegiate High School (RCHS), serving the functions of an LEA, is engaged in providing for the education of children with disabilities in Dallas County;

**WHEREAS**, RCHS has presented to the Board for its consideration and approval, the 2022-23 Special Education (SPED) Policies for RCHS, which are consistent with the Texas Education Agency policies established in accordance with the Act;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF DALLAS COLLEGE THAT:**

**Section 1.** The Board adopts this resolution and thereby approves for RCHS the 2022-2023 SPED Policies, and any changes made thereto, which are attached hereto and incorporated herein, in compliance with the Act;

**Section 2.** This Resolution and the policies to which it pertains are effective upon adoption by the Board of Trustees.

**DALLAS COLLEGE**

By: \_\_\_\_\_  
**Monica Lira Bravo, Chair**  
Board of Trustees

I, Justin H. Lonon, Secretary of the Board of Trustees of Dallas College, do certify, under oath, that the above resolution was duly adopted by the Board of Trustees of Dallas College on \_\_\_\_\_, and that the same has been duly enrolled in the Minutes of the District, and has not been modified or rescinded by action of the Board of Trustees since the date of its enactment.

**By:** \_\_\_\_\_  
**Justin H. Lonon, Secretary**  
Board of Trustees

**Adopted:** \_\_\_\_\_

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 – SPECIAL EDUCATION  
NONDISCRIMINATION**

PG-6.1

**Sec. 1. NONDISCRIMINATION POLICY**

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any service, program, or activity provided or offered by Richland Collegiate High School.

*42 U.S.C. 12132; 29 U.S.C. 794(a); 34 CFR 104.4(a).*

**Sec. 2. FREE APPROPRIATE PUBLIC EDUCATION**

Eligible students with disabilities shall enjoy the right to a free appropriate public education (“FAPE”), which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate.

*Education Code 29.003(a).*

FAPE means special education and related services that:

- 1) Have been provided at public expense, under public supervision and direction, and without charge;
- 2) Meet standards set out by the Texas Education Agency (“TEA”);
- 3) Include an appropriate preschool, elementary school, or secondary school education; and
- 4) Are provided in conformity with the student’s individualized education program (“IEP”).

*20 U.S.C. 1401(9); 34 CFR 300.13, 300.17, 300.36.*

**Sec. 3. LEAST RESTRICTIVE ENVIRONMENT**

Richland Collegiate High School shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child’s disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved.

*20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).*

**Sec. 4. DISCIPLINE**

All disciplinary actions regarding students with disabilities shall be determined in accordance with applicable federal regulations, Education Code Chapter 37, and 19 Administrative Code 89.1053.

*19 TAC 89.1050(k).*

**Sec. 5. INSTRUCTIONAL ARRANGEMENTS AND SETTINGS**

Instructional arrangements and settings shall be based on the individual needs and IEPs of eligible students receiving special education services. Instructional arrangements and settings include:

1. Mainstream: services provided in the regular classroom in accordance with the student's IEP;
2. Homebound: services provided at home or hospital bedside;
3. Hospital class: services provided in a classroom, hospital facility, or residential care and treatment facility not operated by Richland Collegiate High School;
4. Speech therapy: speech therapy services provided, whether in a regular education classroom or other setting;
5. Resource room/services: services provided in a setting other than the regular classroom for less than 50% of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus: services provided to a student who is in a self-contained program for 50% or more of the regular school day on a regular school campus;
7. Off home campus: services provided in an inter-district program, through Richland Collegiate High School personnel in a non-Richland Collegiate High School facility, or at a Richland Collegiate High School campus that provides only special education and related services.
8. Nonpublic day school: services provided through a contractual agreement with a nonpublic school;
9. Vocational adjustment class/program: services provided to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
10. Residential care and treatment facility (not Richland Collegiate High School resident): services provided to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of Richland Collegiate High School;
11. State supported living center: services provided to a student who resides at a state supported living center when the services are provided at the state supported living center location; or
12. Other program options, including contracts with other districts and programs approved by TEA.

*19 TAC 89.63(c), (f).*

**Sec. 6. RELATED SERVICES**

“Related services” means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 – SPECIAL EDUCATION**

**NONDISCRIMINATION**

PG-6.1

The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a FAPE as described in the child's IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device's functioning, or the replacement of such device.

*20 U.S.C. 1401(26); 34 CFR 300.34.*

**Sec. 1. APPLICABILITY OF TEXAS EDUCATION CODE**

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code relating to special education programs.

*Education Code 12.104(b)(2)(F).*

Richland Collegiate High School shall comply with the requirements for monitoring compliance with federal and state laws relating to special education pursuant to Texas Education Code Section 29.010.

**Sec. 2. ASSURANCE**

Open-enrollment charter schools must submit a plan to the Texas Education Agency that provides assurances that the charter school has in effect policies, procedures and programs that are consistent with the State and Federal policies and procedures governing special education.

*20 U.S.C. 1413(a); 34 CFR 300.200-.201.*

**Sec. 3. PUBLIC EDUCATION INFORMATION MANAGEMENT SYSTEM (PEIMS)**

“Most of the data TEA requests from school districts and charter schools are gathered using the Public Education Information Management System (“PEIMS”). PEIMS data are used for the Academic Excellence Indicator System (“AEIS”), Foundation School Program (“FSP”), statistical purposes, federal reporting, legislative requests, and audit purposes. Through PEIMS, schools report data including student demographic and academic performance, student attendance, personnel information, financial data, and organizational information.” *Texas Open-Enrollment Charter School Handbook* (TEA, Division of Charter School Administration, September 2011).

**Sec. 4. APPLICABILITY OF TITLE RELATING TO THE PEIMS**

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to the PEIMS to the extent necessary to monitor compliance with Subchapter D (Open-Enrollment Charter School), Chapter 12, Texas Education Code.

*Education Code 12.104(b)(2)(A).*

The Superintendent or designee shall prepare required PEIMS submissions in accordance with PEIMS Data Standards and Module 10 of the Financial Accountability System Resource Guide. The Superintendent or designee may collaborate with the regional education service center in preparing and timely submitting PEIMS reports.



**Sec. 5. CONTRACTS FOR SERVICES; RESIDENTIAL PLACEMENT**

Richland Collegiate High School may contract with a public or private facility, institution, or agency inside or outside of this State for the provision of services to students with disabilities. Each contract for residential placement must be approved by the Commissioner. The Commissioner may approve a residential placement contract only after at least a programmatic evaluation of personnel qualifications, adequacy of physical plant and equipment, and curriculum content. The Commissioner may approve either the whole or a part of a facility or program.

*Education Code 29.008(a).*

When a student, including one for whom the State is managing conservator, is placed primarily for care or treatment reasons in a private residential facility that operates its own private education program, none of the costs may be paid from public education funds. If a residential placement primarily for care or treatment reasons involves a private residential facility in which the education program is provided by the open-enrollment charter school, the portion of the costs that includes appropriate education services, as determined by the admission, review, and dismissal (“ARD”) committee, shall be paid from State and Federal education funds.

*Education Code 29.008(c)..*

If Richland Collegiate High School contracts for the provision of education services rather than providing the services, Richland Collegiate High School shall oversee the implementation of the student’s individualized education program (“IEP”) and shall annually reevaluate the appropriateness of the arrangement. An approved facility, institution, or agency with whom Richland Collegiate High School contracts shall periodically report to Richland Collegiate High School on the services the student has received or will receive in accordance with the contract as well as diagnostic or other evaluative information that Richland Collegiate High School requires in order to fulfill its obligations under Subchapter A (Special Education), Chapter 29, Texas Education Code.

*Education Code 29.008(d).*

**Sec. 6. FACILITIES**

Any construction of new facilities or alteration of existing facilities with authorized Individuals with Disabilities Education Act (“IDEA”) program funds must comply with the requirements of:

- Appendix A of Part 36 of Title 28, Code of Federal Regulations (commonly known as the *Americans with Disabilities Accessibility Guidelines for Buildings and Facilities*); and
- Appendix A of Subpart 101-19.6 of Title 41, Code of Federal Regulations (commonly known as the *Uniform Federal Accessibility Standards*).

**Sec. 7. ADMINISTRATION OF EQUIPMENT**

The ARD committee must consider whether the student needs assistive technology devices (“ATDs”) as part of the student’s special education, related services, or supplementary aids and services. On a case-by-case basis, the use of school-purchased ATDs in the student’s home or in other settings is required if the student’s ARD committee determines that the student needs access to those devices in order to receive free appropriate public education. (34 CFR §§300.105; 300.324(a)(2)(v); 20 USC §1414(d)(3)(B)(v))

Assistive technology means any device or equipment used to improve or maintain the function capabilities of a student with a disability. Assistive technology does not include a medical device that is surgically implanted. (34 CFR §§300.5-300.6)

Richland Collegiate High School may transfer an ATD in accordance to TEC, §30.0015. The transfer agreement must include the standards in TEC §30.0015, including the following:

- 1) The transferor and transferee must represent and agree that the terms of the transfer are based on the fair market value of the ATD, determined in accordance with generally accepted accounting principles.
- 2) The informed consent of the parent of the student with a disability, or the adult student, for whom the ATD is being transferred must be obtained before the transfer of an ATD pursuant to TEC, §30.0015. The procedures employed by Richland Collegiate High School in obtaining informed consent shall be consistent with the procedures employed by the school to obtain parental consent under 34 CFR §300.300. Consistent with 34 CFR, §300.505(c), informed parental or adult student consent need not be obtained if the school can demonstrate that it has taken reasonable measures to obtain that consent, and the student’s parent or the adult student has failed to respond. To meet the reasonable measures requirement, the school must use procedures consistent with those described in 34 CFR, §300.322(d).
- 3) If the transfer is a sale, then the sale of the ATD shall be evidenced by a “Uniform Transfer Agreement” which includes the following:
  - a. the names of the transferor and the transferee (which may be any individual or entity identified in TEC, §30.0015(b));
  - b. the date of the transfer;
  - c. a description of the ATD being transferred;
  - d. the terms of the transfer (including the transfer of warranties, to the extent applicable); and
  - e. the signatures of authorized representatives of both transferor and transferee.

(19 TAC 89.1056)

**Sec. 8. SPECIAL EDUCATION TEACHER DEFINED (20 U.S.C. §1401(10)(B)(i))**

When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that—the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to

certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law.

**Sec. 9. COMPLIANCE WITH FEDERAL AND STATE PERSONNEL STANDARDS FOR INDIVIDUALS**  
**SERVING CHILDREN WITH DISABILITIES**

Richland Collegiate High School shall ensure that personnel standards for all individuals serving children with disabilities are met in accordance with the IDEA and its procedures.

Richland Collegiate High School recognizes that both Every Student Succeeds Act and the IDEA provide that charter school teachers must meet the requirements set forth in the State's public charter school law. 20 U.S.C. §§ 6311(g)(2)(J); 20 U.S.C. §1401(10)(B)(i). In Texas, that means that the charter school special education teacher must be certified.

Richland Collegiate High School shall make an ongoing good-faith effort to recruit and hire appropriately and adequately certified and/or licensed personnel to provide a wide range of special education and related services to students with disabilities who are eligible for special education services. Special education staffing needs come from the individualized decisions made by the Admission Review and Dismissal ("ARD") committee.

Richland Collegiate High School shall ensure that all personnel necessary to carry out the requirements of the IDEA 2004 are appropriately and adequately certified and/or licensed, prepared and assigned.

Richland Collegiate High School adopts as policy applicable State and Federal laws relating to personnel, including:

Charter school teachers must only meet the requirements of the State's public charter school law, which differ from the requirements for Texas teacher certification. In Texas, State law does not require a teacher employed by an open-enrollment charter school to be certified unless the teacher is assigned to teach in special education or bilingual education programs, in which case the appropriate State certification is required. The minimum qualification under State law for a teacher at an open-enrollment charter school, other than a special education or bilingual education teacher, is a bachelor's degree. However, the governing body of Richland Collegiate High School may set the qualifications for teachers at a standard above what State law requires.

The open-enrollment charter school shall not employ a person as a teacher unless that person holds a bachelor's degree.

*Education Code 12.129(a).*

In an open-enrollment charter school that serves youth referred to or placed in a residential trade center by a local or state agency, a person may be employed as a teacher for a noncore

vocational course without holding a baccalaureate degree if the person has demonstrated subject matter expertise related to the subject taught, such as professional work experience, formal training and education, holding a relevant active professional industry license, certification, or registration, or any combination of work experience, training and education, and industry license, certification, or registration, and received as least 20 hours of classroom management training as determined by the governing body of the open-enrollment charter school.

*Education Code 12.129(b).*

All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 CFR 300.156; Education Code Sections 21.002, 21.003, and 29.304; or appropriate state agency credentials.

*19 TAC 89.1131(a).*

#### **Sec. 10. NOTICE TO PARENTS – QUALIFICATIONS**

To the extent required by law, the Superintendent or designee shall provide to the parent or guardian of each student enrolled in Richland Collegiate High School written notice of the qualifications of teachers providing instruction at Richland Collegiate High School, and that parents may request, and Richland Collegiate High School shall provide (in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

To the extent required by law, Richland Collegiate High School shall also provide to each individual parent timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification standards or licensure requirements at the grade level and subject area in which the teacher has been assigned.

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

**Sec. 1.**

RICHLAND COLLEGIATE HIGH SCHOOL shall establish an admission, review and dismissal (“ARD”) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted. The ARD committee shall be the individualized education program (“IEP”) team defined at 34 CFR 300.321.

**Sec. 2. ARD COMMITTEE RESPONSIBILITIES**

The ARD committee and Richland Collegiate High School are responsible for:

1. Evaluating, reevaluating, and determining eligibility for special education and related services;
2. Placement of students with disabilities, including disciplinary changes in placement;
3. Development of student IEPs;
4. Development and implementation of service plans for students who have been placed by their parents in private schools and who have been designated to receive special education and related services;
5. Compliance with the least restrictive environment standard;
6. Compliance with state requirements for reading diagnosis and state assessments;
7. Development of personal graduation plans;
8. Development of accelerated instruction under Education Code 28.0211 and intensive programs of instruction under Education Code 28.0213;
9. Evaluation, placement, and coordination of services for students who are deaf, hard of hearing, blind, or visually impaired; and
10. Determining eligibility for extracurricular activities, under Education Code 33.081.

*34 CFR 300.116(a), 300.321(a); 19 TAC 89.1050(a).*

**Sec. 3. COMMITTEE MEMBERS**

Richland Collegiate High School shall ensure that each ARD committee meeting includes:

1. The parents of a child with a disability;
2. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student’s IEP;
3. At least one special education teacher, or where appropriate, at least one special education provider of the child;
4. A representative of Richland Collegiate High School who:
  - a. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
  - b. Is knowledgeable about the general education curriculum; and

**POLICY GROUP 6 - SPECIAL EDUCATION**

**ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

- c. Is knowledgeable about the availability of Richland Collegiate High School's resources;
5. An individual who can interpret the instructional implications of evaluation results, who may be a member of team described in Section 3(2)-(6);
6. At the discretion of the parent or Richland Collegiate High School, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
7. The child, whenever appropriate;
8. To the extent appropriate, with the consent of the parent(s) or a student who has reached the age of majority, a representative of any participating agency that is likely to be responsible for providing or paying for transition services;
9. A representative from career and technical education ("CTE"), preferably the teacher, when considering initial or continued placement of a student in CTE;
10. For a child who is an emergent bilingual student, a member of the child's language-proficiency assessment committee ("LPAC");
11. For a child with an auditory impairment, including deaf-blindness, a teacher who is certified in the education of children with auditory impairments; and
12. For a child with a visual impairment, including deaf-blindness, a teacher who is certified in the education of children with visual impairments.

*19 TAC 89.1050.*

A Richland Collegiate High School member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and Richland Collegiate High School agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

A Richland Collegiate High School member of the ARD committee may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and Richland Collegiate High School consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

*20 U.S.C. 1414(d)(1)(C); 34 CFR 300.321(e).*

**a) *Transition Meeting Membership***

If the ARD committee is meeting to consider postsecondary goals and the transition services needed to assist the student in reaching those goals, Richland Collegiate High School shall invite:

1. The student. If the student does not attend, Richland Collegiate High School shall take other steps to ensure that the student's preferences and interests are considered.

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

2. To the extent appropriate, and with the consent of the parent or student who has reached the age of majority, a representative of any other agency that is likely to be responsible for providing or paying for transition services.

*34 CFR 300.321(b).*

**Sec. 4. PARENTAL INVOLVEMENT**

Richland Collegiate High School shall take steps to ensure that one or both of the parents of a student with a disability are present at each ARD committee meeting or are afforded the opportunity to participate, including:

1. Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend (the notice shall include all information required by applicable regulation); and
2. Scheduling the meeting at a mutually agreed time and place.

*34 CFR 300.322(a)–(b); 19 TAC 89.1050.*

**Sec. 5. ALTERNATIVE PARTICIPATION METHODS**

If neither parent can attend an ARD committee meeting, Richland Collegiate High School must use other methods to ensure parent participation, including individual or conference telephone calls.

*20 U.S.C. 1414(f); 34 CFR 300.322(c).*

An ARD committee meeting may be conducted without a parent in attendance if Richland Collegiate High School is unable to convince the parents that they should attend. In such event, Richland Collegiate High School must keep a record of its attempts to arrange a mutually agreed time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received; and
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

*34 CFR 300.322(d).*

**Sec. 6. ARD COMMITTEE MEETINGS**

Richland Collegiate High School shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a student with a disability. The committee shall review each student's IEP periodically, and, if appropriate, revise the IEP. A



**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

meeting must be held for this purpose at least once a year. The ARD committee must also determine the child's placement once per year.

A meeting does not include informal or unscheduled conversations involving Richland Collegiate High School personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that Richland Collegiate High School personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

*20 U.S.C. 1414(d)(4); 34 CFR 300.116(b)(1), 300.324(b), (c)(1); 300.501(b)(3).*

**a) *Meeting at Parent Request***

Upon request of a written request for an ARD committee meeting from a parent, the Richland Collegiate High School must (1) schedule and convene a meeting; or (2) within five school days, provide the parent with written notice explaining why the district refuses to convene a meeting.

*19 TAC 89.1050(e).*

**b) *Transfer Students***

If a student transfers to Richland Collegiate High School, and the student had a previous IEP in place, Richland Collegiate High School shall provide the student with a free appropriate public education ("FAPE"), including services comparable to those described in the previous IEP, in consultation with the parents, until:

1. In the case of a student who transfers within the state, Richland Collegiate High School adopts the previous IEP or develops, adopts, and implements a new IEP.
2. In the case of a student who had an IEP in effect in another state, Richland Collegiate High School conducts an evaluation, if determined necessary by Richland Collegiate High School, and develops, adopts, and implements a new IEP, if appropriate.

*20 U.S.C. 1414(d)(2)(C)(i); 34 CFR 300.323(e), (f).*

**c) *Transfer of Records***

Richland Collegiate High School shall take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the child's previous district. *20 U.S.C. 1414(d)(2)(C)(ii); 34 CFR 300.323(g).*

**d) *Military Dependents***

Richland Collegiate High School shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude Richland Collegiate High



**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

School from performing subsequent evaluations to ensure appropriate placement of the student.  
Education Code 162.002 art. V, § C.

**Sec. 7. ELIGIBILITY DETERMINATIONS**

The group of qualified professionals that determines whether a child is a child with a disability and the child's educational needs is the ARD committee.

*19 TAC 89.1040(b), 89.1050(a)(5); 34 CFR 300.306(a)(1).*

Richland Collegiate High School shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

20 U.S.C. 1414(b)(4)(B); 34 CFR 300.306(a).

The ARD committee must make its decisions regarding a student's initial eligibility determination and, when appropriate, the student's IEP and placement within the timeframes prescribed by state and federal law.

*19 TAC 89.1011(d), (e).*

**Sec. 8. INDIVIDUALIZED EDUCATION PROGRAM**

Richland Collegiate High School shall develop, review, and revise an IEP for each child with a disability.

*20 U.S.C. 1412(a)(4); 34 CFR 300.320(a).*

Richland Collegiate High School shall have an IEP in effect for each child with a disability at the beginning of each school year.

*20 U.S.C. 1414(d)(2)(A); 34 CFR 300.323(a).*

The term "individualized education program" means a written statement for each child with a disability that includes:

1. A statement of the child's present levels of academic achievement and functional performance;
2. A statement of measurable annual goals, including academic and functional goals;
3. A description of how the child's progress toward the annual goals will be measured and when periodic reports on the progress of the child will be provided;
4. A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child;

**POLICY GROUP 6 - SPECIAL EDUCATION**

**ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

5. A statement of the program modifications or supports for school personnel that will be provided for the child;
6. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of these services and modifications;
8. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state or system-wide assessments;
9. If the ARD committee determines that the child must take an alternative assessment instead of a particular regular state or system-wide assessment, a statement of why the child cannot participate in the regular assessment and why the particular assessment selected is appropriate for the child;
10. Beginning not later than the first IEP to be in effect when the child is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate, measurable postsecondary goals and transition services needed to assist the child in reaching those goals; and
11. Beginning not later than one year before the child reaches the age of 17, a statement that the child has been informed of the rights that will transfer to the child upon reaching the age of majority.

*20 U.S.C. 1414(d); 34 CFR 300.320; 19 TAC 89.1055.*

**Sec. 9. TRANSLATING IEPs**

If the child's parent is unable to speak English, Richland Collegiate High School shall:

1. Provide the parent with a written or audio-taped copy of the child's IEP translated into Spanish if Spanish is the parent's native language; or
2. If the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's IEP translated into the parent's native language.

*Education Code 29.005(d).*

**Sec. 10. AUTISM/PERVASIVE DEVELOPMENTAL DISORDERS**

For students with autism/pervasive developmental disorders, the following strategies shall be considered by the ARD committee, based on peer-reviewed, research-based educational programming practices to the extent practicable and, when needed, addressed in the IEP:

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time and active engagement in learning activities;
3. In-home training and community-based training or viable alternatives that assist the student with the acquisition of social/behavioral skills;
4. Positive behavior support strategies based on relevant information;
5. Beginning at any age, futures planning for integrated living, work, community, and educational environments that considers skills necessary to function in current and post-secondary environments;
6. Parent/family training and support, provided by qualified personnel with experience in Autism Spectrum Disorders (“ASD”);
7. Suitable staff-to-student ratio appropriate to identified activities and as needed to achieve social/behavioral progress based on the child’s developmental and learning level (acquisition, fluency, maintenance, generalization) that encourages work towards individual independence;
8. Communication interventions, including language forms and functions that enhance effective communication across settings;
9. Social skills supports and strategies based on social skills assessment/curriculum and provided across settings;
10. Professional educator/staff support; and
11. Teaching strategies based on peer-reviewed, research-based practices for students with ASD.

If the ARD committee determines that services are not needed in one or more of the areas in 1–11 above, the IEP shall include a statement reflecting that decision and the basis upon which the determination was made.

*19 TAC 89.1055(e)–(f).*

**Sec. 11. VISUAL IMPAIRMENT**

Richland Collegiate High School shall adopt written procedures as required in Education Code 30.002(c)(10) for providing special education services to students with visual impairments, if such services are necessary. *19 TAC 89.1075(b).*

An IEP for a student with a visual impairment must include instruction in braille unless the student’s ARD committee determines and documents that braille is not an appropriate literacy medium for the student, based on an evaluation of the student’s appropriate literacy media and literacy skills and the student’s current and future instructional needs.

*Education Code 30.002.*

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

**Sec. 12. STUDENTS WHO ARE DEAF OR HARD OF HEARING**

Richland Collegiate High School must develop an IEP for students who are deaf or hard of hearing in which the students have an education in which their unique communication mode is respected, used, and developed to an appropriate level of proficiency.

*Education Code 29.303.*

**Sec. 13. COLLABORATIVE PROCESS**

All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing the IEP. Decisions concerning the required elements of the IEP shall be made by agreement of the required members, if possible. The ARD committee may agree to an annual IEP or an IEP of shorter duration.

**a) Recess**

When agreement about all required elements of the IEP is not achieved, the parent or adult student who disagrees shall be offered a single opportunity to have the ARD committee recess for a period not to exceed ten school days. This recess is not required when:

1. The student's presence on campus represents a danger of physical harm to the student or others;
2. The student has committed an expellable offense; or
3. The student has committed an offense that may lead to placement in a disciplinary alternative education program.

These requirements do not prohibit the members of the ARD committee from recessing an ARD committee meeting for reasons other than failure of the parents and Richland Collegiate High School to reach agreement about all required elements of an IEP.

During the recess, the ARD committee members shall consider alternatives, gather additional data, prepare further documentation, and/or obtain additional resource persons to enable the ARD committee to reach agreement.

The date, time, and place for continuing the ARD committee meeting shall be determined by agreement before the recess.

*19 TAC 89.1050(g).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

**b) *No Agreement Reached***

If, after the ten-day recess, the ARD committee still cannot reach agreement, Richland Collegiate High School shall implement the IEP that it has determined to be appropriate for the student. A written statement of the basis for the disagreement shall be included in the IEP. The ARD committee members who disagree shall be offered the opportunity to write their own statements.

When Richland Collegiate High School implements an IEP with which the parents, or an adult student disagree, it shall provide prior written notice in compliance with applicable regulations and Richland Collegiate High School policy.

*19 TAC 89.1050.*

**Sec. 14. IEP MODIFICATION**

After a student's annual ARD committee meeting, changes to an IEP may be made either by the entire ARD committee or by amending the IEP by agreement, rather than redrafting the entire IEP. To do so, the parent and Richland Collegiate High School must agree to not convene an ARD committee meeting to amend the IEP and Richland Collegiate High School must develop a written document to amend or modify the IEP.

Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated.

Decisions regarding eligibility, changes of placement, and manifestation determination reviews may not be conducted through the amendment process.

*34 CFR 300.324(a)(4),(6).*

To the extent possible, Richland Collegiate High School shall encourage the consolidation of reevaluation meetings for the child and other ARD committee meetings for the child.

*20 U.S.C. 1414(d)(3)(D)–(F); 34 CFR 300.324(a)(4)–(a)(6).*

**Sec. 15. LEAST RESTRICTIVE ENVIRONMENT**

Richland Collegiate High School shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved.

*20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

**Sec. 16. EXTENDED SCHOOL YEAR SERVICES**

Richland Collegiate High School shall ensure that ESY services are available as necessary to provide a student with a disability with a FAPE.

ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for a FAPE. Richland Collegiate High School may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services.

*34 CFR 300.106; 19 TAC 89.1065.*

**Sec. 17. GRADUATION**

A student receiving special education services who successfully completes the requirements of his or her IEP, including performance on a state assessment required for graduation, shall receive a high school diploma. A student's ARD committee shall determine if the student will be required to meet satisfactory performance on an assessment for purposes of graduation.

*19 TAC 101.3023(a).*

**Sec. 18. STATE ASSESSMENTS**

The TEA shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program for whom a state assessment instrument adopted under Education Code 39.023(a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's ARD committee, including assessment instruments approved by the Commissioner that measures growth. The assessment instruments developed or adopted, including the assessment instruments approved by the Commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students.

The TEA may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's ARD committee.

The student's ARD committee shall determine whether any allowable modification is necessary in administering to the student a required end-of-course ("EOC") assessment instrument under Education Code 39.023(c), and whether the student is required to achieve satisfactory performance on an EOC assessment instrument to receive a high school diploma.

**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

**Sec. 19. TRANSPORTATION**

Richland Collegiate High School shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP.

*19 TAC 89.1096(e).*

**Sec. 20. TRANSITION SERVICES**

**a) *Definitions***

“Transition services” means a coordinated set of activities for a child with a disability that:

1. Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes:
  - a. Instruction;
  - b. Related services;
  - c. Community experiences;
  - d. The development of employment and other post-school adult living objectives; and
  - e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

*20 U.S.C. 1401(34); 34 CFR 300.43.*

**b) *Individual Transition Planning***

In accordance with Education Code 29.011 and 29.0111, not later than when a student reaches 14 years of age, the ARD committee must consider, and if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate parental involvement in the student's transition;
3. If the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or Richland Collegiate High School;



**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

4. Any postsecondary education options;
5. A functional vocational evaluation;
6. Employment goals and objectives;
7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments;
8. Independent living goals and objectives; and
9. Appropriate circumstances for referring a student or the student's parents to a governmental agency for services.

In accordance with 34 C.F.R. 300.320(b), beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under paragraph (1) of this subsection.

*20 U.S.C. 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. 300.320(b); Education Code 29.0111; 19 TAC 89.1055(h), (j).*

Richland Collegiate High School shall post the transition and employment guide on the Richland Collegiate High School website if Richland Collegiate High School maintains a website; provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at: (A) the first meeting of the student's ARD committee at which transition is discussed; and (B) the first committee meeting at which transition is discussed that occurs after the date on which the guide is updated. Upon request, Richland Collegiate High School shall provide a printed copy of the guide to a student or parent.

*Education Code 29.0112.*

**c) *Graduation***

Graduation with a regular high school diploma under 19 TAC 89.1070(b)(1), (b)(2)(D), (f)(1), (f)(2), or (f)(3)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 TAC 89.1070(b)(2)(A), (B), or (C) or (f)(3)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.



**POLICY GROUP 6 - SPECIAL EDUCATION  
ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

Richland Collegiate High School is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under state law.

Richland Collegiate High School shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

*20 U.S.C. 1414(c)(5); 34 CFR 300.102(a)(3), 300.305(e)(2); 19 TAC 89.1070.*

**Sec. 21. BEHAVIOR IMPROVEMENT PLANS/BEHAVIOR INTERVENTION PLANS**

The ARD committee may determine that a behavior improvement plan or a behavioral intervention plan ("BIP") is appropriate for a student with an IEP. If deemed appropriate, the BIP shall be included as part of the student's IEP and provided to each teacher with responsibility for educating the student.

If a BIP is included as part of a student's IEP, the ARD committee shall review the plan at least annually and more frequently if appropriate to address:

1. changes in a student's circumstances that may impact the student's behavior, such as:
  - a. the placement of the student in a different educational setting;
  - b. an increase or persistence in disciplinary actions taken regarding the student for similar types of behavioral incidents;
  - c. a pattern of unexcused absences; or
  - d. an unauthorized unsupervised departure from an educational setting; or
2. the safety of the student or others.

*Education Code 29.005(g),(h).*

**Sec. 22. SUPPLEMENTAL SPECIAL EDUCATION SERVICES PROGRAM**

The Texas Education Agency ("TEA") shall establish and administer a supplemental special education services program under Chapter 29, Education Code, Subchapter A-1 ("the SSES Program"). The SSES Program provides a grant of not more than \$1,500 to the parent of an eligible student for purchase certain supplemental special education services and supplemental special education instructional materials.

***a) ARD Committee Duties***

For a student who has been approved to participate in the SSES Program, the ARD committee shall meet and provide to the parent:

**POLICY GROUP 6 - SPECIAL EDUCATION**

**ADMISSION, REVIEW, AND DISMISSAL COMMITTEE**

1. Information regarding the types of supplemental special education services available under the SSES Program and provided by TEA-approved providers for which an account maintained under Education Code 29.042(b) may be used; and
2. Instructions regarding accessing the SSES Program account.

*Education Code 29.048(b).*

***b) ARD Committee Prohibited Considerations***

The ARD committee shall not consider a student's receipt of services under the SSES Program when developing the student's IEP.

*Education Code 29.048(a).*

**Sec. 1. AGE OF MAJORITY – TRANSFER OF RIGHTS**

Not later than one year before the 18th birthday of a student with a disability, Richland Collegiate High School shall:

1. Provide to the student and the student's parents:
  - a. Written notice regarding the transfer of rights; and
  - b. Information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Estates Code, Chapter 1357, and other supports and services that may enable the student to live independently; and
2. Ensure that the student's individualized education program ("IEP") includes a statement that Richland Collegiate High School provided the required notice, information, and resources.

When a student reaches the age of majority (18 years of age), Richland Collegiate High School shall provide written notice to the student and the student's parents of the transfer of parental rights. The notice must include the information required above.

This notice is separate and distinct from the requirement that, beginning at least one year before the student reaches the age of 18, the student's IEP include a statement regarding transfer of parental rights.

If a student with a disability or the student's parent requests information regarding guardianship or alternatives to guardianship, Richland Collegiate High School shall provide the student or parent information and resources on supported decision-making agreements under Estates Code, Chapter 1357.

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make educational decisions as a student without a disability. All other rights accorded to parents under Chapter 29, Subchapter A of the Education Code or 20 U.S.C. 1415 transfer to the student.

*34 CFR 300.520; Education Code 29.017(a), (c), (c-1), (c-2); 19 TAC 89.1049(c).*

Richland Collegiate High School is not approved to teach children in prekindergarten.

**Sec. 1. CHILD FIND**

Richland Collegiate High School shall ensure that all children residing within Richland Collegiate High School's boundaries who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to all children with disabilities, including:

1. Homeless children;
2. Children who are wards of the state;
3. Children attending private schools;
4. Highly mobile children (including migrant children); and
5. Children who are suspected of being in need of special education but who are advancing from grade to grade.

*20 U.S.C. 1412(a)(3)(A); 34 CFR 300.111(a)(1)(i), (c).*

**Sec. 2. PRIVATE SCHOOL STUDENTS**

Richland Collegiate High School shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives regarding the child find process and the provision of special education and related services to children enrolled in private schools within Richland Collegiate High School's boundaries.

Richland Collegiate High School shall undertake activities similar to those undertaken for public school children and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within Richland Collegiate High School's boundaries.

*20 U.S.C. 1412(a)(10)(A)(ii)–(iv).*

**Sec. 3. PRESCHOOL STUDENTS**

Richland Collegiate High School shall develop a system to notify residents within Richland Collegiate High School's boundaries with children who are at least three but younger than six and who are eligible for enrollment in a special education program of the availability of such programs.

*Education Code 29.009.*

**Sec. 4. STUDENT RECORDS**

After each student is enrolled in Richland Collegiate High School, Richland Collegiate High School will promptly request all student records from the student's previous school.

**Sec. 1. STUDENTS WHO TRANSFER WITH AN IEP**

***a. Texas Transfers***

When a student transfers to Richland Collegiate High School from another school within Texas, Richland Collegiate High School shall provide a free appropriate public education (“FAPE”) to the student. Richland Collegiate High School shall provide comparable services as those described in the individualized education program (“IEP”) the student transferred with until Richland Collegiate High School adopts the student’s IEP from the previous school, or develops, adopts, and implements a new IEP.

***b. Out-of-State Transfers***

If the student with a disability transfers to Richland Collegiate High School from a school outside of Texas, Richland Collegiate High School shall provide the student with FAPE, including comparable services, until Richland Collegiate High School conducts an evaluation and develops, adopts, and implements a new IEP.

*34 CFR 300.323/.*

A new IEP must be implemented within 30 school days from the date the student is verified as being a student eligible for special education services.

If a student transfers from Richland Collegiate High School, Richland Collegiate High School will furnish the student’s special education records to the student’s new school not later than the 10th working day after the date a request for the information is received by Richland Collegiate High School.

*19 TAC 89.1050(j)(3).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
CLOSING THE GAP**

**Sec. 1. PREKINDERGARTEN PROGRAMS**

Richland Collegiate High School is not approved to teach children in prekindergarten.  
*20 U.S.C. 1413(f)(3); 34 CFR 300.226(c).*

**Sec. 2. BILINGUAL EDUCATION PROGRAM**

Richland Collegiate High School shall identify emergent bilingual students based on state criteria. Richland Collegiate High School shall provide an appropriate Bilingual Education (BE) or English as a Second Language (ESL) program conducted by teachers certified for such courses.

*Education Code Chapter 29, Subchapter B; 19 TAC 89.1201-1265.  
Education Code 29.060(a).*

**Sec. 3. STUDENT WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY**

Richland Collegiate High School shall ensure that a student with limited English proficiency who also qualifies for special education services as a student with a disability under the Individuals with Disabilities Education Act is not refused services in a bilingual education or English as a second language program solely because the student has a disability.

*19 TAC 89.1230.*

**Sec. 4. APPLICABILITY OF TITLE RELATING TO BILINGUAL EDUCATION**

An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code, or a rule adopted under Title 2 (Public Education) of the Texas Education Code, relating to bilingual education under Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code. (Education Code 12.104(b)(2)(G)).

Richland Collegiate High School adopts the requirements of Subchapter B (Bilingual Education and Special Language Programs), Chapter 29, Texas Education Code pursuant to Education Code 12.104(b)(2)(G).

**Sec. 5. ESTABLISHMENT OF BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM**

Richland Collegiate High School shall establish a BE or ESL program as required by Education Code Section 29.053 (Establishment of Bilingual Education and Special Language Programs) and in accordance with the procedures established by the Texas Education Agency (“TEA”), unless otherwise excepted under Education Code 29.054 (Exception).

**POLICY GROUP 6 - SPECIAL EDUCATION  
CLOSING THE GAP**

Richland Collegiate High School

**Sec. 6. LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES**

Richland Collegiate High School shall further establish a Language Proficiency Assessment Committee (“LPAC”) that complies with Education Code Section 29.063. The LPAC shall select the appropriate assessment option for each English language learner (ELL) in accordance with this subchapter. For each ELL who receives special education services, the student's admission, review, and dismissal (“ARD”) committee in conjunction with the student’s LPAC shall select the appropriate assessments. The LPAC shall document the decisions and justifications in the student's permanent record file, and the ARD committee shall document the decisions and justifications in the student’s individualized education program. Assessment decisions shall be made on an individual student basis and in accordance with administrative procedures established by the TEA.

*19 TAC 101.1005(a).*

**Sec. 7. PROGRAM CONTENT; METHOD OF INSTRUCTION**

Richland Collegiate High School’s bilingual education program’s content and instruction shall comply with Education Code Section 29.055.

**Sec. 8. ENROLLMENT OF STUDENTS IN PROGRAM**

Richland Collegiate High School shall comply with the TEA criteria for identification, assessment, and classification of emergent bilingual students eligible for entry into the program or exit from the program.

*Education Code 29.056(a).*

The student’s parent must approve a student’s entry into the program, exit from the program, or placement in the program. The open-enrollment charter school or parent may appeal the decision under Education Code Section 29.064.

*Education Code §29.056(a).*

Richland Collegiate High School, through its LPAC, shall evaluate and consider reenrollment of students who have transferred out of a bilingual education or special language program under Education Code Section 29.056(h) as required by Education Code Section 29.0561.



**Sec. 9. FACILITIES; CLASSES**

Richland Collegiate High School shall ensure that bilingual education and special language programs are located in the regular public charter school rather than in separate facilities.

*Education Code 29.057.*

**Sec. 10. ENROLLMENT OF STUDENTS WHO ARE NOT EMERGENT BILINGUAL STUDENTS.**

Richland Collegiate High School ensures that enrollment of students who do not have limited English proficiency may occur only if the requirements of Education Code Section 29.058 are met.

*Education Code 29.058.*

**Sec. 11. COOPERATION AMONG SCHOOLS**

Richland Collegiate High School may cooperate with other schools to provide a bilingual education or special language program.

*Education Code 29.059.*

**Sec. 12. PRESCHOOL, SUMMER SCHOOL, AND EXTENDED TIME PROGRAMS**

Richland Collegiate High School is not approved to teach children in prekindergarten.

**Sec. 13. BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM TEACHERS**

Richland Collegiate High School shall ensure that bilingual education and special language program teachers are properly certified.

*Education Code 29.061.*

**Sec. 14. APPEALS**

A parent of a student enrolled in a bilingual education or special language program may appeal to the Commissioner of Education if Richland Collegiate High School fails to comply with the requirements established by law or by the TEA. If the parent disagrees with the placement of the student in the program, the parent may appeal that decision to the Board. Appeals shall be

conducted in accordance with procedures adopted by the Commissioner of Education under Chapter 157 of the Texas Administrative Code.

*Education Code 29.064; 19 TAC 89.1240.*

**Sec. 15. PEIMS REPORTING REQUIREMENTS**

Richland Collegiate High School shall meet Public Education Information Management System Reporting Requirements with respect to its bilingual education or special language programs.

*Education Code 29.066.*

**POLICY GROUP 6 - SPECIAL EDUCATION  
CONSENT AND PRIOR WRITTEN NOTICE**

**Sec. 1. CONSENT**

Consent means that:

1. The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
2. The parent understands and agrees in writing to the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
3. The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. A revocation of consent is not retroactive.

If the parent revokes consent in writing for his or her child's receipt of services after the child is initially provided special education and related services, Richland Collegiate High School is not required to amend the child's education records to remove any references to the child's receipt of services because of the revocation of consent.

*34 CFR 300.9.*

**Sec. 2. LANGUAGE OF NOTICES**

The procedural safeguards and prior notices described below must be written in a language understandable to the general public. The notice must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

*34 CFR 300.503(c), 300.504(d).*

**b) *Electronic Delivery of Notices***

A parent of a child with a disability may elect to receive required notices by electronic mail, if Richland Collegiate High School makes that option available.

*34 CFR 300.505.*

**Sec. 3. NOTICE OF PROCEDURAL SAFEGUARDS**

Richland Collegiate High School shall provide a copy of the procedural safeguards to parents only once per year, except that a copy also shall be given to the parents:

1. Upon initial referral or parental request for evaluation;
2. Upon receipt of the first state complaint and upon receipt of the first due process complaint in a school year;
3. On the date of a decision to make a disciplinary removal that is a change in placement; and

**POLICY GROUP 6 - SPECIAL EDUCATION  
CONSENT AND PRIOR WRITTEN NOTICE**

4. Upon request by a parent.

Richland Collegiate High School may also place a current copy of the procedural safeguards notice on its Internet website.

**a) *Contents of Notice***

The notice shall include a full explanation of the procedural safeguards relating to:

1. Independent educational evaluations;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. Opportunity to present and resolve complaints through the due process complaint and state complaint procedures, including:
  - a. The time period in which to file a complaint,
  - b. The opportunity for Richland Collegiate High School to resolve the complaint; and
  - c. The difference between the due process complaint and the state complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
6. The availability of mediation;
7. The child's placement during pendency of any due process proceedings;
8. Procedures for children who are subject to placement in an interim alternative educational setting;
9. Requirements for unilateral placement by parents of children in private schools at public expense;
10. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
11. Civil actions, including the time period in which to file such actions; and
12. Attorneys' fees.

*20 U.S.C. 1415(a)–(b), (d); 34 CFR 300.504(c).*

**Sec. 4. PRIOR WRITTEN NOTICE AND CONSENT**

Richland Collegiate High School shall provide prior written notice to the parents within a reasonable time before the school proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of a child or the provision of a FAPE to the child.

*34 CFR 300.503(a).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
CONSENT AND PRIOR WRITTEN NOTICE**

Notice must be provided to the parent in the parent's native language or other mode of communication at least five school days before Richland Collegiate High School proposes or refuses the action, unless the parent agrees to a shorter time frame.

*19 TAC 89.1050(h).*

**a) *Contents of Notice***

The notice must include:

1. A description of the action proposed or refused by Richland Collegiate High School;
2. An explanation of why Richland Collegiate High School proposes or refuses to take the action;
3. A description of each evaluation procedure, assessment, record, or report Richland Collegiate High School used as a basis for the proposed or refused action;
4. A statement that the parents have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the Individuals with Disabilities Education Act ("IDEA") rules;
6. A description of other options the admission, review and dismissal ("ARD") committee considered and the reasons why those options were rejected; and
7. A description of other factors relevant to Richland Collegiate High School's proposal or refusal.

*34 CFR 300.503(b).*

**b) *Consent to Initial Evaluation***

Before Richland Collegiate High School conducts an initial evaluation, it shall provide prior written notice, including a description of any evaluation Richland Collegiate High School proposes to conduct, and obtain informed consent for the evaluation from the parents.

*20 U.S.C. 1414(a)(1)(D), (E); 34 CFR 300.304(a).*

**c) *Consent to Services***

Richland Collegiate High School shall seek informed consent from the parent before providing special education and related services to a child.

*20 U.S.C. 1414(a)(1)(D).*

**d) *Consent to Reevaluation***

Richland Collegiate High School shall obtain informed parental consent before conducting any reevaluation of a child with a disability, except that such informed parental consent need not be

**POLICY GROUP 6 - SPECIAL EDUCATION  
CONSENT AND PRIOR WRITTEN NOTICE**

obtained if Richland Collegiate High School can demonstrate that it has taken reasonable measures to obtain such consent and the parent has failed to respond.

*20 U.S.C. 1414(c)(3).*

**e) *Psychological Examinations and Tests***

On request of a child's parent, before obtaining the parent's consent under 20 U.S.C. Section 1414 for the administration of any psychological examination or test to the child as part of the evaluation of the child's need for special education, Richland Collegiate High School shall provide to the child's parent:

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate Individualized Education Program ("IEP") for the child.

If Richland Collegiate High School determines that an additional examination or test is required for the evaluation of a child's need for special education after obtaining consent from the child's parent, Richland Collegiate High School shall provide the information above to the parent regarding the additional examination or test and shall obtain additional consent for the examination of test.

*Education Code 29.0041(a), (b).*

**Sec. 5. CONSENT TO EXCUSE MEMBER FROM ATTENDING ARD COMMITTEE MEETING**

A Richland Collegiate High School member of the ARD committee may be excused from attending an individualized education program ("IEP") meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent, in writing, and Richland Collegiate High School consent to the excusal and the member submits, in writing, to the parent and the ARD committee, input into the development of the IEP before the meeting.

**Sec. 6. PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS**

Richland Collegiate High School shall obtain informed consent from the parent each time that access to a parent's private insurance proceeds or to public benefits or an insurance program is sought.

*34 CFR 300.154(d)(2)(iv)(A).*

**Sec. 7. PARENTAL CONSENT FOR TRANSFER OF ASSISTIVE TECHNOLOGY DEVICES**

Richland Collegiate High School shall obtain informed consent from the parent or the adult student if the adult student has the legal capacity to enter into a contract before transferring an assistive technology device through a transfer agreement that incorporates the standards of the state.

**POLICY GROUP 6 - SPECIAL EDUCATION  
CONSENT AND PRIOR WRITTEN NOTICE**

**Sec. 8. OTHER CONSENT REQUIREMENTS**

Parental consent is not required before Richland Collegiate High School may:

1. review existing data as part of the student's evaluation or a reevaluation; or
2. give the student a test or other evaluation that is given to all students unless, before that test or evaluation, consent is required from parents of all students.

*34 CFR 300.300(d)*

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL  
POLICY GROUP 6 - SPECIAL EDUCATION  
COORDINATION OF FUNDS TO PURCHASE INSTRUCTIONAL  
MATERIALS**

PG-6.10

Instructional materials adopted by Richland Collegiate High School must be provided to students at no cost.

If Richland Collegiate High School chooses to coordinate with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials, it must acquire the print instructional materials in the same manner and subject to the same conditions as the Texas Education Agency acquires print instructional materials.

If Richland Collegiate High School chooses not to coordinate with the NIMAC when purchasing print instructional materials, it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner and shall provide assurance of compliance with this policy to the Texas Education Agency.



**PART I: DISCIPLINE OF STUDENTS WITH DISABILITIES UNDER SECTION 504**

**Sec. 1. STUDENTS WITH DISABILITIES UNDER SECTION 504**

Richland Collegiate High School shall conduct an evaluation in accordance with 34 C.F.R. 104.35(b) before taking any action with respect to any significant change in placement of a student with a disability who needs or is believed to need special education and related services. *34 CFR 104.35(a)*.

Richland Collegiate High School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student with a disability who is currently engaging in the illegal use of drugs or alcohol to the same extent that Richland Collegiate High School would take disciplinary action against nondisabled students. The due process procedures afforded under Section 504 do not apply to such disciplinary action. *29 U.S.C. 705(20)(C)(iv)*.

**PART II: DISCIPLINE OF STUDENTS RECEIVING  
SPECIAL EDUCATION SERVICES**

**Sec. 2. SPECIAL EDUCATION STUDENTS**

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly constituted admission, review, and dismissal (“ARD”) committee. Any disciplinary action shall be determined in accordance with federal law and regulations, including those requiring the provision of:

1. functional behavioral assessments (“FBAs”);
2. positive behavioral interventions, strategies, and supports;
3. behavioral intervention plans/behavior improvement plans (“BIPs”); and
4. the manifestation determination review (“MDR”).

*Education Code 37.004(b)*.

**Sec. 3. REMOVAL FOR TEN DAYS OR LESS**

A student with a disability who violates the Richland Collegiate High School Student Code of Conduct may be moved from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1)*.

*Services During Removal for Ten Days or Less.* Richland Collegiate High School is required to provide services during the period of removal if Richland Collegiate High School provides services to a child without disabilities who is similarly removed. *34 C.F.R. 300.530(d)*.

**Sec. 4. SUBSEQUENT REMOVALS OF TEN DAYS OR LESS**

Richland Collegiate High School personnel may remove the student for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change in placement under 34 CFR 300.536. *34 C.F.R. 300.530(b)(1).*

*Services During Subsequent Removals of Ten Days or Less.* After a student has been removed from his or her current placement for ten school days in the same school year, during any subsequent removal of ten consecutive school days or less, school personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's individualized education program ("IEP"). *20 U.S.C. 1415(k)(1)(D); 34 C.F.R. 300.530(d)(4).*

**Sec. 5. NOTICE OF PROCEDURAL SAFEGUARDS**

Not later than the date on which the decision to take the disciplinary action is made, Richland Collegiate High School shall notify the student's parents of the decision and of all procedural safeguards. *20 U.S.C. 1415(k)(1)(H).*

**Sec. 6. CHANGES IN PLACEMENT**

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review ("MDR")

For purposes of disciplinary removal of a student with a disability, a change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than ten school days in a school year;
  - b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
  - c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

Richland Collegiate High School determines, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. Richland Collegiate High School's determination is subject to review through due process and judicial proceedings. *34 C.F.R. 300.536.*

Richland Collegiate High School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who violates the Student Code of Conduct. *20 U.S.C. 1415(k)(1)(A)*.

**Sec. 7. MANIFESTATION DETERMINATION**

Within ten school days of any decision to change the placement of a student because of a violation of the Student Code of Conduct, Richland Collegiate High School, parents, and relevant members of the ARD committee (as determined by the parent and Richland Collegiate High School) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

1. Caused by, or had a direct and substantial relationship to, the student's disability; or
2. The direct result of Richland Collegiate High School's failure to implement the IEP.

If Richland Collegiate High School, the parent, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the student's disability.

*20 U.S.C. 1415(k)(1)(E); 34 C.F.R. 300.530(e).*

**a) *Not a Manifestation***

If the determination is that the student's behavior was not a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to the student in the same manner and for the same duration as for students without disabilities. The ARD committee shall determine the interim alternative educational setting. *20 U.S.C. 1415(k)(1)(C), (k)(2); 34 C.F.R. 300.530(c).*

**i. Services During Removal**

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting. *34 C.F.R. 300.530(d)(1)–(2).*

**b) *Manifestation***

If Richland Collegiate High School, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, the ARD committee shall:

1. Conduct a functional behavioral assessment ("FBA"), unless Richland Collegiate High School had conducted an FBA before the behavior that resulted in the change in placement occurred, and implement a behavioral intervention plan ("BIP") for the student; or
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.

Except as provided at SPECIAL CIRCUMSTANCES below, the ARD committee shall return the student to the placement from which the student was removed, unless the parent, and Richland Collegiate High School agree to a change in placement as part of the modification of the BIP.

*20 U.S.C. 1415(k)(1)(F); 34 C.F.R. 300.530(f).*

**i. Special Circumstances**

Richland Collegiate High School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of Texas Education Agency (the "TEA") or Richland Collegiate High School; or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the TEA or Richland Collegiate High School;
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the TEA or Richland Collegiate High School.

*20 U.S.C. 1415(k)(1)(G); 34 C.F.R. 300.530(g).*

The ARD committee shall determine the interim alternative education setting. *20 U.S.C. 1415(k)(2).*

**c) *Services During Removal***

The student must:

1. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP.
2. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

These services may be provided in an interim alternative educational setting.

*34 C.F.R. 300.530(d)(1).*

**Sec. 8. APPEALS**

A parent who disagrees with a placement decision or the manifestation determination may request a hearing. Additionally, Richland Collegiate High School may request a hearing if it believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others.

*20 U.S.C. 1415(k)(3)(A); 34 C.F.R. 300.532(a); 19 TAC 89.1151.*

**a) *Placement During Appeals***

When an appeal has been requested by a parent or Richland Collegiate High School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever occurs first, unless the parent and Richland Collegiate High School agree otherwise.

*20 U.S.C. 1415(k)(4); 34 C.F.R. 300.533.*

**Sec. 9. REPORTING CRIMES**

Federal law does not prohibit Richland Collegiate High School from reporting a crime committed by a student with a disability to appropriate authorities. If Richland Collegiate High School reports a crime, Richland Collegiate High School shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom Richland Collegiate High School reported the crime. Richland Collegiate High School may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act ("FERPA").

*20 U.S.C. 1415(k)(6); 34 C.F.R. 300.535.*

**Sec. 10. STUDENTS NOT YET IDENTIFIED**

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated the Student Code of Conduct may assert any of the protections provided for in the Individuals with Disabilities Education Act if Richland Collegiate High School had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A); 34 C.F.R. 300.534(a).*

**a) *School Knowledge***

Richland Collegiate High School shall be deemed to have knowledge that a student has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the student expressed concern in writing to Richland Collegiate High School supervisory or administrative personnel, or to the teacher of the student, that the student was in need of special education and related services;
2. The parent requested an evaluation of the student for special education and related services; or
3. The student's teacher, or other Richland Collegiate High School personnel, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other Richland Collegiate High School supervisory personnel.

*20 U.S.C. 1415(k)(5)(B); 34 C.F.R. 300.534(b).*

**b) *Exceptions***

Richland Collegiate High School shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability.

*20 U.S.C. 1415(k)(5)(C); 34 C.F.R. 300.534(c).*

If Richland Collegiate High School does not have knowledge, before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until

the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

*20 U.S.C. 1415(k)(5)(D); 34 C.F.R. 300.534(d).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
CAMPUS IMPROVEMENT PLAN**

To the extent required by State or Federal laws or applicable federal funding requirement, Richland Collegiate High School shall conduct comprehensive needs assessments and district and campus improvement plans in accordance with same..



**Sec. 1. DYSLEXIA AND RELATED DISORDERS**

The Board shall ensure that procedures for identifying and providing appropriate instructional services to students for dyslexia and related disorders are implemented by Richland Collegiate High School. These procedures shall be implemented in accordance with the most recently updated version of the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook)*.

**SEC. 2. PARENTAL NOTIFICATIONS AND CONSENT**

Anytime a child is suspected to have dyslexia or a related disorder and may need dyslexia intervention services, the LEA must seek parental consent for a Full Individual Initial Evaluation (FIIIE) under the IDEA. The process of seeking informed parental consent under the IDEA must include proper prior written notice and be accompanied by the notice of procedural safeguards.

Richland Collegiate High School shall provide to parents of children suspected to have dyslexia or a related disorder a copy of or link to the electronic version of the most recently updated version of the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (Dyslexia Handbook)*.

Parents and guardians of students with dyslexia or a related disorder must be informed of all services and options available to the student, including general education interventions under response to intervention and multi-tiered systems of support modules as required by Section 26.0081 of the Education Code.

**Sec 3. IDENTIFICATION AND TESTING**

Richland Collegiate High School shall establish a process for early identification, intervention, and support for students at risk for dyslexia and related disorders, as outlined in Texas Education Agency *Dyslexia Handbook*.

Richland Collegiate High School may not use early intervention strategies, including multi-tiered systems of support, to delay or deny the provision of a full and individual evaluation to a child suspected of having a specific learning disability, including dyslexia or a related disorder.

**SEC 4. PERSONNEL QUALIFICATIONS**

Highly trained individuals must deliver dyslexia instruction. Teachers who provide dyslexia intervention for students are not required to hold a specific license or certification. However, these educators must at a minimum have additional documented dyslexia training aligned to 19 TAC §74.28(c) and must deliver the instruction with fidelity. A provider of dyslexia instruction does not have to be certified as a special educator when serving a student who also receives special education and related services if that provider is the most appropriate person to offer dyslexia instruction.

Special education teachers have access to ongoing dyslexia training opportunities provided by the Region 10 Service Center to meet any certification requirements.

#### **SEC. 5. TREATMENT AND SERVICES**

Richland Collegiate High School shall provide each identified student access at his or her campus to instructional programs and to the services of a teacher trained in dyslexia and related services. Richland Collegiate High School may, with the approval of each student's parents or guardians, offer additional services at a centralized location, so long as such centralized services do not preclude each student from receiving services at his or her campus.

##### **a) *Reading Program***

Richland Collegiate High School shall establish its own reading program for students with dyslexia and related disorders that is aligned with the descriptors set forth in the Texas Education Agency *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components described in the *Dyslexia Handbook*. The professional development activities specified by each school and/or campus planning committee shall include these instructional strategies.

##### **b) *Reassessment***

Unless otherwise provided by law, a student determined to have dyslexia during testing or accommodated because of dyslexia may not be retested for dyslexia for the purpose of reassessing the student's need for accommodations until Richland Collegiate High School reevaluates the information obtained from previous testing of the student.

#### **SEC 6. PARENT EDUCATION PROGRAM**

Richland Collegiate High School shall develop and provide a parent education program for parents and guardians of students with dyslexia and related disorders. This program should include:

- Awareness of characteristics of dyslexia and related disorders;
- Information on testing and diagnosis of dyslexia;
- Information on effective strategies for teaching dyslexic students; and
- Awareness of information on modification, especially modifications allowed on standardized testing.

*Education Code 38.003; 19 TAC 74.28.*

**Sec. 7. REPORTING**

Richland Collegiate High School must report through the Public Education Information Management System to the Texas Education Agency the number of students enrolled who are identified as having dyslexia.

## **Sec. 1. ELIGIBILITY CRITERIA**

A student that is at least three years old but not more than 21 years of age may be eligible for special education services if the student is found to have a disability in one of the following categories, and, by reason of the disability, has need for special education and related services:

1. Intellectual Disability;
2. Hearing impairment;
3. Visual Impairment;
4. Speech or Language impairment;
5. Emotional disturbance;
6. Orthopedic impairment;
7. Other health impairment;
8. Traumatic brain injury;
9. Deaf-blindness;
10. Specific Learning Disability;
11. Autism;
12. Developmental delay; or
13. Multiple Disabilities.

*34 CFR 300.306(a)(1), 300.8; 19 TAC 89.1050(a).*

Additionally, a student is eligible to participate in Richland Collegiate High School's special education program if the student is not more than 21 years of age and has a visual or auditory impairment that prevents the student from being adequately or safely educated in public school without the provision of special services. (TEC §29.003)

## **Sec. 2. DETERMINING ELIGIBILITY**

Following the completion of the full and individual initial evaluation, the student's admission, review, and dismissal ("ARD") committee must make an eligibility determination. The ARD committee members reviewing evaluations and data to determine eligibility must include a licensed specialist in school psychology ("LSSP"), an educational diagnostician, or other appropriately certified or licensed practitioner with experience, and a licensed or certified professional for a specific eligibility category defined below.

*19 TAC 89.1040.*

When interpreting evaluation data for the purpose of determining if a student is a student with a disability under 34 CFR 300.8 and the educational needs of the student, Richland Collegiate High School shall:

1. Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and
2. Ensure that information obtained from all of these sources is documented and carefully considered.

If a student is determined to be a student with a disability and needs special education and related services, the ARD committee must develop an individualized education program ("IEP") for the student in accordance with 34 CFR 300.320 through 300.324 and corresponding state law.

*34 CFR 300.306.*

A student is not eligible for special education services through the evaluation, if a student is found to only need related services. A student cannot be found eligible for services if the determinant factor for that determination is lack of appropriate instruction in reading, including in the essential components of reading instruction, lack of appropriate instruction in math, or limited English proficiency/status as an emergent bilingual student.

34 CFR 300.306(b).

For children aged three through nine, or any subset of that age range, may be a child with a disability if the student is:

1. experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and
2. needs special education and related services.

*34 CFR 300.8(b).*

### **Sec. 3. INTELLECTUAL DISABILITY**

A student qualifies as a student with an intellectual disability if the student has significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

*34 CFR 300.8(c)(6); 19 TAC 89.1040(c)(5).*

**Sec. 4. SPEECH OR LANGUAGE IMPAIRMENT**

A communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance. The evaluation team shall include a certified speech and hearing therapist, a certified speech and language therapist, or a licensed speech/language pathologist.

*34 CFR 300.8(c)(11); 19 TAC 89.1040(c)(10).*

**Sec. 5. EMOTIONAL DISTURBANCE**

A student may be eligible for services as a student with an emotional disturbance if they exhibit one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

1. An inability to learn that cannot be explained by intellectual, sensory, or health factors;
2. An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems.

Emotional disturbance includes schizophrenia, but does not include children who are socially maladjusted, unless it is determined that they have an emotional disturbance. A written evaluation must include recommendations for behavior intervention strategies.

*34 CFR 300.8(c)(4); 19 TAC 89.1040(c)(4).*

**Sec. 6. ORTHOPEDIC IMPAIRMENT**

A severe orthopedic impairment, including impairments caused by congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures). If the impairment adversely impacts a student's educational performance, the student is eligible under this category.

*34 CFR 300.8(c)(8); 19 TAC 89.1040(10).*

The multidisciplinary team determining eligibility under the criteria for an orthopedic impairment must include a licensed physician.

*19 TAC 89.1040(10).*

**Sec. 7. OTHER HEALTH IMPAIRMENT (“OHI”)**

A student with limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli caused by chronic or acute health problems such as:

1. Asthma;
2. Attention Deficit Disorder or Attention Deficit Hyperactivity Disorder;
3. Diabetes;
4. Epilepsy;
5. Heart Condition;
6. Hemophilia;
7. Lead poisoning;
8. Leukemia;
9. Nephritis;
10. Rheumatic Fever;
11. Sick Cell Anemia; or
12. Tourette Syndrome.

If the health condition limits alertness in the educational environment and adversely impacts a student’s learning, he or she is eligible for OHI. In determining eligibility, Richland Collegiate High School shall must include a licensed physician on the multidisciplinary team.

**Sec. 8. TRAUMATIC BRAIN INJURY**

An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student’s educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. Traumatic brain injury does not apply to brain injuries that are congenital or degenerative, or to brain injuries induced by birth trauma.

Richland Collegiate High School shall include a licensed physician, and a licensed specialist in school psychology (LSSP), an educational diagnostician, or other appropriately certified or licensed practitioner with experience and training in this area to review the data and determine eligibility.

19 TAC 89.1040(11).

**Sec. 9. HEARING OR AUDITORY IMPAIRMENT AND DEAFNESS**

A student with an impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance but is not included under the definition of deafness.

The student's evaluation must include an otological examination performed by an otologist or by a licensed medical doctor, with documentation that an otologist is not reasonably available. Richland Collegiate High School shall also conduct an audiological evaluation by a licensed audiologist. The evaluation must include a description of the implications of the hearing loss for the student's hearing in a variety of circumstances with or without recommended amplification.

*34 CFR 300.8(c)(5); 19 TAC 89.1040(c)(3).*

**Sec. 10. DEAFNESS**

Deafness is a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a student's educational performance. (34 CFR §300.8(c)(3))

**Sec. 11. VISUAL IMPAIRMENT INCLUDING BLINDNESS**

An impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

*34 CFR 300.8(c)(13).*

A student with a visual impairment is one who:

1. has been determined by a licensed ophthalmologist or optometrist to have no vision or to have a serious visual loss after correction; or to have a progressive medical condition that results in no vision or a serious visual loss after correction.
2. has been determined by the following evaluations to have a need for special services, including:
  - a. a functional vision evaluation by a professional certified in the education of students with visual impairments or a certified orientation and mobility instructor. The evaluation must include the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation and an orientation and mobility evaluation; or
  - b. a learning media assessment by a professional certified in the education of students with visual impairments. The learning media assessment must include recommendations concerning which specific visual, tactual, and/or auditory learning media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area.



*19 TAC 89.1040(12)(A).*

Through evaluation, Richland Collegiate High School should state the student's visual loss in exact measures of visual field and corrected visual acuity at a distance and at close range in each eye by a licensed ophthalmologist or optometrist. The report should also include prognosis whenever possible. If exact measures cannot be obtained, the eye specialist must so state and provide best estimates.

A student that qualifies as a student with a visual impairment is considered functionally blind if, based on the preceding evaluations, the student will use tactual media (which includes Braille) as a primary tool for learning to be able to communicate in both reading and writing at the same level of proficiency as other students of comparable ability.

*19 TAC 89.1040(12)(B).*

## **Sec. 12. DEAF-BLINDNESS**

A student is eligible under deaf-blindness if identified with hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.

*34 CFR §300.8(c)(2).*

In addition to the Individuals with Disabilities Education Act ("IDEA") requirements, a student may be eligible if a student is found to:

1. meet the eligibility criteria for auditory impairment specified in subsection 19 TAC 89.1040(c)(3) and visual impairment specified in subsection 19 TAC 89.1040 (c)(12);
2. meet the eligibility criteria for a student with a visual impairment and has a suspected hearing loss that cannot be demonstrated conclusively, but a speech/language therapist, a certified speech and language therapist, or a licensed speech language pathologist indicates there is no speech at an age when speech would normally be expected;
3. have documented hearing and visual losses that, if considered individually, may not meet the requirements for auditory impairment or visual impairment, but the combination of such losses adversely affects the student's educational performance; or
4. have a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and visual losses that, without special education intervention, will adversely affect the student's educational performance.

*19 TAC 89.1040(c).*

**Sec. 13. SPECIFIC LEARNING DISABILITY**

Specific learning disability includes a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

*34 CFR 300.8(c)(10).*

In addition to being identified as having a disorder that impacts a basic psychological process, Richland Collegiate High School shall also show that the student does not achieve adequately for the student's age or meet state-approved grade-level standards in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving when provided appropriate instruction, as indicated by performance on multiple measures such as in-class tests; grade average over time (e.g. six weeks, semester); norm- or criterion- referenced tests; statewide assessments; or a process based on the child's response to scientific, research-based intervention.

Richland Collegiate High School's evaluation must also show that the student:

1. does not make sufficient progress when provided a process based on the student's response to scientific, research-based intervention (as defined in 20 USC, §7801(37)), as indicated by the student's performance relative to the performance of the student's peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or
2. the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, such as working memory and verbal comprehension, or between specific areas of cognitive function and academic achievement.

*19 TAC 89.1040(c)(9).*

A specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage. (34 CFR §300.8(c)(10))

Prior to identifying a student as one with a learning disability, Richland Collegiate High School shall ensure that the suspected disability is not due to lack of educational opportunity or lack of appropriate instruction. Richland Collegiate High School shall consider data that shows the student has received appropriate instruction in math and reading in the general education setting. Richland Collegiate High School shall also consider documentation of repeated assessments of achievement

at reasonable intervals, reflecting formal evaluation of student progress during instruction. This may include, but is not limited to, RTI progress results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program.

*19 TAC 89.1040(c)(9).*

#### **Sec. 14. AUTISM**

A student with autism is one that meets the criteria outlined in 34 CFR 300.8(c)(1) of the IDEA. It also includes students with pervasive developmental disorders.

*19 TAC 89.1040(c)(1).*

Under IDEA, autism is a developmental disability significantly affecting a student's verbal and nonverbal communication and social interactions that adversely affects a student's educational performance. Engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences are often associated with autism. Characteristics of autism are generally evident before age three. A child who manifests the characteristics of autism after age three could be identified as having autism if the student meets the above criteria also defined in 34 CFR 300.8(c)(1)(i).

A student does not meet the eligibility category for autism if a student's educational performance is adversely affected primarily because the student has an emotional disturbance, as defined above and in 34 CFR 300.8(c)(4).

*34 CFR 300.8(c)(1).*

The written evaluation determining eligibility under autism must include recommendations for behavior interventions.

*19 TAC 89.1040(c)(1).*

#### **Sec. 15. MULTIPLE DISABILITIES**

A student may qualify as a student with multiple disabilities if they are identified to have a combination of impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment) and the combination causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.

*34 CFR 300.8(c)(7).*

The impairments must be: (a) expected to continue indefinitely; and (b) severely limit performance in two or more of the following:

1. psychomotor skills;
2. self-care skills;
3. communication;
4. social and emotional development, or
5. cognition.

A student who qualifies for more than one impairment, but does not severely impair performance in one of the above categories, or is not expected to continue indefinitely, does not qualify as a student with multiple disabilities.

*19 TAC 89.1040(c)(6).*

**Sec. 1. REFERRAL FOR FULL AND INDIVIDUAL INITIAL EVALUATION**

Referral of students for a full and individual initial evaluation for possible special education services shall be a part of Richland Collegiate High School's overall general education referral or screening system. Either a parent, the Texas Educational Agency ("TEA"), another state agency, or Richland Collegiate High School may initiate a request for an initial evaluation.

**c) *Obligation to Refer***

Before referral, students experiencing difficulty in the general classroom should be considered for all support services available to all students. If a student continues to experience difficulty in the general classroom after the provision of interventions, Richland Collegiate High School personnel must refer the student for a full and individual initial evaluation.

*20 U.S.C. 1414(a)(1); 34 CFR 300.301; 19 TAC 89.1011.*

**d) *Parent Request***

If a parent submits a written request for a full individual and initial evaluation of a student, Richland Collegiate High School shall, not later than the 15th school day after the date Richland Collegiate High School receives the request:

1. Provide the parent with prior written notice of its proposal to conduct an evaluation consistent with 34 CFR 300.503, a copy of the procedural safeguards notice required by 34 CFR 300.504, and an opportunity to give written consent for the evaluation; or
2. Provide the parent with prior written notice of its refusal to conduct an evaluation consistent with 34 CFR 300.503, and a copy of the procedural safeguards notice required by 34 CFR 300.504.

*20 U.S.C. 1414(a)(1); 34 C.F.R. 300.301; 19 TAC 89.1011(a), (b); Education Code 29.004(c).*

**Sec. 2. NOTICE OF RIGHTS**

Richland Collegiate High School shall provide written notice to a student's parent or guardian within a reasonable time before proposing or refusing to initiate the identification, evaluation, or educational placement of a student or the provision of a free appropriate public education ("FAPE").

34 CFR §300.8(c)(10)

**Sec. 3. INITIAL EVALUATION**

Richland Collegiate High School shall conduct a full and individual initial evaluation before the initial provision of special education and related services. *20 U.S.C. 1414(a)(1)(A).*

Richland Collegiate High School shall ensure that evaluations of children who transfer from one district to another in the same academic year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations. *20 U.S.C. 1414(b)(3)(D).*

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. *20 U.S.C. 1414(a)(1)(E).*

**a) *Consent for Initial Evaluation***

Richland Collegiate High School shall make reasonable efforts to obtain informed parental consent before conducting an initial evaluation.

If the parent does not provide consent for an initial evaluation or fails to respond to a request to provide consent, Richland Collegiate High School may—but is not required to—pursue the initial evaluation by utilizing due process procedures, except to the extent inconsistent with state law relating to such parental consent.

Parental consent to initial evaluation shall not be construed as consent for placement for special education and related services. *20 U.S.C. 1414(a)(1)(D)(i)(1); 34 CFR 300.300.*

**b) *Wards of the State***

If the child is a ward of the state and is not residing with the child's parent, Richland Collegiate High School shall make reasonable efforts to obtain the informed consent from the parent for an initial evaluation, unless:

1. Richland Collegiate High School cannot discover the whereabouts of the parent, despite reasonable efforts to do so;
2. The rights of the parent have been terminated; or
3. The rights of the parent to make educational decisions have been subrogated and an individual appointed by a judge to represent the student has given consent for an initial evaluation.

*20 U.S.C. 1414(a)(1)(D)(iii); 34 CFR 300.300(a)(2).*

**Sec. 4. PROVIDING ASSISTANCE TO STUDENTS WHO HAVE LEARNING DIFFICULTIES OR NEED SPECIAL EDUCATION SERVICES**

If a student is experiencing learning difficulties, the parent may contact their child's campus principal to learn about Richland Collegiate High School's overall general education referral or screening system for support services. This system links students to a variety of support options, including referral for a special education evaluation. Students having difficulty in the regular classroom should be considered for tutorial, compensatory, and other academic or behavior support services that are available to all students, including a process based on Response to Intervention ("RtI"). The implementation of RtI has the potential to have a positive impact on Richland Collegiate High School's ability to meet the needs of all struggling students.

At any time, a parent is entitled to request an evaluation for special education services by presenting a written request to Support Services Manager or to a Richland Collegiate High School administrative employee. Richland Collegiate High School must, within 15 school days of receiving the request, either (1) give the parent an opportunity to give written consent for the evaluation or (2) refuse to provide the evaluation and provide the parent with written notice that explains why the child will not be evaluated. This written notice will include a statement that informs the parents of their rights if they disagree with Richland Collegiate High School. Additionally, the parent will receive a copy of the *Notice of Procedural Safeguards – Rights of Parents of Students with Disabilities*.

If consent for evaluation is obtained, Richland Collegiate High School must generally complete the evaluation and report within 45 school days of the date Richland Collegiate High School receives the written consent. Richland Collegiate High School must give a copy of the evaluation report to the parent.

**Sec. 5. NOTIFICATION TO PARENTS REGARDING INTERVENTION STRATEGIES**

Each school year, Richland Collegiate High School shall notify a parent of each child, other than a child enrolled in a special education program, who receives assistance from the Richland Collegiate High School for learning difficulties, including through the use of intervention strategies that Richland Collegiate High School provides to the child. The notice must:

1. Be provided when the child begins to receive the assistance for that school year;
2. Be written in English or, to the extent practicable, the parent's native language; and
3. Include:
  - a. A reasonable description of the assistance that may be provided to the child, including any intervention strategies that may be used;
  - b. Information collected regarding any intervention in the base tier of a multi-tiered system of supports that has previously been used with the child;
  - c. An estimate of the duration for which the assistance, including through the use of intervention strategies, will be provided;

- d. The estimated time frames within which a report on the child's progress with the assistance, including any intervention strategies used, will be provided to the parent; and
- e. A copy of a written explanation of the options and requirements for providing assistance to students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of the parent's child for special education services or for aids, accommodations, or services under Section 504 of the Rehabilitation Act ("Section 504").

The notice under this policy may be provided to a child's parent at a Section 504 meeting.

A parent is entitled to access to all written records of Richland Collegiate High School concerning the parent's child, including attendance records, test scores, grades, disciplinary records, counseling records, psychological records, applications for admission, health and immunization information, teacher and school counselor evaluations, reports of behavioral progress, and records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child.



**Sec. 1. FULL AND INDIVIDUAL EVALUATION (FIE)**

Richland Collegiate High School shall ensure that upon completion of the administration of such tests and other evaluation materials administered according to the evaluation procedures of the Individuals with Disabilities Education Act (“IDEA”), and preparation of the written report, the admission, review and dismissal (“ARD”) committee determines if the student is a student with a disability under state and federal standards.

Richland Collegiate High School shall conduct a full and individual initial evaluation (“FIE”) prior to providing special education and related services to any student. All students must be evaluated in accordance with the IDEA and the Texas Education Code.

Richland Collegiate High School shall have procedures in place to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of students with disabilities are selected and administered so as to not be racially, culturally, or gender discriminatory. Assessment and procedures shall be provided and administered in the student’s native language or most proficient mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so.

*34 CFR 300.301; Education Code 29.310.*

All implementing assessment procedures must differentiate between language proficiency and handicapping condition. Additionally, placement procedures must ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability.

*19 TAC 89.1230.*

No single procedure shall be the sole criterion for determining whether a student is a student with a disability or for determining an appropriate education program for a student with a disability. The evaluation must be sufficiently comprehensive to identify all of the student’s special education and related services’ needs. Each student must be evaluated in all suspected areas of disability.

*34 CFR 300.301, 300.304; Education Code 29.310.*

All assessments must be administered in accordance with the instructions provided and by a trained and knowledgeable person.

*34 CFR 300.301, 300.304.*

**Sec. 2. TIMELINE**

If a student's parent provides a written request for an evaluation to the school's director of special education services or to a district administrative employee, Richland Collegiate High School shall, within 15 school days, (1) provide the parent with prior written notice of its proposal to conduct an evaluation, a copy of the procedural safeguards, and an opportunity to give written consent for the evaluation, or (2) provide prior written notice and procedural safeguards if the school is denying the request for evaluation.

*Education Code 29.004(c).*

A written FIE report must be completed not later than the 45th school day following the date on which Richland Collegiate High School receives written consent for the evaluation, signed by the student's parent. If the student is absent for more than three days in that time period, the timeline must be extended by the number of days the student was absent.

*Education Code 29.004(a).*

This timeframe shall not apply if:

1. A student enrolls in the current school after the relevant time frame has begun and before the previous school made a determination as to whether the student has a disability, but only if the current school is making sufficient progress to ensure a prompt completion of the evaluation and the parent and current school agree to a specific time for completion of the evaluation; or
2. The parent repeatedly fails or refuses to produce the student for the evaluation.

1. *34 CFR 300.301(d).*

2.

Following the completion of the FIE, the ARD committee must meet within 30 calendar days from the date of completion to review and determine eligibility.

*Education Code 29.004.*

If the 30th day falls during the summer and school is not in session, the student's ARD committee has until the first day of classes in the fall to finalize decisions concerning the student's initial eligibility determination, individualized education program ("IEP"), and placement, unless the full individual and initial evaluation indicates that the student will need extended school year services during that summer.

If the student is an English language learner, the language proficiency assessment committee (LPAC) must also attend the meeting to determine services. (19 TAC §89.1050(c)(J))

If Richland Collegiate High School receives written consent for an FIE from a student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report of the evaluation must be provided to the parent not later than June 30 of that year. The ARD committee must meet by the 15th school day of the following school year to consider the evaluation.

If Richland Collegiate High School receives written consent signed by a student's parent less than 35 school days before the last instructional day of the school year or if the school receives the written consent at least 35 but less than 45 school days before the last instructional day of the school year but the student is absent from school during that period on three or more days, the FIE must be completed not later than the 45th school day after receiving consent.

School days do not include days following the last instructional day of the spring term and before the first day of the fall term.

*Education Code 29.004.*

### **Sec. 3. SPECIFIC LEARNING DISABILITY EVALUATION**

The Texas Education Agency cannot require Richland Collegiate High School to use the severe discrepancy between intellectual ability and achievement for determining whether a student has a specific learning disability. TEA must permit the use of a process based on the child's response to scientific, research-based intervention; and may permit the use of other alternative research-based procedures for determining whether a student has a specific learning disability.

*34 CFR 300.307.*

The evaluation process for specific learning disability includes an observation of the child in the learning environment, including the regular classroom setting, to document academic performance and behavior in the areas of difficulty.

*34 CFR 300.310 (a).*

### **Sec. 4. FUNCTIONAL BEHAVIOR ASSESSMENT (FBA)**

A functional behavior assessment ("FBA") may be necessary for a student whose behavior impedes their education. Prior to completing an FBA, Richland Collegiate High School shall get consent from the parent.

*34 CFR 300.9.*

If an ARD committee determines a change of placement is necessary due to the student's behavior, it must conduct an FBA and implement a behavioral intervention plan ("BIP"). If an FBA was already completed, the ARD committee must review and update the BIP.

*34 CFR 300.350(f).*

**Sec. 5. REVIEW OF EXISTING EVALUATION DATA**

A Review of Existing Evaluation Data (“REED”) is required as part of an initial evaluation, if appropriate, and as part of any reevaluation. The REED must be conducted by the ARD committee members and other qualified professionals, as appropriate. The ARD committee members may conduct the review without a meeting.

The REED must include a review of the following:

- Evaluations and information provided by the parents of the student;
- Current classroom-based, local, or State assessments, and classroom-based observations; and
- Observations by teachers and related services providers.

On the basis of that review, and input from the student’s parents, the ARD committee members must identify what additional data, if any, are needed to determine:

- Whether the student is a student with a disability, and the educational needs of the student, or, in case of a reevaluation of a student, whether the student continues to have such a disability and the educational needs of the student;
- Whether the student needs special education and related services, or in the case of a reevaluation of a student, whether the student continues to need special education and related services;
- The present levels of academic achievement and related developmental needs of the student; and
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

Richland Collegiate High School shall administer any assessments or other evaluation measures needed to produce the data identified by the REED in accordance with applicable procedural requirements regarding notice and consent.

If additional data is not needed, the ARD committee must notify the parent of the determination decision and provide information about the parent’s right to request additional assessments to determine student needs and eligibility.

*34 CFR 300.305.*

Richland Collegiate High School shall conduct a reevaluation of the student if the school determines that the educational or related service needs, including improved academic

achievement and functional performance, of the child warrant a reevaluation or if the child's parent or teacher requests a reevaluation. A reevaluation may not occur more than once per year, unless agreed to by the school and the parent. A reevaluation must occur at least every three years, unless the school and parent agree the evaluation is unnecessary.

*34 CFR 300.303.*

**Sec. 6. CHANGE IN ELIGIBILITY**

Richland Collegiate High School shall evaluate a student with a disability before determining a student is no longer eligible for special education and related services.

An evaluation is not required if a student is no longer eligible due to graduation or exceeding the age eligibility in Texas. Richland Collegiate High School shall create a summary of performance and include recommendations on how to assist the student in meeting postsecondary goals.

*34 CFR 300.305(e).*

**Sec. 7. CONSIDERATION OF SERVICES PROVIDED IN REGULAR EDUCATION SETTING**

To ensure that underachievement in the student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group of qualified professionals, as part of a full and individual evaluation, must consider:

- Data that demonstrate that prior to, or as part of, the referral process, the student was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of progress during instruction, which was provided to the student's parents.

*34 CFR 300.309(b).*

**Sec. 8. COORDINATION OF EVALUATIONS WITH PRIOR AND SUBSEQUENT SCHOOLS**

The school shall ensure that evaluations of students who transfer from one local education agency to another in the same academic year are coordinated with the student's prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of evaluations.

*20 U.S.C. 1414(b)(3)(D).*

**Sec. 9. PSYCHOLOGICAL EXAMINATIONS AND TESTS**

On request of a child's parent, before obtaining the parent's consent for the administration of any psychological examination or test to the child as part of the evaluation of the child's need for special education, Richland Collegiate High School shall provide to the child's parent:

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child.

If Richland Collegiate High School determines that an additional examination or test is required for the evaluation of a child's need for special education, Richland Collegiate High School shall provide the information above to the parent regarding the additional examination or test and shall obtain additional consent for the examination or test.

*Education Code 29.0041(a), (b).*

If Richland Collegiate High School determines that an additional examination or test is required for the evaluation, Richland Collegiate High School shall provide the information required by Education Code 29.0041(a) and shall obtain parental consent. If a parent does not give consent within 20 calendar days after the School provides the information, the parent's consent is considered denied.

The time required for Richland Collegiate High School to provide information and seek consent may not be counted toward the timeframe for completion of an evaluation.

*Education Code 29.0041.*

**Sec. 10. EXTENSION OF TIMELINES**

For a specific learning disability, the timelines for evaluation under this policy may be extended by mutual written agreement of the student's parents and the ARD committee.

*34 CFR 300.309(c).*

**Sec. 11. EVALUATION CONDUCTED PURSUANT TO A SPECIAL EDUCATION DUE PROCESS  
HEARING**

A special education hearing officer in an impartial due process hearing brought under 20 U.S.C. §1415 may issue an order or decision that authorizes one or more evaluations of a student who is eligible for, or who is suspected as being eligible for, special education services. Such an order or decision authorizes the evaluation of the student without parental consent as if it were a court order for purposes of any State or federal law providing for consent by order of a court.

*Education Code 29.016.*

**Sec. 12. INDEPENDENT EDUCATIONAL EVALUATIONS**

The parent of a student with a disability has the right to obtain an independent educational evaluation (“IEE”) of the parent’s child if the parent disagrees with the evaluation of the student that was obtained by Richland Collegiate High School.

If the parent requests an IEE, Richland Collegiate High School must provide the parent with information about where the parent may obtain an IEE and about Richland Collegiate High School’s criteria that apply to IEE.

**Sec. 13. DEFINITIONS**

An IEE means an evaluation conducted by a qualified examiner who is not employed by the school responsible for the education of a student.

Public expense means that Richland Collegiate High School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA, which allow each State to use whatever State, local, Federal, and private sources of support are available in the State to meet the requirements of Part B of IDEA.

*34 CFR 300.502.*

**Sec. 14. RIGHT TO AN INDEPENDENT EVALUATION AT PUBLIC EXPENSE**

The parent has the right to request an IEE of the parent’s child at public expense if the parent disagrees with an evaluation of the student completed by Richland Collegiate High School.

If the parent requests an IEE, Richland Collegiate High School must respond to the parent by either:

1. without unnecessary delay, filing a due process complaint to request a hearing to show that its evaluation of the student is appropriate; or
2. providing an IEE at public expense, unless Richland Collegiate High School demonstrates in a due process hearing that the evaluation of the student that the parent obtained did not meet Richland Collegiate High School’s criteria.

If Richland Collegiate High School requests a hearing and the final decision is that Richland Collegiate High School’s evaluation of the student is appropriate, the parent still has the right to an IEE, but not at public expense.

If the parent requests an IEE of the student, Richland Collegiate High School may ask why the parent objects to the evaluation of the student obtained by Richland Collegiate High School;



however, Richland Collegiate High School may not require an explanation and may not unreasonably delay either providing the IEE of the student at public expense or filing a due process complaint to request a due process hearing to defend Richland Collegiate High School's evaluation of the student.

The parent is entitled to only one IEE of the student at public expense each time Richland Collegiate High School conducts an evaluation of the student with which the parent disagrees.

*34 CFR 300.502.*

***e) Parent-Initiated Evaluations***

If the parent obtains an IEE of the student at public expense or the parent shares with Richland Collegiate High School an evaluation of the student that the parent obtained at private expense:

1. Richland Collegiate High School must consider the results of the evaluation of the student, if it meets Richland Collegiate High School's criteria for IEE, in any decision made with respect to the provision of a free appropriate public education to the student; and
2. the parent or Richland Collegiate High School may present the evaluation as evidence at a due process hearing regarding the student.

*34 CFR 300.502.*

***f) Requests for Evaluations by Hearing Officers***

If a hearing officer requests an IEE of the student as part of a due process hearing, the cost of the evaluation must be at public expense.

**Sec. 15. CRITERIA FOR OBTAINING IEE AT PUBLIC EXPENSE**

The criteria under which the IEE is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an IEE.

***a) Location***

The evaluator conducting an IEE of a child with a disability at public expense must be located within a 100-mile radius of Richland Collegiate High School. This will allow the evaluator access to Richland Collegiate High School for observation of the student and access to the student's cumulative and special education eligibility folders.



**b) *Cost***

Parents are free to select whomever they choose to perform the IEE, so long as the examiner meets Richland Collegiate High School's criteria. Richland Collegiate High School will pay a fee for an IEE that allows a parent to choose from among qualified professionals in the area.

Richland Collegiate High School will not pay unreasonably excessive fees. An unreasonably excessive fee is one which is 20% above the prevailing fees in the area as established by the Medicaid/Medicare Service Provider Manual for the specific test being considered.

Parents will be offered the opportunity to demonstrate to their child's ARD committee that unique circumstances exist which justify an IEE that does not meet Richland Collegiate High School criteria outlined in this document.

When evaluators have a sliding scale fee based on parent income, Richland Collegiate High School will pay the amount charged to the parent if the evaluator meets Richland Collegiate High School criteria or Richland Collegiate High School has approved the IEE that does not meet Richland Collegiate High School criteria.

In the event a parent pursues an IEE independently or pursues an IEE provider that is not on Richland Collegiate High School independent evaluator list, Richland Collegiate High School will determine if the evaluator meets Richland Collegiate High School criteria prior to authorizing payment or reimbursement. If payment will be authorized, an original billing form and an original written report with original signature must be submitted to Richland Collegiate High School prior to payment.

Richland Collegiate High School will deny payment for an IEE conducted by an evaluator who does not meet Richland Collegiate High School criteria. Richland Collegiate High School will deny payment for an IEE that does not meet TEA criteria for the specific disability identified.

If a hearing officer requests an IEE as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.

Travel costs for evaluators will not exceed Richland Collegiate High School rates for travel as established by state guidelines.

A contract for an IEE between an evaluator and Richland Collegiate High School will not exceed one year. All terms will become void after the expiration date of one year.

**c) *Evaluator Criteria***

The evaluator conducting the IEE must meet Richland Collegiate High School criteria and possess comparable credentials to the examiner that conducted the evaluation that is in dispute.

Evaluators must possess current licensure/certification to conduct the evaluation and must provide copies of his or her license or certification with the evaluation, if not previously provided.

Evaluators must comply with all requirements specified in state and federal law, including those outlined in the professional board responsible for providing the license or certification.

Evaluators must meet the examiner qualifications for the tests administered as outlined by the test producer.

The evaluator will have access to the student's cumulative folder and special education folders in gathering information about the student.

The evaluator will have the ability to interview teachers and observe the student in the educational setting.

Prior to conducting the assessment, the evaluator agrees to submit to a national criminal history review and to provide any and all information necessary to secure the national criminal history review, including fingerprints and photographs, or other information required by Texas Education Code § 22.0834 concerning Contractor or Contractor's Subcontractors.

The evaluator agrees to conduct a thorough evaluation in the area(s) performed by Richland Collegiate High School with which the parent disagrees.

Copies of protocols must be provided to Richland Collegiate High School.

The report must comply with all federal and state requirements, including addressing the presence or absence of a disability condition as defined under the IDEA and the Texas Education Code.

The evaluation must be provided to Richland Collegiate High School upon completion.

Except for the criteria described above, Richland Collegiate High School may not impose conditions or timelines related to obtaining an IEE at public expense.

*34 CFR 300.502(e).*

**Sec. 1. COMPLIANCE**

Richland Collegiate High School shall use Individuals with Disabilities Education Act ("IDEA") Part B funds received to:

1. comply with the federal maintenance of effort ("MOE") requirements;
2. supplement State, local and other Federal funds and not supplant such funds; and
3. pay the excess costs of providing special education and related services to children with disabilities and must be used to supplement State, local, and other Federal funds.

*34 CFR 300.202, 20 U.S.C. 1413(a)(2).*

**Sec. 2. REDUCING LEVEL OF EXPENDITURES**

Funds provided to Richland Collegiate High School will not be used to reduce the level of expenditures for the education of students with disabilities made by Richland Collegiate High School below the level of those funds for the preceding year.

*20 U.S.C. 1423(a)(2)(A)(iii), Appendix E to Part 300.*

Richland Collegiate High School may reduce the level of expenditures if the reduction is attributable to:

1. Voluntary departure, retirement, or departure for just cause of special education personnel;
2. A decrease in enrollment of students with disabilities;
3. The termination of the obligation of Richland Collegiate High School to provide a special education program to a particular student with a disability that is an exceptionally costly program because the child left Richland Collegiate High School, aged out of services, or no longer needs special education;
4. The termination of costly expenditures for long-term purchases; or
5. The assumption of cost by the high cost fund operated by the Texas Education Agency.

*34 CFR 300.204.*

**Sec. 3. EXCESS EXPENDITURES**

Having complied with MOE and excess costs requirements, IDEA Part B funds provided to the school will be used for the following activities:

**Sec. 4. COMPLIANCE**

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a disability in accordance with the individualized education program (“IEP”) of the child, even if nondisabled children benefit from such services;
2. To develop and implement coordinated, early intervening educational services in compliance with the child find and administration requirements, including:
  - a. Early intervening services, which may include interagency financing structures, for children in kindergarten through grade 12 (with a particular emphasis on children in kindergarten through grade 3) who are not currently identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment;
  - b. Richland Collegiate High School may not use more than 15 percent of the amount received under IDEA Part B for any fiscal year, less any adjustments by Richland Collegiate High School to local fiscal effort, if any, in combination with other amounts, which may include amounts other than education funds, to develop and implement coordinated, early intervening services; and
3. To establish and implement cost or risk-sharing funds, consortia, or cooperatives for Richland Collegiate High School, or for Richland Collegiate High School’s working in a consortium of which Richland Collegiate High School is a part, to pay for high-cost special education and related services.
4. Richland Collegiate High School may use IDEA Part B funds to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP that is needed for the implementation of such case management activities.

*34 CFR 300.208.*

**Sec. 5. EARLY INTERVENING SERVICES**

Funds made available for early intervening services, must supplement not supplant funds available under the Elementary and Secondary Education Act (“ESEA”).

*34 CFR 300.226(e).*

**Sec. 6. USE OF IDEA PART B FUNDS FOR TITLE 1 PROGRAMS**

Notwithstanding any other provisions related to commingling of funds, Richland Collegiate High School may use IDEA Part B funds received for any fiscal year to carry out a Title 1, Part A school wide programs under ESEA, except that the amount may not exceed:

- the amount received by the school under IDEA Part B for that fiscal year; divided by
- the number of students with disabilities in the jurisdiction of the school; and multiplied by
- the number of students with disabilities participating in the school wide program.

*34 CFR 300.206; 20 U.S.C. 1413.*

**Sec. 7. COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS: TITLE 1**

To the extent required under Title 1 of the ESEA, Richland Collegiate High School shall ensure equity among school programs in staff/student ratios and in expenditures of money for curriculum materials and instructional supplies. “Staff” shall include teachers, administrators, and auxiliary personnel. In special programs, such as special education and bilingual education, a lower ratio may be maintained and more money may be spent as necessary to fulfill other legal requirements.

The parental involvement program shall be set up in accordance with requirements of Title 1 of the ESEA, as applicable. Parental involvement is encouraged and required in the planning and decision-making process for the school and for the campus.

**Sec. 1. NONEDUCATIONAL COMMUNITY BASED SUPPORT SERVICES**

Students with disabilities and their families may be eligible to receive noneducational community based support services paid for by public funds.

The Texas Education Agency (“TEA”) is responsible for establishing procedures and criteria for the allocation of noneducational funds to open-enrollment charter schools for the provision of noneducational community-based support services to certain students with disabilities and their families so that those students may receive a free appropriate public education (“FAPE”) in the least restrictive environment.

*Education Code 29.013(a).*

Richland Collegiate High School shall use any funds allocated under Education Code Section 29.013 only for eligible students with disabilities who would remain or would have to be placed in residential facilities primarily for educational reasons without the provision of noneducational community-based support services.

*Education Code 29.013(b).*

The support services may include in-home family support, respite care, and case management for families with a student who otherwise would have been placed by an open-enrollment charter school in a private residential facility.

*Education Code 29.013(c).*

The provision of services under Education Code Section 29.013 does not supersede or limit the responsibility of other agencies to provide or pay for costs of noneducational community-based support services to enable any student with disabilities to receive a FAPE in the least restrictive environment. Specifically, services provided under Education Code Section 29.013 may not be used for a student with disabilities who is currently placed or who needs to be placed in a residential facility primarily for noneducational reasons. Funds cannot be used to cover services already required through the student’s individual education program or for long-term care.

*Education Code 29.013(d).*

**Sec. 1. RICHLAND COLLEGIATE HIGH SCHOOL**

Richland Collegiate High School may enter into a written contract to jointly operate its special education programs. Funds to which the cooperating schools/charter schools are entitled may be allocated to the schools/charter schools jointly as Richland Collegiate High School units or Richland Collegiate High School funds in accordance with the Richland Collegiate High School schools/charters' agreement, Texas Education Agency Guidance and Texas Government. Code Chapter 791 (interlocal agreements).

**POLICY GROUP 6 - SPECIAL EDUCATION  
FUNDING – STATE ALLOTMENTS**

**Sec. 1. STATE FUNDING: SPECIAL ALLOTMENTS**

Richland Collegiate High School shall maintain records of students participating in special programs in accordance with the Commissioner of Education's rules.

19 TAC 129.21.

**Sec. 2. SPECIAL EDUCATION ALLOTMENT**

Each open-enrollment charter school will receive an annual allotment equal to the adjusted basic allotment multiplied by 1.1 for each student receiving special education and related services in a mainstream instructional arrangement. For each full-time equivalent student receiving special education and related services in average daily attendance in an instructional arrangement other than a mainstream instructional arrangement, the open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by a weight determined according to instructional arrangement as set forth in Section 48.102, Texas Education Code.

Funds allocated under this section, other than an indirect cost allotment established under State Board of Education ("SBOE") rule, must be used in the special education program under Subchapter A, Chapter 29 of the Texas Education Code.

*Education Code 48.102(h).*

**Sec. 3. COMPENSATORY EDUCATION ALLOTMENT**

Richland Collegiate High School must use funds allocated under TEC §48.104 for a purpose authorized in Section 48.104(j-1), (k) of the Texas Education Code

*Education Code 48.104.*

Funds allocated under Education Code Section 48.104 shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B (School-Based Health Centers), Chapter 39, Texas Education Code, or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by Section 29.081 of the Education Code (Compensatory, Intensive, and Accelerated Instruction) and all other students. Specifically, the funds, other than an indirect cost allotment established under SBOE rule, which may not exceed 45 percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Education Code Section 29.081 or an alternative education program established under Education Code Section 37.008 (Disciplinary Alternative Education Programs) or to support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program



**POLICY GROUP 6 - SPECIAL EDUCATION  
FUNDING – STATE ALLOTMENTS**

under Education Code Section 29.081, Richland Collegiate High School's compensatory education allotment shall be used for costs supplementary to the regular education program, such as costs for program and student evaluation, instructional materials and equipment and other supplies required for quality instruction, supplemental staff expenses, salary for teachers of at-risk students, smaller class size, and individualized instruction.

*Education Code 48.104(k).*

**Sec. 4. BILINGUAL EDUCATION ALLOTMENT**

For each student in average daily attendance in a bilingual education or special language program under Subchapter B, Chapter 29, an open-enrollment charter school is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.1. Funds allocated under this section, other than an indirect cost allotment established under SBOE rule, must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29, and must be accounted for under existing agency reporting and auditing procedures. An open-enrollment charter school's bilingual education or special language allocation may only be used for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, salary supplements for teachers, and other supplies required for quality instruction and smaller class size.

*Education Code 12.104(b)(3)(G), 42.105.*

**Sec. 5. CAREER AND TECHNOLOGY EDUCATION ALLOTMENT**

For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 11 and 12 or in career and technology education programs for students with disabilities in grades 11 to 12, an open-enrollment charter school is entitled to:

1. an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and
2. \$50 for each of the following in which the student is enrolled:
  - a. two or more advanced career and technology education classes for a total of three or more credits;
  - b. a campus designated as a P-TECH school under Section 29.566; or
  - c. a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education.

**POLICY GROUP 6 - SPECIAL EDUCATION  
FUNDING – STATE ALLOTMENTS**

For purposes of this allotment, “full-time equivalent student” means 30 hours of contact a week between a student and career and technology education program personnel.

At least 55% of the funds allocated under this section must be used in providing career and technology education programs in grades 11 to 12.

*Education Code 48.106.*

**POLICY GROUP 6 - SPECIAL EDUCATION  
GENERAL AND FISCAL GUIDELINES**

**Sec. 1. COMPLIANCE WITH GENERAL AND FISCAL GUIDELINES**

Richland Collegiate High School must comply with the Texas Education Agency General and Fiscal Guidelines.

**Sec. 2. CHARGING COSTS TO SPECIAL EDUCATION GRANT**

Richland Collegiate High School may charge costs to a special education grant when those costs follow the Richland Collegiate High School's local written procedures for allowability of costs and meet the following criteria:

- Are reasonable for the performance of the special education grant and are allocable under the applicable cost principles;
- Conform to limitations or exclusions set forth in applicable cost principles or the special education grant agreement as to types or amount of costs;
- Are consistent with policies and procedures that apply uniformly to federally or state-funded activities funded from other sources;
- Are accorded consistent treatment among all grant programs, regardless of funding source;
- Are not included as a cost or used to meet cost-sharing or matching requirements of any other federally or state-funded program in the current or a prior period; and
- Are adequately documented.

**Sec. 3. REASONABLE COST**

A cost can be considered reasonable if it meets the following standards:

- The cost is of a type generally recognized as ordinary and necessary for the operation of Richland Collegiate High School or grant performance;
- Restrictions or requirements are imposed for generally accepted sound business practices, arms-length bargaining, federal or state laws and regulations, and grant award terms and conditions;
- Consideration is given to market prices for comparable goods or services for the geographical area;
- Individuals are acting with prudence in the circumstances of responsibility to Richland Collegiate High School and federal and state government; and
- There are no significant deviations from established practices of Richland Collegiate High School that may unjustifiably increase grant costs.

***g) Allocating Costs***

A cost is allocable to the special education grant in accordance with relative benefits received if it is treated consistently with other costs incurred for the same purposes in like circumstance and if it meets the following:

**POLICY GROUP 6 - SPECIAL EDUCATION  
GENERAL AND FISCAL GUIDELINES**

- Is incurred specifically for the grant;
- Benefits both the grant and the other work and can be distributed in reasonable proportion to the benefits received; and
- Is necessary to the overall operation of Richland Collegiate High School and is assignable in part to the special education grant award in accordance with the principles of this framework.

**Sec. 1. APPLICABILITY OF TITLE RELATING TO HIGH SCHOOL GRADUATION**

Richland Collegiate High School is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code ( “TEC”), or a rule adopted under Title 2 (Public Education) of the TEC, relating to high school graduation under TEC Section 28.025.

*Education Code 12.104(b)(2)(E).*

**Sec. 2. ARD COMMITTEE AND IEP**

For each student who is at least 14 years of age and qualifies for special education, the admission, review, and dismissal (“ARD”) committee must begin transition planning. The ARD committee must also consider the student’s graduation plan and what state assessments are required for graduation.

*Education Code 29.0111; 19 TAC 89.1070.*

**Sec. 3. SPECIAL EDUCATION ELIGIBILITY UPON GRADUATION**

Graduation with a regular high school diploma terminates a student’s eligibility for special education and related services. Termination of eligibility based on graduation requires Richland Collegiate High School to complete a summary of performance in accordance with 34 CFR 300.305(e)(3), and prior written notice must be provided to the parent.

*34 CFR 300.102.*

**Sec. 4. GRADUATION REQUIREMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM**

A student with a disability that receives special education services and who enters 9th grade in or after the 2014-2015 school year, may receive a regular high school diploma if the student:

1. Demonstrates mastery of the required states standards;
2. Completes the credit requirements under the Foundation High School Program; or
3. Achieves satisfactory performance on the required state assessment unless the ARD committee determines that satisfactory performance on the required state assessment is not necessary for graduation.

A student who receives special education services entering 9th grade in 2014-2015 or after may also earn a high school diploma if the student meets the above requirements and successfully completes the individualized education program (“IEP”) and meets one of the following:

**POLICY GROUP 6 - SPECIAL EDUCATION  
GRADUATION PLAN**

1. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable to the student to maintain employment without direct or ongoing educational support;
2. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
3. has access to services that are not within the legal responsibility of Richland Collegiate High School or educational options for which the student has been prepared for by the academic program; or
4. no longer meets eligibility requirements

*19 TAC 89.1070; Education Code 28.025.*

**Sec. 5. ENDORSEMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM**

A student receiving special education services, may receive an endorsement if the student:

1. Completes the requirements for graduation under the Foundation High School Program and completes the additional credits requirements in mathematics, science, and elective courses required for an endorsement with or without modified curriculum; or
2. Completes the courses required for the endorsement without modified curriculum; and
3. Performs satisfactorily on the state assessment.

For students receiving special education services, if the student wants to use a course to satisfy both the Foundation High School Program requirements and for the endorsement requirement, the course must be completed without modified curriculum.

*19 TAC 89.1070; Education Code 28.025.*

**Sec. 6. SUBSTITUTIONS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM**

***h) Language other than English***

If the ARD committee determines that a student with a disability is unable to complete two credits in the same language other than English, the ARD committee may determine to:

1. substitute a combination of two credits from ELA, math, science, or social studies; or
2. substitute two credits of CTE, technology applications, or other academic electives.

*Education Code 74.12(b)(5)(D)(i), 28.025(b-14)(1).*

**i) *Physical Education***

In accordance with State Board of Education (“SBOE”) rules, a student who is unable to participate in physical activity due to disability or illness is allowed to substitute one credit in English language arts, mathematics, science, or social studies or one academic elective credit for the required physical education credit. A credit allowed to be substituted may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The determination regarding a student’s ability to participate in physical activity must be made by:

- The student’s ARD committee, if the student receives special education services under the IDEA and Texas Education Code Chapter 29;
- The student’s 504 committee, if the student does not receive special education services under the IDEA or Texas Education Code Chapter 29, Subchapter A but is covered by Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794; or
- If each of the described committees is inapplicable, a committee established by the school of persons with appropriate knowledge regarding the student.

*Education Code 28.025(b-11).*

Credits allowed as a substitution for the language and PE requirement may not be used to satisfy other graduation credit requirements.

*Education Code 28.025(b-11),(b-14).*

**Sec. 1. FOSTER PARENT**

A foster parent may act as a parent of a child with a disability, as authorized under 20 U.S.C. 1415(b) and its subsequent amendments, if:

1. the Department of Family and Protective Services (“DFPS”) is appointed as the temporary or permanent managing conservator of the child;
2. the rights and duties of the department to make decisions regarding education provided to the child under Section 153.371, Family Code, have not been limited by court order; and
3. the foster parent agrees to:
  - a. participate in making special education decisions on the child’s behalf; and
  - b. complete a training program that complies with minimum standards established by the Texas Education Agency (“TEA”) rule.

*Education Code 29.015(a).*

A foster parent who will act as a parent of a child with a disability must complete a training program before the next scheduled admission, review, and dismissal (“ARD”) committee meeting for the child but not later than the 90th day after the date the foster parent begins acting as the parent for the purpose of making special education decisions.

*Education Code 29.015(b).*

Richland Collegiate High School may not require a foster parent to retake a training program to continue serving as a child’s parent or to serve as the surrogate parent for another child if the foster parent has completed a training program to act as a parent of a child with a disability provided by:

1. the DFPS;
2. a school district;
3. an education service center; or
4. any other entity that receives federal funds to provide special education training to parents.

A foster parent who is denied the right to act as a parent under Education Code Section 29.015 by an open-enrollment charter school may file a complaint with the TEA in accordance with federal law and regulations.

*Education Code 29.015(c).*

Richland Collegiate High School shall provide notice to the student’s educational decision-maker and caseworker regarding events that may significantly impact the education of a student, including:



1. requests or referrals for an evaluation under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or special education under Education Code Section 29.003;
2. ARD committee meetings;
3. manifestation determination reviews required by Education Code Section 37.004(b);
4. any disciplinary actions under Chapter 37 of the Education Code for which parental notice is required;
5. citations issued for Class C misdemeanor offenses on school property or at school-sponsored activities;
6. reports of restraint and seclusion required by Education Code Section 37.0021; and
7. use of corporal punishment as provided by Education Code Section 37.0011.

*Education Code 25.007.*

As a condition to receiving funds under Title I, Part A, Richland Collegiate High School shall collaborate with the state or local child welfare agency to:

- a. ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S.C. 675(4)(A) and to the extent required by law; and
- b. ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, Richland Collegiate High School will, to the extent required by law, provide transportation to the school of origin if:
  - i. the local child welfare agency agrees to reimburse Richland Collegiate High School for the cost of transportation;
  - ii. Richland Collegiate High School agrees to pay the cost of transportation; or
  - iii. Richland Collegiate High School and the local welfare agency agree to share the cost of such transportation.

*20 U.S.C. 6312(c)(5).*

## **Sec. 2. SURROGATE PARENT**

Richland Collegiate High School must appoint an individual to serve as the surrogate parent for a child if:

1. Richland Collegiate High School is unable to identify or locate a parent for a child with a disability; or
2. the foster parent of a child is unwilling or unable to serve as a parent.

A surrogate parent appointed by Richland Collegiate High School may not:

1. be an employee of the state, Richland Collegiate High School, or any other agency involved in the education or care of the child; or
2. have any interest that conflicts with the interests of the child.

A surrogate parent must:

1. be willing to serve in that capacity;
2. exercise independent judgement in pursuing the child's interests;
3. ensure that the child's due process rights under applicable state and federal laws are not violated;
4. complete a training program that complies with minimum standards established by agency rule before the next scheduled admission, review, and dismissal committee meeting for the child but not later than the 90th day after the date the surrogate parent is appointed;
5. visit the child and the school where the child is enrolled;
6. review the child's educational records;
7. consult with any person involved in the child's education, including the child's teachers, caseworkers, court-appointed volunteers, guardian ad litem, attorney ad litem, foster parent, and caregiver; and
8. attend meetings of the child's admission, review, and dismissal committee.

Richland Collegiate High School may appoint a person who has been appointed to serve as a child's guardian ad litem or as a court-certified volunteer advocate as the child's surrogate parent. As soon as practicable after appointing a surrogate parent Richland Collegiate High School shall provide written notice of the appointment to the child's educational decision-maker and caseworker.

If a court appoints a surrogate parent for a child with a disability and the Richland Collegiate High School determines that the surrogate parent is failing to perform or is not properly performing the duties listed in this policy, Richland Collegiate High School shall consult with the DFPS regarding whether another person should be appointed to serve as the surrogate parent for the child.

**Sec. 1. Child Find Private School Students**

Richland Collegiate High School shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives, regarding the child find process and the provision of special education and related services to children enrolled in private schools within Richland Collegiate High School's boundaries.

Richland Collegiate High School shall undertake activities similar to those undertaken for children enrolled in public schools and shall complete the child find process for children enrolled in private schools in a time period comparable to that for other students attending the public schools within Richland Collegiate High School's boundaries.

*20 U.S.C. 1412(a)(10)(A)(ii)–(iv).*

**Sec. 2. Special Education Students Placed In Private School**

***a) Placement by Richland Collegiate High School***

If Richland Collegiate High School places a child with a disability in a private school or facility, or refers the child to a private school or facility, as a means of carrying out the requirements of the special education laws, Richland Collegiate High School shall ensure that the child is provided special education and related services, in accordance with an individualized education program ("IEP"), at no cost to the parents.

*20 U.S.C. 1412(a)(10)(B)(i).*

***b) Placement by the Parent***

When a student with a disability who has been placed by his or her parent directly in a private school is referred to Richland Collegiate High School, Richland Collegiate High School shall convene an admission, review, and dismissal ("ARD") committee to determine whether Richland Collegiate High School can offer the child a free appropriate public education ("FAPE"). If Richland Collegiate High School determines that it can offer a FAPE to the student, Richland Collegiate High School is not responsible for providing educational services to the student, except as provided in 34 CFR 300.130–300.144 or 19 TAC 89.1096(e), until such time as the parents choose to enroll the student in Richland Collegiate High School full time.

*19 TAC 89.1096(b).*

**Sec. 3. Rejection of Offer of FAPE**

**a) *Student Receives ISP***

If Richland Collegiate High School offers to provide a FAPE to a child with a disability and the parents elect to place the child in a private school or facility, Richland Collegiate High School is not required to pay for the cost of education, including special education and related services. However, Richland Collegiate High School must develop and implement an individualized services plan (“ISP”) for the child.

*20 U.S.C. 1412(a)(10)(C)(i); 34 CFR 300.148(a).*

**b) *Reimbursement***

If the parents of a child with a disability, who previously received special education and related services under the authority of Richland Collegiate High School, enroll the child in a private school without the consent or referral by Richland Collegiate High School, a court or a hearing officer may require Richland Collegiate High School to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that Richland Collegiate High School had not made a FAPE available to the child in a timely manner before the enrollment.

*20 U.S.C. 1412(a)(10)(C)(ii); 34 CFR 300.148(c).*

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 –SPECIAL EDUCATION  
PROCEDURAL SAFEGUARDS AND REQUIREMENTS**

PG-6-25

**Sec. 1. PROCEDURAL SAFEGUARDS**

The Superintendent or designee shall establish and maintain procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education (“FAPE”).

*20 U.S.C. 1415(a)–(b).*

These procedures shall include:

1. An opportunity for the parents to review all education records and to participate in meetings relating to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. *34 CFR 300.501.*
2. An opportunity for the parents to obtain an independent educational evaluation of the child. *34 CFR 300.502.*
3. Assignment of an individual to act as a surrogate for the parent when no parent can be identified, Richland Collegiate High School cannot locate the parents, or the child is a ward of the state. *34 CFR 300.519.*
4. Prior written notice to the parents whenever Richland Collegiate High School proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. *34 CFR 300.503.*
5. Procedures to allow parties to resolve disputes through a mediation process. *34 CFR 300.506.*
6. An opportunity for any party to file a due process complaint on any matter relating to the identification, evaluation, or educational placement of the child, or the provision of FAPE to the child. *34 CFR 300.507.*
7. Procedures that require either party, or the attorney representing a party, to provide the other party a due process complaint (which shall remain confidential). *34 CFR 300.508.*

**Sec. 2. LANGUAGE OF NOTICES**

The procedural safeguards and prior written notices described below must be written in a language understandable to the general public. The notice must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

*34 CFR 300.503(c), 300.504(d).*

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 –SPECIAL EDUCATION**

**PROCEDURAL SAFEGUARDS AND REQUIREMENTS**

PG-6-25

**a) *Electronic Delivery of Notices***

A parent who has a child with a disability may elect to receive required notices required by 34 CFR 300.503, 300.504 and 300.508 by electronic mail, if Richland Collegiate High School makes that option available.

*34 CFR 300.505.*

**b) *Notice of Procedural Safeguards***

Richland Collegiate High School shall provide a copy of the procedural safeguards to parents only once per year, except that a copy also shall be given to the parents:

1. Upon initial referral or parental request for evaluation;
2. Upon receipt of the first state complaint and upon receipt of the first due process complaint in a school year;
3. On the date of a decision to make a disciplinary removal that is a change in placement; and
4. Upon request by a parent.

Richland Collegiate High School may also place a current copy of the procedural safeguards notice on its Internet website.

**c) *Contents of Notice***

The notice shall include a full explanation of the procedural safeguards relating to:

1. Independent educational evaluations;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. Opportunity to present and resolve complaints through the due process complaint and state complaint procedures, including:
  - a. The time period in which to file a complaint,
  - b. The opportunity for Richland Collegiate High School to resolve the complaint; and
  - c. The difference between the due process complaint and the state complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
6. The availability of mediation;
7. The child's placement during pendency of any due process proceedings;
8. Procedures for children who are subject to placement in an interim alternative educational setting;
9. Requirements for unilateral placement by parents of children in private schools at public expense;

**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 –SPECIAL EDUCATION**

**PROCEDURAL SAFEGUARDS AND REQUIREMENTS**

PG-6-25

10. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
11. Civil actions, including the time period in which to file such actions; and
12. Attorneys' fees.

*20 U.S.C. 1415(a)–(b), (d); 34 CFR 300.504(c).*

**Sec. 3. DISPUTE RESOLUTION**

The possible options for resolving disputes that arise between a parent and Richland Collegiate High School relating to the identification, evaluation, or educational placement of or the provision of FAPE to a student with a disability include, but are not limited to:

1. ARD committee meetings, including IEP facilitation if offered by Richland Collegiate High School, under 19 TAC 89.1196;
2. Meetings or conferences with the student's teachers;
3. Meetings or conferences, subject to Richland Collegiate High School policies, with the principal, special education director, Superintendent, or Board;
4. Requesting state IEP facilitation in accordance with 19 TAC 89.1197 (relating to State Individualized Education Program Facilitation);
5. Requesting mediation through the Texas Education Agency ("TEA") in accordance with 34 CFR 300.506;
6. Filing a complaint with TEA in accordance with 34 CFR 300.153; or
7. Requesting a due process hearing through TEA in accordance with 34 CFR 300.507-300.514.

*19 TAC 89.1150.*

**Sec. 4. DUE PROCESS COMPLAINT**

Whenever a due process complaint has been received by Richland Collegiate High School, the parent shall have an opportunity for an impartial due process hearing, which shall be conducted by TEA.

**a) *Time Limits***

1. *Due Process Complaints Filed Before September 1, 2022:*

A due process complaint filed before September 1, 2022 must set forth an alleged violation that occurred not more than one year before the date the parent or Richland Collegiate High School knew or should have known about the alleged action that forms the basis of the complaint. *20 U.S.C. 1415(f)(1)(A); 19 TAC 89.1151(c).*

*2. Due Process Complaints Filed On or After September 1, 2022:*

A due process complaint filed on or after September 1, 2022 must set forth an alleged violation that occurred not more than two years before the date the parent or Richland Collegiate High School knew or should have known about the alleged action that forms the basis of the complaint. *20 U.S.C. 1415(f)(1)(A); Education Code 29.0164.*

**b) *Exceptions***

These time limits shall not apply if the parent was prevented from requesting a hearing due to:

1. A specific misrepresentation by Richland Collegiate High School that it had resolved the problem forming the basis of the complaint; or
2. Richland Collegiate High School's withholding of information from the parent that Richland Collegiate High School was required by the IDEA to provide.

*20 U.S.C. 1415(f)(3)(D); 34 CFR 300.511(f); 19 TAC 89.1151(d).*

**c) *"Stay Put"***

During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing, the child shall remain in the then-current educational placement unless Richland Collegiate High School and the parent agree otherwise. If the child is applying for initial admission to a public school, the child shall, with the consent of the parents, be placed in the public school program until all proceedings have been completed. *20 U.S.C. 1415(j); 34 CFR 300.518, 300.533.*

**d) *Exception***

When a due process hearing has been requested by a parent or Richland Collegiate High School concerning a disciplinary change of placement or manifestation determination, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the child's assignment to the alternative setting, or the 45-day timeline, if applicable, whichever occurs first, unless the parent and Richland Collegiate High School agree otherwise. *20 U.S.C. 1415(k)(3)(A), 1415(k)(4)(A); 34 CFR 300.533.*

**e) *Resolution Process***

Within 15 days of receiving notice of a parent's due process complaint, and before initiating a due process hearing under 34 CFR 300.511, Richland Collegiate High School shall convene a meeting with the parent and the relevant member or members of the ARD committee. The purpose of the meeting is for the parent to discuss the due process complaint and the facts that form the basis of



**RICHLAND COLLEGIATE HIGH SCHOOL BOARD POLICY  
MANUAL**

**POLICY GROUP 6 –SPECIAL EDUCATION**

**PROCEDURAL SAFEGUARDS AND REQUIREMENTS**

PG-6-25

the due process complaint, so that Richland Collegiate High School has the opportunity to resolve the dispute.

The meeting need not be held if the parent and Richland Collegiate High School agree in writing to waive the meeting, or the parent and Richland Collegiate High School agree to use the mediation process.

If Richland Collegiate High School has not resolved the due process complaint to the satisfaction of the parent within 30 days of the receipt of the complaint, the due process hearing may occur. If Richland Collegiate High School is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made, Richland Collegiate High School may, at the conclusion of the 30-day period, request that a hearing officer dismiss the parent's due process complaint.

*34 CFR 300.510.*

**Sec. 5. TRANSFER OF RIGHTS TO ADULT STUDENTS**

When a student reaches the age of 18, Richland Collegiate High School shall notify the student and the parents of the transfer of parental rights. This notice is separate and distinct from the requirement that, beginning at least one year before the student reaches the age of 18, the student's IEP include a statement regarding transfer of parental rights.

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make educational decisions as a student without a disability. All other rights accorded to parents under Chapter 29, Subchapter A of the Education Code or 20 U.S.C. 1415 transfer to the student.

*34 CFR 300.520; Education Code 29.017(a)–(b); 19 TAC 89.1049(c).*

Student records shall be maintained for each student from the time the student is in attendance at Richland Collegiate High School until withdrawal or graduation from Richland Collegiate High School. These records shall move with the respective student from campus to campus. Records for students not in attendance and/or withdrawn students and graduates shall be retained for the period of time required by law. No permanent records may be destroyed without explicit written permission from the Superintendent.

**Sec. 1. EDUCATION RECORDS**

**a) *“Education Records” Defined***

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by Richland Collegiate High School or by a person acting for Richland Collegiate High School.

The term “education records” does not include:

1. Records that are created or received by Richland Collegiate High School after an individual is no longer a student in attendance, and that are not directly related to the individual’s attendance as a student.
2. Records made by Richland Collegiate High School personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of Richland Collegiate High School that were created by that law enforcement unit for the purpose of law enforcement.
4. Records on a student who is eighteen years of age or older, or who is attending an institution of postsecondary education, that are:
  - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
  - b. Made, maintained, or used only in connection with treatment of the student; and
  - c. Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

State and federal law safeguard educational records from unauthorized inspection or use. All information relating to student performance, including grades, test results, and disciplinary records are considered confidential educational records. Release of those records are restricted to parents; school staff members with a legitimate educational interest; various governmental agencies or in response to a subpoena or court order; or a school to which the student transfers or subsequently enrolls. Release to any other person or agency will occur only with prior written consent of the parent.

**b) *Screening Records***

To the extent Richland Collegiate High School receives records of screening for special senses and communication disorders, spinal screening, and assessment for type 2 diabetes for a student in Richland Collegiate High School, the Principal of Richland Collegiate High School shall ensure that such records are maintained and made available for inspection by the state or local health department. The Texas-Mexico Border Health Coordination Office may, directly or through local health departments, enter a school and inspect records relating to assessment for type 2 diabetes. Individual screening records may be transferred among schools in accordance with Section 2-d (Access by Other Persons) below.

**c) *Immunization Records***

Richland Collegiate High School shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by the Texas Education Agency (“TEA”) or by representatives of local health departments or the Texas Department of State Health Services (“TDSHS”). Richland Collegiate High School shall cooperate with other districts and schools in transferring students’ immunization records between other schools. Specific approval from students or parents is not required prior to making such record transfers.

**d) *Medical Records***

The parent of a student is entitled to access the student’s medical records maintained by Richland Collegiate High School. On request of a student’s parent, Richland Collegiate High School shall provide a copy of the student’s medical records to the parent. Richland Collegiate High School may not impose a charge that exceeds the amount authorized by Section 552.261 of the Government Code.

**e) *Privacy Rule for Non-“Education Records”***

To the extent Richland Collegiate High School is a covered entity under the Health Insurance Portability and Accountability Act (“HIPAA”), Richland Collegiate High School must comply with the Privacy Rule, 45 CFR Part 164, with respect to protected health information that is not an education record.

**f) *Food Allergy Information***

Information regarding a child’s food allergy, regardless of how it is received by Richland Collegiate High School, shall be retained in the child’s student records, but may not be placed in the health record maintained for the child by Richland Collegiate High School.

*Exceptions*

If Richland Collegiate High School receives documentation of a food allergy from a physician, that documentation shall be placed in the health record maintained for the child by Richland Collegiate High School. A registered nurse may enter appropriate notes about a child's possible food allergy in the health record maintained for the child by Richland Collegiate High School, including a notation that the child's student records indicate that a parent has notified Richland Collegiate High School of the child's possible food allergy.

**g) *Assessment Instruments***

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by Richland Collegiate High School are confidential and may be made available only to the student, the student's parent, and to Richland Collegiate High School personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by ethnicity, sex, grade level, subject area, campus, and school system, and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names of individual students or teachers.

**h) *Academic Achievement Records (Grades 9–12)***

Richland Collegiate High School shall use the academic achievement record (transcript) form adopted by the State Board of Education ("SBOE"). This form shall serve as the academic record for each student and shall be maintained permanently by Richland Collegiate High School. Copies of the record shall be made available to students transferring to another district. The information may be provided to the student or to the receiving district or to both. Richland Collegiate High School shall respond promptly to all requests for student records from receiving districts.

**i) *Enrollment Records***

If a parent or other person with legal control of a child enrolls the child in Richland Collegiate High School, the parent or other person, or the school district in which the child most recently attended school, shall furnish to Richland Collegiate High School all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the Commissioner of Education in the Student Attendance Accounting Handbook.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

Richland Collegiate High School must furnish information under items 1 and 2 not later than the tenth working day after the date Richland Collegiate High School receives a request for the information.

If a parent or other person with legal control of a child under a court order requests that Richland Collegiate High School transfer a child's student records, Richland Collegiate High School shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

**Sec. 2. ACCESS, DISCLOSURE, AND AMENDMENT**

**a) *Definitions***

i. "Attendance"

"Attendance" includes, but is not limited to:

1. Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
2. The period during which a person is working under a work-study program.

ii. "Disclosure"

"Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

iii. "Parent"

"Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

iv. "Personally Identifiable Information"

"Personally identifiable information" includes, but is not limited to:

1. The student's name;
2. The name of the student's parent or other family members;
3. The address of the student or student's family;
4. A personal identifier, such as the student's biometric record, defined as a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA

sequence, facial characteristics, and handwriting); social security number; or student number;

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. Information requested by a person who Richland Collegiate High School reasonably believes knows the identity of the student to whom the education record relates.

v. "Record"

"Record" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche.

vi. "Authorized Representative"

"Authorized representative" means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 C.F.R. 99.31(a)(3) to conduct—with respect to federal- or state-supported education programs—any audit, evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

vii. "Education Program"

"Education program" means any program that is principally engaged in the provision of education, including but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by Richland Collegiate High School.

viii. "Signed and Dated Written Consent"

"Signed and dated written consent" may include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person's approval of the information contained in the electronic consent.

**b) Access by Parents**

Access to the education records of a student who is or has been in attendance at Richland Collegiate High School shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes.

Richland Collegiate High School shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. A court may order the custodian of records to delete all references in a child's records to the place of residence of either party appointed as conservator before their release to another party appointed as conservator.

**c) *Access by Student***

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

Nothing in this section prevents Richland Collegiate High School from disclosing education records, or personally identifiable information from education records, to a parent without prior written consent of an eligible student if the disclosure meets the conditions in 34 CFR 99.31(a), including if the student is a dependent for tax purposes or in the case of a health or safety emergency.

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

**d) *Access by Other Persons***

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

**i. School Officials**

Richland Collegiate High School may disclose personally identifiable information without parent consent when disclosure is made to school officials with legitimate educational interest in the information. A school official is:

1. A person employed by Richland Collegiate High School as an administrator, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
2. A person serving on the Board.
3. A person or company with whom Richland Collegiate High School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).
4. A consultant, contractor, volunteer, or other party to whom Richland Collegiate High School has outsourced institutional services or functions, provided that the outside party:
  - a. Performs an institutional service or function for which Richland Collegiate High School would otherwise use employees;



- b. Is under the direct control of Richland Collegiate High School with respect to the use and maintenance of education records; and
  - c. Is subject to the requirements of 34 CFR 99.33(a) governing the use and redisclosure of personally identifiable information from education records.
5. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

Richland Collegiate High School must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

ii. Officials of Other Schools

Officials of other schools or school systems in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer, provided that Richland Collegiate High School either:

- 1. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
- 2. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent).

In either case, Richland Collegiate High School shall furnish a copy of the transferred records to the parent if requested and shall give the parent an opportunity for a hearing to challenge the content of the record.

iii. Authorized Governmental Representatives

Authorized representatives of the officials or agencies headed by the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal- or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

Richland Collegiate High School may not refuse to report information concerning a student holding an F, J, or M visa on the basis of the Family Educational Rights and Privacy Act ("FERPA") and any regulation implementing FERPA. Richland Collegiate High School is authorized and required to report information that would ordinarily be protected by FERPA only to the extent required by 8 U.S.C. 1372, 8 CFR 214.3, or any corresponding regulation.



iv. *Financial Aid Personnel*

Personnel involved with a student's application for, or receipt of, financial aid.

v. *Juvenile Justice Officials*

State and local officials to whom such information is specifically allowed to be reported or disclosed by state statute if:

1. The allowed reporting or disclosure concerns the juvenile justice system and its ability to effectively serve the student whose records are released, and
2. The officials and authorities to whom such information is disclosed certify in writing to Richland Collegiate High School that the information will not be disclosed to any other party except as provided under state law without the prior written consent of the parent of the student.

vi. *Organizations Conducting Surveys*

Organizations conducting studies for, or on behalf of, Richland Collegiate High School for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies who have legitimate interests in the information. Such information must be destroyed when no longer needed for the original purposes of the studies.

Richland Collegiate High School must enter into a written agreement with the organization that:

1. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
2. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;
3. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and
4. Requires the organization to destroy or return to Richland Collegiate High School all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed.

If Richland Collegiate High School enters into an agreement with an organization conducting a study, it may redisclose personally identifiable information from education records on behalf of

educational agencies and institutions that disclosed the information to Richland Collegiate High School in accordance with the requirements of 34 C.F.R. 99.33(b).

Richland Collegiate High School is not required to initiate a study or agree with or endorse the conclusions or results of the study.

vii. Accrediting Organizations

Accrediting organizations that require the information for purposes of accreditation.

viii. Health & Safety Emergency

Appropriate persons, including the student's parents, who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

In making a determination, Richland Collegiate High School may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If Richland Collegiate High School determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

ix. Secretary of Agriculture

The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of schools receiving funding or providing benefits of programs authorized under the National School Lunch Act or the Child Nutrition Act.

x. State or Local Child Welfare Agency

An agency caseworker or other representative of a state or local child welfare agency who has the right to access a student's case plan when the agency is legally responsible, in accordance with state law, for the care and protection of the student.

xi. Directory Information

Any person requesting directory information after Richland Collegiate High School has given public notice of that definition

**e) *Written Consent***

The parent shall provide a signed and dated written consent before Richland Collegiate High School discloses personally identifiable information from a student's education records to any

individual, agency, or organization other than the parent, the student, or those listed above. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released.

**f) *Instructional Resources and Parental Rights***

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U. S. Department of Education ("DOE") shall be available for inspection by the parents of students.

**g) *Information Collection***

**i. DOE Funded Surveys**

No student shall be required, as part of any program funded in whole or in part by the DOE, to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent:

1. Political affiliations or beliefs of the student or the student's parents.
2. Mental and psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

**ii. Information Collection Funded by Other Sources**

Except as provided by 20 U.S.C. 1232h(a) or (b), as a condition of receiving funds from programs funded in whole or in part by the DOE, Richland Collegiate High School shall develop and adopt policies, in consultation with parents, pursuant to 20 U.S.C. 1232h(c)(1), and provide for parent notification in accordance with 20 U.S.C. 1232(c)(2).

**iii. Subpoenaed Records**

Richland Collegiate High School shall release student records to an entity or persons designated in a subpoena. Richland Collegiate High School shall not disclose to any person the existence or contents of the subpoena if a court orders Richland Collegiate High School to refrain from such disclosure. Unless the court or other issuing agency orders Richland Collegiate High School to

refrain from such disclosure or the order is an *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331, Richland Collegiate High School shall make a reasonable effort to notify the parents and the student of all such subpoenas in advance of compliance.

iv. *Sex Offenders*

Richland Collegiate High School may disclose personally identifiable information without consent if the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to Richland Collegiate High School under 42 U.S.C. 14071 and applicable federal guidelines.

**h) *Parental Rights and Student Privacy***

As a condition of receiving funds under any applicable program, Richland Collegiate High School adopts the following policies, pursuant to 20 U.S.C. 1232h(c)(1):

1. Parents have a right to inspect any survey created by a third party before the survey is administered or distributed by Richland Collegiate High School to the student. Parents should submit such a request to the Principal, and shall be provided an opportunity to inspect the survey within a reasonable period of time as determined by the Principal. Upon a parent's request to inspect a survey, the parent's child shall not participate in the survey until the parent has had a reasonable opportunity to inspect the survey, as determined by the Principal.
2. In the event a survey contains the items listed above, and is administered or distributed to students, Richland Collegiate High School shall comply with FERPA and other applicable law to protect student privacy.
3. Parents have a right to inspect any instructional material used in the educational curriculum for the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal.
4. Richland Collegiate High School may administer physical examinations or other screenings to students as required and/or authorized by state or federal law and in accordance with other applicable policy.
5. Richland Collegiate High School shall not collect, disclose, or use a student's personal information for the purpose of marketing or selling that information to third parties. This policy does not apply to or restrict the use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services offered by Richland Collegiate High School, for or to students or educational institutions, such as recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services

to raise funds for school-related or education-related activities, or student recognition programs, or as otherwise required by law. This policy is also subject to state and federal public information laws and FERPA, that makes some student personal information, defined in this policy as “Directory Information,” public.

6. Parents have a right to inspect any instrument used in collection of personal information, described above, before the instrument is administered to the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal. Upon a parent’s request to inspect such an instrument, the parent’s child shall not participate until the parent has had a reasonable opportunity to inspect the instrument, as determined by the Principal.

The Superintendent shall ensure that parents are provided reasonable notice of the adoption or continued use of these policies. Such notice shall be provided directly to the parents of the students in attendance at Richland Collegiate High School. At a minimum, Richland Collegiate High School shall:

1. Provide notice at least annually, at the beginning of the school year and within a reasonable time after any substantive change in the policies; and
2. Offer an opportunity for the parent to opt the student out of participation in an activity described above.

**i) *Request Procedure***

Richland Collegiate High School must permit parents to inspect and review education records related to their children that are collected, maintained, or used by the Richland Collegiate High School under the IDEA. Richland Collegiate High School must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made.

**j) *Destruction of Records***

Richland Collegiate High School shall not destroy any education records if there is an outstanding request to inspect and review the records.

**k) *De-Identified Records***

Richland Collegiate High School, or a party that has received education records or information from education records, may release the records or information without the parent’s written consent after the removal of all personally identifiable information provided that Richland Collegiate High School or other party has made a reasonable determination that a student’s identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

**l) *Education Research***

Richland Collegiate High School, or a party that has received education records or information from education records, may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. Richland Collegiate High School or other party that releases de-identified data under this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's social security number or other personal information.

**m) *Authenticating Requestors' Identities***

Richland Collegiate High School must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom Richland Collegiate High School discloses personally identifiable information from education records.

**n) *Transfer Not Permitted***

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent. If a third party permits access to information in violation of this policy, Richland Collegiate High School shall not permit access to information from education records to that third party for a period of not less than five years.

Richland Collegiate High School shall inform a party to whom a disclosure is made of the requirements of 34 CFR 99.33, unless the disclosure is made pursuant to a court order, lawfully issued subpoena, or litigation; the disclosed information is directory information; the disclosure concerns sex offenders; or the disclosure is made to a parent of a student who is not an eligible student or to a student.

Richland Collegiate High School may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of Richland Collegiate High School if:

1. The disclosures meet the requirements of 34 CFR 99.31; and
2. Richland Collegiate High School has complied with the requirements of 34 CFR 99.32(b) regarding the record of disclosure; or a state or local educational authority or federal official



or agency listed requesting information through a subpoena or ex parte order has complied with the requirements of 34 CFR 99.32(b)(2).

***o) Record of Access to Student Records***

Each campus shall maintain a record, kept with the education record of each student, that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records, as well as the names of state and local educational authorities and federal officials and agencies listed in 34 CFR 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent. Richland Collegiate High School must obtain a copy of the record of further disclosures maintained by the named authorities, officials, and agencies under 34 CFR 99.32(b)(2) and make it available in response to a parent's request to review the record.

Richland Collegiate High School must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception (see Section 2-d-viii above):

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom Richland Collegiate High School disclosed the information.

The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as Richland Collegiate High School maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

The record shall not include requests for access by, or access granted to, parents of the student or officials of Richland Collegiate High School, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving records in accordance with a subpoena or ex parte order.

***p) Right to Amend Records***

The parent of a student whose records are covered by this policy may ask Richland Collegiate High School to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If Richland Collegiate High School decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student's education records.

If Richland Collegiate High School decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, Richland Collegiate High School decides

not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of Richland Collegiate High School. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

**q) *Fees for Copies***

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

**r) *Records of Students with Disabilities***

Richland Collegiate High School shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

**i. Access Rights**

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with disabilities request to review or inspect school records relating to the education of their child:

1. Parents may request that a representative inspect and review the records.
2. Richland Collegiate High School shall comply with a request without unnecessary delay and before any meeting regarding an IEP or hearing relating to the identification, evaluation, or placement of the child, and in no case longer than 45 days after the request.
3. Richland Collegiate High School shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees), including name, date of access, and the purpose for which the person is authorized to use the records.

**ii. List of Types and Locations of Information**

Richland Collegiate High School shall provide parents on request a list of types and locations of education records.

**iii. Parental Consent**

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the IDEA or disclosed to anyone other than officials of agencies collecting or using this information. Richland Collegiate High School may not release information from these records without parental consent except as provided in FERPA.



iv. *Confidentiality*

Richland Collegiate High School shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in Richland Collegiate High School shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. Richland Collegiate High School shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information.

v. *Destruction of Information*

Richland Collegiate High School shall inform parents when personally identifiable information collected, maintained, or used to provide special education and related services is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parents.

A permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

**s) *Annual Notification of Rights***

Richland Collegiate High School shall give parents of students in attendance and eligible students in attendance annual notification of their rights under FERPA.

The notice must inform parents or eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and 34 CFR 99.31 authorize disclosure without consent; and
4. File with the DOE a complaint under 34 CFR 99.63 and 99.64 concerning alleged failures by Richland Collegiate High School to comply with the requirements of the Act and 34 CFR part 99.

The notice must include all of the following:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records under 34 CFR 99.20.

3. If Richland Collegiate High School has a policy of disclosing education records under 34 CFR 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

Richland Collegiate High School may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights. Richland Collegiate High School shall effectively notify parents who are disabled and parents of students who have a primary or home language other than English.

**t) *Custodian of Records***

The Superintendent or designee is designated as the custodian of all student records. The Principal of each campus is designated as an agent of the Superintendent or designee for the purposes of the receipt of requests concerning the disclosure of student records.

**Sec. 3. DIRECTORY INFORMATION**

Certain information about students is considered “directory information” and will be released to anyone who follows procedures for requesting it unless the parent or eligible student objects in writing to its release, within a reasonable time period set by the Superintendent, of receiving notice of FERPA rights. A parent or eligible student may also choose to opt out of the release of directory information at any time during the school year. At any time after restricting the release of directory information, a parent or eligible student may in writing authorize Richland Collegiate High School to release directory information.

**a) *Definition***

Richland Collegiate High School has designated the following categories of information as directory information for the purpose of disclosure relating solely to school-sponsored/school-affiliated purposes:

1. Student’s name;
2. Address;
3. Telephone listing;
4. Electronic mail address;
5. Photographs (including video images);
6. Date and place of birth;
7. Major field of study;
8. Dates of attendance;
9. Grade level;
10. Participation in officially recognized activities and sports;
11. Weight and height of members of athletic teams;
12. Degrees, honors, and awards received; and
13. The most recent educational agency or institution attended.

“Directory information” does not include a student’s:

1. Social security number; or
2. Student identification number, unless the student identification number, user identification number, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user.

School-sponsored/school-affiliated purposes are those events/activities that Richland Collegiate High School conducts and/or sponsors to support Richland Collegiate High School’s educational mission. Examples include, but are not limited to:

1. Extracurricular programs or events (e.g., school plays, concerts, athletic events, graduation ceremonies).
2. Publications (e.g., newsletters, yearbook, etc.).
3. Honor roll and other student recognition lists.
4. Marketing materials of the School (e.g., print media, website, videos, newspaper, etc.).

Richland Collegiate High School has designated the following categories of information for the purpose of disclosure to military recruiters and institutions of higher education, but only for secondary students:

1. Student’s name;
2. Address;
3. Telephone listing; and
4. E-mail address.

**b) *Disclosure of Directory Information***

Richland Collegiate High School shall not release directory information except for the purposes indicated above, namely:

1. Disclosure relating to school-sponsored/school-affiliated purposes; and
2. Disclosure to military recruiters and institutions of higher education, but only for secondary students.

**c) *In Class***

A parent or eligible student may not use the right of refusal to opt out of directory information disclosures to prevent Richland Collegiate High School from disclosing or requiring a student to

disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

**d) *Former Students***

Richland Collegiate High School may disclose directory information about former students without satisfying the public notice conditions above. However, Richland Collegiate High School must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt-out request.

**e) *Confirmation of Identity or Records***

Richland Collegiate High School may not disclose or confirm directory information without meeting the written consent requirements in 34 CFR 99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

**f) *Designation of Directory Information***

Richland Collegiate High School may designate as directory information any or all information defined as directory information by FERPA. Directory information under that Act that is not designated by Richland Collegiate High School as directory information is excepted from disclosure by Richland Collegiate High School under Government Code Chapter 552.

Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or school publication, if any such purpose has been designated by Richland Collegiate High School, remains otherwise confidential and may not be released under Government Code Chapter 552.

**g) *Student Recruiting Information***

Notwithstanding the provisions of Section 3 (Directory Information) above, upon receipt of assistance under the Elementary and Secondary Education Act of 1965 (ESEA), Richland Collegiate High School shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described above not be released without prior written parental consent. Richland Collegiate High School shall notify parents of the option to make a request and shall comply with any request.

**Sec. 4. INFORMATION FROM LAW ENFORCEMENT**

**a) *Oral Notice of Arrest or Referral***

Upon receipt of oral notice from a law enforcement agency that it has arrested a student or referred a student to the juvenile board for a specified offense, the Superintendent shall promptly notify all instructional and support personnel who have responsibility for supervising the student. All personnel shall keep the information received confidential.

**b) *Written Notice of Arrest or Referral***

Upon subsequent receipt of confidential, written notice of the arrest or referral, the Superintendent or designee may send the information in the confidential notice to a School employee having direct supervisory responsibility over the student if the Superintendent or designee determines that the employee needs the information for educational purposes or for the protection of the person informed or others.

**c) *Oral Notice of Conviction or Adjudication***

Upon receipt of oral notice from a prosecuting attorney of a student's conviction, deferred prosecution, or adjudication of a specified offense, including a statement as to whether the student is required to register as a sex offender, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

**d) *Notice of Transfer or Reenrollment***

Upon receipt of notice from a parole, probation, or community supervision office having jurisdiction over a student that a student has transferred or reenrolled, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

A person who receives information described above shall not disclose it except as specifically authorized by Code of Criminal Procedure 15.27.

Information received by Richland Collegiate High School under this provision shall not be attached to the permanent academic file of the student who is the subject of the report. Richland Collegiate High School shall destroy the information at the end of the academic year in which the report was filed.

**e) *Duty to Flag Records***

Upon receipt of notification from a law enforcement agency or the missing children and missing persons information clearinghouse that a child under 11 years of age who attended or who is

enrolled in Richland Collegiate High School is missing, Richland Collegiate High School shall flag the child's records and maintain the records in its possession so that on receipt of a request regarding the child, Richland Collegiate High School will be able to notify law enforcement or the missing children and missing persons information clearinghouse that a request for a flagged record has been made.

i. *Request in Person*

When a request for a flagged record is made in person, Richland Collegiate High School may not advise the requesting party that the request concerns a missing child and shall:

1. Require the person requesting the flagged record to complete a form stating the person's name, address, telephone number, and relationship to the child for whom a request is made, and the name, address, and birth date of the child;
2. Obtain a copy of the requesting party's driver's license or other photographic identification, if possible;
3. If the request is for a birth certificate, inform the requesting party that a copy of a certificate will be sent by mail; and
4. Immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and include a physical description of the requesting party, the identity and address of the requesting party, and a copy of the requesting party's driver's license or other photographic identification.

After providing the information listed above, Richland Collegiate High School shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

ii. *Request in Writing*

When a request for a flagged record is made in writing, Richland Collegiate High School may not advise the requesting party that the request concerns a missing child and shall immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and provide to the law enforcement agency a copy of the written request. After providing the notification, Richland Collegiate High School shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

iii. *Removal of Flag*

On the return of a missing child under 11 years of age, the law enforcement agency shall notify each school that has maintained flagged records for the child that the child is no longer missing. On receipt of this notification, Richland Collegiate High School shall remove the flag from the records.

A school that has reason to believe that a missing child has been recovered may request confirmation that the missing child has been recovered from the appropriate law enforcement

agency or the missing children and missing persons information clearing-house. If a response is not received after the 45th day after the date of the request for confirmation, Richland Collegiate High School may remove the flag from the record and shall inform the law enforcement agency or the missing children and missing persons information clearing-house that the flag has been removed.

**Sec. 5. ACCESS TO RECORDS UNDER THE IDEA**

The IDEA grants parents the right to inspect and review all educational records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. 34 CFR § 300.501(a). Richland Collegiate High School must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the district under the IDEA. Richland Collegiate High School must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made. 34 CFR § 300.613(a).

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

**Sec. 1. DEFINITIONS**

**a) *“Records”***

The term “records” means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other recording media, regardless of physical form or characteristic, and regardless of whether public access to it is open or restricted under the laws of the state, created or received by Richland Collegiate High School, or any of its officers or employees pursuant to law or in the transaction of public business, are hereby declared to be the records of Richland Collegiate High School and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

The term “records” does not include:

1. Convenience copies: “Extra identical copies of documents created only for convenience of reference or research;”
2. Copies of documents furnished to the public (to fulfill a Public Information Act request).
3. Blank forms/stocks of publications; or
4. Library or museum materials.

**b) *“Essential Record”***

The term “essential record” means any record of Richland Collegiate High School necessary to the resumption or continuation of operations of Richland Collegiate High School in an emergency or disaster, to the recreation of the legal and financial status of Richland Collegiate High School, or to the protection and fulfillment of obligations to the people of the state.

**c) *“Records Management”***

The term “records management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographic and electronic and other records storage systems.

**d) *“Records Liaison Officers”***

The term “records liaison officers” means the persons designated under Section 9 of this policy.

**e) *“Records Management Committee”***



**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

The term “records management committee” means the committee established under Section 5 of this policy.

**f) “Records Management Officer”**

The term “records management officer” means the person designated in Section 4 of this policy.

**g) “Records Management Plan”**

The term “records management plan” means the plan developed under Section 6 of this policy.

**Sec. 2. RECORDS DECLARED PUBLIC PROPERTY**

All records as defined in Section 1 of this policy are hereby declared to be the property of Richland Collegiate High School. No official or employee of Richland Collegiate High School has, by virtue of his or her position, any personal or property right to such records, even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

**Sec. 3. POLICY**

It is hereby declared to be the policy of Richland Collegiate High School to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

**Sec. 4. RECORDS MANAGEMENT OFFICER**

The principal will serve as Records Management Officer for Richland Collegiate High School as provided by law, and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

**Sec. 5. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES**

The Records Management Officer, in consultation with the Human Resource Director, shall appoint a Records Management Committee consisting of:

1. A Human Resource Department Supervisor; and
2. A financial officer for Richland Collegiate High School; and
3. An executive or administrative officer for Richland Collegiate High School

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

The committee shall:

1. Assist the Records Management Officer in the development of policies and procedures governing the records management program;
2. Review the performance of the program on a regular basis and propose changes and improvements if needed;
3. Review and approve records control schedules submitted by the Records Management Officer;
4. Give final approval to the destruction of records in accordance with approved records control schedules; and
5. Actively support and promote the records management program throughout Richland Collegiate High School.

**Sec. 6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN**

The Records Management Officer and the Records Management Committee shall develop a records management plan for Richland Collegiate High School to be submitted to the Board. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of Richland Collegiate High School, and to properly preserve those records of Richland Collegiate High School that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this policy effectively.

Once approved by the Board, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of Richland Collegiate High School, and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.

**Sec. 7. DUTIES OF RECORDS MANAGEMENT OFFICER**

In addition to other duties assigned in this policy, the Records Management Officer shall:

1. Administer the records management program and provide assistance to department heads in its implementation;
2. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
3. In cooperation with Principals and department heads, identify essential records and establish a disaster plan for each Richland Collegiate High School campus and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Develop procedures to ensure the permanent preservation of the historically valuable records of Richland Collegiate High School;
5. Establish standards for filing and storage equipment and for record keeping supplies;

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

6. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for Richland Collegiate High School;
7. Provide records management advice and assistance to all Richland Collegiate High School departments by preparing a manual or manuals of procedure and policy and by on-site consultation;
8. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and Richland Collegiate High School's records control schedules are in compliance with state regulations;
9. Disseminate to the Board, department heads, and Principals information concerning state laws and administrative rules relating to local government records;
10. Instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
11. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this policy;
12. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of Richland Collegiate High School records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
13. Maintain records on the volume of records destroyed under approved records -- control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
14. Report annually to the Superintendent on the implementation of the records management plan in each department of Richland Collegiate High School; and
15. Bring to the attention of the Superintendent non-compliance by department heads, Principals, or other Richland Collegiate High School personnel with the policies and procedures of the records management program or the Local Government Records Act.

**Sec. 8. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS AND PRINCIPALS**

In addition to other duties assigned in this policy, department heads and Principals shall:

1. Cooperate with the Records Management Officer in carrying out the policies and procedures established by Richland Collegiate High School for the efficient and economical management of records and in carrying out the requirements of this policy;
2. Adequately document the transaction of government business and the services, programs, and duties for which the department head, principal, and his or her staff are responsible; and
3. Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of Richland Collegiate High School and the requirements of this policy.

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

**Sec. 9. DESIGNATION OF RECORDS LIAISON OFFICERS**

Each department head and Principal shall designate a member of his or her staff to serve as a Records Liaison Officer for the implementation of the records management program in the department.

If the Records Management Officer determines that in the best interests of the records management program more than one Records Liaison Officer should be designated for a department, the department head or Principal shall designate the number of Records Liaison Officers specified by the Records Management Officer.

Persons designated as Records Liaison Officers shall be thoroughly familiar with all records created and maintained by the department.

In the event of the resignation, retirement, dismissal, or removal by action of the department head or Principal of a person designated as a Records Liaison Officer, the department head or Principal shall promptly designate another person to fill the vacancy.

A department head or Principal may serve as Records Liaison Officer for his or her department.

**Sec. 10. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS**

In addition to other duties assigned in this policy, Records Liaison Officers shall:

1. Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
2. In cooperation with the Records Management Officer, coordinate and implement the policies and procedures of the records management program in their department; and
3. Disseminate information to department staff concerning the records management program.

**Sec. 11. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE**

1. The Records Management Officer, in cooperation with department heads, Principals, and Records Liaison Officers, shall prepare records control schedules on a department by department basis, listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of Richland Collegiate High School records as the records management plan may require.
2. Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state, and that it continues to reflect the record keeping procedures and needs of the department and the records management program of Richland Collegiate High School.

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

3. Before its adoption, a records control schedule or amended schedule for a department must be approved by the department head or Principal and the members of the Records Management Committee.
4. Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

**Sec. 12. IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE**

1. A records control schedule for a department that has been approved and adopted under Section 11 shall be implemented by department heads, principals and Records Liaison Officers according to the policies and procedures of the records management plan.
2. A record whose retention period has expired on a record control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the records is pertinent to a pending lawsuit, or the department head or principal requests in writing to the Records Management Committee that the record be retained for an additional period.
3. Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee.

**Sec. 13. DESTRUCTION OF UNSCHEDULED RECORDS**

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

**Sec. 14. CONTRACT SERVICES**

With approval of the Board, the Records Management Officer and Committee may assign and delegate duties under this Policy to contracted services. The engagement of contract services will not relieve persons assigned and responsible under this policy from such assignment and responsibilities.

**Sec. 15. RECORD OF ACCESS**

Richland Collegiate High School shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to

**POLICY GROUP 6 - SPECIAL EDUCATION  
RECORDS RETENTION AND DESTRUCTION**

use the records. The record of access shall be maintained with the education records of the student as long as the records are maintained.

**POLICY GROUP 6 - SPECIAL EDUCATION  
RESTRAINT AND TIME-OUT**

**Sec. 1. BEHAVIOR MANAGEMENT TECHNIQUES**

It is Richland Collegiate High School's policy to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

*Education Code 37.0021(a); 19 TAC 89.1053(a), (j).*

**Exceptions.** Education Code 37.0021 (regarding use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided by Education Code 37.0021(i); and
2. An educational services provider with whom a student is placed by a judicial authority unless the services are provided in a Richland Collegiate High School educational program.

*Education Code 37.0021(g).*

**Sec. 2. CONFINEMENT**

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a).*

Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1).

*Education Code 37.0021(f), 37.007(a)(1); Penal Code 46.01(1), (3), (6), 46.05.*

**Sec. 3. SECLUSION**

A Richland Collegiate High School employee or volunteer or an independent contractor of Richland Collegiate High School may not place a student in seclusion. "Seclusion" means a

**POLICY GROUP 6 - SPECIAL EDUCATION  
RESTRAINT AND TIME-OUT**

behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

*Education Code 37.0021(b)(2), (c).*

**Sec. 4. RESTRAINT**

A Richland Collegiate High School employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.
2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

*19 TAC 89.1053(c).*

**a) *Definitions***

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

*Education Code 37.0021(b)(1); 19 TAC 89.1053(b)(2).*

“Restraint” does not include the use of:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a child to promote safety (*e.g.*, holding a student’s hand), to prevent a potentially harmful action (*e.g.*, running into the street), to teach a skill, or to provide comfort;
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a child from engaging in ongoing, repetitive self-injurious behaviors; or
4. Seat belts and other safety equipment used to secure children during transportation.

*19 TAC 89.1053(f).*



**POLICY GROUP 6 - SPECIAL EDUCATION  
RESTRAINT AND TIME-OUT**

“Emergency” means a situation in which a student’s behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

*19 TAC 89.1053(b)(1).*

**b) Training**

Training for Richland Collegiate High School employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 TAC 89.1053(d).

**c) Data Reporting**

Cumulative data regarding the use of restraint must be electronically reported through the Public Education Information Management System in accordance with reporting standards specified by the Texas Education Agency.

*Education Code 37.0021(i); 19 TAC 89.1053(f),(k).*

**d) Documentation**

In a case in which restraint is used by Richland Collegiate High School employees, volunteers, or independent contractors, Richland Collegiate High School shall comply with the documentation requirements set forth at 19 TAC 89.1053(e).

**Sec. 5. TIME-OUT**

A Richland Collegiate High School employee, volunteer, or independent contractor may use time-out with the following limitations:

1. Physical force or threat of physical force shall not be used to place a student in time-out;
2. Time-out must only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student’s individualized education program (“IEP”) and/or behavior intervention plan (“BIP”) if it is utilized on a recurrent basis to increase or decrease targeted behavior; and
3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student’s IEP.

*19 TAC 89.1053(b)(3), (g).*

**POLICY GROUP 6 - SPECIAL EDUCATION  
RESTRAINT AND TIME-OUT**

“Time-out” means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

*Education Code 37.0021(b)(3); 19 TAC 89.1053(b)(3).*

**a) Training**

Training for Richland Collegiate High School employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 TAC 89.1053(h).

**b) Documentation**

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

*19 TAC 89.1053(i).*

**Sec. 6. PROHIBITED AVERSIVE TECHNIQUES**

Richland Collegiate High School and employees, volunteers, and independent contractor of Richland Collegiate High School may not apply an aversive technique, or by authorization, order, or consent, cause an aversive technique to be applied, to a child.

*Education Code 37.0023(b).*

“Aversive technique” means a technique or intervention that is intended to reduce the likelihood of a behavior reoccurring by intentionally inflicting on a student significant physical or emotional discomfort or pain. The term includes a technique or intervention that:

1. is designed to or likely to cause physical pain, other than an intervention or technique permitted under Section 37.0011;
2. notwithstanding Section 37.0011, is designed to or likely to cause physical pain through the use of electric shock or any procedure that involves the use of pressure points or joint locks;
3. involves the directed release of a noxious, toxic, or otherwise unpleasant spray, mist, or substance near the student's face;

**POLICY GROUP 6 - SPECIAL EDUCATION  
RESTRAINT AND TIME-OUT**

4. denies adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;
5. ridicules or demeans the student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
6. employs a device, material, or object that simultaneously immobilizes all four extremities, including any procedure that results in such immobilization known as prone or supine floor restraint;
7. impairs the student's breathing, including any procedure that involves:
  - a. applying pressure to the student's torso or neck; or
  - b. obstructing the student's airway, including placing an object in, on, or over the student's mouth or nose or placing a bag, cover, or mask over the student's face;
8. restricts the student's circulation;
9. secures the student to a stationary object while the student is in a sitting or standing position;
10. inhibits, reduces, or hinders the student's ability to communicate;
11. involves the use of a chemical restraint;
12. constitutes a use of time-out that precludes the student from being able to be involved in and progress appropriately in the required curriculum and, if applicable, toward the annual goals included in the student's individualized education program, including isolating the student by the use of physical barriers; or
13. except as provided by Section 37.0023 (c), deprives the student of the use of one or more of the student's senses.

*Education Code 37.0023(a).*

**POLICY GROUP 6 - SPECIAL EDUCATION**

**VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

Richland Collegiate High School provides dual credit high school/college general education courses and special education services in a general education setting. In the event, Richland Collegiate High School determines that it will provide special education services in a special education setting, the High School will adopt the appropriate policies and procedures for the provision of such services, in accordance with applicable State and Federal laws and regulations.

## COMMITTEE REPORT NO. 9.1.a.

### Finance Committee Notes for September 13, 2022

The Finance Committee Meeting of the Board of Trustees of Dallas College was held Tuesday, September 13, 2022, beginning at 1:18 p.m. at the Administrative Office in Room 036 and was broadcasted via the streaming link <https://dcccnew.swagit.com/events/14253>. This meeting was convened by Committee Chair Cliff Boyd.

#### Board Members and Officers Present

- \* Mr. Cliff Boyd (Committee Chair)
- \* Mrs. Monica Lira Bravo (Chair)  
Ms. Charletta Rogers Compton  
Ms. Diana Flores
- \* Dr. Catalina E. Garcia  
Dr. Justin H. Lonon (Secretary and Chancellor)  
Mr. Paul Mayer

\* *Denotes a committee member*

#### Members absent

Philip J. Ritter

1. **Roll Call - Announcement of a Quorum** was confirmed by Committee Chair Boyd.
2. **Certification of Notice Posted for the Meeting** was confirmed by Chancellor Lonon.
3. **Citizens Desiring to Address the Board**  
None.
4. **Committee Presentations**
  1. Page/HR&A Strategic Planning  
Presenters: Joseph Cahoon (HR&A), Elizabeth Foster (Page),  
Lisa Keith (Page)

Representatives from Page Southerland Page (Page), Elizabeth Foster, Lisa Keith, and Mattia Flabiano, along with Joseph Cahoon from HR&A presented an update on strategic planning and real estate planning.

Page is working with Dallas College to develop a thorough decision-making framework and reinforce strategic priorities by creating policy and guidelines. The decision-making framework will aid the College in making decisions and establishing priorities, provide guidance for leadership, and create a flexible process for current and future propositions. The steps of the decision-making framework include:

1. Identify the proposition.
2. Perform pre-evaluation.
3. Look at evaluation criteria: location, capital investment, space use, equity, community impact, land use, finance, long-term implications, education.
4. Decide the path forward.
5. Seek appropriate approval.
6. Develop implementation plan.

The framework exposes the need for data collection requirements and the need to update or create procedures, processes, and policies, such as land use and partnerships.

Page has conducted interviews focusing on the vision for the education and innovation hub and what innovation means to Dallas College. Through conversations with leadership, some key themes have come forward:

- Develop a deeper understanding of the needs of small businesses.
- Expand partnerships to create educational opportunities that offer relevant experience and industry recognized credentials.
- Serve as a data hub for regional labor and industry data.

For implementation of the framework, Dallas College needs to have data readily available, conduct a space utilization and space analysis, create a unified master plan, and analyze revenue generation strategies and alternatives. Next steps in the process include finalizing the framework, recommendations for innovation strategies, create or update policies and guidelines, and triage immediate decisions for the next six months.

Trustee Flores recommended that equity be included throughout the entire

process. Trustee Flores also requested models of inter-developmental collaborations that have been successful in addressing and improving root causes of poverty and undereducation.

Trustee Compton requested examples of innovative proposals for programs and community engagement nationwide that are diverse and how they can work together in the framework.

## 2. Strategy, Engagement, Impact: Marketing and Communications Presenter: Brad Williams

Brad Williams presented an update on Marketing and Communications. Marketing and Communications team members provide services collegewide, such as media relations, digital experience/web, chatbot, texting, and advertising, brand, and design.

Marketing and Communications have been looking for ways to improve. Marketing team members have engaged students for feedback about the web and conducted compression planning sessions with employees.

A key part of Marketing is events and operations. Conference Day 2022 was held in-person and virtually with almost 3,000 employees participating. The employee giving campaign received over \$100,000 in pledges during Conference Day.

Another important part of Marketing is executive communications, which impacts culture building through employee engagement. Marketing also looks for ways to enhance community engagement collegewide through open houses, groundbreaking ceremonies, and apprenticeship programming kick-off events.

Advertising for Dallas College changes throughout the year based on the academic semester. Currently, Dallas College is featured on DART bus wraps and bus station posters. Dallas College also has radio, streaming, and television ads running. Social media ads with Instagram, Facebook, and TikTok are short 15-second attention grabbing videos. Advertising leads to increased general awareness of the services that Dallas College provides.

Marketing utilizes web analytics and semester performance data to improve message content, sequence, and frequency. This allows the team to spot the trends and determine how and when to send messages to students.

Trustee Garcia recommended offering professional development sessions that includes both new and long-time employees. Trustee Garcia also requested a presentation about the vision for Dallas College in relation to our employees, both new and long-time employees.

Trustee Flores requested data of the employee longevity for those who were impacted. Trustee Flores also recommended having a drop-down menu on the web with several language options.

Trustee Boyd suggested partnering with digital sign companies for vertical ads and incorporating at the Board meetings a brag section for staff achievements. Trustee Boyd also encouraged the engagement with the religious community and food pantries.

Chair Bravo spoke about hearing compliments from the community about branding, commercials, and Spanish language ads.

Trustee Boyd recommended bringing back key students to speak on how Dallas College has changed them. Trustee Compton proposed bringing back the student success stories on the web.

## **6. Items for Review**

### **1. Committee Notes**

- a. Finance Committee Notes for August 2, 2022  
No comments or edits were made.

### **7. Executive Session** was not required.

### **8. Adjournment** was at 3:40 p.m.



## COMMITTEE REPORT NO. 9.1.b.

### Governance Committee Notes for October 4, 2022

The Governance Committee Meeting of the Board of Trustees of Dallas College was held Tuesday, October 4, 2022, beginning at 10:27 a.m. at the Administrative Office in Room 036 and was broadcasted via the streaming link: <https://dcccd.new.swagit.com/videos/185987>. This meeting was convened by Committee Chair Compton.

#### Board Members and Officers Present

- \* Mr. Cliff Boyd
- \* Mrs. Monica Lira Bravo (Board Chair)
- \* Ms. Charletta Rogers Compton (Committee Chair)
- Ms. Diana Flores
- Dr. Catalina E. Garcia
- Dr. Justin H. Lonon (Secretary and Chancellor)
- Mr. Paul Mayer
- Mr. Philip J. Ritter (Board Vice Chair)

\* *Indicates a committee member.*

#### Members absent

None.

1. **Roll Call - Announcement of a Quorum** confirmed by Committee Chair Compton.

2. **Certification of Notice Posted for the Meeting** confirmed by Chancellor Lonon.

3. **Citizens Desiring to Address the Board**

None.

4. **Committee Presentations**

4.1. Safety and Security Discussion

Presenters: Laretta Hill, Herbert Ashford, Rob Wendland

Chief Hill and Assistant Chief Ashford shared a quick overview of the Safety and Security priorities being implemented at the campuses. In light of the recent national incidents involving mass shootings, the Board received an update on pertinent strategies to ensure the safety of all students, employees, and community members at our campuses.

The Board adjourned to closed session to continue a thorough safety and security training in a confidential setting.

**5. Items for Review**

**5.1. Committee Notes**

- a. Governance Committee Notes for March 1, 2022  
No comments or edits were made.

**6. Executive Session** from 11:03 a.m. to 2:12 p.m.

**7. Adjournment** at 2:15 p.m.

## COMMITTEE REPORT NO. 9.1.c.

### Education Workforce Committee Notes for October 4, 2022

The Education Workforce Committee Meeting of the Board of Trustees of Dallas College was held Tuesday, October 4, 2022, beginning at 2:17 p.m. at the Administrative Office in Room 036 and was broadcasted via the streaming link <https://dccc.new.swagit.com/events/14425>. This meeting was convened by Committee Chair Phil Ritter.

#### Board Members and Officers Present

Mr. Cliff Boyd

\* Mrs. Monica Lira Bravo

Ms. Charletta Rogers Compton

\* Ms. Diana Flores

Dr. Catalina E. Garcia

Dr. Justin H. Lonon (Secretary and Chancellor)

Mr. Paul Mayer

\* Mr. Philip J. Ritter (Committee Chair)

\* *Denotes a committee member*

#### Members absent

None.

1. **Roll Call - Announcement of a Quorum** was confirmed by Committee Chair Mayer.
2. **Certification of Notice Posted for the Meeting** was confirmed by Chancellor Justin Lonon.
3. **Citizens Desiring to Address the Board**  
None.
4. **Committee Presentation**
  1. Fall 2022 Enrollment Update  
Presenters: Dr. Marisa Pierce, Dr. Beatriz Joseph

Dr. Pierce thanked everyone for the opportunity to give the Fall Enrollment Update for 2022.

Dr. Pierce presented the national numbers for colleges with declines across the board. She shared that community colleges were at a decline of 7.8%. She reported that Dallas College has 120,000 students for the 2021-22 academic year. Dr. Pierce noted that there are about 2,000-4,000 students who are duplicated and cross-referenced in both credit and non-credit areas. Dr. Pierce stated that the focus group for Dallas College right now is the large number of Gen-Z students with the stronger numbers.

Dr. Pierce stated that Fall 2022 enrollment is 4.6% total percentage difference between 2021 and 2022. She did mention that Dallas College is still enrolling for the second eight weeks through Oct. 17, so the numbers could grow.

Dr. Pierce mentioned that the transfer numbers are high and are likely to be high for several reasons, reminding the Board that Trustee Flores had mentioned transfer numbers being high due to cost effectiveness and convenience of location.

Dr. Joseph talked about a new software called Transferology that allows students to tell Dallas College which courses they are bringing in from other institutions to give a better idea of what will transfer. She talked about how helpful this will be to help our students prior to receiving an office transcript evaluation.

Dr. Pierce reported that the average age of students has dropped from age 25 to 23 and that we are seeing a decline in the number of female students, which is something not seen before. She explained that the section called Other is representative of Native Americans, of which most are Pacific Islanders.

Dr. Pierce reminded the Board about Dallas College's 3% enrollment goal, which was set to be a realistic and attainable goal based on best practices. She pointed out that Early College High School and Charter Schools have high numbers due to the potential of credentialing, and focus is on continuing students and retention.

Dr. Pierce shared the census data, which has moved to 94.1%, showing a 2% increase in the last two weeks with enrollment moving forward.

Dr. Pierce talked about a survey that was texted out to non-returning students and dropped-course students reflecting the core reason of financial and academic constraints. She mentioned that others did not return due to transferring to another institution, family responsibilities, and work schedule conflicts. Dr. Pierce stated that some of the dropped courses gave other reasons of course modality, challenging course requirements, and work schedule conflicts.

Dr. Pierce reported on the promising trends seeing an increase in persistence for males and females and by race for African Americans and Hispanics. She mentioned Austin, Tarrant, Alamo, and Lone Star colleges with their persistence rates from 44% to 59% with Dallas College reporting similar numbers, with last year showing declines between 6-10%. Dr. Pierce will give more updated numbers in future presentations.

Dr. Pierce presented five specialized campaigns that Dallas College focused on this year: close to graduation, close to completion, cohort enrollment, comprehensive review/student holds, and financial aid and payment plan programming. She gave kudos to the teams for their great outcomes of 364,000 students registered, 822,000 students registered, 1,108 students enrolled, 3,663 student holds removed with various outcomes on financial aid and payment planning.

Dr. Pierce described the work of Financial Aid protecting them from being dropped and helping them with available funding. She mentioned how Financial Aid analyzed those students with 50 or more toward a degree and applied Texas Public Education Grant funding to help 3,500 students complete a degree. Pierce mentioned 700 students who had maxed out their financial aid, and 464 students were approved to proceed and complete their degree through the new appeals process.

Dr. Pierce shared the best practices that are key and successful like face-to-face virtual services, specialized campaigns, enrollment funnel conversion efforts, and Marketing and Communications work through texts and calls, social media, and target populations of market segmentation (demographics, geographical, and psychographics), especially targeting Gen-Z students.

Dr. Pierce closed with the report on workforce development programming and non-credit courses. She shared a timeline to overview the rapid response team focusing on providing classes in late afternoon and evenings for adult learners. Dr. Pierce mentioned they are working with Success Coaches and Academics. She gave the example of Hospitality and

## Workforce Development.

Trustee Flores asked if Dallas College looked at persistence rate of the students in workforce to successfully transition them to completion.

Dr. Pierce answered we have not looked at persistence rates for this group of students but will be doing that in the future and reporting to the Board.

Trustee Flores mentioned the problem of having staff who know how to work with these populations, especially Hispanic students, and those with additional roadblocks than traditional students.

Chancellor Lonon responded that Dallas College is working toward what is needed to serve those we need to serve and mentioned the rapid response slide looking at enrollment gaps in working adult population by meeting students where they are and where their needs are by offering late afternoon, evening, and complete weekend courses.

Regarding positions being credited that mirrored the Success Coaches for the non-credit side, we have openings right now for these positions and offers are being made, but they are turning them down due to the salaries being offered asking for \$10,000-15,000 more than we can offer them. They shared that we have employees in these roles who are in training programs and being tracked as they complete these trainings and following up with them.

Trustee Boyd mentioned the last two charts for Workforce Development and how students do not know what we can offer them and how important it is to market clearly the new opportunities for students who need guidance.

Dr. Joseph talked about the work already being done on this, and someone shared how they are creating open sessions in the community to talk about these opportunities through community partners, using them to get the message out to enroll into a career, not just into college, and then connect them with employment. She talked about the Earn and Learn program.

Trustee Boyd responded with the need to have employees embedded at high schools as a marketing tool at the campuses to recruit students like missionaries in these pools of students.

Response with seven positions looking for these individuals and WIOA funding to use them as mentors and assist with this.

Trustee Garcia mentioned wanting to meet and go through this data again to understand the drop rates and dropped courses researching how to keep students in courses.

Chancellor Lonon responded they could get data to focus and improve. He mentioned the Community College Funding as an outcome formula will be important to help students be successful. He talked about marketing and new students to bring in but wanted to ensure Dallas College is doing everything to support and wrap around the students currently attending.

Chair Bravo asked about the Second Chance Pell and if there was an increase in enrollment.

Dr. Joseph stated there was an increase and they would get the numbers.

Trustee Compton asked to see slide on persistence Fall to Fall and mentioned the large gap in African American and Hispanics and would like to see the percentages for all ethnic groups as well as knowing what is happening with these groups causing these large gaps.

Chancellor Lonon responded that this could be looked at and reported on.

Dr. Pierce answered that this question would require more review of the data for a response.

Dr. Dr. Floyd mentioned the Achieving the Dream work for diversity, equity, inclusion, and justice initiative. She stated that our numbers are reflective of the national number, and work is being done to drill down and find out the unique and individualized needs that Dallas students have, to become successful and complete.

Trustee Compton talked about the trend of African American parents pulling their students out of DISD and putting them in Charter Schools due to the focus of DISD being completely Hispanic-focused. She stated that what we do for one group should be done for every group.

Trustee Flores talked about tailoring focus for each group for what their needs are versus a one size fits all.

Dr. Dr. Floyd responded that there are individualized supports but focusing on what is different in this trend and what is causing this result nationally and looking at locally as well.

2. New Comprehensive Evaluation of Full-Time Faculty  
Presenters: Dr. Terry Di Paolo, Dr. Shawnda Dr. Floyd

Chancellor Lonon talked about the work that Dr. Dr. Floyd and faculty representatives have done to create a new faculty evaluation and the work on new evaluations for all employee groups and their competencies.

Dr. Floyd thanked the Trustees for the invitation to report on this work on comprehensive evaluation of faculty.

Dr. Floyd showed the two parts to this presentation on the annual process and contract recommendation. She shared that faculty will be evaluated annually versus the formal and informal and aligns faculty with all employees that are annually accessed. Dr. Floyd mentioned that the contract recommendation will happen at the end of the contract versus every year.

Dr. Floyd talked about the faculty work meeting to review their job descriptions and these competencies are the 22 given for review. She talked about the zero through three-year contract recommendation that was built by the administrator group, which worked over Spring and into Fall which was collaborative and had feedback on the work done.

Dr. Floyd described the performance evaluation and the engagement of faculty evaluation of competencies and how the new evaluation process compares to the old approach. She mentioned the differences of informal versus formal year with now all employee groups are now aligned for evaluation every year. Dr. Floyd also mentioned the focus on the competencies of their job versus what they are working on which aligns with all employee group evaluations. She explained this process does include student feedback and the three meetings with the chair and faculty with robust conversations.

Dr. Floyd stated that the contract will wind down and then it will be determined through the evaluation process if a new contract will be offered.

Trustee Flores verified that the student survey will still be required and if the student survey was ever part of the previous evaluation process.

Dr. Floyd responded that this student survey is still a requirement and part



of this new process. She stated that in the old process it was not as consistent as it will be in the new process.

Dr. Floyd stated that the feedback from faculty wanted a more robust experience with their chair or supervisor and this process will have that.

Dr. Floyd described the components of the faculty evaluation including the assessment of competencies, teaching evaluation, periodic check-ins with supervisor (three required), student feedback (end of course survey), contributions to the College, and professional development and growth.

Trustee Flores verified that contributions to the College is part of the contract already.

Dr. Floyd responded that it was.

Dr. Di Paolo stated that it is part of the job description which has three categories: teaching and learning, institutional service, and professional development. He answered that contributions to the College would fall under the institutional service category.

Trustee Garcia asked what the contributions are.

Dr. Floyd mentioned jumping to the job description, which will give more information, but there is no exhaustive list of contributions because faculty are engaged and can be involved in a number of activities. She stated they do not want a list where people will not be innovative and just stick to the checklist.

Dr. Di Paolo explained that he was the assigned administrator to this committee, which is why he is part of the presentation today. He described the work of the faculty and administrators and how they identified 30 competencies across five categories: student engagement, teaching and learning, administrative and operational responsibilities, institutional service, and professional development. Dr. Di Paolo stated that the categories go back to sections of the job description and broke down how they do that giving examples of each category.

Dr. Di Paolo shared a slide that showed what a competency will look like in the performance evaluation system including: competency identifier, competency category, competency statement, and competency rating scale with a choice of 1-4 from does not meet expectations to consistently exceed expectations.

Dr. Di Paolo described that faculty would do this process for all 22 competencies, then if will go to their supervisor who will complete the process as well.

Dr. Floyd responded that this process is what all employee groups currently follow, which this new faculty evaluation process will align with all the other employee group evaluation processes.

Dr. Di Paolo shared a slide that shows how this process will work: faculty rates their own competency, supervisor rates faculty competency, faculty review and meets with supervisor, and faculty and supervisor sign off. He stated that the supervisor's average rating is recorded as part of the employee's record.

Dr. Floyd talked about what the faculty are saying about this process. She shared that some of the issues faculty have had with this process are the transparency of the committee that worked on this process and the challenges of that work. Dr. Floyd explained that she did not post on SharePoint while the faculty were out and now that work will be posted for faculty to see.

Dr. Floyd shared another concern faculty had with the weighting of different aspects of the evaluation, and she clarified that all of the faculty job is important in its entirety and this process is based on the faculty job description.

Dr. Floyd described the ongoing conversations on the specification of institutional service and professional development aspect of this evaluation process and funding for professional development. She explained that there are funds for professional development, but the requests must be approved in an organized and best use of funds format.

Trustee Flores verified that the supervisors evaluating faculty are being evaluated on if they are evaluating faculty consistently and if that is part of the supervisor's evaluation process.

Dr. Floyd responded in the affirmative, explaining that the evaluation process used now has a component on communication and relationships which would cover this.

Response was given about the review of all job descriptions that is looking at this.

Chancellor Lonon noted this was a good question, holding supervisors accountable where that has not always been done in the past and how these new evaluations will ensure that.

Trustee Flores stated her opinion regarding the previous rolling three-year contracts for faculty leading to the vote of no confidence to push back when held accountable and do not want to see that in the new process. She is still concerned about supervisors falling back into the previous pattern.

Chancellor Lonon responded that he heard and that we will be looking at these things in a comprehensive way versus the box-check process before.

Trustee Compton asked about the “exceeds expectations” and meeting between faculty and supervisor to compare which are subjective and want to know what goes on the final document.

Dr. Floyd shared the slide showing the outcome and then described how commentary will be included as to why the supervisor stands by their rating and gave an example of her responses.

Dr. Floyd talked about the grievance process and how that has not been worked out yet with the policy side and alignment with this new evaluation process. She stated that will be brought forward at a later time.

Trustee Compton wanted to know when a supervisor gives justification of their rating, whether they are using a consistent list.

Dr. Floyd explained that different employees do different things, so there are different functions and responsibilities.

Trustee Compton stated that is the problem with subjective statements that cause conflict and wanted to know how it is recorded.

Dr. Floyd responded this was one component towards the faculty members contract recommendation. She stated it is not the only factor and feedback can be noted.

Discussion ensued on the process and Trustee Compton wanted more details on how the faculty member is finally evaluated and if that is when the grievance process begins.

Dr. Floyd responded perhaps.

Dr. Di Paolo described that this is where the faculty can share with the institution their accomplishments and achievements.

Dr. Floyd jumped to slide on the contract recommendation process and how this was to align faculty evaluation with all employee groups evaluations. She shared the contract recommendation process: initial recommendation to school by chair, school leadership review, either one-year contract recommendations to HR or two-year and three-year contracts approved by Provost, and then HR issue contract for next year. She explained the school leadership review committee is there to be checks and balances for the recommendation and the policies are not completed yet.

Chair Ritter stated he would gavel at 4 p.m. and thanked everyone for the work and research on this process.

Chancellor Lonon stated there would be policy recommendations brought forward for consideration.

Chair Ritter talked about the charge of the Board to evaluate and have performance-based consistency and recognition work and how that is coming forward from recommendations from the Texas Commission of Community College Finance moving the entire state funding to performance-based data and measured results. He explained that was the direction from the Board for several years now, and he is grateful for the work on this process.

Dr. Floyd responded that evaluations were done, but informal and formal for faculty and the differences between those years. She described how this new process is setting formality to a process with more engagement.

Chair Ritter talked about the conversations between supervisors and faculty that are necessary.

Chancellor Lonon talked about the importance of recognizing and valuing high performers and the impact on student engagement and competency.

The third presentation was asked to wait and report next month.

## **5. Items for Review**

### **5.1. Committee Notes**

- a. Education Workforce Committee Notes for August 2, 2022  
No comments or edits were made.

6. **Executive Session**

None.

7. **Adjournment** at 3:42 p.m.

INFORMATIVE REPORT NO. 9.2.

Current Funds Operating Budget Report (September 2022)

The Chancellor presents the report of the current funds operating budget for review for the period ending September 30, 2022.

For Revenues, Investment Income reflects a higher percentage due to higher interest rates compared to last year.

Overall, Expenditures are typical at this point of the fiscal year.

DALLAS COLLEGE  
2022-2023 CURRENT FUNDS OPERATING BUDGET  
**REVENUES & EXPENDITURES - UNRESTRICTED FUND**  
8.33% of Fiscal Year Elapsed

	September 30, 2022				September 30, 2021		
	Approved Budget	Allocated Budget	Year-To-Date Actuals	Percent Budget	Allocated Budget	Year-To-Date Actuals	Percent Budget
<b>REVENUES</b>							
Tuition	\$126,500,000	\$127,600,000	\$ 52,336,496	41.0%	\$123,803,252	\$ 51,963,077	42.0%
Less: Waivers & Discounts	(25,500,000)	(26,150,000)	(1,075,510)	4.1%	(28,080,465)	(599,302)	2.1%
Less: TPEG Set Aside	(6,000,000)	(6,450,000)	(2,413,907)	37.4%	(5,452,787)	-	0.0%
Net Tuition	95,000,000	95,000,000	48,847,079	51.4%	90,270,000	51,363,774	56.9%
State Appropriations	91,194,679	91,194,679	14,376,948	15.8%	91,194,679	14,376,948	15.8%
Taxes	338,000,000	338,000,000	174,412	0.1%	307,670,824	-	0.0%
Grants & Contracts (Work Study)	1,100,000	1,100,000	104,255	9.5%	625,000	27,287	4.4%
Investment Income	1,025,000	1,025,000	276,862	27.0%	575,000	72,723	12.6%
General Revenue	2,500,000	2,500,000	29,628	1.2%	1,250,000	17,474	1.4%
<b>Subtotal</b>	528,819,679	528,819,679	63,809,185	12.1%	491,585,503	65,858,206	13.4%
CARES Lost Revenue Recovery	3,300,000	3,300,000	3,300,000	100.0%	3,300,000	-	0.0%
Transfers-in from Other Funds	-	-	-	n/a	17,070,711	-	n/a
<b>Total Revenue</b>	<u>\$532,119,679</u>	<u>\$532,119,679</u>	<u>\$ 67,109,185</u>	<u>12.6%</u>	<u>\$511,956,214</u>	<u>\$ 65,858,206</u>	<u>12.9%</u>
<b>EXPENDITURES</b>							
Salaries and Wages	\$307,711,273	\$310,324,370	\$ 26,412,543	8.5%	\$299,476,098	\$ 24,935,208	8.3%
Staff Benefits	37,500,000	37,631,700	2,611,942	6.9%	37,152,775	2,327,476	6.3%
Purchased Services	87,490,920	83,695,036	5,189,072	6.2%	50,373,936	10,419,680	20.7%
Operating Expenses	67,073,107	64,735,678	3,696,208	5.7%	72,850,572	2,784,708	3.8%
Supplies and Equipment	19,197,003	22,585,519	1,106,094	4.9%	49,195,984	439,664	0.9%
Contingency for Current Operations	9,500,000	9,500,000	-	0.0%	-	-	n/a
<b>Subtotal</b>	528,472,303	528,472,303	39,015,859	7.4%	509,049,365	40,906,737	8.0%
Transfers-out to Other Funds							
STARLINK Supplemental Funding	147,376	147,376	1,000	0.7%	-	-	n/a
Grant Match	3,500,000	3,500,000	228,089	6.5%	2,800,000	-	0.0%
Capital Budget	-	-	-	n/a	106,849	-	0.0%
<b>Total Expenditures</b>	<u>\$532,119,679</u>	<u>\$532,119,679</u>	<u>\$ 39,244,949</u>	<u>7.4%</u>	<u>\$511,956,214</u>	<u>\$ 40,906,737</u>	<u>8.0%</u>

## INFORMATIVE REPORT NO. 9.2.

### Monthly Award and Change Order Summary (September 2022)

Listed below are the awards and change orders approved by the Chief Financial Officer in September 2022.

#### CHANGE ORDERS

<b>Mart, Inc.</b>	Coaches Suite Remodel – North Lake
Purchase Order: B39806	Change Order #1
<u>Scope</u>	
Renovate athletic offices.	
<u>Change</u>	
Relocate fire sprinkler heads and wall patch and paint of concrete block walls.	
Contract Amount	\$93,183
Net Change	\$3,942
Revised Contract Amount	\$97,125

<b>Field Turf</b>	Baseball Turf Installation – Eastfield
Purchase Order: B39713	Change Order #1
<u>Scope</u>	
Replace baseball field with synthetic turf.	
<u>Change</u>	
Install a vertical cut-off wall per geotechnical engineering recommendations.	
Contract Amount	\$1,931,757
Net Change	\$145,600
Revised Contract Amount	\$2,077,357

<b>Casteel</b>	Rebranding – North Lake
Purchase Order: B39493	Change Order #1
<u>Scope</u>	
Branding of all main exterior signs across 3 campuses.	
<u>Change</u>	
Credit of \$5,035 due to a reduction in the original scope.	
Contract Amount	\$76,214
Net Change	\$(5,035)
Revised Contract Amount	\$71,179



<b>Reed Wells Benson</b>	Air Handler H1, H2 Replacement – Mountain View
Purchase Order: B39056	Change Order #1
<u>Scope</u>	
Provide engineering design services and construction administration for the replacement of 2 air handlers.	
<u>Change</u>	
Engineering analysis of HVAC controls for maximum efficiency and operation of the new units as well as existing variable air volume units.	
Contract Amount	\$32,207
Net Change	\$4,300
Revised Contract Amount	\$36,507

<b>Smith Group, Inc.</b>	One Stop Shop Renovation – Cedar Valley
Purchase Order: B38340	Change Order #3
<u>Scope</u>	
Provide architectural and design services.	
<u>Change</u>	
Provide architectural and design services for the re-design of the bookstore and breakroom areas. Also adds IT and Communications work.	
Original Contract Amount	\$350,208
Prior Change Order(s) Amount	\$85,764
Net Change for this Change Order	\$38,394
Revised Contract Amount	\$474,366

<b>Vaughn</b>	Dental Clinic Renovation – El Centro
Purchase Order: B39063	Change Order #4
<u>Scope</u>	
Demolition and renovation of Paramount’s 5th floor for the Dental Hygiene Program.	
<u>Change</u>	
Provides a smoke evacuation test of the existing system for code compliance inspection.	
Original Contract Amount	\$4,604,974
Prior Change Order(s) Amount	\$227,637
Net Change for this Change Order	\$19,086
Revised Contract Amount	\$4,851,697

<b>Weatherproofing Technologies Inc.</b>	Planter Restoration/Concrete Control Joints – North Lake
Purchase Order: B39135	Change Order #2
<u>Scope</u>	
Provide equipment, materials, and labor for planter restoration and concrete control joints.	
<u>Change</u>	
Reduction in price (credit) to match actual costs.	
Original Contract Amount	\$224,950
Prior Change Order(s) Amount	\$55,752
Net Change for this Change Order	\$(13)
Revised Contract Amount	\$280,689

#### INFORMATIVE REPORT. 9.4.

##### Dallas College Foundation Report (September 2022)

The Foundation presents the monthly activity report reflecting incoming donations for scholarships, programs, and services.

##### **Dallas College Foundation Net Assets**

09/01/16 \$43,049,433  
09/01/17 \$52,709,066  
09/01/18 \$56,485,722  
09/01/19 \$57,812,606  
09/01/20 \$64,519,027  
09/01/21 \$78,742,047

##### **Gifts Reported in Fiscal Year 2022-2023**

<u>Month Reported</u>	<u>Scholarships</u>	<u>Programs &amp; Services</u>	<u>Total</u>
September 2022	\$15,566	\$833,970	\$849,536
October 2022	\$	\$	\$
November 2022	\$	\$	\$
December 2022	\$	\$	\$
January 2023	\$	\$	\$
February 2023	\$	\$	\$
March 2023	\$	\$	\$
April 2023	\$	\$	\$
May 2023	\$	\$	\$
June 2023	\$	\$	\$
July 2023	\$	\$	\$
August 2023	\$	\$	\$
<b>Total</b>	<b>\$15,566</b>	<b>\$833,970</b>	<b>\$849,536</b>

## INFORMATIVE REPORT NO. 9.5.

### Notice of Grant Awards (November 2022)

The Notice of Grants Awards report reflects alignment with the current Dallas College Strategic Priorities. The report references the following seven priorities:

1. Strengthen the Career Connected Learner Network and Implement the Student-Centric One College Organization.
2. Streamline and Support Navigation to and Through Our College and Beyond.
3. Impact Income Disparity throughout our community.
4. Foster an Equitable, Diverse and Inclusive Environment for Employees and Students.
5. Create a high-performance work and learning culture that develops leaders at all levels, increases skill proficiency, and supports collaboration and equity.
6. Serve as the Primary Provider in the Talent Supply Chain Throughout the Region.
7. Leverage college facilities, land, technology, programs, partnerships, and other capabilities to strengthen and build our communities and workforce, now and for the future.

Funding agencies define fiscal years for each grant, which often does not align with Dallas College's fiscal year. Dallas College administers grants in accordance with the requirements of the funding agency and its own policies and procedures.

<u>RECIPIENT</u> <b>Dallas College – Richland Campus</b>				
<u>PURPOSE</u> The Abriendo Caminos project at RLC will create new infrastructure that opens ways for Hispanic and other underrepresented students and their families with college access, success, and completion regardless of their starting points and their aims. The project design is a “multiple points of entry” model that will accept new RLC students who test at the Developmental Education (DE) level, at proficiency in two of three standardized test scores for math, reading comprehension, and writing, or at proficiency, and prepare them for success.				
<u>PRIORITY</u> 2	<u>FUNDING SOURCE</u> USDE Title V	<u>STUDENTS SERVED</u> 64 through Scholarships	<u>AMOUNT</u> \$600,000	<u>TERM</u> 10/01/2022 – 09/20/2023

<u>RECIPIENT</u> <b>Dallas College Career &amp; Technical (CTE) Education programs</b>				
<u>PURPOSE</u> The Perkins Basic grant is designed to improve career and technical education programs (CTE) while also addressing achievement gaps among special populations of students.				
<u>PRIORITY</u> 3, 4, 6, 7	<u>FUNDING SOURCE</u> US Department of Education (via Texas Education Agency)	<u>STUDENTS SERVED</u> 16,000+	<u>AMOUNT</u> \$1,332,643	<u>TERM</u> 9/1/2022 – 8/31/2023

<u>RECIPIENT</u> <b>Dallas College Workforce and Advancement – Career Connected Learning</b>				
<u>PURPOSE</u> Provide high demand occupation program training for out of school youth for 2021 – 2022 program year.				
<u>PRIORITY</u> 3, 6	<u>FUNDING SOURCE</u> DCLWDB	<u>STUDENTS SERVED</u> 250	<u>AMOUNT</u> \$1,000,000	<u>TERM</u> 07/01/2021 – 09/30/2022

<u>RECIPIENT</u> <b>Dallas College</b>				
<u>PURPOSE</u> For basic needs (emergency aid) for students. The grant can be used for institutional purposes per the HEERF (American Rescue Plan) guidelines.				
<u>PRIORITY</u>	<u>FUNDING SOURCE</u>	<u>STUDENTS SERVED</u>	<u>AMOUNT</u>	<u>TERM</u>
3	US Department of Education	500+	\$3,468,886	07/14/2022 – 07/13/2023

<u>RECIPIENT</u> <b>Dallas College</b>				
<u>PURPOSE</u> To collaborate, coordinate and provide Adult Education and Literacy services to adults in the Dallas workforce development area with sufficient basic skills and education that will enable them to effectively achieve an educational gain, participate in job training and retraining programs, obtain employment, and continue their education to at least completion of secondary school and preparation for post-secondary education. Services will be provided to approximately 7,074 participants.				
<u>PRIORITY</u>	<u>FUNDING SOURCE</u>	<u>STUDENTS SERVED</u>	<u>AMOUNT</u>	<u>TERM</u>
1, 3, 6	Dallas County Local Workforce Development Board (DCLWBD)	7,074+	\$4,250,00	10/01/2022 – 06/30/2023

<b>GRANT AWARDS REPORTED IN FISCAL YEAR 2022-2023</b>	
September 2022	\$207,880
<i>October 2022</i>	\$13,472,575.00
<b>November 2022</b>	<b>\$10,651,529.00</b>
December 2022	
January 2023	
February 2023	
March 2023	
April 2023	
May 2023	
June 2023	
July 202	
August 2023	
<b>Total to Date</b>	<b>\$24,331,984.00</b>

# INFORMATIVE REPORT 9.6.



FY23

Workforce & Advancement/Ascend Institute

(\*) Reporting Period: 9/1/22 to 9/30/22

Company	Samples and Types of Training	Participants	Industry Sector	Training Hours	Contact Hour Reimbursable	Certifications	Revenue	Funding Source
City of Garland	Leadership (5 sessions)	59	Government	3.5	0	N/A	\$3,412.50	CT
City of Plano	Excel Level I Mini classes (2)	21	Government	3.5	0	N/A	\$1,365.00	CT
Construction Education Foundation	Electrical, Plumbing, Blueprint, ESL, Pipefitting, Roofing, HVAC (40 classes)	302	Construction	24-80	18,458	N/A	\$80,279.00	CT
Construction Education Foundation	Plumbing, Pipefitting, HVAC, Electrical, etc. (40 classes)	323	Construction	12-80	14,769	N/A	\$475,829.00	SDF
Dallas Fire and Rescue	Intro to Tactical Thermal (13 classes)	100	Government	18.0	1,800	N/A	\$500.00	CT
Dallas Joint Plumbers Apprenticeship Fund	Welding, Rigging, Plumbing, Pumps, Rigging, OSHA (40 classes)	662	Construction	64.0	42,368	N/A	\$59,580.00	CT
Epiroc Drilling Solutions	Root Cause Analysis/Problem Solving, Principles of Lean (2)	19	Manufacturing	16.0	304	N/A	\$8,800.00	CT
Garland Chamber of Commerce	DCMA Leadership Academy 2.0	18	Community	32.0	576	N/A	\$7,040.00	CT
Glenn Thurman, Inc. *new client	Basic Welding	6	Construction	24.0	144	N/A	\$7,080.00	CT
North Texas Joint Apprenticeship Fund	Advanced Code	12	Construction	48.0	576	N/A	\$780.00	CT
Total :					78,995		\$644,665.50	

Legend: Contract Training (CT); Skills Development Fund (SDF), Skills for Small Business (SSB), Other (O)

CT Reimbursable Yes (Y) or No (N)

Certifications: If Certifications are not earned an "N/A" will be recorded. If Certifications are earned through the training, either Institution (I) or Industry Recognized (IR) will be noted.



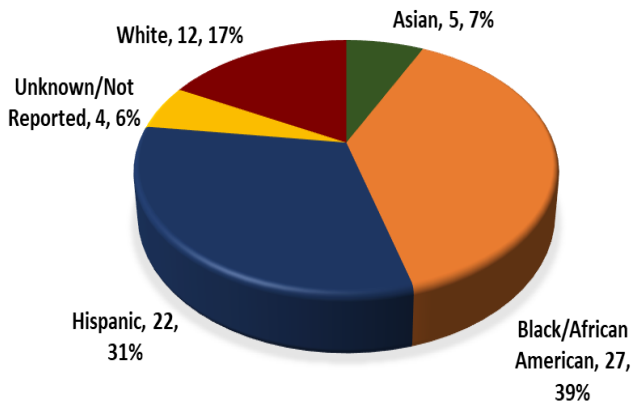


## Dallas College Human Capital New Hire/Position Report September 12, 2022 – October 12, 2022

### TALENT ACQUISITION PROFILE

The Talent Acquisition Profile represents all full-time employees that were hired, promoted, or placed during the reporting period.

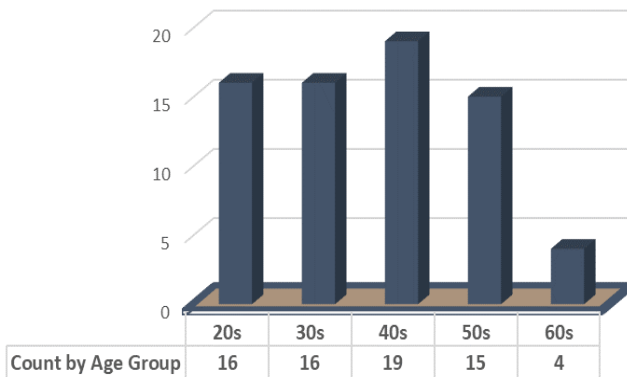
#### Ethnicity



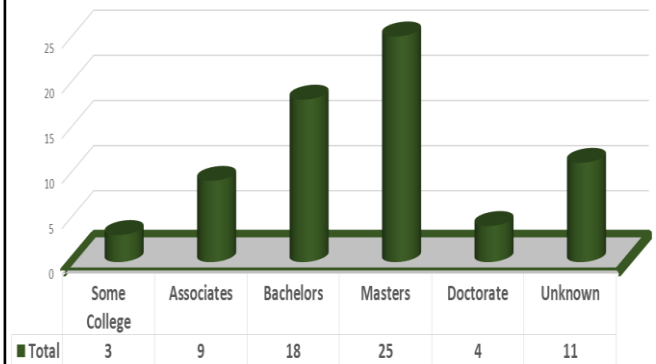
#### Gender



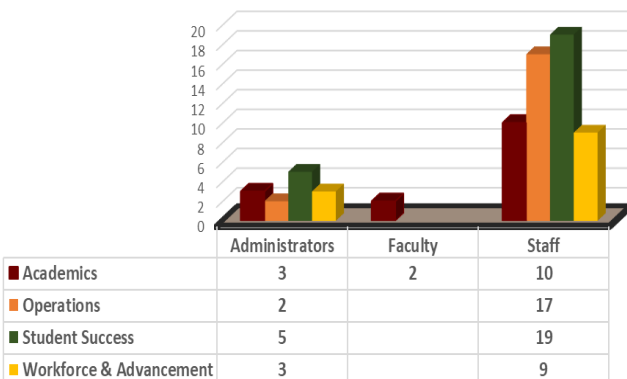
#### Age



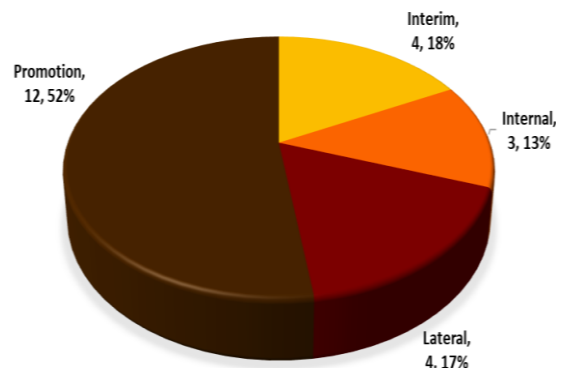
#### Education



#### Functional Areas by Position Type



#### Position Changes





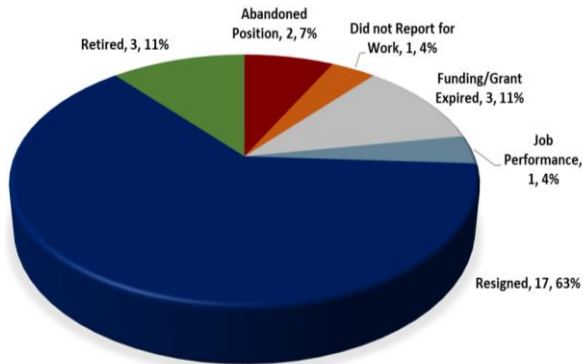
# Dallas College Human Capital New Hire/Position Report

## September 12, 2022 – October 12, 2022

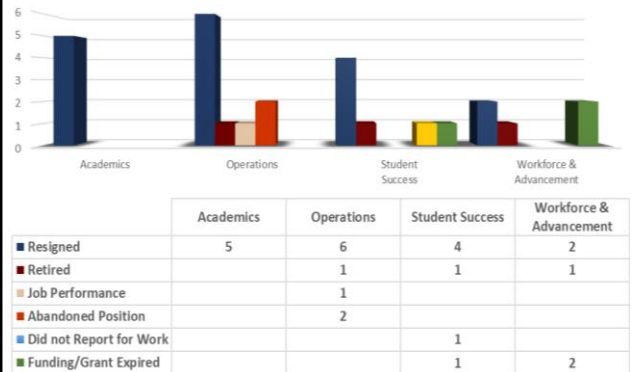
### FULL-TIME TERMINATION PROFILE

This profile represents all full-time employees impacted by the Dallas College reorganization or other reasons such as retirement, misconduct, death, etc.

**Terminations**



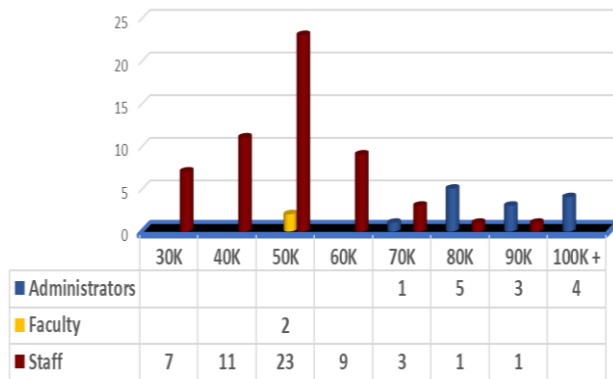
**Terminations by Functional Area**



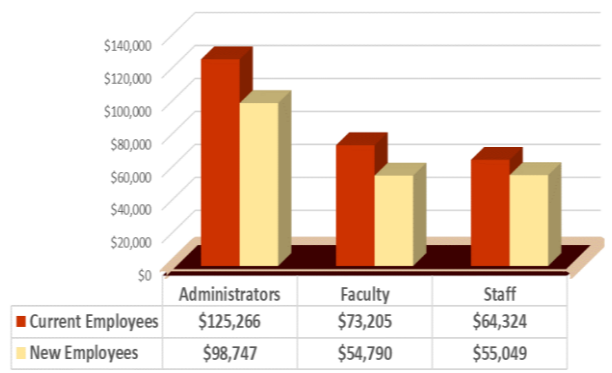
### COMPENSATION PROFILE

The graphics represent the salary rates of new and promoted employees as well as a comparative analysis of their salaries and the salaries of current employees.

**Salary Ranges by Position Type**



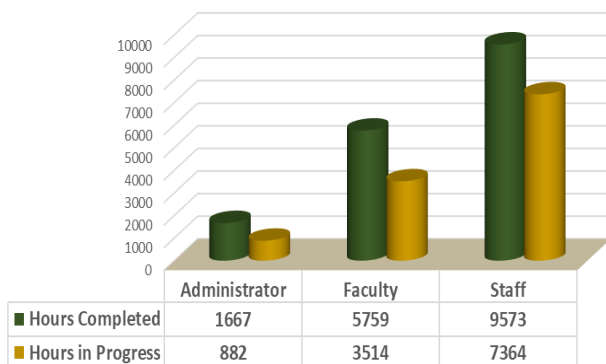
**Salary Averages**



### EMPLOYEE TRAINING PROFILE

The charts below represent Professional Development training sessions tracked through Cornerstone.

**Training Completion Hours by Position Type**



**Top 5 Training Topic Completions**

Training Title	Completions
2022 Conference Day (Virtual)	1607
2022-2023 Accessibility Update	604
2022 Conference Day (In-person)	565
2022-2023 Title IX and Sexual Harassment Prevention	300
Dallas College FlexWork Training	226

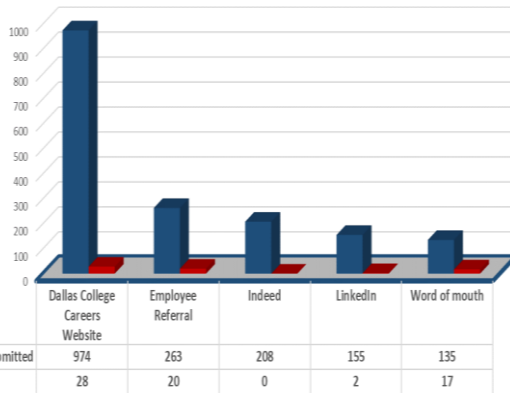


# Dallas College Human Capital New Hire/Position Report September 12, 2022 – October 12, 2022

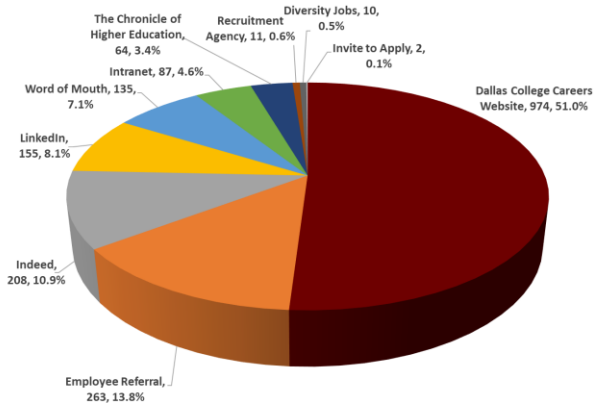
## RECRUITING PROFILE

This profile is an overview of Dallas College's presence in multiple recruiting markets. These charts are representative of all job types.

Top 5 Recruiting Markets



All Recruiting Markets (Applications Submitted)





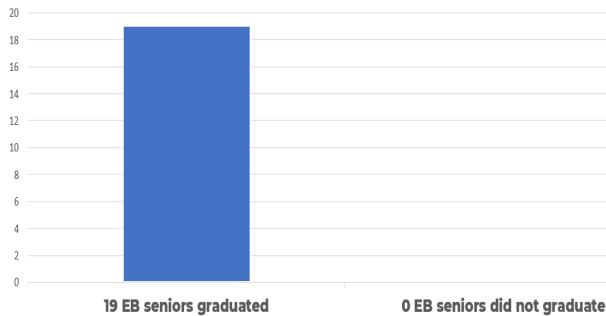
# Richland Collegiate High School Emergent Bilingual (EB) Report August 2, 2021-September 31, 2022

## RCHS 2021-2022 Emergent Bilingual Profile

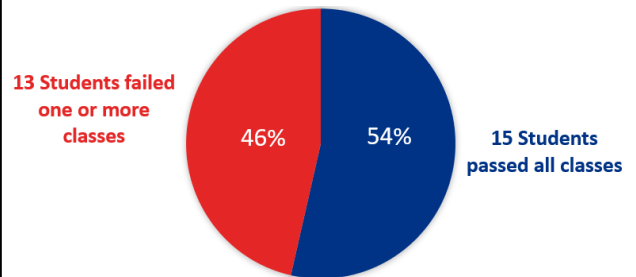
This profile represents the Emergent Bilingual status of RCHS students during the 2021-2022 school year.

28 Students were classified as EB students. 22 of those students participated in a pull-out class taught by an ESL certified teacher while 6 students did not participate in the program due to parent denials.

**Graduation Rate of EB Seniors**



**EB Pass/Fail Rate**

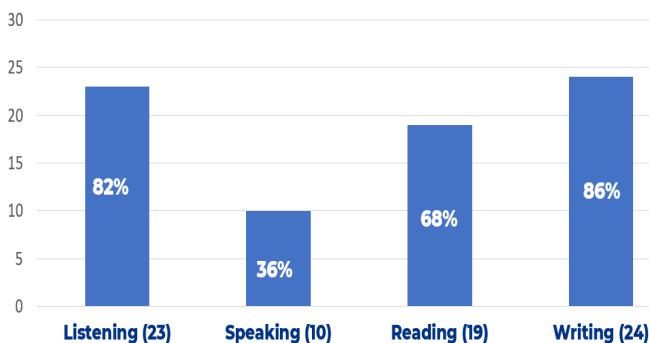


## Emergent Bilingual Exit Criteria

Students must score "Advanced High" on the Texas English Language Proficiency Assessment System (TELPAS) assessment order to exit the emergent bilingual program.

The charts below represent student performance on the TELPAS assessment as well as the number of students that ultimately met reclassification standards and were able to exit the emergent bilingual program.

**Students Scoring "Advanced High" in TELPAS Assessment**



**Final 2021-2022 Reclassification Numbers**

