



**Minutes of the Palo Pinto I.S.D. Board of Trustees meeting in
Regular Meeting, July 20, 2021**

Members Present: Bud Price-President, Brad Connelly-Vice President, Teresa Medlin-Secretary,
David Henderson

Members Absent: Cody Cloud

Professional Staff: Wendell Barker – Superintendent

Quorum was present. The meeting was called to order by Bud Price, President at 6:20pm. Wendell Barker, Superintendent, certified the provisions of Article 6252-17, Civil Statutes as amended by the 63rd Legislature Special Session has been complied with regard to public notice of the meeting.

Open Public Forum

Consent Agenda

- Board Minutes approval was motioned by David Henderson, seconded by Brad Connelly and approved unanimously.
- Bill payment approval was motioned by David Henderson, seconded by Brad Connelly and approved unanimously.
- Financial reports approval was motioned by David Henderson, seconded by Brad Connelly and approved unanimously.

Business Items

- Motion by David Henderson, seconded by Brad Connelly and approved unanimously to approve the renewal agreement/addendum/contract for continuation of the District's current 5 Year Plan/Year 4 with Claims Administrative Services for Workers' Compensation and continuation of the District's coverage with TASB Risk Management Fund for Workers' Compensation
- Motion by David Henderson seconded by Teresa Medlin and approved unanimously to approve Option 3 to Reduce Local Revenue Level in Excess of Entitlement for Chapter 49 Status as presented
- Motion by David Henderson seconded by Brad Connelly and approved unanimously to delegate contractual authority for the 2021-2022 school year to obligate the school district under Texas Education Code §11.1511(c)(4) to the superintendent, solely for the purpose of obligating the district under TEC, §48.257 and TEC, Chapter 49, Subchapters A and D, and rules adopted by the commissioner of education as authorized under TEC, §49.006, including the approval of the *Agreement for the Purchase of Attendance Credit* as presented
- Motion by Teresa Medlin, seconded by Brad Connelly and approved unanimously to approve the Fuel bids/vendor for 2021-2022 as presented
- Motion by David Henderson, seconded by Teresa Medlin and approved unanimously to approve 2021-22 District/Board/Superintendent goals as developed
- Motion by Teresa Medlin, seconded by David Henderson, and approved unanimously to adopt Board Policy Update 117 as presented relating to the following (LOCAL) policies:
 - **CH(LOCAL): PURCHASING AND ACQUISITION**
 - **CV(LOCAL): FACILITIES CONSTRUCTION**
 - **DEC(LOCAL): COMPENSATION AND BENEFITS - LEAVES AND ABSENCES**
- Motion by David Henderson, seconded by Brad Connelly, and approved unanimously to approve the Service Agreement with State and Federal Education Services (SAFE) for technical support for the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Elementary and Secondary School Emergency Relief (ESSER II) Funding Grant

Communications and Reports were provide on the following topics:

- Federal Grant Opportunities & Intent for Application – Superintendent
 - CRRSA ESSER II (2021-2022)—Preliminary amount \$138,830
- Updated/Amended 2020-21 Budget
- Preliminary 2021-22 Budget
- Important Dates for the School Year 2021-2022
- Future Board Meeting Dates

Motion by David Henderson, seconded by Brad Connelly and approved unanimously to adjourn the meeting at 6:45pm.

Bud Price, President

Teresa Medlin, Secretary

Approved August 3, 2021

Attached: TASB Localized Policy Manual Update 117 Instruction Sheet & Explanatory Notes

Instruction Sheet

TASB Localized Policy Manual Update 117

Palo Pinto ISD

Code	Type	Action To Be Taken	Note
AIC	(LEGAL)	Replace policy	Revised policy
BBC	(LEGAL)	Replace policy	Revised policy
BBD	(EXHIBIT)	Replace exhibit	Revised exhibit
BJCE	(LEGAL)	Replace policy	Revised policy
C	(LEGAL)	Replace table of contents	Revised table of contents
CBB	(LEGAL)	Replace policy	Revised policy
CH	(LEGAL)	Replace policy	Revised policy
CH	(LOCAL)	Replace policy	Revised policy
CHE	(LEGAL)	Replace policy	Revised policy
CL	(LEGAL)	Replace policy	Revised policy
CV	(LEGAL)	Replace policy	Revised policy
CV	(LOCAL)	Replace policy	Revised policy
CVA	(LEGAL)	Replace policy	Revised policy
CVB	(LEGAL)	Replace policy	Revised policy
CVC	(LEGAL)	Replace policy	Revised policy
CVD	(LEGAL)	Replace policy	Revised policy
CVE	(LEGAL)	Replace policy	Revised policy
CVF	(LEGAL)	Replace policy	Revised policy
DEC	(LOCAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHBA	(LEGAL)	Replace policy	Revised policy
EHBAA	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAC	(LEGAL)	Replace policy	Revised policy
EHBAD	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EL	(LEGAL)	Replace policy	Revised policy
FFAC	(LEGAL)	Replace policy	Revised policy

AIC(LEGAL)**ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS**

Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations.

BBC(LEGAL)**BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE**

We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.

BBD(EXHIBIT)**BOARD MEMBERS: TRAINING AND ORIENTATION**

As approved by the State Board of Education in November 2020, the Framework for School Board Development has been extensively revised.

BJCE(LEGAL)**SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT**

Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.

C(LEGAL)**BUSINESS AND SUPPORT SERVICES**

The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.

CBB(LEGAL)**STATE AND FEDERAL REVENUE SOURCES: FEDERAL**

The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.

CH(LEGAL)**PURCHASING AND ACQUISITION**

Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series. As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material;
- Added existing provisions on site-based purchasing;
- Reordered and adjusted provisions for clarity and to better match statutory wording;
- Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and
- Moved detailed provisions on competitive bidding to CVA(LEGAL).

Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020.

CH(LOCAL)**PURCHASING AND ACQUISITION**

The major winter storms earlier this year caused extensive damage to many district facilities. Based on district requests for additional flexibility in such emergency circumstances, we recommend a new provision delegating authority to the superintendent to contract for the replacement, construction, or repair of equipment or facilities in the event of a catastrophe, emergency, or natural disaster affecting the district if emergency replacement, construction, or repair is necessary for the health and safety of district students and staff. The superintendent must report to the board any contracts made under the delegated authority at the next regular meeting.

The recommended text also clarifies that the delegation *does not* permit the superintendent to act under Education Code 44.031(h) to make purchases without following normal

competitive purchasing requirements; the board must take action to waive any Chapter 44 provisions in accordance with law.

The recommended delegation provision is optional. Please carefully review the new text to ensure it aligns with the district's practices and contact the district's policy consultant if your district does not wish to add this provision or has other revisions.

TASB Legal Services' eSource article [Emergency Management for Texas Public Schools](#) provides additional information on purchasing in emergency situations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

CHE(LEGAL) PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS

This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL).

In addition, we have:

- Included references to other pertinent codes and deleted material duplicated at other policy codes; and
- Reordered and adjusted provisions for clarity and to better match statutory wording.

CL(LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs.

Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.

CV(LEGAL) FACILITIES CONSTRUCTION

Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series. As part of the reorganization, we have:

- Added cross-references to other pertinent policy codes to eliminate duplicated material; and
- Reordered and adjusted provisions for flow and to better match statutory wording.

CV(LOCAL) FACILITIES CONSTRUCTION

For ease of reference and to align with recommended changes at CH(LOCAL) on delegation to the superintendent for emergency contracting, Policy Service recommends adding a Note referring to CH(LOCAL) for those provisions.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

CVA(LEGAL) FACILITIES CONSTRUCTION: COMPETITIVE BIDDING

Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.

CVB(LEGAL)**FACILITIES CONSTRUCTION: COMPETITIVE SEALED PROPOSALS**

A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVC(LEGAL)**FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AGENT**

Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVD(LEGAL)**FACILITIES CONSTRUCTION: CONSTRUCTION MANAGER-AT-RISK**

Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.

CVE(LEGAL)**FACILITIES CONSTRUCTION: DESIGN-BUILD**

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

CVF(LEGAL)**FACILITIES CONSTRUCTION: JOB ORDER CONTRACTS**

A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.

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

The events of the past year have highlighted the need for additional flexibility regarding administration of leave. TASB Policy, Legal, and HR Services collaborated on the recommended revisions to this policy, which remove administrative details not required to be in board policy and that may be more appropriately addressed elsewhere, such as in the employee handbook.

To support the removal of these administrative details, a new paragraph directs the superintendent to develop administrative regulations to implement the policy. [Remember that BJA(LOCAL) permits the superintendent to delegate this responsibility as appropriate.] In addition, TASB HR Services has:

- Created a corresponding [Framework for Developing Leaves and Absences Procedures](#), with prompts and placeholders for administrative decisions; and
- Revised the 2021–22 *Model Employee Handbook* to address administrative provisions removed from the policy, as appropriate.

Other changes include:

- Adding a definition of *school year* that aligns with terminology in the TASB sample contracts and provides context for references to the term when used elsewhere in the policy.
- Relocating provisions on concurrent use of leave and compensatory time to the section addressing temporary disability leave.
- Adding a clear statement to reflect that the district does not permit paid leave offset in conjunction with workers' compensation benefits.

- Revising terminology from *reimbursement* to *payment* for unused leave to reflect that employees are receiving payment annually for unused leave days and for days of accumulated leave upon separation from employment.

New recommended provisions on state personal leave clarify that the district will also consider how the duration of the requested absence affects the educational program and district operations.

The *Legal Issues in Update 117* memo describes common legal concerns and best practices specific to [this policy topic](#).

Please note: Our records reflect that the district’s current policy does not include text to address the Family and Medical Leave Act (FMLA). If your district currently employs 50 or more employees or wishes to offer FMLA leave to employees, please contact your policy consultant to discuss adding those provisions to your policy.

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

New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.

EHBA(LLEGAL) SPECIAL PROGRAMS: SPECIAL EDUCATION

Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and:

- Provide more detail on instructional arrangements;
- Include a definition of *regular school day* for the purpose of determining the instructional arrangement; and
- Update citations to funding statutes.

EHBA(LLEGAL) SPECIAL EDUCATION: IDENTIFICATION, EVALUATION, AND ELIGIBILITY

Provisions on a district’s obligation to refer for evaluation and the definition of a *child with a disability* have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.

EHBAB(LLEGAL) SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM

As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district’s overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated.

EHBAC(LLEGAL) SPECIAL EDUCATION: STUDENTS IN NONDISTRICT PLACEMENT

From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee’s decision to place a student in a residential education program.

EHBAD(LLEGAL) SPECIAL EDUCATION: TRANSITION SERVICES

Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.

EHBC(LLEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES

Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.

EKB(LLEGAL)**TESTING PROGRAMS: STATE ASSESSMENT**

In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed.

EL(LLEGAL)**CAMPUS OR PROGRAM CHARTERS**

We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021.

FFAC(LLEGAL)**WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT**

New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions.

See FFAC in the [TASB Regulations Resource Manual](#).