

**MIDLAND INDEPENDENT SCHOOL DISTRICT  
ADMINISTRATIVE REGULATIONS**

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

CONVEYANCE RESTRICTIONS

The intent to convey school-owned property must be reported to the Commissioner of Education at least 15 days prior to the effective date of the conveyance.

Covenants for the Conveyance of Real Property by a School District as set out below, will be included in the language of the conveying instrument.

COVENANTS FOR THE CONVEYANCE OF REAL PROPERTY BY A SCHOOL DISTRICT

The following language shall be incorporated into the instrument of conveyance for the sale, lease, or exchange of school-owned property.

The further covenant, consideration and condition is that the following restrictions shall in all things be observed, followed, and complied with:

1. The above-described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study, or instruction that discriminates against any person because of race, color, or national origin, regardless of whether such discrimination be effected by design or otherwise.
2. The above-described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction that creates, maintains, reinforces, renews, or encourages, or that tends to create, maintain, reinforce, renew, or encourage, a dual school system.

These restrictions and conditions shall be binding upon (grantee, lessee, etc.), (name of grantee, lessee, etc.), (his or her heirs, personal representatives and assigns or its successors and assigns, as the case may

be), for a period of 50 years from the date hereof; and in case of a violation of either or both of the above restrictions, the estate herein granted shall, without entry or suit, immediately revert to and vest in the grantor herein and its successors, this instrument shall be null and void, and the grantor and its successors shall be entitled to immediate possession of such premises and the improvements thereon; and no act or omission upon the part of the grantor herein and its successors shall be a waiver of the operation or enforcement of such condition.

The restrictions set out in (a) above shall be construed to be for the benefit of any person prejudiced by its violation. The restriction specified in (b) above shall be construed to be for the benefit of any public school district or any person prejudiced by its violation.

*United States v. Texas, Civil Order No. 5281 (E. D. Texas, August 9 and 15, 1973)*

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**SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY:  
REVENUE BONDS FROM PROCEEDS  
CDBA (REGULATION)**

When the Board decides to sell real property and issue revenue bonds from the proceeds, it will observe the following legal requirements.

**AUTHORIZED USES**

The Board will find and determine by order duly passed that the real property is surplus to, and not required for, the then current needs of the District for educational purposes, and the proceeds from the sale are required and will be used for the construction or equipment of school buildings in the District or the purchase of any necessary sites therefore, or for the payment of principal of, and interest and premium on, any bonds issued pursuant to these provisions.

**CONTRACT TERMS AND APPRAISAL**

The real property may be sold for such price and upon such terms and conditions as are found and determined by order duly passed by the Board to be most advantageous to the District, and the sale may be made pursuant to an installment sale agreement or contract or any other method. The sale must be for cash, however, and all payments for the real property must be scheduled to be paid not more than ten years after the date of execution of the agreement or contract of sale. No real property will be sold for less than an aggregate price equal to its fair market value as determined by an appraisal obtained by the District not more than 180 days prior to the publication of the notice required below. The appraisal will be conclusive of the property's fair market value for the purposes of these provisions.

**PROCEDURES PRIOR TO SALE**

Prior to selling or executing any agreement or contract for the sale of the real property, the Board will comply with the following procedures:

1. Determine which real estate is proposed to be sold.
2. Determine the scope of the terms and conditions upon which it will consider selling the real property, and, if the sale price is to be paid

in installments, require the purchasers to secure the payment of the sale price by escrowing collateral acceptable to the Board.

3. Publish a notice to prospective purchasers at least two weeks prior to the date set for receiving proposals in a real estate journal and in at least two newspapers of general circulation in the District, requesting sealed written proposals from prospective purchasers to purchase the real property. The notice must include the scope of the terms and conditions of sale that will be considered, and the time, date, and place where the proposals will be received.
4. Find and determine by order duly passed by the Board which sealed written proposal is most advantageous to the District, and accept such proposal, or reject all proposals if deemed advisable.

#### VOTER APPROVAL

Prior to selling the real property, the sale will have been approved by a majority of the qualified voters of the District voting at an election held in the District at which a proposition to ascertain such approval is submitted.

No election will be required if the Board finds and determines by order duly passed that the proceeds from the sale of the real property are required and will be used for the construction and/or equipment of, or for the payment or principal of, and any interest and premium on, bonds issued under these provisions for the purpose of construction or equipment of a school building that is to be constructed pursuant to or in accordance with an order or judgment entered by a U.S. district judge in any action or cause in which the District is a party.

*Derived from Education Code 45.082*

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**Note:** Sales of real property effected under Chapter 45, Subchapter D, of the Texas Education Code are exclusively governed by its provisions.

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## CONFLICT WITH ANOTHER LAW

The notice provisions stated in item 3, above, supersede the notice requirements set out in Section 272.001, Local Government Code, Chapter 26 [see CDB]. *Derived from Education Code 45.083*

The District is authorized to execute contracts for the constructing or equipping of school buildings in the District or the purchase of any necessary sites therefor in the manner provided by law. If a contract recites that payments thereunder are to be made either from the proceeds from the sale of real property under an installment sale agreement or any similar method pursuant to these provisions or from proceeds from the sale of bonds issued pursuant to these provisions, then the contract may be made payable in installments to correspond with the District's receipt of either the proceeds under any such sale agreement, or the proceeds from the sale of any such bonds that are to be issued and delivered in more than one issue, series, or installment. The contract will not be deemed to constitute a prohibited debt or indebtedness of the District if the payments are required to be made solely from the proceeds from such sale of real property or such bonds. *Derived from Education Code 45.084*

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**OTHER REVENUES:  
GRANTS FROM PRIVATE SOURCES  
CDC (REGULATION)**

ACCEPTANCE

All gifts and donations require Board approval before acceptance.

CRITERIA FOR ACCEPTING GIFTS

To be acceptable, a gift must have a purpose consistent with District goals and objectives. Gifts will not be accepted if they:

1. Begin a program that the Board would be unwilling to take over when the gift or grant funds are exhausted.
2. Bring unreasonable or hidden costs to the District.
3. Restrict any school program.
4. Imply endorsement of any business or product.
5. Conflict with policies or actions of the Board or public law.
6. Require extensive maintenance on the part of the District.

All gifts become the sole possession of the District for use and disposition as deemed appropriate.

SCHOLARSHIP FUNDS

Gifts, monies, funds, other properties, or the income therefrom donated to the District may be expended for student aid or scholarship purposes that are in keeping with the lawful purposes of the school.

FINANCIAL AUDIT

The District's scholarship fund will be subject to an annual audit.

FUND RECIPIENTS

Fund recipients will be determined in the same manner as other scholarships and/or student aid.

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## **ANNUAL OPERATING BUDGET CE (REGULATION)**

Prior to undertaking the process of developing a budget for the upcoming school year, the persons primarily responsible for the budget should carefully review Subchapter A of Chapter 44 of the Texas Education Code and the budgeting module of the *Financial Accountability System Resource Guide*.

### **BUDGET AMENDMENT PROCEDURES**

Requests for amendments to the adopted budget must be submitted in writing and must be accompanied by a clear statement of the reasons for the change requested.

Approval from the Superintendent or designee is required on all requests for budget amendments before they may be presented to the Board. Board approval will be required in accordance with CE(LOCAL) and the budgeting module and other relevant provisions of the *Financial Accountability System Resource Guide*.

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## **ACCOUNTING: INVENTORIES CFB (REGULATION)**

### INVENTORY

An annual inventory of all school personal property will be completed on the Inventory Report. The forms will be compiled and duplicated by the Business Office and provided to the principal or supervisor. After the principal or designee has reviewed the inventory for accuracy, it will be forwarded to the business manager's office, and one copy will be retained by the principal or supervisor.

### DAMAGED OR LOST PROPERTY

In the event that District property is damaged or lost, a Property Damage/Loss Report will be completed and the property will be removed from the inventory.

### TRANSFER OF FIXED ASSETS

An Inventory Transfer Record will be completed by the principal or supervisor and forwarded to the Business Office for approval of any transfer of fixed assets from one location in the District to another.

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## **ACCOUNTING: ACTIVITY FUNDS MANAGEMENT CFD (REGULATION)**

All receipts to and disbursements from an activity fund account will be in accordance with the following guidelines:

1. Records will be kept in accordance with District's Activity Fund Manual. These procedures and records will be approved by the independent auditor.

Activity funds will be audited annually and when a change of principal is about to occur. The new principal will review the results of the audit before assuming responsibility for the funds.

2. The Business Office will review the principal's monthly financial reports to ensure sound fiscal operations and control.
3. Activity funds will be included on the combined balance sheet.

Purchases made with activity funds are subject to District competitive bidding and purchasing requirements, as delineated in Board policy and administrative regulation [see CH and CHD], as well as to District conflict of interest guidelines. [See BBFA and DBD]

### **CARRYOVER FUNDS**

Upon the dissolution of any group in which the student activity fund is acting as agent, the school principal will ensure that any liabilities of the group are liquidated. Any remaining assets of that group will be transferred, with the approval of the Superintendent or designee, to another appropriate activity account.

### **DISTRICT PROPERTY**

All property purchased by school organizations or activity fund accounts, or contributed by outside organizations, becomes the property of the District.

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## **ACCOUNTING: PAYROLL PROCEDURES CFE (REGULATION)**

### PAYROLLS

The following guidelines apply when submitting payrolls to the District:

1. The payroll must be submitted in accordance with the TEA *Financial Accountability System Resource Guide*.
2. All forms must be signed by the principal or designee.
3. All forms must be submitted to the payroll department specified on the payroll website.

### ISSUING CHECKS

Procedures for issuance of checks are as follows:

1. Checks will be issued on the date identified on the payroll website.
2. Checks will be delivered by the immediate supervisor.

### PAYROLL CYCLES

The following annual pay cycles\* apply for employment classifications in the District:

EMPLOYEE CLASSIFICATION	PAY CYCLE
Professional Personnel	Monthly
Secretaries, Clerks, and Aides	Monthly
Maintenance, Custodial, Transportation, and Food Service Personnel 12-month employees	Bi-weekly

\*The pay cycles exist solely for budgetary purposes and do not represent a term of employment for noncontractual personnel.

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**PAYROLL PROCEDURES:  
SALARY DEDUCTIONS AND REDUCTIONS  
CFEA (REGULATION)**

CHANGE REQUEST

Employees may request changes in payroll deductions through the business office.

HEALTH INSURANCE COVERAGE

SUMMER MONTHS

Employees who do not receive payroll checks during the summer months will have health insurance premiums for these months apportioned throughout the school year by increasing their deduction accordingly.

RESIGNATION

If an employee resigns before the end of the pay period in which deductions are to be made, no deduction will be taken, and the insurance will terminate at the end of the month, unless the employee chooses to continue coverage at his or her own expense under COBRA provisions. If the resignation occurs after the end of the deduction pay period, the deduction will have already been made, and insurance coverage will be in effect to the end of the next month or beyond if the employee chooses to continue coverage at his or her own expense under COBRA provisions.

TAX-SHELTERED ANNUITY

In order for the District to provide a salary deduction for a tax-sheltered annuity program, District employees must file a salary reduction agreement. It will also be necessary for the companies writing the annuity programs to provide the "Maximum Exclusion Worksheet" and supporting "Statement to Purchase Agreement."

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## **ACCOUNTING: CHECKING ACCOUNTS CFF (REGULATION)**

### CHECK SIGNING PROCEDURES

The following regulations apply to the signing of checks in the District:

1. The check signing machine for the District will be located in the business manager's office.
2. Two signatures are required on each check. Designated signatures must be agreed upon by the Superintendent and Board.
3. A duplicate set of keys to the check signing machine will be kept in an assigned place.
4. No key will be left in the check signing machine when it is not in use.

### RETURNED CHECKS

A check written to the District and returned by the bank on which it was drawn as a result of insufficient funds will be redeposited once. If the check is returned a second time, the business manager will contact the maker.

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## **ACCOUNTING: CASH IN SCHOOL BUILDINGS CFG (REGULATION)**

### GUIDELINES

The following guidelines apply to the handling of cash:

1. The principal of each campus is responsible for following the guidelines as prescribed in the Activity Fund Manual for the safe handling of cash.
2. All cash received for the District by District personnel will be deposited daily. Money will not be kept overnight in a campus office or classroom.

### RECEIPTS / DEPOSIT SLIPS

A receipt will be issued each time funds change hands, i.e., from employee to supervisor, from supervisor to campus administrator, from campus administrator to the business office. The person making the deposit at any level will be responsible for obtaining a receipt indicating the amount deposited.

Any claim for money deposited that is not verifiable by a receipt becomes the financial obligation of the employee who did not obtain a receipt.

A copy of the deposit slip will be acceptable proof that a deposit was made.

### AUDIT

All monies are subject to audit by authorized personnel designated by the Business Office

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## **BONDED EMPLOYEES AND OFFICERS CG (REGULATION)**

### BONDED EMPLOYEE

The Superintendent or designee will be responsible for securing and maintaining the proper bond for the textbook custodian and individuals handling cash. The Superintendent or designee will require the District's depository to pledge sufficient, qualified securities to cover all school funds.

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## **PURCHASING AND ACQUISITION CH (REGULATION)**

The Superintendent will supervise the expenditure of District funds in accordance with the proposals listed in the annual budget adopted for the current fiscal year.

### **PURCHASING GUIDELINES**

No employee will purchase or charge the cost of any supplies or materials to the District or to a particular campus without the express consent and written approval of the Superintendent or designee.

Purchase order procedures as outlined in the District's purchasing manual will be followed for all District purchases. [See CHD]

Students will not be permitted to purchase items in the name of the school or the District.

Board members will not be permitted to purchase items in the name of the school or the District without prior approval from the Board.

### **INFORMAL PRICE-QUOTE PROCESS**

The following process will apply to purchases of supplies, equipment, and services that are not required by law to be bid when such supplies, equipment, and services are not related to construction:

1. Written quotations from at least three vendors, if possible, will be secured for purchases of less than \$25,000, but in excess of \$10,000. [See CH (LOCAL)]
2. Emergency purchases and purchases of single sources or specialty items where substitution or replacement is impractical because of technical problems, will be made only with the approval of the Superintendent or designee.
3. Contracts for the lease or rental of equipment, materials, or services may be negotiated without securing advertised sealed bids provided that:
  - a. The title to the property does not or will not change hands at any time.
  - b. None of the lease or rental payments will apply toward a later purchase, giving an advantage to the leasing company.

Contracts for the lease or rental of equipment or materials where part or all of the payments may apply toward eventual purchase will be treated as actual purchases. The standard competitive bid process will be used regarding such contracts.

## FORMAL BIDDING PROCESS

The following procedures will be followed when bids are to be obtained:

1. Bid requests will be furnished to known suppliers and to any supplier requesting an opportunity to bid.
2. Bids must be returned to the identified department in the bid not later than the time and date stated on the bid document.
3. The general practice of the administration will be to accept the low bid as submitted when the bids have been submitted on equal products.
4. When price and quality are essentially equal, preference may be given to local vendors over other bidders when bids are not otherwise regulated by law and in accordance with policy. [See CHD (LOCAL)]

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**PURCHASING AND ACQUISITION:  
PURCHASING PROCEDURES  
CHD (REGULATION)**

**ANNUAL ESTIMATE INSTRUCTIONAL SUPPLY NEEDS**

Principals must submit their anticipated needs for instructional supplies for the following year according to the schedule established by the business office. This report will include teachers' estimated classroom supply needs; teachers may be asked to make the projection based upon a specific annual dollar allowance for each classroom.

**PURCHASE ORDERS AND REQUISITIONS**

All purchases and payments for goods and services that are to be paid from District monies allocated in the annual budget will be made through the following process:

1. All such purchases and payments will be made by official purchase order and processed through the business office.
2. All requests for purchases and payments must be submitted to the Procurement Director on regular requisition forms supplied by the business office. Teachers will be supplied with forms and instructed by the principal or department head on the procedure for making requests for materials and equipment.
3. Teachers must submit to the principal a prioritized list of materials needed. After approval, the principal will make the necessary requisition and submit it to the business office.
4. Requisitions must bear the signature of the appropriate principal or the department representative with budgetary account authority.
5. Requisitions must include all necessary information as called for on the requisition form and must be properly coded for budget identification.
6. Requisitions will be forwarded to the Procurement Department for authorization and processing of the transaction.
7. Requisitions for materials or equipment must be submitted with sufficient time to allow for the delivery of the materials or equipment within that school year. Suppliers will be informed that back orders will not be

accepted, unless specific permission is granted by the Superintendent or designee.

9. Copies of the requisition will be retained by the Procurement Department.
10. The District will assume no responsibility for purchases made except as provided in these regulations.

## EMERGENCY PURCHASE ORDERS

Emergency purchase orders are those issued verbally when a situation arises that justifies immediate purchase. The principal must secure an emergency purchase order number and approval from the Superintendent or designee.

Emergency purchase orders may be secured according to the following guidelines:

1. The business office will issue a purchase order number to be affixed in the space provided on the requisition, and the form will be forwarded to the Superintendent or designee for approval.

## CREDIT PURCHASES

The Superintendent or designee may approve credit purchases of items for which the requisitioner had prior purchase approval.

## RECEIVING GOODS

All merchandise received by the District will be checked upon delivery for contents and condition. The employee receiving the goods will sign the receipt, signify the date of delivery, and note any deviation in the content or any question about the condition of the goods received.

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**PURCHASING AND ACQUISITION:  
VENDOR RELATIONS  
CHE (REGULATION)**

VENDOR CONTACT WITH EMPLOYEES

Solicitors are not permitted to call at individual schools without approval from the office of the Superintendent or designee. If approved, the solicitor will be given a letter of approval, to be presented to the principal or designee before any solicitation may occur. [See CHE (EXHIBIT)]

Vendors are prohibited from offering gifts or favors that could influence or that could be construed to influence purchases utilizing District funds. Employees are to refuse any such offers and report such offers to their Principal or Department head. The Principal or Department head shall immediately report any such incidents to the Purchasing Department.

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**PURCHASING AND ACQUISITION:  
PAYMENT PROCEDURES  
CHF (REGULATION)**

ACCOUNTS

Accounts payable checks will be issued weekly.

Requisitions requiring the issuance of a check must reach the business office for clearance at least one week before the check is needed.

In case of an emergency, the business office will issue a check in advance if the requisition is signed by the Superintendent of designee.

PAYMENT PROCEDURES

District payment procedures are as follows:

1. Payment is made by proper invoice only.
2. Vendors will be paid for goods purchased by the District after the accounts payable office has on file a copy of the invoice and a receiving report on the items purchased.
3. Payment for the purchase must be approved by the Superintendent or designee when receipt of shipment is submitted.
4. Records of all purchases, expenditures, and receipts will be kept in accordance with the TEA *Financial Accountability System Resource Guide*, public law, and the recommendations of the independent auditor.

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## **SCHOOL PROPERTIES DISPOSAL CI (REGULATION)**

### DISPOSAL OF EQUIPMENT AND MATERIALS

The Superintendent or designee will determine what furniture, equipment, or other outdated or unusable materials and equipment should be sold, discarded, or destroyed.

### LIBRARY BOOKS

When library books become unusable and/or irreparable, the librarian will send a request for disposal to the Warehouse. The Warehouse supervisor will make a final determination as to whether such books will be retained or disposed of, in accordance with the procedures set forth in EFA (REGULATION).

### OTHER PROPERTY

Damaged, obsolete, unusable, or surplus property that has no value and cannot be sold or donated will be transported to a public dump area or placed in a dumpster or holding area for trash pick-up.

Hazardous material will be disposed of in accordance with law.

APPROVED – OCTOBER 2006

## **SAFETY PROGRAM/RISK MANAGEMENT CK (REGULATION)**

### **RISK MANAGEMENT OFFICER**

The duties of the risk management officer will include, but are not limited to, the following:

1. Securing financing of risk compatible with the District's finance strategy.
2. Administering the District workers' compensation, property, and liability programs. [See CRE (REGULATION)]
3. Developing an effective comprehensive safety and loss control program and acting as or appointing a safety officer.
4. Providing staff assistance in achieving compliance with various safety and health regulations including the Texas Hazard Communication Act. [See CKA (REGULATION) and DI (LEGAL)]

### **SAFETY OFFICER**

The risk management officer will appoint a safety officer to coordinate the District's safety management program. The safety officer will have the responsibility and authority to identify and eliminate hazards that may jeopardize the safety and health of students, employees, visitors, and others having business with the District.

Along with the safety officer, the campus principal is responsible for the safety of students, employees, and visitors to the campus. The principal may appoint a campus safety coordinator.

### **SAFETY PROGRAM ADVISORY COMMITTEE**

The Superintendent or designee will appoint a Safety Program Advisory Committee (SPAC) to include:

1. The risk management officer
2. The safety officer



3. A representative from each of the following District departments:
  - a. Food service
  - b. Transportation
  - c. Custodial
  - d. Maintenance
  - e. Police
  - f. Warehouse
  - g. Technology
  - h. Communications
  - i. Health Services
  - j. Guidance & Counseling
  - h. Other as appointed by the Superintendent or designee.

The Executive Director of Auxiliary and Construction Services will chair the committee.

#### COMMITTEE RESPONSIBILITIES AND DUTIES

The purpose of the committee is to minimize accidental loss in the District as well as the direct and indirect costs associated with accidental loss.

Committee responsibilities will be to:

1. Formulate Districtwide safety goals and procedures for all departments and campuses within the scope of the District's operations.
2. Provide input and recommendations to prevent injuries in high risk departments and campuses.
3. Serve as an advocate for safety awareness by developing and promoting the safety activities of the District, including new employee orientation, ongoing safety training, hazard surveys, etc.
4. Review loss history data to accomplish the committee's responsibilities.
5. Establish and review safety-related objectives and goals of the committee.
6. Monitor accidents and incidents of a predetermined severity. Ensure that corrective actions are taken to prevent future injury.

7. Investigate accidents of a predetermined severity.
8. Work with the District's safety officer to implement the District's safety goals and objectives.

## MEETINGS

Committee members will meet in accordance with the schedule developed by the chair.

## ANNUAL REVIEW

The objectives, scope, and organization of the SPAC will be evaluated annually and revised as necessary by the risk management officer.

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## **SAFETY PROGRAM/RISK MANAGEMENT: INSPECTIONS CKA (REGULATION)**

### HAZARD SURVEY

A hazard survey will be used to check facilities, operations, and actions throughout the District [see Exhibit A]. The purpose of the survey will be to reveal overall conditions and to suggest any corrective action needed to bring the operations or facilities up to safety standards. Suggestions will be thoroughly investigated and reviewed, and employees will be commended for their efforts to promote safety. Appropriate positive corrective actions will be taken to eliminate potential accident causes.

Surveys will be performed by personnel trained in safety and survey techniques. An insurance company or association hazard representative may assist in training appropriate employees.

### TYPE AND FREQUENCY OF SURVEYS

Formal or periodic hazard surveys will be scheduled weekly, monthly, or at other appropriate intervals. If possible, the surveys will be scheduled a day or two prior to the formal hazard committee meeting. The schedule will give due consideration to the type of activity being inspected, to minimize disruption of normal operations.

Special surveys will be conducted when special equipment is installed, new operations or procedures are established, work is relocated or revised, new construction or remodeling is in progress, or any special or unusual problem arises.

All employees, from District management to entry level, will be encouraged to be observant and to report any unsafe conditions or activities to the appropriate supervisor or staff. [See DH (LOCAL)]

### RECOMMENDATIONS / CORRECTIONS

The following guidelines apply to the recommendations and/or corrections suggested as a result of a hazard survey:

1. Recommendations concerning immediate life-threatening situations will be acted upon at once.

2. All unsafe conditions and unsafe practices will be listed and described with sufficient detail to be understandable. Recommendations will be developed to correct an adverse condition or unsafe practice.
3. All recommendations will be reviewed by the appropriate administrator, supervisor, or committee for approval or rejection.
4. If approved, the recommendations to correct the substandard condition or act will be followed as specified.
5. If recommendations are rejected, reasons will be stated in writing so the recommendations can be revised and resubmitted for review.

## FRIABLE ASBESTOS- CONTAINING MATERIALS

### INSPECTION

All school buildings will be inspected for friable asbestos-containing materials, according to federal and state regulations.

### NOTIFICATION

Employee, parent, and teacher organizations will be notified according to law when friable asbestos-containing materials are found on a particular campus. [See DI] Notification will include the location of affected areas, a guide for reducing asbestos exposure, and laboratory reports.

### CONTROL

The District will develop and implement a program of asbestos abatement that appropriately reduces and controls the risk of exposure to asbestos fibers.

### RECORDS

Asbestos-related activities performed by the District will be recorded by the appropriate administrator, and the records will be maintained in both the school and the central administration offices. The records will be retained in accordance with applicable federal and state regulations. [See CKA]

APPROVED – OCTOBER 2006

**SAFETY PROGRAM/RISK MANAGEMENT:  
ACCIDENT PREVENTION AND REPORTS  
CKB (REGULATION)**

EMERGENCY INFORMATION FORM FOR EMPLOYEES

Principals will require all employees to complete an emergency information form (Exhibit A). The employee will be responsible for updating the information on the form.

INCIDENT INVESTIGATION – EMPLOYEES

If an employee is injured in an incident at school, a first report of injury will be completed and forwarded to the Superintendent or designee who will determine what action has been or should be taken to prevent a similar incident. [See Exhibit B]

INCIDENT / ACCIDENT REPORT FOR STUDENTS

Incidents or accidents on the school grounds or in a school building will be reported immediately to the principal. The teacher will complete the student incident/accident report (Exhibit D). The principal will investigate the circumstances surrounding each incident/accident to determine what action has been or should be taken to prevent a similar incident or accident. [See Exhibit E]

APPROVED – OCTOBER 2006

## **BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT CL (REGULATION)**

### ENERGY CONSERVATION

The District will maintain accurate records of energy consumption and costs on a monthly basis. Energy audits will be conducted at each facility, and recommendations will be made for conserving energy. Information will be furnished to the media regarding the goals and progress of the energy conservation program.

Specific areas of individual responsibility will include the following:

1. Head custodians or building engineers at each facility will be responsible for the efficient shutdown of all energy-consuming systems and devices at the end of each day of normal operations.
2. A designated administrator at each facility will be responsible for the overall energy efficiency of the buildings; this responsibility will be reviewed during annual evaluations.

Specific areas of implementation include the following actions:

1. Guidelines will be established by Energy Manager to detail specific areas of energy use.
2. Shutdown schedules will be written and distributed to improve energy efficiency for all District facilities.

### SHORT- AND LONG-RANGE PLANS

The Superintendent or designee will develop short- and long-range plans to promote strategies in the area of facilities management, as well as energy awareness and conservation.

APPROVED – OCTOBER 2006

**BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT:  
SECURITY  
CLA (REGULATION)**

**KEYS**

All keys used in a school will be the responsibility of the principal. Requests for permanent issuance of keys may be made only when an employee regularly needs a key to carry out normal activities of the assigned position.

Keys may be issued on a temporary basis with the approval of the principal. A key card showing the number of the key and the room(s) or building(s) it opens will be signed by the person to whom the key is issued. Upon return of the key by the school employee, this receipt will be cancelled. Each principal will set up a key control system with a record of the number of each key for each building. The person issued a key will be responsible for its safekeeping. Keys will be used only by authorized personnel and will never be loaned to students.

Keys are not to be duplicated by anyone other than the School Plant Services Department.

**ENTRANCE AFTER HOURS**

School buildings are not to be entered after regular school hours or on weekends without approval of the principal assigned to that building.

The person responsible when a building is closed will ensure that all windows are closed and locked, all doors are closed and locked, and that all lights are turned out before leaving the building.

Students will never be allowed to enter any building for any purpose without the supervision of a District employee.

**IDENTIFICATION OF DISTRICT EQUIPMENT**

Equipment, furniture, and other District property with a value of \$5,000 or more will be marked with an indelible identifying symbol or code. An inventory of the marked property will be kept in case of theft or vandalism.

## VANDALISM/ BURGLARY

The Principal will report to MISD police all cases of burglary and/or vandalism. The principal will report to the business office all losses and damages due to burglary and/or vandalism using a Property Damage/Loss Report form. [See CLD (EXHIBIT)]

APPROVED – OCTOBER 2006



**BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT:  
TRAFFIC AND PARKING CONTROLS  
CLC (REGULATION)**

VEHICLE PERMIT

A request for a vehicle permit must include the driver's license number and proof of motor vehicle insurance.

Students and employees may park only in designated parking lots.

The District does not accept responsibility for any damage to cars parked on school property.

APPROVED – OCTOBER 2006

**BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT:  
RECORDS AND REPORTS  
CLD (REGULATION)**

**DAMAGED OR LOST PROPERTY**

In the event of burglary, vandalism, or any activity that results in damaged or lost District property, employees must report the incident to the principal or immediate supervisor. The principal will notify MISD police. If the losses are of items purchased with federal funds, a copy of the report will be provided to the funding source.

**ELEMENTARY SCHOOLS PLAYGROUND EQUIPMENT**

To place any piece of playground equipment on Midland Independent School District grounds, the principal must submit a proposal to the Executive Director of Elementary Operations and the Executive Director of Auxiliary Services for approval. The proposal shall include the general characteristics of the type and design of the equipment. School Plant Services maintains a current list of approved equipment and companies to assist in planning equipment proposals.

APPROVED – OCTOBER 2006

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

TEXTBOOKS

A copy of each adopted textbook will be available for review in the administration building.

Textbooks for all courses, both elementary and secondary, will be issued to students during the first week of the course. Teachers will inventory textbooks by state textbook number at the conclusion of each semester.

LOST BOOKS

Documentation of a lost textbook must include the following:

1. Evidence that the book was issued by number.
2. Evidence that the book was inventoried at the end of the term immediately preceding its loss.
3. Evidence of attempts to recover the lost book, such as copies of letters, telephone records, home visits, etc.

Any textbooks recovered after having been declared lost will be returned to the textbook custodian for reissue unless the book has been paid for by the student or parent.

APPROVED – OCTOBER 2006

**TRANSPORTATION MANAGEMENT:  
STUDENT TRANSPORTATION  
CNA (REGULATION)**

BUS ROUTES

School bus routes will be planned to consider:

1. Student population density.
2. Bus capacity.
3. Traffic routes, including hazardous traffic areas.
4. Economy of operation.
5. Location of authorized bus stops.
6. Condition of roads and bridges.
7. Student travel time.
8. Transportation of ineligible students, if authorized by the Board.

A schedule of bus route operation will be available to students and parents no later than August 1 of each year. Students and parents will be promptly informed of subsequent schedule changes.

Transportation shall be provided for pupils living two or more miles from the school to which they are assigned. Transportation shall be provided to all students who are enrolled under the majority-to-minority transfer policy when requested.

Rural pupils who live within one-half mile of bus routes shall be expected to meet the bus at some place on the route. Extensions of bus routes shall be approved only when a satisfactory turning area, safe from traffic hazards, is provided. Turning areas that require backing of buses for turning shall not be considered satisfactory.

APPROVED – OCTOBER 2006

**TRANSPORTATION MANAGEMENT:  
DISTRICT VEHICLES  
CNB (REGULATION)**

EXTRACURRICULAR ACTIVITIES AND FIELD TRIPS

Reservations for buses for extracurricular activities must be made by sending a request form to the principal 10 days in advance.

Buses needed for approved field trips must be requested at least 10 days in advance.

These requests must be signed by the principal or, in the case of an athletic event, by the athletic director.

Each stop requested for a field trip must be listed in advance. The transportation department will decide on routes to be used as appropriate for the bus size, traffic patterns, etc. The bus driver cannot change the route except in cases of emergency.

Group sponsors are in charge of student behavior on field trips, in accordance with the Student Code of Conduct. Eating on buses may be allowed on special trips when it is supervised by teachers and sponsors. Glass or can containers are prohibited for safety reasons. The bus driver will determine the return loading time according to actual driving time needed in conjunction with road conditions.

NONSCHOOL USES

District-owned buses may be made available for nonschool purposes so long as normal school operations are not impeded. Such groups will comply with the following:

1. The organization or group must agree in writing to assume all liability and hold harmless and indemnify the District, its Trustees, employees, and agents, for any liability for injury or damages arising out of the organization's or group's use of District vehicles.
2. A copy of the certificate of insurance must be on file in the transportation office showing coverage in a minimum amount of \$1,000,000 per bus occupied.

3. The driver must hold a valid Texas commercial driver's license.
4. Prior to any nonschool use, a contract must be signed by the transportation director and the official representative of the organization requesting use of a school bus.
5. The organization or group must execute a user agreement assuming responsibility for any damage to the vehicle while it is in use by the group.
6. The group will pay a per mile charge as determined by the District to offset operational costs.
7. Payment must be made to the District within 30 days following the use of the bus. Failure to make timely payment will make an organization ineligible for future use of a bus.
8. The use of school buses will be limited to use by organizations that work with public school age children.
9. Buses must not be used for overnight trips.
10. A school bus must not travel more than 75 miles from the District boundary or outside the state of Texas without specific approval from the Superintendent.
11. The Superintendent or designee may authorize the nonschool use of school buses by civil authorities in cases of civil emergencies or natural disasters.

## PERSONAL USE OF DISTRICT VEHICLES

To satisfy IRS requirements, the following rules will apply to District cars, trucks, and any other vehicles other than school buses:

1. A vehicle owned or leased by the District may be provided to one or more employees to use for District business.
2. For bona fide business reasons, the District may require an employee to commute to and from work in a District vehicle.
3. Use of a District vehicle for personal purposes is not permitted, other than commuting or *de minimis* personal use, such as stopping for a personal errand between business use and the employee's home.

4. The District will account for the commuting use by reflecting an appropriate amount, in accordance with IRS regulations, in the employee's gross income on the annual Form W-2.
5. The vehicle shall be driven only by authorized district employees.
6. The employee must have a current and valid Texas driver's license.
7. All Accidents and damage to the vehicle must be reported to the transportation director as soon as possible, but no later than 5:00 p.m. on the next working day after the incident.
8. The vehicle will be serviced for gasoline and maintenance at the school district's maintenance garage.
9. The vehicle may only be taken out of Midland County for approved school-related trips only.
10. Tobacco may not be used in school-owned vehicles at any time.

If an employee so chooses, he or she may leave the District vehicle on school property when it is not being used for District business and will not be charged for its use.

#### SAFE OPERATION OF DISTRICT VEHICLES

All District vehicles will be operated in the safest manner possible. The following guidelines will apply:

1. When driving, employees must be physically and mentally capable of operating any vehicle safely. No employee should operate a District vehicle after having consumed alcoholic beverages or taking medication that may cause drowsiness.
2. Drivers will obey all traffic laws and observe legal speed limits at all times.
3. Any traffic citations will be the responsibility of the driver.
4. Employees will be responsible for maintaining in good mechanical operating condition any vehicles assigned to them. Necessary repairs may be requested on a transportation department work order.

APPROVED – OCTOBER 2006

## **CHILD NUTRITION SERVICES/OPERATION CO (REGULATION)**

### **PURPOSE OF CHILD NUTRITION SERVICES DEPARTMENT**

The purpose of the Child Nutrition Services Department is to administer school board-approved, non-profit, food service and nutrition programs for students.

The operation of Child Nutrition Services facilities will ensure prepared meals which follow approved menus, recipes, and portion sizes to reflect nutritional adequacy, optimal palatability and educationally sound principles.

The School Lunch and Breakfast Programs are the major programs of the Child Nutrition Services Department with goals to serve the greatest number of students the best possible meal at the lowest possible cost. The School Lunch teaches students to recognize a wide variety of foods which they need for normal growth and development. The lunchroom is an educational facility intended to effectively meet the nutritional needs of all students.

The Child Nutrition Services Department follows the goals of the National School Lunch Act of 1946, the Child Nutrition Act of 1966 and the School Breakfast Program Act of 1977.

### **SCHOOL LUNCH AND BREAKFAST AGREEMENT**

The School Lunch and Breakfast Agreement is a legal contract between the Texas Department of Agriculture and each school district participating in the programs. Its provisions are identical to the provisions of the contract between the Texas Department of Agriculture and the United States Department of Agriculture.

Under the terms of the Agreement, each school district agrees to:

1. Serve a lunch and/or breakfast which meets meal requirements.
2. Maintain proper sanitation and health standards in compliance with all applicable state and local laws.
3. Comply with record-keeping requirements.
4. Provide free and reduced-price meals to eligible children.
5. Provide meals to all children without regard to race, color, sex, handicap, age or national origin.
6. Comply with financial requirements and provisions.
7. Accept and use commodities.
8. Operate the program on a non-profit basis.



School districts must complete a renewal of agreement at the end of each school year in order to extend their agreement.

## SCHOOL LUNCH PROGRAM GUIDE

The nutritional goal is to provide at least one-third of the Recommended Dietary Allowances of the National Research Council and to adhere to the Dietary Guidelines for Americans.

Lunch menu items include;

1. Entrée
2. Side dishes (vegetables, fruits, salads, breads, grains, fruit drink, etc.)
3. Milk

For MISD schools, a reimbursable lunch consists of an entrée and at least 2 other (different) items (side dishes and/or milk). The manager or cashier must check each tray for compliance.

Breakfast menu items include:

1. Breakfast entrée (bakery item)
2. Juice
3. Milk

For MISD schools, a reimbursable breakfast consists of 2 to 3 different breakfast items listed above.

## OFFER VERSUS SERVE PROGRAM

The Offer versus Serve Program is a serving method designed to reduce food waste and food costs in the school breakfast and lunch program without jeopardizing the nutritional integrity of the meals served. It allows school students to decline foods they do not intend to eat. All campuses (with the exception of Headstart/Early Childhood) participate in the Offer versus Serve Program.

The condition for a reimbursable lunch under the “Offer versus Serve Program” is that the breakfast/lunch must be priced as a unit regardless of the number of menu items selected by the student.

Since the intent of the “Offer versus Serve Program” is to allow students to refuse food items they do not intend to consume, the school may not require that certain food items be taken (i.e.; milk cannot be required to be taken). Students must be given the opportunity to decide which three food

items they will consume. They may select up to five food items. Additional food items are sold “a la carte”.

The condition for a reimbursable breakfast under the Offer versus Serve Program is that the breakfast must be priced as a unit, whether students take the minimum number of food items (two different items) or all three items offered.

## SCHOOL SACK LUNCH PROGRAM GUIDE

On campus, sack lunches may be prepared for outings for elementary and secondary school students by the school child nutrition program. The principal should inform the manager two weeks in advance of the activity. The following menu is suggested; however, it is negotiable:

- +Sandwich which provides either cheese, ham, turkey or other meat.
- +Raw vegetables, fresh fruit, and/or dried fruit (3/4 c. total)
- +Milk (8 oz)

## EMERGENCY MEAL MENU

The school accreditation program requires a documented menu for emergency situations such as power outage:

- +Cheese sandwich
- +Canned vegetable (i.e.; vegetarian beans)
- +Canned fruit
- +Milk or fruit drink

## SERVICE OF FOOD

The following are general rules concerning the service of foods for the lunch and breakfast programs:

1. The menu is subject to change without notice (to respond to adverse conditions such as production errors and delivery problems).
2. Adequate amounts of menu items must be prepared so as not to run short. Any shortage should be immediately reported to the Child Nutrition Services Supervisor and school principal.
3. No “home-made” foods are to be sold or distributed on campus unless they meet the guidelines of the state nutrition policy and have been expressly approved, in writing, by the principal.

## STUDENT AND PARENT INVOLVEMENT

Regulations require that schools promote activities to involve students and parents in the National School Lunch Program. Such activities may include menu planning, enhancement of eating environment, program promotions and related community support activities. The type of parent and student involvement is left to the discretion of the individual school. In this way, the school is given flexibility to plan and implement a program to meet its individual needs. Since involvement of students and parents in the National School Lunch Program is a requirement, schools should document all activities.

## LEFTOVER FOOD

No food used in the Child Nutrition Program, not even leftover food, is to be carried away from the campus/district property by any person, including Child Nutrition employees. Food may not be sold, given away or traded, except as a part of the child nutrition services program. Failure to comply with this policy will result in immediate termination. To the extent possible, quality leftover food which is maintained at proper temperatures should be re-served as soon as possible.

## USE OF KITCHEN/CARNIVALS

Special preparation, i.e. carnivals, faculty parties, etc., must take place outside of the work day, following these procedures:

1. The Child Nutrition Services Manager should be notified at least one week prior to the use of the kitchen, to schedule an employee to work. If food and/or supplies are to be ordered through the Child Nutrition Services Department, please allow 2-3 weeks notice.
2. A Child Nutrition Services employee must be employed (and paid time + half) any time the kitchen is opened after the work-day of the Child Nutrition Services staff. Time worked must be paid through MISD payroll and the organization invoiced by the CNS Department, following established facility-use guidelines. The CNS Supervisor and Manager will determine if more than one paid employee will be necessary, based on the duties and volume of the work to be performed. Volunteers from the organization are welcome (and encouraged!) to work, under the supervision of the Child Nutrition Services employee.

3. The kitchens do not have storage capacity to store refrigerated or frozen foods used for carnivals or large meals, in addition to foods used in the Child Nutrition Programs. Dry good storage is available, assuming a Child Nutrition Services employee is hired to work at the event and is willing to assume responsibility for monitoring the safety and sanitation of the products.

In an effort to maintain the highest level of sanitation possible, during the school day, no one is allowed in the kitchen during preparation and serving times except certified food handlers. Please request all staff and students to remain on the patron side of the serving line to request food, beverages and/or ice.

#### KITCHEN KEYS/ALARM CODES

In an effort to maintain optimum security of the campus staff, only the Child Nutrition Services Manager and one designated employee will be provided the alarm code. The Manager will be responsible for all kitchen keys and will have the only key to the office/pantry. The principal may request a key to the kitchen and a work-order will be submitted for a duplicate key, however, only one kitchen key will be provided to the school principal and it may not be designated to any other person. The principal's key should be returned to the CNS office if the principal is assigned to a different campus or leaves the school district. Security personnel and the maintenance supervisors also have access to kitchen keys and alarm codes, in the event of emergencies.

#### CHILD NUTRITION SERVICES WAREHOUSE TRANSFERS

The following is the procedure for purchasing stock (i.e. coffee cups) from the CNS warehouse:

1. Contact the CNS office to request a warehouse transfer and obtain the transfer number.
2. Provide information as to whether payment will be made via a "budget fund transfer" or an "activity fund check".
3. If payment will be made by activity fund check, the transfer number should be recorded in the "memo" section of the check.
4. Merchandise will be delivered to the school by the MISD warehouse operation.

5. Upon receipt of goods, the transfer form should be signed. Remit the signed original copy (white) to the Business Office with the activity fund check. (If a budget fund transfer is requested, it will be noted on the transfer form. No purchase order is needed).

## USDA COMMODITIES

USDA donated commodities are provided to schools based on the number of reimbursable lunches served to students. Therefore commodities should be used primarily for food items prepared for use in school meals. Commodities may also be used in a la carte items and other meal operations provided by the Child Nutrition Services operation.

## SPECIAL DIETS

Any student requesting a special diet from CNS must have a written diet order from the student's physician. This order will be written on MISD Authorization for Special Diet form. It should include the diagnosis or disability and the food or foods to be omitted from the child's diet. A special diet does not necessarily require a 504 Committee Hearing. However, principals are encouraged to include the CNS Dietitian and the school's CNS Manager if the 504 meeting is appropriate.

## CATERING

The CNS Department is available to cater school district-sponsored events and meals. Contact the CNS Catering Supervisor for menus and price quotes.

## NUTRITION EDUCATION PROGRAMS

Under the direction of the CNS Supervisors and Dietitian, a number of grade-specific nutrition education programs are available. Programs are to be scheduled by the principal or designated teachers. Presentations can be arranged for classes, student groups, PTA's, etc., to include CNS Managers or the MISD CNS Registered Dietitians. Topics include (but are not limited to) "Dietary Guidelines for Americans", "Healthy Snacks", and "Healthy Foods".

A calendar of "Elementary Schools CNS Promotions" is provided to each elementary principal at the beginning of the school year. These promotions and theme days scheduled serve to increase students' awareness of

nutrition and provide a fun atmosphere in the cafeteria and to encourage participation in the school breakfast and lunch programs.

#### DENYING MEALS AS A DISCIPLINARY ACTION

Students may not be denied meals for the purpose of disciplinary actions (whether eligible for free, reduced-price or full-price benefits).

#### SEPARATION OF STUDENTS (BY GENDER) WHILE EATING

Students may not be separated by gender (boy/girl) in either the serving line or while consuming meals in the cafeteria.

### **FINANCIAL INFORMATION**

#### MEAL SALES

The Child Nutrition Services Manager will have the responsibility of accounting for meals sold. Meal sales will, at all times, conform to policies and procedures approved by the Texas Department of Agriculture, which are designed to protect the anonymity of free and reduced-price meal recipients.

A computerized Meal Accountability System is used in all schools. Each student is assigned a personal 4 or 5 digit account number which is used to deposit money into student meal accounts to purchase meals and a la carte items at the computerized cash registers. Deposits or pre-payments for multiple meals may be made in any amount and are encouraged in order to provide convenience for parents, students and teachers. Deposits may also be made via credit card payment using the Payment Account Management System (PAMS) on the MISD website.

The Texas Department of Agriculture requires a daily “on-line” count of meals served. This means that each child must present his own meal account number at the time of meal “purchase”.

## SALES IN SECONDARY SCHOOLS

Secondary students may deposit meal account funds before school, via on-line computer, or during the lunch period.

## SALES IN ELEMENTARY SCHOOLS

Students may pay for meals during the first period class as the teacher collects the daily lunch count or via computer on the Payment Account Management System. The teacher will use the Child Nutrition Services “Meal Count Report” or the breakfast count list to list the names of students and the amount of money deposited by each child. The teacher will then submit these to the Child Nutrition Services Manager before 9:00 am.

## A LA CARTE SALES

Elementary students may only purchase a la carte items if they have also purchased a meal or have a lunch from home. Students may only purchase one a la carte snack item per meal. Snacks may not be purchased if the account balance is negative.

Secondary students must have purchased an entrée or have a lunch from home prior to purchasing a la carte items.

## MEAL ACCOUNT WITHDRAWALS

The amount of unused prepaid meals will be refunded to the student upon receipt of a written request.

## CNS BANK BAG PROCEDURE

A. The CNS manager will deliver the daily locked bank bag to the school office. Someone in the school office (designated by the principal) will sign for the bag. CNS employees are not authorized to remove any monies from the campus.

**NOTE:** The CNS manager does not assign responsibility for the bag by signing it in to the office. The school office accepts the responsibility for the bag when one of the office personnel signs for it. See (Item C) below for the description of the sign-in log.

B. The school principal accepts the responsibility for all bags under the control of the school office. The principal will ensure that the bags are

secure until relieved of this responsibility by the armored car service or someone else authorized to sign for the bags. If any bag is to be taken from the custody of the school office, the office personnel must secure the signature of the person taking the bag. Otherwise, the responsibility for the bag still rests with the school office. **LATE DEPOSITS:** In the event the bank bag is brought to the school office after the armored car service has departed. The bank bag must be secured in the office overnight and submitted to the armored car service the following business day. If the armored car service is not scheduled (due to holidays or summer break), the deposit should be taken to the bank or to the MISD Assistant Director of Finance in the MISD Business Office.

C. The person assuming responsibility for bank bags will sign in a receipt book provided by the armored car service. The book is kept by the person giving the bag as proof of relief of the responsibility for the bag. The receipt should include the following information:

1. Bag number
2. Date/Time
3. Signature of person receiving the bag

**NOTE:** Under no circumstances should the receiver of the bag know the contents of the bag. There should be no notation on the receipt as to the amount of money in the bag.

The two basic concepts of the chain of custody are:

1. The person signing for a bag is only assuming responsibility for the safeguarding of that bag until properly passed to someone else. If staff properly maintain the chain of custody for the bag, they cannot be held responsible for the contents of the bag.
2. Staff should never sign for a bag that is not locked or that has been damaged.

## ELEMENTARY STUDENT MEAL CHARGES

When a student has insufficient funds to purchase a meal or milk, his account can be debited or “charged” at the cash register for the approximate value of up to 3 lunches. Accounts will not be debited for a la carte purchases by students.

Charge limits can be increased at the request of the campus principal to the Child Nutrition Services Director. Also, the principal may designate an alternative to additional charges in the form of allowing the student to borrow the price of milk and be provided a sandwich. Student charge limits cannot be reduced for individual campuses.

Charge Notices will be printed by the CNS Manager and taken to the principal for distribution to students with negative account balances.



Additionally, Low Balance Notices will be printed by the CNS Manager and taken to the principal for distribution to students who have been identified as having low account balances. The principal is asked to designate charge procedures for the campus prior to each school year.

When students withdraw from school, they should be sent to the Child Nutrition Services Manager to verify the balance in their meal account and to pay outstanding charges or to request a refund if their account has a positive balance.

Principals will be responsible for contacting parents for the collection of outstanding charges and where funds are not provided by students or parents, make provision for the student and protect the fund balance. No student will be denied access to a meal.

Repayment of charges should follow the same procedure used to deposit money into accounts. In elementary schools, the teacher collects money in the morning. In secondary schools, the students can deposit money in the cafeteria before school begins or when purchasing a meal. Repayment can also be made via computer, on-line.

Year-end/unpaid charges must be paid to the Child Nutrition Services Manager from campus Activity Funds, when the established limit has been exceeded or if a student withdraws.

## SECONDARY CHARGE PROCEDURE

The following procedure will be followed in the event a Jr. High/Freshman student does not have sufficient funds to purchase a meal:

1. The student will be referred to the administrator on duty in the cafeteria;
2. The administrator on duty may authorize the student to receive an alternate meal (sandwich and milk) or may provide the student with funds, have the student contact the parent, etc. However, students will not be denied access to a meal;
3. If the student received an "alternate meal", the Child Nutrition Services Manager will record the meal in the computerized meal accountability system and the activity funds will reimburse these meals at the cost of the milk, if it is not reimbursed by the student;
4. The Child Nutrition Services Manager will notify the principal at any time a single student has multiple, unreimbursed "alternate meals"

or if the total value of the “alternate meals” to be reimbursed exceeds \$20.

The intent is to not deny access to meals, yet hold students accountable for being responsible for themselves. This method of notifying the administrator on duty will also alert campus administrators when a student may need specific attention in order to accommodate his situation.

Campus principals will be notified at year-end of any “alternate meal” costs which have not been reimbursed by the students, so that the balance can be reimbursed by activity funds.

## CHECK PROCEDURE

1. Personal checks presented for meal payments which are returned from the bank as “insufficient” will result in a \$10 processing fee. If a second incident of insufficiency occurs, only cash meal payments or on-line payments will be accepted.
2. Out of town and temporary checks will not be accepted.

## **NUTRITION INFORMATION**

### NUTRITION STATEMENT

MISD recognizes that well-nourished students perform better academically and exhibit less absenteeism than poorly nourished students. Accordingly, it is critical that students be educated in healthful nutrition habits that will have a positive and long-term impact on the quality of their health. The school district is committed to promoting this outcome utilizing the following suggestions:

1. The Child Nutrition Services Department will ensure that nutritious food choices are offered which promote the development of sound eating habits and the reduction of fat, sugar and sodium in the diet, in keeping with the Dietary Guidelines for Americans.
2. Students may bring sack lunches from home or purchase meals in the cafeteria. Elementary students should not bring soft drinks into the cafeteria. Parents may not bring meals for students other than their own.

## STATE NUTRITION POLICY

New State Nutrition Guidelines have been issued by the Texas Department of Agriculture to districts and became effective August 1, 2004. Please note definitions to help understand the new guidelines. The complete guidelines may be accessed at the TDA website: [www.squaremeals.org](http://www.squaremeals.org)

## COMPETITIVE FOODS DEFINITION

Foods and beverages sold or made available to students that compete with the school's operation of the National School Lunch Program, School Breakfast Program and/or After School Snack Program. This definition includes, but is not limited to, food and beverages sold or provided in vending machines, in school stores or as part of school fundraisers. School fundraisers include food sold by school administrators or staff (principals, coaches, teachers, etc.), students or student groups, parents or parent groups, or any other person, company, or organization. This policy does not restrict what parents may provide for their own child's lunch or snacks, however they may not provide food items to other children at school meals.

## FOODS OF MINIMAL NUTRITIONAL VALUE (FMNV) DEFINITION

- **Soda Water**- any carbonated beverage
- **Water Ices**- any frozen sweetened water such as ".....sicles" and flavored ice with the exception of products that contain fruit or fruit juice.
- **Chewing Gum**
- **All Candies**

## ELEMENTARY SCHOOL GUIDELINES

An elementary school campus may not serve or provide access to Competitive Foods and/or Foods of Minimal Nutritional Value (FMNV) to students anywhere on school premises throughout the school day until the end of the last scheduled class. This does not pertain to food items made available by the school child nutrition services department.

The Child Nutrition Services Department must also comply with the FMNV Policy throughout the school day. (See exemptions at end of statement.)

Elementary classrooms may allow one nutritious snack per day under the teacher's supervision. The snack may be in the morning or afternoon but may not be at the same time as the regular meal periods for that class. The snack may be provided by the school food service, the teacher, parents or other groups and should be at no cost to students.

The snack must comply with the fat and sugar limits of the Public School Nutrition Policy and may not contain any FMNVs or consist of candy or dessert-type items (cookies, cakes, cupcakes, pudding, ice cream or frozen desserts, etc). Please refer to the [www.squaremeals.org](http://www.squaremeals.org) website for suggestions for nutritious snacks.

## JUNIOR HIGH SCHOOLS/FRESHMAN SCHOOL GUIDELINES

A junior high or freshman school campus may not sell competitive foods or FMNV's or provide access (to FMNV's) by students anywhere on the school premises until the end of the school day on all closed-campus sites. This does not pertain to food items made available by the Child Nutrition Services Department. The Child Nutrition Services Department must also comply with the FMNV policy throughout the school day (see exemptions at end of statement).

## HIGH SCHOOL (OPEN CAMPUSES) GUIDELINES

*Competitive Foods and FMNV* may not be sold anywhere on school premises during meal periods (breakfast, lunch and after school snack) where school meals are sold or consumed. Competitive meal sales are not allowed on school campuses until the end of the last scheduled class period. Competitive snack sales must follow portion guidelines listed on Texas Department of Agriculture website. The Child Nutrition Services Department must also comply with the FMNV policy throughout the school day (see exemptions at end of statement).

Goal for 2005-2006 school year, no more than 30 percent of the beverages made available through vending machines on high school campuses should be sugared, carbonated soft drinks. The goal for 2006-2007 is no more than 30 percent of beverages available through vending machines will be carbonated soft drinks. Furthermore, it is the goal to limit carbonated beverages to containers holding no more than 12 ounces.

## EXEMPTIONS

1. School Events: Students may be given FMNV or candy items during the school day on up to three different events each school year, to be determined by the campus. These items may not be given during meal times in the areas where school meals are being served or consumed.

2. School Nurses are allowed to use FMNV or candy when providing health care to individual students throughout the school year. If Individualized Education Programs (IEP's) indicate the use of FMNV or candy it is also allowable.
3. Parent-provided foods: The Nutrition Policy does not restrict what parents may provide for their own child's lunch or snacks. Parents may provide FMNV or candy items for their own child's consumption, but they may not provide restricted items to other children at school. A school may adopt a more restrictive rule, however as local policy. In Midland, elementary students are asked to not bring carbonated drinks into the school cafeteria.
4. For instructional purposes, teachers may use foods as long as the food items are not considered FMNV or candy. Students may consume food prepared in class for instructional purposes. However, this should be on an occasional basis and food may not be provided or sold to other students or classes.

## HEALTHY SCHOOL ENVIRONMENT

Adequate time for eating is recommended. Ten (10) minutes for breakfast and twenty (20) minutes (after being served) for lunch are recommended. Consideration should also be given to scheduling recess or PE before lunch when possible.

## COMPLIANCE AND PENALTIES

Compliance will be strictly enforced by the Texas Department of Agriculture. Penalties for violations include:

- Meal reimbursement of up to four weeks may be disallowed if violation is noted
- School is required to reimburse Child Nutrition Dept account for lost reimbursement
- Documented corrective action plan will be required.

## FOOD SAFETY

USDA Security Guidelines promote precautions be taken related to food safety and bioterrorism. For this reason, it recommended that foods prepared and brought from home should be discouraged to reduce the risk of foodborne illness and/or contamination. Prepackaged foods would be a better choice for the holidays and nutritious snacks.

## NON-FOOD FUND RAISING

The Texas Department of Agriculture website lists a number of ideas to provide some choices that are better options for classroom events or activities as well as answers to frequently asked questions. Materials for non-food fund-raising and materials on are available at:

[www.squaremeals.org](http://www.squaremeals.org)

Contact the Child Nutrition Services Department for further clarification as needed.

## MEAL COUNT/COLLECTION AND APPLICATION PROCEDURES

### FREE AND REDUCED-PRICE FOOD PROGRAM POLICY

The school district follows policies of the School Lunch and Child Nutrition Programs of the Texas Department of Agriculture with regard to the approval, verification and service of free and reduced-price meals. Procedures approved by the Texas Department of Agriculture for meal account collection are followed to protect the anonymity of free and reduced-price eligible students. At all times, when paying and in the serving line, the anonymity of free and reduced-price meal recipients is protected.

Meal count and collection procedures for all schools have been approved by the Texas Department of Agriculture. Individual students use assigned meal account numbers as a means of accountability. Each student is responsible for presenting his/her meal account number at the cash register at the time a meal is received. Full and reduced-price meal payments can be made by students or parents in advance in a designated area away from the cafeteria serving line on a daily, weekly, or monthly basis. Students receiving free meal benefits appear to be prepaying for meals (charging may or may not be allowed). The ability for students and/or parents to prepay (or charge) is routinely advertised in the letter to parents (Notice/Letter to Households) sent home with the application at the beginning of each school year and in a newspaper and other publications.

## CHILDREN'S REHABILITATION CENTER (CRC) COLLECTION POLICY

The Children's Rehabilitation Center (CRC) has a meal/count procedure which is unique to the program. Lunch is transported from Bowie Elementary School to the Children's Rehabilitation Center in individual hinged-lid trays. Student enrollment and free/reduced meal applications are maintained at Bowie Elementary. Students are assigned computer meal account numbers for use in the computer. The CNS Manager at Bowie observes as the trays are pre-plated to verify that each meal served is reimbursable. The Children's Rehabilitation Center staff member receives the student meals and checks the students name on a coded roster. The roster is returned to the Bowie Kitchen Manager following meal service and the kitchen manager keys each student into the computer meal account system. The CRC staff member contacts the Bowie CNS Manager to delete the meal from the day's count and the student meal account, in the event a child leaves the CRC before the meals are served.

## ALTERNATIVE EDUCATION PROGRAM (AEP) AND EVENSTART COUNT/COLLECTION POLICY

Schools which serve AEP and Evenstart Programs provide meals for students at remote locations, rather than in the cafeterias. Each morning the AEP/Evenstart teacher takes a meal count to order meals. The teacher checks the names of students who receive meals on a coded roster. All meal components are included. Meals for AEP do not follow offer vs. serve guidelines. The checked roster is returned to the kitchen manager, who keys the student codes into the meal account computer system.

## HEADSTART MEAL COUNT/COLLECTION POLICY

The teacher marks a roster of students as they are served, then the CNS manager keys students' coded numbers into the computer. Once able, the Headstart students may key their own numbers.

## BREAKFAST EXPRESS MEAL COUNT/COLLECTION POLICY

Campuses which serve breakfast in class (Breakfast Express) follow an approved meal count and collection policy. The teacher determines that the meal selected by each student is reimbursable (2 or 3 different food items must be selected by the student) and checks the student name off a coded roster as the students are served. The roster is then returned to the CNS manager following breakfast and the data is input into the computerized meal account system. The meal count is taken from the

roster by category (free, reduced-price and full paid meal) and keyed into the computer by the manager. All breakfasts are complimentary and no money is exchanged during breakfast.

## INFORMATION REGARDING PROCESSING MEAL APPLICATIONS

### DISTRIBUTION

The Child Nutrition Services Department mails applications to all households of students enrolled at the end of the previous school year, plus Kindergarten students that pre-registered for the upcoming year. Campuses receive a supply of applications to distribute to new students when registering or to families that did not receive one in the mail. USDA requires that when students that are “new” to the district enroll, they must be given an application for free/reduced-price meals. This does not apply to students that are changing schools within the district.

The application allows for all children in a household to be listed on one application, regardless of which schools the children are attending. If a family has more students than space provided for them on the form, a second application can be completed and attached to the first application so that it can be submitted as a single household. Please note on the applications that they are for one household. If a campus needs additional applications, please contact the Child Nutrition Services Finance Supervisor at 689-1529 before the supply of applications is completely depleted. If a family has more than one child in the district, they only need to complete one application. The applications cannot be copied for parents to complete, as there are specific items required that copiers can distort which will make it impossible for the computer to scan the application.

### COLLECTION

All completed applications, both distributed by mail or in person, can be returned directly to the Child Nutrition Services Office through the mail using Business Reply Envelopes provided and placing them in the mail. No postage is required when applications are returned via the U.S. Post Office. Applications can also be accepted at the campus. When receiving applications at the campus, office personnel are requested to check applications for completeness, including the signature, then forward them to the Child Nutrition Services Office via the school district “pony mail” each day. The signature is the only component of “missing information” that we cannot correct over the phone.



## IMMEDIATE NEEDS

Applications can no longer be faxed! When the family of a “new” student completes a new application, please get all of these applications received to your cafeteria manager before 1:00 pm and the Child Nutrition Services can pick those up and deliver them to the CNS offices to be processed as soon as possible. The campus which enrolls the youngest student of a new family should submit the completed meal application. This will avoid duplicate applications from the same family. If a student is transferring from another campus in MISD, the eligibility will follow. Families can also come to the Child Nutrition Offices to complete an application.

## TRANSFERS AND WITHDRAWALS

When a student receiving benefits transfers from one school to another within MISD, the benefit status will transfer to the new campus. Any eligibility a student had at another school district does NOT transfer to MISD. A new application must be processed and eligibility determined from the information provided, not what the family may have received at the previous school district.

## DISCLOSURE OF ELIGIBILITY

USDA regulations are very strict concerning who can be informed of student eligibility and for what purposes. There are a few programs (TAKS for example) that are allowed to receive the information but there are many that may not. Some examples of situations that may not access eligibility information are for uniforms, glasses and text books. The school district has designated the Computer Services Dept. as the Official Record Keeper of student files and any requests for student’s eligibility should be submitted to that department with sufficient time so that the request can be reviewed to meet regulations and return the information to the campus.

APPROVED – OCTOBER 2006

**OFFICE COMMUNICATIONS:  
TELEPHONE  
CPAC (REGULATION)**

PERSONAL USE OF DISTRICT TELEPHONES

Limited personal use of District telephones is permissible. Within ten business days of the District presenting the employee the applicable long distance charges, each employee will review his or her statement and will reimburse the District for any personal or nonbusiness long distance calls.

CELLULAR TELEPHONES BELONGING TO THE DISTRICT

A cellular telephone may be issued to any employee designated by the Superintendent or designee, to be used for business telephone calls at those times when the employee does not have regular telephone service readily available.

When an employee accepts a District cellular telephone, he or she will provide written assurance of financial responsibility for any personal or nonbusiness calls made on that phone. Within ten business days of the District presenting the designated employees the applicable monthly bills for the cellular telephones, each employee will review his or her statement of calls and will reimburse the District for any personal or nonbusiness calls.

An employee with outstanding charges for personal or nonbusiness calls on a District cellular telephone will not be authorized for further use of that telephone until the charges are paid.

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## **ELECTRONIC COMMUNICATION AND DATA MANAGEMENT CQ (REGULATION)**

The Superintendent or designee will oversee the District's electronic communications and data management system.

The District will provide training in proper use of the systems and will provide all users with copies of acceptable use guidelines. All training in the use of the District's systems will emphasize the ethical and safe use of these resources.

### **CONSENT REQUIREMENTS**

No original work created by any District student or employee will be posted on a Web page under the District's control unless the District has received written consent from the student (and the student's parent if the student is a minor) or employee who created the work.

No personally identifiable information about a District student will be posted on a Web page under the District's control unless the District has received written consent from the student's parent. An exception may be made for "directory information" as allowed by the Family Educational Rights and Privacy Act and District policy. [See FL (Legal & Local).]

### **FILTERING**

The Superintendent will appoint a committee, to be chaired by the technology director, to select, implement, and maintain appropriate technology for filtering Internet sites containing material considered inappropriate or harmful to minors. All Internet access will be filtered for minors and adults on computers with Internet access provided by the school.

The categories of material considered inappropriate and to which access will be blocked will include, but not be limited to: nudity/pornography; images or descriptions of sexual acts; promotion of violence, illegal use of weapons, drug use, discrimination, or participation in hate groups; instructions for performing criminal acts (e.g., bomb making); and on-line gambling.

### **REQUESTS TO UNBLOCK SITES**

The Superintendent's designee will consider requests from users who wish to use a blocked site for bona fide research or other lawful purposes.

## SYSTEM ACCESS

Access to the District's electronic communications system will be governed as follows:

All users will be required to sign an acceptable use agreement annually, or as determined by the Superintendent's designee, for issuance or renewal of an account.

Students will be granted access to the District's system by a teacher or administrator, as appropriate, after signing the acceptable use agreement. Students will not be assigned an individual account or password for e-mail purposes. Students granted access to the District's system must complete any applicable District network training.

District employees will be granted access to the District's system as appropriate and with the written approval of the immediate supervisor and after completion of District network training and signing the acceptable use agreement and/or other required agreements. Employees may not be provided access to the District's system from their personal computers without the written approval of the technology director and the employee's supervisor. The District assumes no responsibility for membership, charges or costs associated with home use by employees. Employees may not use the District's system for personal or commercial use, with the exception of limited personal use of the District's e-mail system.

Members of the Board of Trustees will be granted access to the electronic communications system during their terms of office. Members will also be loaned District computer equipment to enable them to communicate through the electronic communications system during their terms of office.

The District will require that all passwords be changed frequently. All passwords must remain confidential and should not be shared.

Any system user identified as a security risk or as having violated District and/or campus computer use guidelines may be denied access to the District's system.

## TECHNOLOGY DIRECTOR RESPONSIBILITIES

The technology director and/or campus administrator will:

1. Be responsible for disseminating and enforcing applicable District policies and acceptable use guidelines for the District's system.
2. Ensure that all users of the District's system complete and sign an agreement to abide by District policies and administrative regulations regarding such use. All such agreements will be maintained on file in the principal's or supervisor's office.
3. Ensure that employees supervising students who use the District's system provide training emphasizing the appropriate use of this resource.
4. Ensure that all software loaded on computers in the District is consistent with District standards and is properly licensed.
5. Be authorized to monitor or examine all system activities, including electronic mail transmissions, as deemed appropriate to ensure student safety online and proper use of the system.
6. Be authorized to unblock Internet sites for bona fide research or another lawful purpose.
7. Be authorized to establish a retention schedule for messages on any electronic bulletin board and to remove messages posted locally that are deemed to be inappropriate.
8. Set limits for data storage within the District's system, as needed.

## INDIVIDUAL USER RESPONSIBILITIES

The following standards will apply to all users of the District's electronic information/communications systems:

## ONLINE CONDUCT

1. The individual in whose name a system account is issued will be responsible at all times for its proper use.
2. Students completing required course work on the system will have priority use.
3. The system may not be used for illegal purposes, in support of illegal activities, or for any other activity prohibited by District policy or guidelines.
4. System users may not disable, or attempt to disable, a filtering device on the District's electronic communications system.
5. Communications may not be encrypted so as to avoid security review by system administrators.

6. System users may not use another person's system account without written permission from the campus administrator or District coordinator, as appropriate.
7. Students may not distribute personal information about themselves or others by means of the electronic communications system; this includes, but is not limited to, personal addresses and telephone numbers.
8. Students should never make appointments to meet people whom they meet online and should report to a teacher or administrator if they receive any request for such a meeting.
9. System users must purge electronic mail in accordance with established retention guidelines.
10. System users may not redistribute copyrighted programs or data except with the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder or designee in accordance with applicable copyright laws, District policy, and administrative regulations.
11. System users should avoid actions that are likely to increase the risk of introducing viruses to the system, such as opening e-mail messages from unknown senders and loading data from unprotected computers.
12. System users may not upload or download programs to the system unless authorized by the technology director or designee. Users may not load programs not owned by the District on a District computer.
13. System users may not send or post messages that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
14. System users may not purposefully access materials that are abusive, obscene, pornographic, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
15. System users should be mindful that use of school-related electronic mail addresses might cause some recipients or other readers of that mail to assume they represent the District or school, whether or not that was the user's intention.
16. System users may not waste District resources related to the electronic communications system.
17. System users may not gain unauthorized access to resources or information.
18. System users identifying a security problem in the system must notify the appropriate teacher, campus administrator, or technology directory.

## VANDALISM PROHIBITED

Any malicious attempt to harm or destroy District equipment or data or the data of another user of the District's system or of any of the agencies or other networks that are connected to the Internet is prohibited. Deliberate attempts to degrade or disrupt system performance are violations of District policy and administrative regulations and may constitute criminal activity under applicable state and federal laws. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses.

Vandalism as defined above will result in the cancellation of system use privileges and will require restitution for costs associated with system restoration, as well as other appropriate consequences. [See DH, FN series, FO series, and the Student Code of Conduct.]

## FORGERY PROHIBITED

Forgery or attempted forgery of electronic mail messages is prohibited. Attempts to read, delete, copy, or modify the electronic mail of other system users, deliberate interference with the ability of other system users to send/receive electronic mail, or the use of another person's user ID and/or password is prohibited.

## INFORMATION CONTENT / THIRD-PARTY SUPPLIED INFORMATION

System users and parents of students with access to the District's system should be aware that, despite the District's use of technology protection measures as required by law, use of the system may provide access to other electronic communications systems in the global electronic network that may contain inaccurate and/or objectionable material.

Any user who gains access to such material is expected to discontinue the access as quickly as possible and to report the incident to a teacher, in the case of a student, or a supervisor or the technology director, in the case of an employee.

A student knowingly bringing prohibited materials into the school's electronic environment will be subject to suspension of access and/or revocation of privileges on the District's system and will be subject to disciplinary action in accordance with the Student Code of Conduct.

An employee knowingly bringing prohibited materials into the school's electronic environment will be subject to disciplinary action in accordance with District policies. [See DH.]

## PARTICIPATION IN CHAT ROOMS AND NEWSGROUPS

Participation in educational chat rooms and newsgroups accessed on the Internet is permissible for students, under appropriate supervision, if approved by the technology director.

## DISTRICT WEB SITE

The District will maintain a District Web site for the purpose of informing employees, students, parents, and members of the community of District programs, policies, and practices. Requests for publication of information on the District Web site must be directed to the designated Webmaster. The technology director and the District Webmaster will establish guidelines for the development and format of Web pages controlled by the District.

No personally identifiable information regarding a student will be published on a Web site controlled by the District without written permission from the student's parent.

No commercial advertising will be permitted on a Web site controlled by the District.

## CAMPUS OR CLASS WEB PAGES

Campuses or classes may publish and link pages to the District's Web site to present information about the school or class activities, subject to approval from the Webmaster. The campus principal will designate the staff member responsible for managing the campus's Web page under the supervision of the campus principal and the District's Webmaster. Teachers will be responsible for compliance with District rules in maintaining their class Web pages. Any links from a school or class Web page to sites outside the District's computer system must receive approval from the District Webmaster.

## EXTRA-CURRICULAR ORGANIZATION WEB PAGES

With the approval of the District Webmaster, extra-curricular organizations may establish Web pages linked to a campus or District Web site; however, all material presented on the Web page must relate specifically to student and/or organization activities. The sponsor of the organization will be responsible for compliance with District rules for maintaining the Web



page. Web pages of extracurricular organizations must include the following notice: "This is a student extracurricular organization Web page. Opinions expressed on this page shall not be attributed to the District." Any links from the Web page of an extracurricular organization to sites outside the District's computer system must receive approval from the District Webmaster.

## PERSONAL WEB PAGES

Students, District employees, Trustees, and members of the public will not be permitted to publish personal Web pages using District resources.

## NETWORK ETIQUETTE

System users are expected to observe the following network etiquette:

1. Be polite; messages typed in capital letters are the computer equivalent of shouting and are considered rude.
2. Use appropriate language; swearing, vulgarity, ethnic or racial slurs, and any other inflammatory language are prohibited.
3. Pretending to be someone else when sending/receiving messages is considered inappropriate.
4. Transmitting obscene messages or pictures is prohibited.
5. Be considerate when sending attachments with e-mail by considering whether a file may be too large to be accommodated by the recipient's system or may be in a format unreadable by the recipient.
6. Using the network in such a way that would disrupt the use of the network by other users is prohibited.

## TERMINATION / REVOCATION OF SYSTEM USER ACCOUNT

Termination of an employee's or a student's access for violation of District policies or regulations will be effective on the date the principal or District administrator receives notice of student withdrawal or of revocation of system privileges, or on a future date if so specified in the notice.

## DISCLAIMER

The District's system is provided on an "as is, as available" basis. The District does not make any warranties, whether express or implied, including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the system and any information or software contained therein. The District does not warrant that the functions or services performed by, or that the information or software contained on the system will meet the system user's requirements, or that the system will be uninterrupted or error free, or that defects will be corrected.

Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third-party individuals in the system are those of the providers and not the District.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's electronic communications system.

## COPYRIGHT COMPLIANCE

The use of District technology in violation of any law, including copyright law, is prohibited. Copyrighted or licensed software or data may not be placed on any system connected to the District's system without permission from the holder of the copyright or license. Only the copyright or license owner, or an individual the owner specifically authorizes, may upload copyrighted or licensed material to the system.

No person will be allowed to use the District's technology to post, publicize, or duplicate information in violation of copyright law. The technology director will use all reasonable measures to prevent the use of District technology in violation of the law

## COMPLAINTS REGARDING COPYRIGHT COMPLIANCE

If a copyright or license owner reasonably believes that the District's technology has been used to infringe upon a copyright or license, the owner is encouraged to notify the Superintendent's office.

## TRANSFER OF EQUIPMENT TO STUDENTS

The following rules will apply to all campuses and departments regarding transfer of computer equipment to students under provisions of law cited at CQ (LEGAL):

1. Proposed projects to distribute computer equipment to students must be submitted to the appropriate executive director or assistant superintendent for approval.
2. A student is eligible to receive computer equipment under these rules only if the student does not otherwise have home access to computer equipment, as determined by the principal and counselor.
3. In transferring computer equipment to students, the principal will give preference to educationally disadvantaged students.
4. Before transferring computer equipment to a student, the campus principal must have clearly outlined:
  - a. A process to determine eligibility of students;
  - b. An application process that identifies the responsibility of the student regarding home placement, use, and ownership of the equipment;
  - c. A process to establish that all software on the computer at the time of transfer is legally licensed.
  - d. A process to distribute and initially train students in the setup and care of the equipment;
  - e. A process to provide ongoing technical assistance for students using the equipment;
  - f. A process to determine ongoing student use of the equipment;
  - g. A process to determine any impact on student achievement the use of this equipment may provide; and
  - h. A process for retrieval of the equipment from a student, as necessary.

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**INSURANCE AND ANNUITIES MANAGEMENT:  
DEFERRED COMPENSATION AND ANNUITIES  
CRG (REGULATION)**

MARKETING TAX-SHELTERED ANNUITIES

Any company wishing to market tax-sheltered annuities to District employees must observe the following guidelines:

1. The company must be a "certified company" on the current list maintained by TRS.
2. The District will not allow direct marketing activities in the form of general faculty presentations or phone calls during the school or work day. However, if requested by an employee, the company representative may meet the employee on school property outside the employee's workday. All such representatives must check in through the building office.

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## **FACILITY AND SCHOOLS NAMES AND SYMBOLS CS (REGULATION)**

### SCHOOL NAMES & SYMBOLS

School Board approval shall be required in all matters pertaining to individual schools as follows:

1. Naming of all school building, campuses, facilities, and installations.
2. Designation of school colors.
3. Officially adopted nickname, mascot, insignia, or emblem.
4. All school banners, flags, pennants.

### NAMING DISTRICT FACILITIES

The naming of new MISD facilities or units within facilities shall be the responsibility of the current Board of Trustees. The following procedures will be used to secure input:

1. The superintendent appoints a committee which includes a central office administrator as chairperson, a principal, two teachers, and at least one other citizen in each school board district.
2. Citizens, school personnel, Board members, and student groups may submit names to the superintendent for committee and subsequent Board consideration. When substantial documented interest is demonstrated in naming a facility by the local community, the superintendent shall bring this to the attention of the Board and the committee.
3. Names to be considered should fall within the following criteria:
  - a. Presidents, statespersons, and persons of national fame
  - b. Governors, statespersons, and persons of Texas fame
  - c. National, state and local educators
  - d. Community and civic leaders
  - e. National, state and local symbols or events
4. This committee shall screen the name(s) submitted and make a recommendation to the superintendent for approval.
5. The superintendent shall present the recommendation to the Board for final consideration.

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