

**MEETING OF THE BOARD OF TRUSTEES
DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
AND RICHLAND COLLEGIATE HIGH SCHOOL**

R.L. Thornton, Jr. Administration Building

701 Elm Street

Board Room (4th floor)

Dallas, TX 75202

Tuesday, February 5, 2008

4:00 p.m.

AGENDA

- I. Certification of Posting of Notice of the Meeting
- II. Citizens Desiring to Address the Board Regarding Agenda Items
- III. Richland Collegiate High School Status Report
- IV. Declaration of Conflict of Interest (pp. 5-6)
- V. Consideration of Bids
 1. Construction Managers at Risk
 2. 100mb Internet Service
 3. Cisco Academy Network Equipment
 4. Summary of Recommendations for Awards with Minority and Woman Owned Businesses [Consideration of Bids section]
 5. Summary of Recommendations for Professional Services Pools with Minority and Woman Owned Businesses [Consideration of Bids section]
- VI. Consent Agenda: If a trustee wishes to remove an item from the consent agenda, it will be considered at this time.

Minutes

6. Approval of Minutes of the January 8, 2008 Regular Meeting
7. Approval of Minutes of the January 22, 2008 Special Meeting

Policy Reports

8. Acceptance of Gifts
9. Amendment to Board Policy—Faculty Market Disparity Stipend
10. Approval of Amendment to DEB (Local) for an Education Stipend
11. Approval of Innovative Course Numbers for Richland Collegiate High School

12. Approval of Administrative Policies and Special Education Policies for Richland Collegiate High School
13. Approval of Resolution Ordering Election for May 10, 2008, in Trustee District 5 and 6
14. Approval of Resolution Establishing County Voter Precinct Boundaries for the May 10, 2008 Trustee Election

Buildings and Grounds Reports

15. Approval of Amendment to Agreement with Dimensions Architects, Inc
16. Approval of Amendment to Agreement with HDR Architecture, Inc.
17. Approval of Amendment to Agreement with KAI Texas, LLC
18. Summary of Recommendations for Agreements with Minority and Woman Owned Businesses [Building and Grounds Reports section]

Financial Reports

19. Approval of Expenditures for December 2007
20. Presentation of Budget Report for December 2007
21. Approval of Tuition for Continuing Education Courses
22. Approval of Resolution Authorizing Cash Accounts
23. Approval of Agreement with American Animal Hospital Association
24. Approval of Memorandum of Agreement with Dallas Chapter, American Payroll Association
25. Approval of Right of Way Agreement with Texas Midstream Gas Services, LLC
26. Summary of Recommendations for Agreements with Minority and Woman Owned Businesses [Financial section]

VII. Individual Items

27. Reemployment of Faculty for Three-Year Contracts with Alternative Schedules
28. Consideration of Retirements and Resignations
29. Adjunct Faculty Teaching Credit Classes by Ethnicity & Location Paid on December 31, 2006 & 2007
30. Employment of Contractual Personnel
31. New Hires Ethnicity Information September 2007 through February 2008
32. Approval of Sabbatical Leaves for 2008-2009

VIII. Informative Reports

33. Notice of Grant Awards
34. Receipt of Business and Corporate Contracts
35. Monthly Award and Change Order Summary

36. Progress Report on Construction Projects
37. Bond Program Report on Projects
38. Summary of Recommendations for Awards with Minority and Woman Owned Businesses [VCBA Awards in Informative section]

IX. Questions/Comments from the Board and Chancellor

X. Citizens Desiring to Appear Before the Board

XI. Executive Session: The Board may conduct an executive session as authorized under §551.074 of the Texas Government Code to deliberate on personnel matters, including any prospective employee who is noted in Employment of Contractual Personnel.

As provided by §551.072 of the Texas Government Code, the Board of Trustees may conduct an executive session to deliberate regarding real property since open deliberation would have a detrimental effect upon negotiations with a third person.

The Board may conduct an executive session under §551.071 of the Texas Government Code to seek the advice of its attorney and/or on a matter in which the duty of the attorneys under the Rules of Professional Conduct clearly conflict with the Open Meetings Act. The Board may seek or receive its attorney's advice on other legal matters during this executive session.

XII. Adjournment of Regular Meeting

**CERTIFICATION OF POSTING OF NOTICE FEBRUARY 5, 2008
REGULAR MEETING OF THE DALLAS COUNTY COMMUNITY
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOL
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 1st day of February, 2008, in a place convenient to the public in the R.L. Thornton, Jr. Administration Building, and a copy of this notice was provided on the 1st day of February, 2008, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.

A handwritten signature in blue ink, appearing to read "Wright L. Lassiter, Jr.", is written over a horizontal line.

Wright L. Lassiter, Jr., Secretary

Declaration of Conflict of Interest

House Bill 914 added Chapter 176 to the Local Government Code and took effect January 1, 2006. Chapter 176 provides that local government officers, such as DCCCD's chancellor and Trustees, shall file conflict disclosure statements in certain defined circumstances. It also provides that persons contracting or desiring to contract with DCCCD shall file conflict of interest questionnaires.

Local government officers, persons contracting and persons desiring to contract are required to file information on forms approved by the Texas Ethics Commission. See http://www.ethics.state.tx.us/whatsnew/conflict_forms.htm for current versions of each form. The forms must be submitted to DCCCD records administrator, Vice Chancellor Edward M. DesPlas.

The penalty for violating Chapter 176 accrues to the individual who failed to file a disclosure, not to DCCCD.

Listed below are the names of parties who were considered and/or recommended for awards in this agenda. This report is not intended or represented to be inclusive of all firms and persons contracting or desiring to contract with the Dallas County Community College District.

Academic Superstore
American Anima Hospital Association
Armstrong Medical Industries, Inc.
AT&T
Axis Contracting, Inc.
Calence, LLC
Cardinal Health
Cingle Telecom
Connect Systems, Inc.
Cowman & Assoc., Inc.
D'tel Communications, Inc.
Dallas Chapter, American Payroll Association
Helena Laboratories
I & H Concrete Cutting, Inc.
Journey Education Marketing
Karl Storz Endoscopy-America, Inc.
Nasiff Associates, Inc.
Norcostco, Inc.
Olympus Surgical and Industrial America, Inc.
Pavement Services Corp.
Ponder Company, Inc.

Products Unlimited, Inc.
Ram Communications, Inc.
Secoa, Inc.
Sigmanet, Inc.
Source, Inc.
Studio Tech Supply
Sweetwater Sound, Inc.
Teaching Systems, Inc.
Tegrity, Inc. Tegrity, Inc.
Texas Midstream Gas Services
Texas Scenic Company Inc.
TM Television, Inc.
Troxell Communications, Inc.
Videotex Systems, Inc.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs

CONSIDERATION OF BIDS

Tab	Bid No.	Title and Vendor(s)	Location	Amount
1	11219	Construction Managers at Risk	NLC & MVC	(increase) \$1,350,000
2	11326	100mb Internet Service AT&T	D-W	(3-year estimate) \$195,000
3	11346	Cisco Academy Network Equipment Sigmanet, Inc.	RLC	\$42,610.66

Submitted by Mr. Philip Todd, director of purchasing

TO: The Board of Trustees

FROM: Administrative Purchasing Committee

SUBJECT: RECOMMENDATION FOR AMENDMENT OF AWARDS – RFP
(Tab 1) NO. 11219
CONSTRUCTION MANAGERS AT RISK
NORTH LAKE COLLEGE GENERAL PURPOSE BUILDING AND
MOUNTAIN VIEW COLLEGE ECONOMIC & WORKFORCE
DEVELOPMENT BUILDING

RECOMMENDATION FOR AMENDMENT TO AWARDS:

See attached

COMMENTS: The amended Construction Budget shown on this board document includes the original and amended Phase I Preconstruction Fee, Phase II Fee, cost for the CMAR to perform the general conditions, and the Cost of the Work. The rationale for increasing the construction budget is attached.

The amended construction budget for the North Lake College General Purpose Building is receiving supplemental funds from the project design contingency to provide for the infrastructure of a future security system, as well as work required for specialty areas in the Visual and Performing Arts areas.

The amended construction budget for the Mountain View College Economic & Workforce Development Building is receiving supplemental funds from the project design contingency and project infrastructure contingency to provide for a new electrical substation, for the new building.

Administration further recommends the director of purchasing be authorized to execute contracts for this project.

FUNDING: 2004 Bond Program

Company	College	Project	Original Award	Previously Approved Amendments to the Construction Budget	Proposed Increase	Amended Construction Budget
Satterfield & Pontikes	NLC	General Purpose Building	\$8,145,570	\$1,119,205	\$600,000	\$9,864,775
Charter Builders, Ltd.	MVC	Economic & Workforce Development Building	\$5,329,499	0	\$750,000	\$6,079,499

TO: The Board of Trustees

FROM: Administrative Purchasing Committee

SUBJECT: RECOMMENDATION FOR AWARD – RFP NO. 11326
(Tab 2) 100Mb INTERNET SERVICE
PRICE AGREEMENT, DISTRICT-WIDE
MARCH 15, 2008 THROUGH MARCH 14, 2011

RESPONSE: Requests for proposals were sent to five companies, and one proposal was received.

RECOMMENDATION FOR AWARD:

AT&T	(3-year estimate) \$195,000
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ONLY PROPOSAL

COMMENTS: The selected firm will provide internet hosting district-wide via existing AT&T optical fiber connections accessing the network at the District Service Center. Rebidding is not expected to result in improved bidder interest.

Administration further recommends the director of purchasing be authorized to execute contracts for this project.

FUNDING: Funds are budgeted in account #23201 in division #14-11-105059.

TO: The Board of Trustees

FROM: Administrative Purchasing Committee

SUBJECT: RECOMMENDATION FOR AWARD – BID NO. 11346
(Tab 3) CISCO ACADEMY NETWORK EQUIPMENT
RICHLAND COLLEGE

RESPONSE: Request for bids were sent to five companies, and two bids were received.

COMPARISON OF BIDS:

Sigmanet, Inc.	\$42,610.66
Calence, LLC	\$133,999.02

RECOMMENDATION FOR AWARD:

SIGMANET, INC.	\$42,610.66
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LOW BID

COMMENTS: As a registered Cisco Network Academy, Richland College offers training courses to certify students to support Cisco voice and data networking applications.

Administration further recommends the director of purchasing be authorized to execute contracts for this project.

FUNDING: Funds are budgeted in various accounts in division # 13-08-535080.

**Summary of Recommendations for Awards
With Minority and Woman Owned Businesses
(Tab 4)**

Recommendations for Awards in the Consideration of Bids Section of This Agenda

	# awards	% awards	\$ amount	% amount
MBE	0	0	0	0
WBE	0	0	0	0
Not classified	1	100	42,610.66	100
Total	1	100	42,610.66	100

Bidders and Proposers from Which Recommendations for Awards
in the Consideration of Bids Section of This Agenda Were Derived

	#	%
MBE	0	0
WBE	0	0
Not classified	2	100
Total	2	100

Recommendations for Awards in the Consideration of Bids Sections
September 4, 2007 – February 5, 2008

	# awards	% awards	\$ amount	% amount
MBE	2	8	404,507.06	8
WBE	3	13	1,763,923.24	33
Not classified	19	79	3,146,426.26	59
Total	24	100	5,314,856.56	100

Notes: This report excludes government agencies, state supported institutions, municipalities, non-profit organizations, price agreements, publicly traded companies, civic and other organizations not logically classified as minority or woman owned businesses. This report also excludes amendments because they attach to previously authorized awards. Classification of an individual or company as minority or woman owned may be according to self-report or personal knowledge rather than on registration with a certification agency. An individual or company that is both a minority and woman owned business has MBE status in this report. "Not classified" includes firms known to be neither minority nor woman owned as well as firms for which ethnicity and gender of ownership is not known.

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs

**Summary of Recommendations for Professional Services Pools
With Minority and Woman Owned Businesses**

(Tab 5)

Recommendations for Professional Service Pools
in the Consideration of Bids Section of This and Previous Agendas

	This Agenda		Sept. 4, 2007 – Feb. 5, 2008	
	# entities	% entities	# entities	% entities
MBE	0	0	0	0
WBE	0	0	0	0
Not classified	0	0	96	100
Total	0	0	96	100

Notes: This report excludes government agencies, state supported institutions, municipalities, non-profit organizations, publicly traded firms, civic and other organizations not logically classified as minority or woman owned businesses. Classification of an individual or company as minority or women owned may be according to self-report or personal knowledge rather than on registration with a certification agency. An individual or company that is both a minority and woman owned business has MBE status in this report. “Not classified” includes firms known to be neither minority nor woman owned as well as firms for which ethnicity and gender of ownership is not known.

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs

CONSENT AGENDA NO. 6

Approval of Minutes of the January 8, 2008 Regular Meeting

It is recommended that the Board approve the minutes of the January 8, 2008 Board of Trustees Regular Meeting.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
AND RICHLAND COLLEGIATE HIGH SCHOOL
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
JANUARY 8, 2008**

Attendees: Ms. Charletta Compton (arrived at 4:35 PM), Mr. Bob Ferguson, Ms. Diana Flores, Mrs. Martha Sanchez Metzger, Mr. Jerry Prater (Board Chair) and Mr. JL Sonny Williams

Absent: Mrs. Kitty Boyle

Staff: Dr. Wright Lassiter, Mr. Ed DesPlas, Mr. Luis Camacho (for Mr. Denys Blell), Dr. Andrew Jones, Mrs. Kathryn Tucker, and Mr. Robert Young

Board Chair Jerry Prater convened the meeting at 4:02 PM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE JANUARY 8, 2008
REGULAR MEETING OF THE DALLAS COUNTY COMMUNITY
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOL
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 4th day of January, 2008, in a place convenient to the public in the R.L. Thornton, Jr. Administration Building, and a copy of this notice was provided on the 4th day of January, 2008, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



Wright L. Lassiter, Jr., Secretary

Citizens Desiring to Address the Board Regarding Agenda Items

Mr. Travis Noble with 3i-JEDunn and Ms. Toni Scott Reed with Strasburger & Price spoke about 3i-JE Dunn's request for a contract extension.

Richland Collegiate High School Status Report

President Steve Mittelstet presented the Richland Collegiate High School Status Report.

Declaration of Conflict of Interest

There were no declarations of conflict of interest.

Consideration of Bids

Ms. Diana Flores moved and Mr. Bob Ferguson seconded a motion to approve all bids in the Consideration of Bids section of the agenda. Motion passed. (See January 8, 2008, Board Meeting, Consideration of Bids, Agenda Items #1-7, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Consent Agenda

Vice Chancellor Ed DesPlas asked the board to defer Consent Agenda Item #28 to next month's board meeting. Ms. Diana Flores moved and Mrs. Martha Sanchez Metzger seconded a motion to approve recommendations #8-29, with exception of items #15 and #28, in the Consent Agenda. Motion passed. (See January 8, 2008, Board Meeting, Agenda Items #8-29, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Individual Items

Ms. Diana Flores moved and Mrs. Martha Sanchez Metzger seconded a motion to approve recommendations #30-35 in the Individual Items section of the agenda. Motion passed. (See January 8, 2008, Board Meeting, Agenda Items #30-35, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Informative Reports

Dr. Wright Lassiter reviewed the Informative Reports, Agenda Items #36 and #37. Vice Chancellor DesPlas reviewed the Informative Reports, Agenda Items #38-41. (See January 8, 2008, Board Meeting, Agenda Items #36-41, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Questions/Comments from the Board and Chancellor

Dr. Lassiter will prepare a recommendation for adjusting police salaries to a level that reduces the turnover rate in that category of employment, provide information

about the proportion of business contracts at North Lake College that were associated with the Construction Education Foundation, and incorporate data about minority participation in the monthly informative report on the bond program.

Dr. Lassiter will also follow-up with staff to anticipate and answer obvious questions that may arise from various reports in the agenda, such as what caused the decrease in number of adjunct faculty, from 2,615 in 2006 to 1,966 in 2007.

Citizens Desiring to Appear Before the Board

There were no citizens desiring to appear before the board.

Executive Session

The Board went into executive session at 4:47 PM as authorized under §551.071 of the Texas Government Code to seek the advice of its attorney and/or on a matter in which the duty of the attorneys under the Rules of Professional Conduct clearly conflict with the Open Meetings Act. The Board may seek or receive its attorney's advice on other legal matters during this executive session. During this Executive Session Consent Agenda Item #15 (Appeal by 3i-JE Dunn Regarding Interior Renovations to Paramount Building; Center for Allied Health, El Centro College) was discussed.

At approximately 6:03 PM, the Board re-convened in its regular meeting.

Ms. Flores moved and Mrs. Metzger seconded a motion to approve recommendation #15 in the Consent Agenda. Motion passed. (See January 8, 2008, Board Meeting, Agenda Items #8-29, which are made a part of and incorporated into the approved minutes as though fully set out in the minutes.)

Adjournment

Mrs. Metzger moved and Mr. Ferguson seconded a motion to adjourn the meeting. Motion passed. Mr. Prater adjourned the meeting at 6:03 PM.

Approved:

A handwritten signature in blue ink, appearing to read 'Wright L. Lassiter Jr.', is written over a horizontal line.

Wright L. Lassiter Jr., Secretary

CONSENT AGENDA NO. 7

Approval of Minutes of the January 22, 2008 Special Meeting

It is recommended that the Board approve the minutes of the January 22, 2008 Board of Trustees Special Meeting.

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
AND RICHLAND COLLEGIATE HIGH SCHOOL
BOARD OF TRUSTEES
SPECIAL MEETING MINUTES
JANUARY 22, 2008**

Attendees: Mrs. Kitty Boyle, Ms. Charletta Compton, Mr. Bob Ferguson, Ms. Diana Flores, Mrs. Martha Metzger, Mr. Jerry Prater (Board Chair) and Mr. JL Sonny Williams

Absent: None

Staff: Dr. Wright Lassiter and Mrs. Kathryn Tucker

Board Chair Jerry Prater convened the meeting at 9:07 AM. Dr. Wright Lassiter certified to the posting of the meeting notice.

**CERTIFICATION OF POSTING OF NOTICE JANUARY 22, 2008
SPECIAL MEETING OF THE DALLAS COUNTY COMMUNITY
COLLEGE DISTRICT AND RICHLAND COLLEGIATE HIGH SCHOOL
BOARD OF TRUSTEES**

I, Wright L. Lassiter, Jr., Secretary of the Board of Trustees of the Dallas County Community College District, do certify that a copy of this notice was posted on the 18th day of January, 2008, in a place convenient to the public in the R.L. Thornton, Jr. Administration Building, and a copy of this notice was provided on the 18th day of January, 2008, to John F. Warren, County Clerk of Dallas County, Texas, and the notice was posted on the bulletin board at the Frank Crowley Courts Building, all as required by the Texas Government Code, §551.054.



Wright L. Lassiter, Jr., Secretary

Citizens Desiring to Address the Board Regarding Agenda Items

There were no citizens desiring to address the board regarding agenda items.

Richland Collegiate High School Status Report

There was no information to add to the status report presented at the January 8, 2008, regular business meeting.

Policies Concerning Board Travel

Board members discussed an invitation to take part in Mayor Tom Leppert's international trade trip to Monterrey, Mexico.

Review of DCCCD Board Policies and Goals

Board members continued discussion about policies and goals that may sharpen the focus on achieving goals in the Coordinating Board's plan for higher education, careful stewardship of public funds, and other priorities. The Board charged the chancellor with incorporating points from their discussion into an actionable format.

Questions/Comments from the Board and Chancellor

Dr. Lassiter will provide information on questions pertaining to increased plant size relative to enrollment changes, facilities projects, indicators of progress toward closing the gaps in participation, increasing numbers of students entering college with need for remediation, advocating for dual credit as a public school benchmark, on-the-spot bidding opportunities, expanding eligibility for Rising Star, assessing PSS salary schedules, and naming new community campuses.

Citizens Desiring to Appear Before the Board

There were no citizens desiring to appear before the board.

Executive Session


The Board went into executive session at 1:15 PM as authorized under §551.074 of the Texas Government Code to deliberate on personnel matters, including any prospective employee who is noted in Employment of Contractual Personnel.

At approximately 1:45 PM, Dr. Wright Lassiter concluded the Executive Session.

Adjournment

Mrs. Metzger moved and Mr. Ferguson seconded a motion to adjourn the meeting. Mr. Jerry Prater adjourned the meeting at 5:12 PM.

Approved:

A handwritten signature in blue ink, appearing to be 'Wright L. Lassiter Jr.', written in a cursive style.

Wright L. Lassiter Jr., Secretary

POLICY REPORT NO. 8

Acceptance of Gifts

The following gifts have been offered to the DCCC District as indicated below. It is recommended that the gifts be accepted under the donors' conditions and that appropriate acknowledgment be sent to the donors.

1. Through the Development Office (equipment):

<u>Number of Gifts</u>	<u>College/Location</u>	<u>Total Amount of Gifts</u>
2	RLC	\$ 15,756

2. From the Dallas County Community College District Foundation, Inc. (DCCCD Foundation), actual expenditures on behalf of the DCCCD:

<u>Number of Expenditures</u>	<u>Expenditure Type</u>	<u>Total of Expenditures</u>
1	Chancellor's Council	\$ 3,500
<u>6</u>	Programs and Services	<u>\$ 10,044</u>
7		\$ 13,544

3. From the Dallas County Community College District Foundation, Inc. (DCCCD Foundation), gifts that will be expended in the future:

<u>Number of Gifts</u>	<u>\$ Range of Gifts</u>	<u>Gift Purpose</u>	<u>Total of Gifts</u>
12	\$100 - \$5,000	Scholarships	\$ 52,510
2	\$5,001 - \$50,000	Scholarships	\$ 54,000
5	\$100 - \$5,000	Rising Star Program	\$ 5,750
1	\$5,001 - \$50,000	Rising Star Program	\$ 10,000
30	\$100 - \$5,000	Programs and Services	\$ 46,089
<u>2</u>	\$5,001 - \$50,000	Programs and Services	<u>\$ 30,600</u>
52			\$ 198,949

POLICY REPORT NO. 9

Amendment to Board Policy—Faculty Market Disparity Stipend

It is recommended that the Board of Trustees amend DEA (LOCAL) only as follows:

COMPENSATION AND BENEFITS SALARIES

“FACULTY MARKET DISPARITY STIPEND. The Board provides a stipend to full-time faculty teaching in the areas of RN, Surgical Technology, Veterinary Technology, LVN, Biotechnology, Cardio Vascular Technology (CVT), Diagnostic Medical Sonography (Sonography, Medical Laboratory Technology, Echo cardiology), Radiological Technology and Respiratory Therapy. The stipend is

\$8,000 for Category 1 includes those faculty teaching in:

LVN Program
RN Program
Surgical Technology
Veterinary Technology

\$5,000 for Category 2 for those faculty teaching in:

Biotechnology
(~~LVN Program~~)
Cardio Vascular Technology (CVT)
Diagnostic Medical Sonography (Sonography, Echo cardiology)
Medical Laboratory Technology
Radiological Technology
Respiratory Therapy

The Chancellor or his designee shall promulgate procedures to implement this provision.”

Effective: September 1, 2008

Recommendation

In September, 2007, the Board of Trustees approved a recommendation to award stipends of either \$8000 or \$5000 to attract and retain qualified faculty in the areas of Nursing/Allied Health and Veterinary Technology. This recommendation is made to amend the September 2007, recommendation with the addition of two new

categories, Biotechnology and Medical Laboratory Technology. In addition the category of LVN Programs is recommended for movement from category 2 to category 1.

The projected cost for implementation is approximately \$428,000, effective September 1, 2008.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development and Mr. Robert Young, district legal counsel

POLICY REPORT NO. 10

Approval of Amendment to DEB (Local) for an Education Stipend

It is recommended that the Board of Trustees amend Board Policy DEB (Local), only as follows:

DEB (Local) COMPENSATION AND BENEFITS
 FRINGE BENEFITS

EDUCATION

The College District provides opportunities for full-time and limited full-time employees and retirees to participate in classes for credit and noncredit for personal and professional growth without payment of tuition. [See DEB(REGULATION)]

“In addition, the College District shall award an education stipend to a full-time or limited full-time employee if the employee receives a degree from a regionally accredited U. S. institution of higher education after 12 continuous months of full-time employment. This degree must directly relate to an employee’s job. This paragraph is not applicable to faculty or retirees. The award for each degree is as follows:

<u>Associate’s</u>	<u>\$ 500</u>
<u>Bachelor’s</u>	<u>1,000</u>
<u>Master’s</u>	<u>1,500</u>
<u>Doctoral</u>	<u>2,000”</u>

Note: This provision applies to a degree conferred between September 1, 2007 and August 31, 2008, and thereafter.

Effective date: September 1, 2008

Background

The District recognizes the attainment of additional college hours up to the Ph.D. level for full-time faculty. The faculty reclassification process provides for the movement of full-time faculty through the ranges of the Faculty Salary Schedule and includes a salary increase of \$2000 for each level attained. This reclassification process is only for faculty.

A proposal was made to the Chancellor’s Cabinet to create a process, similar to the

faculty process, to acknowledge the educational development of professional support staff and administrators.

It is recommended that a one-time stipend (per degree attained) be awarded to professional support staff and administrative employees upon the completion of a higher education degree from an accredited United States institution. The value of this stipend would be determined according to the type of degree earned (ranging from an associate's degree to earned doctorate), and must be related to the employee's work in the DCCCD. Additionally, the stipend would be applicable only with the attainment of a progressively higher degree. For example, an employee who currently holds a master's degree could receive a stipend upon the completion of a doctorate, but would not receive a stipend upon the attainment of a second master's degree.

If approved, this stipend would be awarded on Sept. 1 of the fiscal year following the attainment of the degree. This stipend is recommended for full-time and limited full-time professional support staff and administrators earning degrees one year prior to the recommended implementation date of Sept. 1, 2008, and thereafter. To apply for the stipend, the employee must:

- be currently active with a minimum of 12-months continuous full-time or limited full-time employment.
- be a full-time or limited full-time employee at the time of receiving the stipend.
- complete appropriate forms and secure location approvals upon entering the final semester of the degree plan.

District Human Resources will be responsible for the creation and review of the process, procedures and forms for this program and will review and report usage to the Chancellor and Board annually. Location human resources personnel are responsible for verifying certification of the degree and for implementing the stipend in the timeline noted.

Submitted by Mr. Denys Blell, vice chancellor, human & organizational development and Mr. Robert Young, district legal counsel

POLICY REPORT NO. 11

Approval of Innovative Course numbers for Richland Collegiate High School.

It is recommended that the Board of Trustees adopt the attached innovative course numbers for the Richland Collegiate High School and that the Board Chairman sign appropriate documents to that end.

Effective Date: 2007/2008 School Year

Background

The Texas Education Agency Curriculum Requirements in 19 TAC Chapter 74, Subchapter C.74.27 state that a school district may offer innovative courses to enable students to master knowledge, skills, and competencies not included in the essential knowledge and skills of the required curriculum. With the approval of the local board of trustees, a school district may offer, without modifications, any state-approved innovative course.

Using the Innovative Course names and PEIMS numbers will allow the RCHS students the opportunity to receive dual credit for these courses.

Submitted by Dr. Stephen Mittelstet, superintendent Richland Collegiate High School and Mr. Robert Young, district legal counsel

INNOVATIVE COURSE NEEDS FOR RCHS STUDENTS

RLC Course	Innovative Course	PEIMS #
Math 1414 - College Algebra	Topics in Advanced Algebra	N1110012
Math 2315 - Calculus III	Multivariable Calculus	N1110008
Math 2320 - Diff. Equations	Differential Equations	N1110009
Math 2420 - Diff. Equations	Differential Equations	N1110009

POLICY REPORT NO. 12

Approval of Administrative Policies and Special Education Policies for
Richland Collegiate High School

It is recommended that the Board of Trustees adopt the attached policies for the Richland Collegiate High School and that the Board Chairman sign appropriate documents to that end.

Effective Date: 2007-2008 School Year

Background

The Texas Education Agency requires that public charter schools Boards adopt administrative and special education policies yearly. These policies are written by the Texas Education Agency Regional Service Centers for use by open-enrollment charter schools.

The policies provide standards by which Richland Collegiate High School staff, parents, and students shall abide during the 2007-2008 school year.

Submitted by Dr. Stephen Mittelstet, superintendent Richland Collegiate High School and Mr. Robert Young, district legal counsel

**MODEL POLICIES FOR OPEN-ENROLLMENT
CHARTER SCHOOLS**
(AS REQUIRED BY 20 U.S.C. §1413(A)(1))

INTRODUCTION

To further promote local initiative, the 1995 revision of the Texas Education Code (TEC) established a new type of public school, known as a charter school. Charter schools are subject to fewer state laws than other public schools with the idea of ensuring fiscal and academic accountability without undue regulation of instructional methods or pedagogical innovation. Like school districts, charter schools are monitored and accredited under the statewide testing and accountability system.

According to the TEC, the purposes of charter schools are to (1) improve student learning; (2) increase the choice of learning opportunities within the public school system; (3) create professional opportunities that will attract new teachers to the public school system; (4) establish a new form of accountability for public schools; and (5) encourage different and innovative learning methods.

The Richland Collegiate High School, assures that it has policies and procedures in place that ensure implementation of the Individuals with Disabilities Education Act 2004 (IDEA) and all federal regulations, Texas laws, State Board of Education (SBOE) rules, and commissioner's rules concerning students with disabilities receiving special education services, including those related to the areas listed below, and further assures that any future amendments to the regulations, laws, and rules will be incorporated into policies and procedures and implemented by the charter school.

The Richland Collegiate High School adopts as policy the definitions and provisions under State and Federal law concerning Open-Enrollment Charter School authority and responsibility, including:

DEFINITIONS

(20 U.S.C. §§1401(6), 1401(27); TEC §12.1012)

With respect to federal and State laws concerning children with disabilities:

- (1) The term 'elementary school' means a nonprofit institutional day or residential school, including a public elementary charter school that provides elementary education, as determined under State law.
- (2) The term 'secondary school' means a nonprofit institutional day or residential school, including a public secondary charter school that

provides secondary education, as determined under State law, except that it does not include any education beyond grade 12.

In addition, in this policy:

- (1) "Charter holder" means the entity to which a charter is granted under this subchapter.
- (2) "Governing body of a charter holder" means the board of directors, board of trustees, or other governing body of a charter holder.
- (3) "Governing body of an open-enrollment charter school" means the board of directors, board of trustees, or other governing body of an open-enrollment charter school. The term includes the governing body of a charter holder if that body acts as the governing body of the open-enrollment charter school.
- (4) "Management company" means a person, other than a charter holder, who provides management services for an open-enrollment charter school.
- (5) "Management services" means services related to the management or operation of an open-enrollment charter school, including:
 - (A) Planning, operating, supervising, and evaluating the school's educational programs, services, and facilities;
 - (B) Making recommendations to the governing body of the school relating to the selection of school personnel;
 - (C) Managing the school's day-to-day operations as its administrative manager;
 - (D) Preparing and submitting to the governing body of the school a proposed budget;
 - (E) Recommending policies to be adopted by the governing body of the school, developing appropriate procedures to implement policies adopted by the governing body of the school, and overseeing the implementation of adopted policies; and
 - (F) Providing leadership for the attainment of student performance at the school based on the indicators adopted under TEC 39.051 or by the governing body of the school.
- (6) "Officer of an open-enrollment charter school" means:
 - (A) The principal, director, or other chief operating officer of an open-enrollment charter school;
 - (B) An assistant principal or assistant director of an open-enrollment charter school; or
 - (C) A person charged with managing the finances of an open-enrollment charter school.

AUTHORITY

(TEC §12.102)

An open-enrollment charter school:

- (1) Shall provide instruction to students at one or more elementary or secondary grade levels as provided by the charter;
- (2) Is governed under the governing structure described by the charter;
- (3) Retains authority to operate under the charter contingent on satisfactory student performance as provided by the charter in accordance with TEC 12.111; and
- (4) Does not have authority to impose taxes.

**GENERAL APPLICABILITY OF LAWS, RULES, AND ORDINANCES TO
OPEN-ENROLLMENT CHARTER SCHOOLS
(TEC §12.103)**

Except as provided below, an open-enrollment charter school is subject to federal and state laws and rules governing public schools and to municipal zoning ordinances governing public schools.

An open-enrollment charter school is subject to the TEC and rules adopted under the TEC only to the extent the applicability to an open-enrollment charter school of a provision of TEC or a rule adopted under TEC is specifically provided.

A campus of an open-enrollment charter school located in whole or in part in a municipality with a population of 20,000 or less is not subject to a municipal zoning ordinance governing public schools.

**IMMUNITY FROM LIABILITY
(TEC §12.1056)**

In matters related to operation of an open-enrollment charter school, an open-enrollment charter school is immune from liability to the same extent as a school district, and its employees and volunteers are immune from liability to the same extent as school district employees and volunteers. A member of the governing body of an open-enrollment charter school or of a charter holder is immune from liability to the same extent as a school district trustee.

**CONTENT OF AN OPEN-ENROLLMENT CHARTER
(TEC §12.111)**

Each charter granted under this subchapter must:

- (1) Describe the educational program to be offered, which must include the required curriculum as provided by TEC §28.002 (relating to required curriculum);
- (2) Specify the period for which the charter or any charter renewal is valid;
- (3) Provide that continuation or renewal of the charter is contingent on acceptable student performance on assessment instruments adopted under Subchapter B, Chapter 39 of the TEC (relating to assessment of academic skills), and on compliance with any accountability provision specified by the charter, by a deadline or at intervals specified by the charter;
- (4) Establish the level of student performance that is considered acceptable for purposes of (3) above;
- (5) Specify any basis, in addition to a basis specified by this subchapter, on which the charter may be placed on probation or revoked or on which renewal of the charter may be denied;
- (6) Prohibit discrimination in admission policy on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend in accordance with this code, although the charter may:
 - (A) Provide for the exclusion of a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the TEC (relating to alternative settings for behavior management); and
 - (B) Provide for an admission policy that requires a student to demonstrate artistic ability if the school specializes in performing arts;
- (7) Specify the grade levels to be offered;
- (8) Describe the governing structure of the program, including:
 - (A) The officer positions designated;
 - (B) The manner in which officers are selected and removed from office;
 - (C) The manner in which members of the governing body of the school are selected and removed from office;
 - (D) The manner in which vacancies on that governing body are filled;
 - (E) The term for which members of that governing body serve; and
 - (F) Whether the terms are to be staggered;
- (9) Specify the powers or duties of the governing body of the school that the governing body may delegate to an officer;
- (10) Specify the manner in which the school will distribute to parents information related to the qualifications of each professional employee of the program, including any professional or educational degree held by each employee, a statement of any certification under Subchapter B,

Chapter 21, held by each employee, and any relevant experience of each employee;

- (11) Describe the process by which the person providing the program will adopt an annual budget;
- (12) Describe the manner in which an annual audit of the financial and programmatic operations of the program is to be conducted, including the manner in which the person providing the program will provide information necessary for the school district in which the program is located to participate, as required by this code or by State Board of Education rule, in the Public Education Information Management System (PEIMS);
- (13) Describe the facilities to be used;
- (14) Describe the geographical area served by the program; and
- (15) Specify any type of enrollment criteria to be used.

A charter holder of an open-enrollment charter school shall consider including in the school's charter a requirement that the school develop and administer personal graduation plans under TEC §28.0212 (personal graduation plan).

REVISION OF CHARTER

(TEC §12.114)

A revision of a charter of an open-enrollment charter school may be made only with the approval of the commissioner.

Not more than once each year, an open-enrollment charter school may request approval to revise the maximum student enrollment described by the school's charter.

**CONTENT OF A COLLEGE OR UNIVERSITY CHARTER
(TEC §12.154)**

Notwithstanding TEC §12.110(d) relating to SBOE criteria for approving or denying an application, the State Board of Education may grant a charter under this subchapter only if the following criteria are satisfied in the public senior college's or university's application, as determined by the State Board of Education:

- (1) The college or university charter school's educational program must include innovative teaching methods;
- (2) The college or university charter school's educational program must be implemented under the direct supervision of a member of the teaching or research faculty of the public senior college or university;
- (3) The faculty member supervising the college or university charter school's educational program must have substantial experience and expertise in education research, teacher education, classroom instruction, or educational administration;
- (4) The college or university charter school's educational program must be designed to meet specific goals described in the charter, including improving student performance, and each aspect of the program must be directed toward the attainment of the goals;
- (5) The attainment of the college or university charter school's educational program goals must be measured using specific, objective standards set forth in the charter, including assessment methods and a time frame; and
- (6) The financial operations of the college or university charter school must be supervised by the business office of the public senior college or university.

GOVERNING BODY OF AN OPEN ENROLLMENT CHARTER SCHOOL

The governing body of an open-enrollment charter school is responsible for the management, operation, and accountability of the school, regardless of whether the governing body delegates the governing body's powers and duties to another person (TEC §12.121).

The governing body of Richland Collegiate High School agrees to comply with the requirements of the IDEA 2004 and all federal regulations, Texas laws, State Board of Education (SBOE) rules, and commissioner's rules concerning students with disabilities receiving special education services.

The Richland Collegiate High School adopts as policy the provisions under State law concerning the authority and responsibility of the governing body, including:

BYLAWS AND ANNUAL REPORT

(TEC §12.119)

A charter holder shall file with the State Board of Education a copy of its articles of incorporation and bylaws, or comparable documents if the charter holder does not have articles of incorporation or bylaws, within the period and in the manner prescribed by the board.

Each year within the period and in a form prescribed by the State Board of Education, each open-enrollment charter school shall file with the board the following information:

- (1) The name, address, and telephone number of each officer and member of the governing body of the open-enrollment charter school; and
- (2) The amount of annual compensation the open-enrollment charter school pays to each officer and member of the governing body.

On request, the State Board of Education shall provide the information required by this section and TEC 12.111(8) (content of a charter) to a member of the public. The board may charge a reasonable fee to cover the board's cost in providing the information.

**RESPONSIBILITY FOR OPEN-ENROLLMENT CHARTER SCHOOL
(TEC §12.121)**

The governing body of an open-enrollment charter school is responsible for the management, operation, and accountability of the school, regardless of whether the governing body delegates the governing body's powers and duties to another person.

**LIABILITY OF MEMBERS OF GOVERNING BODY OF OPEN-
ENROLLMENT CHARTER SCHOOL
(TEC §12.122)**

Notwithstanding the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes) or other law, on request of the commissioner, the attorney general may bring suit against a member of the governing body of an open-enrollment charter school for breach of a fiduciary duty by the member, including misapplication of public funds.

The attorney general may bring suit under for:

- (1) Damages;
- (2) Injunctive relief; or
- (3) Any other equitable remedy determined to be appropriate by the court.

This section is cumulative of all other remedies.

**TRAINING FOR MEMBERS OF GOVERNING BODY OF SCHOOL AND
OFFICERS
(TEC §12.123)**

The commissioner shall adopt rules prescribing training for:

- (1) Members of governing bodies of open-enrollment charter schools; and
- (2) Officers of open-enrollment charter schools.

The rules adopted by the commissioner may:

- (1) Specify the minimum amount and frequency of the training;
- (2) Require the training to be provided by:
 - (A) The agency and regional education service centers;
 - (B) Entities other than the agency and service centers, subject to approval by the commissioner; or
 - (C) Both the agency, service centers, and other entities; and
- (3) Require training to be provided concerning:
 - (A) Basic school law, including school finance;
 - (B) Health and safety issues;

- (C) Accountability requirements related to the use of public funds;
and
- (D) Other requirements relating to accountability to the public, such as open meetings requirements under Chapter 551, Government Code, and public information requirements under Chapter 552, Government Code.

RESTRICTIONS ON SERVING AS A MEMBER OF GOVERNING BODY
OF CHARTER HOLDER OR OPEN-ENROLLMENT CHARTER SCHOOL
OR AS OFFICER OR EMPLOYEE

(TEC §12.120)

A person may not serve as a member of the governing body of a charter holder, as a member of the governing body of an open-enrollment charter school, or as an officer or employee of an open-enrollment charter school if the person:

- (1) Has been convicted of a felony or a misdemeanor involving moral turpitude;
- (2) Has been convicted of an offense listed in TEC §37.007(a) (expulsion for serious offenses);
- (3) Has been convicted of an offense listed in Article 62.001(5), Code of Criminal Procedure; or
- (4) Has a substantial interest in a management company.

A person has a substantial interest in a management company if the person:

- (1) Has a controlling interest in the company;
- (2) Owns more than 10 percent of the voting interest in the company;
- (3) Owns more than \$25,000 of the fair market value of the company;
- (4) Has a direct or indirect participating interest by shares, stock, or otherwise, regardless of whether voting rights are included, in more than 10 percent of the profits, proceeds, or capital gains of the company;
- (5) Is a member of the board of directors or other governing body of the company;
- (6) Serves as an elected officer of the company; or
- (7) Is an employee of the company.

FUNDING AND COMPLIANCE

The Richland Collegiate High School understands that renewal of its application depends on the evaluation of its special education programs under the IDEA. Lack of compliance with federal statutes, including with the IDEA can result in non-renewal or revocation of its Charter. The performance of children with disabilities is considered a critical part of the School's progress toward achieving its overall performance goals. The Richland Collegiate High School understands that it is not free from regulation and oversight in the area of special education. The Richland Collegiate High School understands that it is fully subject to compliance monitoring with respect to:

- (1) Texas Education Code §29.001(5) relating to the statewide plan for special education;**
- (2) Texas Education Code §29.010(a) relating to compliance with federal and state laws relating to special education;**
- (3) Texas Education Code §39.074 relating to on-site investigations of the TEA; and**
- (4) Texas Education Code §39.075 relating to special accreditation investigations.**

The governing body of an open-enrollment charter school has primary responsibility for ensuring that the school complies with all applicable requirements of state educational programs (TEC §7.028).

The Richland Collegiate High School adopts as policy the provisions under State law concerning funding and compliance responsibilities of open-enrollment charter schools, and accepts and understands the possible sanctions for non-compliance, including:

STATE FUNDING

(TEC §12.106)

A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 42 (Foundation School Program) as if the school were a school district without a tier one local share for purposes of TEC §42.253 (distribution of Foundation School Fund) and without any local revenue ("LR") for purposes of TEC §42.302 (Allotment). In determining funding for an open-enrollment charter school, adjustments under TEC §§42.102, 42.103, 42.104, and 42.105 and the district enrichment tax rate ("DTR") under TEC §42.302 are based on the average adjustment and average district enrichment tax rate for the state.

An open-enrollment charter school is entitled to funds that are available to school districts from the agency or the commissioner in the form of grants or other discretionary funding unless the statute authorizing the funding explicitly provides that open-enrollment charter schools are not entitled to the funding.

The commissioner may adopt rules to provide and account for state funding of open-enrollment charter schools under this section. A rule adopted under this section may be similar to a provision of the TEC that is not similar to TEC §12.104(b) (applicability of the TEC to open-enrollment charter schools) if the commissioner determines that the rule is related to financing of open-enrollment charter schools and is necessary or prudent to provide or account for state funds.

RECOVERY OF CERTAIN FUNDS

(TEC §12.1061)

The commissioner may not garnish or otherwise recover funds paid to an open-enrollment charter school under TEC §12.106 (state funding) if:

- (1) The basis of the garnishment or recovery is that:
 - (A) The number of students enrolled in the school during a school year exceeded the student enrollment described by the school's charter during that period; and
 - (B) The school received funding under TEC §12.106 (state funding) based on the school's actual student enrollment;
- (2) The school:
 - (A) Submits to the commissioner a timely request to revise the maximum student enrollment described by the school's charter and the commissioner does not notify the school in writing of an objection to the proposed revision before the 90th day after the date on which the commissioner received the request, provided that the number of students enrolled at the school does not exceed the enrollment described by the school's request; or
 - (B) Exceeds the maximum student enrollment described by the school's charter only because a court mandated that a specific child enroll in that school; and
- (3) The school used all funds received under TEC §12.106 (state funding) to provide education services to students.

STATUS AND USE OF FUNDS

(TEC §12.107)

Funds received under TEC §12.106 (state funding) after September 1, 2001, by a charter holder:

- (1) Are considered to be public funds for all purposes under state law;
- (2) Are held in trust by the charter holder for the benefit of the students of the open-enrollment charter school;
- (3) May be used only for a purpose for which a school may use local funds under TEC §45.105(c) (authorized expenditures); and
- (4) Pending their use, must be deposited into a bank, as defined by TEC §45.201, with which the charter holder has entered into a depository contract.

A charter holder shall deliver to the agency a copy of the depository contract between the charter holder and any bank into which state funds are deposited.

EFFECT OF ACCEPTING STATE FUNDING

(TEC §12.1071)

A charter holder who accepts state funds under TEC §12.106 (state funding) after the effective date of a provision of this subchapter agrees to be subject to that provision, regardless of the date on which the charter holder's charter was granted.

A charter holder who accepts state funds under TEC §12.106 (state funding) after September 1, 2001, agrees to accept all liability under this subchapter for any funds accepted under that section before September 1, 2001. This subsection does not create liability for charter holder conduct occurring before September 1, 2001.

ACADEMIC EXCELLENCE INDICATORS; ACCREDITATION STANDARDS

(TEC §§39.051, 39.072)

TEC §39.072(b). The academic excellence indicators TEC §39.051(b) (1) through (7) (below) and the district's current special education compliance status with the TEA shall be the main considerations of the TEA in the rating of the district under TEC §39.072.

TEC §39.072(c). The TEA shall evaluate against state standards and shall, not later than August 1 of each year, report the performance of each open-enrollment charter school on the basis of the indicators TEC §39.051(b) (1) through (7) (below). Consideration of the effectiveness of the school's programs under (2) or (3) (below) must be based on data collected through the Public Education Information Management System for purposes of accountability under this chapter and include the results of statewide assessments.

TEC §39.051(b). Performance on the indicators below shall be compared to state-established standards. The degree of change from one school year to the next in performance on each indicator shall also be considered. The indicators must be based on information that is disaggregated by race, ethnicity, gender, and socioeconomic status and must include:

- (1) The results of assessment instruments required under TEC §§39.023(a), (c), and (l) (statewide assessments), aggregated by grade level and subject area;
- (2) Dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and

- definitions adopted by the National Center for Education Statistics of the United States Department of Education;
- (3) High school graduation rates, computed in accordance with standards and definitions adopted in compliance with the federal No Child Left Behind Act of 2001 (Pub. L. No. 107-110);
 - (4) Student attendance rates;
 - (5) The percentage of graduating students who attain scores on the secondary exit-level assessment instruments required under Subchapter B of the TEC that are equivalent to a passing score on the test instrument required under TEC §51.306;
 - (6) The percentage of graduating students who meet the course requirements established for the recommended high school program by State Board of Education rule;
 - (7) The results of the Scholastic Assessment Test (SAT), the American College Test (ACT), articulated postsecondary degree programs described by TEC §61.852, and certified workforce training programs described by Chapter 311, Labor Code;
 - (8) The percentage of students, aggregated by grade level, provided accelerated instruction under TEC §28.0211(c), the results of assessments administered under that section, the percentage of students promoted through the grade placement committee process under TEC §28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily, and the performance of those students in the school year following that promotion on the assessment instruments required under TEC §39.023;
 - (9) For students who have failed to perform satisfactorily on an assessment instrument required under TEC §39.023(a) or (c), the numerical progress of those students on subsequent assessment instruments required under those sections, aggregated by grade level and subject area;
 - (10) The percentage of students exempted, by exemption category, from the assessment program generally applicable under this chapter; and
 - (11) The percentage of students of limited English proficiency exempted from the administration of an assessment instrument under TEC §§39.027(a) (3) and (4).

**ELEMENTARY AND SECONDARY EDUCATION ACT
(20 U.S.C. §6311)**

Title I of the Elementary and Secondary Education Act (ESEA), as reauthorized by the No Child Left Behind Act (NCLB) of 2001, requires each State, as a condition of receiving funds under the Title I program, to implement a “single, statewide State accountability system” applicable to all its public schools, including charter schools. A component of that system is a definition of “adequate yearly progress” that measures the extent to which schools succeed in educating all students to proficiency in at least reading (or language arts), mathematics and science (beginning in 2007-2008). The accountability provisions of NCLB are overseen for charter schools in accordance with state charter school law. In addition, a charter school that receives Title I funds is covered by the school improvement provisions of Title I.

**COMPLIANCE WITH FEDERAL AND STATE LAWS RELATING TO
SPECIAL EDUCATION
(TEC §29.010)**

The Individuals with Disabilities Education Act, federal regulations, state statutes, regulations and requirements implementing the Individuals with Disabilities Education Act, apply to charter schools.

The Texas Education Agency (TEA) has adopted and implements a comprehensive system for monitoring school district and charter school compliance with federal and state laws relating to special education. The monitoring system provides for ongoing analysis of special education data and of complaints filed with the TEA concerning special education services and for inspections of school districts and charter schools at district/charter school facilities.

The TEA uses the information obtained through analysis of district and charter school data and from the complaints management system to determine the appropriate schedule for and extent of the inspection. The TEA has developed and implements a system of sanctions for school districts and charter schools whose most recent monitoring visit shows a failure to comply with major requirements of the Individuals with Disabilities Education Act, federal regulations, state statutes, or agency requirements necessary to carry out federal law or regulations or state law relating to special education. Subsequent sanctions may range in severity up to the withholding of funds.

The TEA's complaint management division has developed a system for expedited investigation and resolution of complaints concerning a district/charter school's failure to provide special education or related services to a student eligible to participate in the district/charter school's special education program.

This section does not create an obligation for or impose a requirement on a school district or open-enrollment charter school that is not also created or imposed under another state law or a federal law.

COMPLIANCE WITH BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM REQUIREMENTS

(TEC §29.061)

The TEA evaluates the effectiveness of bilingual education and special language programs based on the academic excellence indicators adopted by the state, including the results of assessment instruments. The TEA may combine evaluations under this section with federal accountability measures concerning students of limited English proficiency.

The areas to be monitored shall include:

- (1) Program content and design;
- (2) Program coverage;
- (3) Identification procedures;
- (4) Classification procedures;
- (5) Staffing;
- (6) Learning materials;
- (7) Testing materials;
- (8) Reclassification of students for either entry into regular classes conducted exclusively in English or reentry into a bilingual education or special education program; and
- (9) Activities of the language proficiency assessment committees.

Not later than the 30th day after the date of an on-site monitoring inspection, the TEA reports its findings to the open-enrollment charter school and to the division of accreditation. The TEA will notify the open-enrollment charter school found in noncompliance in writing, not later than the 30th day after the date of the on-site monitoring. It is the policy of the [name] Open-Enrollment Charter School to take immediate corrective action.

If the open-enrollment charter school fails to satisfy appropriate standards adopted by the commissioner, the TEA will apply sanctions, which may include the removal of accreditation, loss of foundation school funds, or both.

EVALUATION OF OPEN-ENROLLMENT CHARTER SCHOOLS

(TEC §12.118)

The commissioner shall designate an impartial organization with experience in evaluating school choice programs to conduct an annual evaluation of open-enrollment charter schools.

An evaluation under this section must include consideration of the following items before implementing the charter and after implementing the charter:

- (1) Students' scores on assessment instruments administered under Subchapter B, Chapter 39 of the TEC;
- (2) Student attendance;
- (3) Students' grades;
- (4) Incidents involving student discipline;
- (5) Socioeconomic data on students' families;
- (6) Parents' satisfaction with their children's schools; and
- (7) Students' satisfaction with their schools.

The evaluation of open-enrollment charter schools must also include an evaluation of:

- (1) The costs of instruction, administration, and transportation incurred by open-enrollment charter schools;
- (2) The effect of open-enrollment charter schools on school districts and on teachers, students, and parents in those districts; and
- (3) Other issues, as determined by the commissioner.

LIMITATION ON COMPLIANCE MONITORING

(TEC § 7.028)

The governing body of an open-enrollment charter school has primary responsibility for ensuring that the school complies with all applicable requirements of state educational programs. The state may monitor applicable programs to determine compliance.

BASIS FOR MODIFICATION, PLACEMENT ON PROBATION, REVOCATION, OR DENIAL OF RENEWAL

(TEC §12.115)

The commissioner may modify, place on probation, revoke, or deny renewal of the charter of an open-enrollment charter school if the commissioner determines that the charter holder has:

- (1) Committed a material violation of the charter, including failure to satisfy accountability provisions prescribed by the charter;
- (2) Failed to satisfy generally accepted accounting standards of fiscal management;
- (3) Failed to protect the health, safety, or welfare of the students enrolled at the school; or
- (4) Failed to comply with this subchapter or another applicable law or rule.

The action the commissioner takes shall be based on the best interest of the school's students, the severity of the violation, and any previous violation the school has committed.

PROCEDURE FOR MODIFICATION, PLACEMENT ON PROBATION,
REVOCATION, OR DENIAL OF RENEWAL
(TEC §12.116)

The commissioner shall adopt a procedure to be used for modifying, placing on probation, revoking, or denying renewal of the charter of an open-enrollment charter school. The procedure must provide an opportunity for a hearing to the charter holder and to parents and guardians of students in the school. A hearing must be held at the facility at which the program is operated. Chapter 2001, Government Code, does not apply to a hearing that is related to a modification, placement on probation, revocation, or denial of renewal under this subchapter.

EFFECT OF REVOCATION, DENIAL OF RENEWAL, OR SURRENDER
OF CHARTER
(TEC §12.1161)

Except as provided below, if the commissioner revokes or denies the renewal of a charter of an open-enrollment charter school, or if an open-enrollment charter school surrenders its charter, the school may not:

- (1) Continue to operate under this subchapter; or
- (2) Receive state funds under this subchapter.

An open-enrollment charter school may continue to operate and receive state funds for the remainder of a school year if the commissioner denies renewal of the school's charter before the completion of that school year.

ADDITIONAL SANCTIONS
(TEC §§12.1162, 39.131)

In the case of an open enrollment charter school, if a school has been rated as academically unacceptable for a period of two years or more, the commissioner may, to the extent the commissioner determines necessary, order closure of all programs operated under the school's charter.

In addition, the commissioner shall take any of the actions described below, to the extent the commissioner determines necessary, if an open-enrollment charter school, as determined by a report issued under TEC §39.076(b) (preliminary investigation findings):

- (1) Commits a material violation of the school's charter;
- (2) Fails to satisfy generally accepted accounting standards of fiscal management; or
- (3) Fails to comply with this subchapter or another applicable rule or law.

The commissioner may temporarily withhold funding, suspend the authority of an open-enrollment charter school to operate, or take any other reasonable action the commissioner determines necessary to protect the health, safety, or welfare of students enrolled at the school based on evidence that conditions at the school present a danger to the health, safety, or welfare of the students.

After the commissioner acts, the open-enrollment charter school may not receive funding and may not resume operating until a determination is made that:

- (1) Despite initial evidence, the conditions at the school do not present a danger of material harm to the health, safety, or welfare of students; or
- (2) The conditions at the school that presented a danger of material harm to the health, safety, or welfare of students have been corrected.

Not later than the third business day after the date the commissioner acts, the commissioner shall provide the charter holder an opportunity for a hearing.

Immediately after a hearing, the commissioner must cease the action under or initiate action under §TEC 12.116 (procedure for modification, placement on probation, revocation, or denial of renewal).

The commissioner shall adopt rules implementing this section. Chapter 2001, Government Code, does not apply to a hearing under this section.

AUDITS BY THE COMMISSIONER OF EDUCATION (TEC §12.1163)

To the extent consistent with this section, the commissioner may audit the records of:

- (1) An open-enrollment charter school;
- (2) A charter holder; and
- (3) A management company.

The audit described above must be limited to matters directly related to the management or operation of an open-enrollment charter school, including any financial and administrative records.

Unless the commissioner has specific cause to conduct an additional audit, the commissioner may not conduct more than one on-site audit under TEC §12.1163 (audit by commissioner) during any fiscal year, including any financial and administrative records. For purposes of this subsection, an audit of a charter holder or management company associated with an open-enrollment charter school is not considered an audit of the school.

MANAGEMENT COMPANY

The Richland Collegiate High School understands that it has primary responsibility for ensuring that the school complies with all applicable state and federal laws, including with respect to children with disabilities under the IDEA. The Charter School is ultimately responsible for compliance even when it attempts, through contractual or other arrangements, to carry out its responsibilities under state and federal law.

The Richland Collegiate High School adopts as policy the provisions under State law concerning its relationship to a management company, including:

LOANS FROM MANAGEMENT COMPANY PROHIBITED (TEC §12.124)

The charter holder or the governing body of an open-enrollment charter school may not accept a loan from a management company that has a contract to provide management services to:

- (1) That charter school; or
- (2) Another charter school that operates under a charter granted to the charter holder.

A charter holder or the governing body of an open-enrollment charter school that accepts a loan from a management company may not enter into a contract with that management company to provide management services to the school.

CONTRACT FOR MANAGEMENT SERVICES (TEC §12.125)

Any contract, including a contract renewal, between an open-enrollment charter school and a management company proposing to provide management services to the school must require the management company to maintain all records related to the management services separately from any other records of the management company.

CERTAIN MANAGEMENT SERVICES CONTRACTS PROHIBITS (TEC §12.126)

The commissioner may prohibit, deny renewal of, suspend, or revoke a contract between an open-enrollment charter school and a management company providing management services to the school if the commissioner determines that the management company has:

- (1) Failed to provide educational or related services in compliance with the company's contractual or other legal obligation to any open-enrollment charter school in this state or to any other similar school in another state;
- (2) Failed to protect the health, safety, or welfare of the students enrolled at an open-enrollment charter school served by the company;
- (3) Violated this subchapter or a rule adopted under this subchapter; or
- (4) Otherwise failed to comply with any contractual or other legal obligation to provide services to the school.

LIABILITY OF MANAGEMENT COMPANY

(TEC §12.127)

A management company that provides management services to an open-enrollment charter school is liable for damages incurred by the state as a result of the failure of the company to comply with its contractual or other legal obligation to provide services to the school.

On request of the commissioner, the attorney general may bring suit on behalf of the state against a management company liable for:

- (1) Damages, including any state funding received by the company and any consequential damages suffered by the state;
- (2) Injunctive relief; or
- (3) Any other equitable remedy determined to be appropriate by the court.

This section is cumulative of all other remedies and does not affect:

- (1) The liability of a management company to the charter holder; or
- (2) The liability of a charter holder, a member of the governing body of a charter holder, or a member of the governing body of an open-enrollment charter school to the state.

NONDISCRIMINATION

It is the policy of the Richland Collegiate High School to not discriminate on the basis of race, color, national origin, sex, or disability in any of their programs or activities. The Charter School ensures that its programs and activities, when viewed in their entirety, are readily accessible to individuals with disabilities. The Charter School selects facilities that do not have the effect of excluding or limiting enrollment or participation of children with disabilities from any school program or activity.

The Richland Collegiate High School complies with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.

The Richland Collegiate High School complies with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs.

The Richland Collegiate High School complies with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability. The Charter School does not deny services to students with disabilities due to lack of funds.

NONDISCRIMINATION IN ADMISSION **(TEC §12.111(a)(6))**

Each open-enrollment charter school must prohibit discrimination in admission policy on the basis of sex, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend in accordance with this code, although the charter may:

(A) Provide for the exclusion of a student who has a documented history of a criminal offense, a juvenile court adjudication, or discipline problems under Subchapter A, Chapter 37 of the TEC (relating to alternative settings for behavior management); and

(B) Provide for an admission policy that requires a student to demonstrate artistic ability if the school specializes in performing arts.

**COMMUNITY EDUCATION RELATED TO HATE CRIMES LAWS
(TEC §29.905)**

The attorney general, in cooperation with the TEA, has developed a program that provides instruction about state laws on hate crimes:

- (1) At appropriate grade levels, to students; and
- (2) To the community at large.

The TEA will make the program available to an open-enrollment charter school on the request of the governing body of the school.

FULL EDUCATIONAL OPPORTUNITY GOAL

It is the policy of the Richland Collegiate High School to provide full educational opportunity for all children with disabilities consistent with the state's goal of providing full educational opportunity for all Texas children with disabilities.

The Richland Collegiate High School ensures that it does not deny admission to a child with a disability solely because of that child's need for special education or related aids and services, regardless of cost.

The Richland Collegiate High School adopts as policy the provisions under State law ensuring educational opportunities for all children including children with disabilities through its admission practices, enforcement of compulsory attendance, and delivery of services, including:

RESPONSIBILITY OF SCHOOL DISTRICTS FOR PUBLIC EDUCATION (TEC §11.002)

The charter school is responsible for implementing the State's system of public education and ensuring student performance in accordance with State law.

ADMISSION

(TEC §12.117)

For admission to an open-enrollment charter school, the governing body of the school shall:

- (1) Require the applicant to complete and submit an application not later than a reasonable deadline the school establishes; and
- (2) On receipt of more acceptable applications for admission under this section than available positions in the school:
 - (A) Fill the available positions by lottery; or
 - (B) Subject to the paragraph below, fill the available positions in the order in which applications received before the application deadline were received.

An open-enrollment charter school may fill applications for admission only if the school published a notice of the opportunity to apply for admission to the school. The notice must:

- (1) State the application deadline; and
- (2) Be published in a newspaper of general circulation in the community in which the school is located not later than the seventh day before the application deadline.

CHILDREN RESIDING IN RESIDENTIAL FACILITIES

(TEC §29.012)

For purposes of enrollment in a school, a person who resides in a residential facility is considered a resident of the school district or geographical area served by the open-enrollment charter school in which the facility is located.

TUITION AND FEES RESTRICTED

(TEC §12.108)

An open-enrollment charter school may not charge tuition to an eligible student who applies under TEC §12.117 (admission).

The governing body of an open-enrollment charter school may require a student to pay any fee that the board of trustees of a school district may charge under TEC §11.158(a) (permissible fees). The governing body may not require a student to pay a fee that the board of trustees of a school district may not charge under TEC 11.158(b) (impermissible fees).

SCHOOL ATTENDANCE

(TEC §§25.093, 25.095)

An open-enrollment charter school shall notify a student's parent in writing at the beginning of the school year that if the student is absent from school on 10 or more days or parts of days within a six-month period in the same school year or on three or more days or parts of days within a four-week period:

- (1) The student's parent is subject to prosecution under TEC §25.093 (parent contributing to nonattendance); and
- (2) The student is subject to prosecution under Texas Education Code §25.094 (failure to attend school) or to referral to a juvenile court in a county with a population of less than 100,000 for conduct that violates that section.

At the trial of any person charged with violating this section, the attendance records of the child may be presented in court by any authorized employee of the open-enrollment charter school.

TRANSPORTATION

(TEC §12.109)

An open-enrollment charter school shall provide transportation to each student attending the school to the same extent a school district is required by law to provide transportation to district students.

ACCESS TO TEACHING MATERIALS

(TEC §26.006)

A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home

any textbook used by the student. Subject to the availability of a textbook, the district or school shall honor the request. A student who takes home a textbook must return the textbook to school at the beginning of the next school day if requested to do so by the student's teacher. In this subsection, "textbook" has the meaning assigned by TEC §31.002.

BREAKFAST PROGRAMS

(TEC §33.901)

If at least 10 percent of the students enrolled in one or more schools in an open-enrollment charter school are eligible for free or reduced-price breakfasts under the national school breakfast program provided for by the Child Nutrition Act of 1966 (42 U.S.C. Section 1773), the governing body of the open-enrollment charter school shall participate in the program and make the benefits of the program available to all eligible students in the schools or school.

COUNSELING REGARDING HIGHER EDUCATION

(TEC §33.007)

Each counselor at an elementary, middle, or junior high school, including an open-enrollment charter school offering those grades, must advise students and their parents or guardians regarding the importance of higher education, coursework designed to prepare students for higher education, and financial aid availability and requirements.

During the first school year a student is enrolled at the high school level in an open-enrollment charter school, and again during a student's senior year, a counselor shall provide information about higher education to the student and the student's parent or guardian. The information must include information regarding:

- (1) The importance of higher education;
- (2) The advantages of completing the recommended or advanced high school program adopted under Texas Education Code §28.025(a) (curriculum requirements);
- (3) The disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;
- (4) Financial aid eligibility;
- (5) Instruction on how to apply for federal financial aid;
- (6) The center for financial aid information established under Texas Education Code §61.0776 (Center for Financial Aid Information);
- (7) The automatic admission of certain students to general academic teaching institutions as provided by Texas Education Code §51.803 (automatic admission all institutions); and
- (8) The eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56 of the TEC, as added by Chapter 1590, Acts of the 76th Legislature, Regular Session, 1999.

DISCIPLINE

The governing body of an open-enrollment charter school shall adopt a code of conduct for its district or for each campus. In addition to establishing standards for behavior, the code of conduct shall outline generally the types of prohibited behaviors and their possible consequences. The code of conduct shall also outline the school's due process procedures with respect to expulsion. Notwithstanding any other provision of law, a final decision of the governing body of an open- enrollment charter school with respect to actions taken under the code of conduct may not be appealed. (TEC §12.131)

An open-enrollment charter school may not elect to expel a student for a reason that is not authorized by TEC §37.007 (expulsion for serious offenses) or specified in the school's code of conduct as conduct that may result in expulsion (TEC §12.131).

It is the policy of the Richland Collegiate High School to provide a FAPE to expelled students who are eligible for special education services under the IDEA.

The Richland Collegiate High School will report data to the TEA to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities (20 U.S.C. §1412(a)(22)).

The Richland Collegiate High School adopts as policy the provisions under State and federal law concerning disciplining students attending open-enrollment charter schools, including:

NOTICE OF DISCIPLINARY ACTION

(TEC §37.022)

If the Charter School takes disciplinary action against a student and the student subsequently enrolls in another district or charter school before the expiration of the period of disciplinary action, the school taking the disciplinary action must provide to the district or school in which the student enrolls, at the same time other records of the student are provided, a copy of the order of disciplinary action.

Subject to the provisions of the Gun Free Schools Act, the district or school in which the student enrolls may continue the disciplinary action under the terms of the order or may allow the student to attend regular classes without completing the period of disciplinary action.

GUN FREE SCHOOLS ACT

(20 U.S.C. §§1415, 7151; TEC §37.007(e))

In accordance with 20 U.S.C. §7151, a LEA, including a school district, home-rule school district, or open-enrollment charter school, shall expel a student who brings a firearm, as defined by 18 U.S.C. Section 921, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that:

- (1) The superintendent or other chief administrative officer of the school district or of the other local educational agency, as defined by 20 U.S.C. Section 7801, may modify the length of the expulsion in the case of an individual student;
- (2) The district or other local educational agency shall provide educational services to an expelled student in a disciplinary alternative education program as provided by TEC §37.008 if the student is younger than 10 years of age on the date of expulsion; and
- (3) The district or other local educational agency may provide educational services to an expelled student who is 10 years of age or older in a disciplinary alternative education program as provided in TEC §37.008.

The provisions of the Gun Free Schools Act must be construed in a manner consistent with the Individuals with Disabilities Education Act. Consistent with federal law, Richland Collegiate High School must conduct a manifestation determination review for a child with a disability before making a disciplinary change of placement. Richland Collegiate High School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability where a child carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency. 20 U.S.C. 1415(k) (1) (G).

REMOVAL BY A TEACHER

(TEC §12.131(c))

Notwithstanding any other provision, TEC §37.002 concerning removal by a teacher, wherever referenced, are not applicable to an open-enrollment charter school unless the governing body of the school so determines.

CONFIDENTIALITY OF STUDENT RECORDS

The Richland Collegiate High School complies with the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records. The Charter School further complies with the provisions of the Individuals with Disabilities Education Act pertaining to the education records of children with disabilities.

Richland Collegiate High School personnel are responsible for timely closing, preparation of student records for transfer, and transfer of student records to another school or school system where the student seeks or intends to enroll.

It is the policy of the Richland Collegiate High School to safeguard the confidentiality of any personally identifiable information collected, used, or maintained regarding all students, including children with disabilities.

The Richland Collegiate High School adopts as policy the provisions under federal law concerning education records, including:

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT **(20 U.S.C. §1232g)**

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record.

However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- (1) School officials with legitimate educational interest;
- (2) Other schools to which a student is transferring;
- (3) Specified officials for audit or evaluation purposes;
- (4) Appropriate parties in connection with financial aid to a student;
- (5) Organizations conducting certain studies for or on behalf of the school;
- (6) Accrediting organizations;
- (7) To comply with a judicial order or lawfully issued subpoena;
- (8) Appropriate officials in cases of health and safety emergencies; and
- (9) State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

PUBLIC INFORMATION

It is the policy of this Richland Collegiate High School to provide parents of children with disabilities and the general public access to documents relating to the Charter School's IDEA program eligibility.

The Richland Collegiate High School adopts as policy the provisions under State law concerning open meetings and public information, including:

APPLICABILITY OF OPEN MEETINGS AND PUBLIC INFORMATION LAWS

(TEC §12.1051)

With respect to the operation of an open-enrollment charter school, the governing body of a charter holder and the governing body of an open-enrollment charter school are considered to be governmental bodies for purposes of Chapters 551 and 552, Government Code.

With respect to the operation of an open-enrollment charter school, any requirement in Chapter 551 or 552, Government Code, that applies to a school district, the board of trustees of a school district, or public school students applies to an open-enrollment charter school, the governing body of a charter holder, the governing body of an open-enrollment charter school, or students attending an open-enrollment charter school.

APPLICABILITY OF LAWS RELATING TO LOCAL GOVERNMENT CODES

(TEC § 12.1052)

With respect to the operation of an open-enrollment charter school, an open-enrollment charter school is considered to be a local government for purposes of Subtitle C, Title 6, Local Government Code, and Subchapter J, Chapter 441, Government Code.

Records of an open-enrollment charter school and records of a charter holder that relate to an open-enrollment charter school are government records for all purposes under state law.

Any requirement in Subtitle C, Title 6, Local Government Code, or Subchapter J, Chapter 441, Government Code, that applies to a school district, the board of trustees of a school district, or an officer or employee of a school district applies to an open-enrollment charter school, the governing body of a charter

holder, the governing body of an open-enrollment charter school, or an officer or employee of an open-enrollment charter school except that the records of an open-enrollment charter school that ceases to operate shall be transferred in the manner specified by the commissioner.

The records of an open-enrollment charter school that ceases to operate shall be transferred in the manner specified by the commissioner to a custodian designated by the commissioner. The commissioner may designate any appropriate entity to serve as custodian, including the agency, a regional education service center, or a school district. In designating a custodian, the commissioner shall ensure that the transferred records, including student and personnel records, are transferred to a custodian capable of:

- (1) Maintaining the records;
- (2) Making the records readily accessible to students, parents, former school employees, and other persons entitled to access; and
- (3) Complying with applicable state or federal law restricting access to the records.

If the charter holder of an open-enrollment charter school that ceases to operate or an officer or employee of such a school refuses to transfer school records in the manner specified by the commissioner under Subsection (d), the commissioner may ask the attorney general to petition a court for recovery of the records. If the court grants the petition, the court shall award attorney's fees and court costs to the state.

REQUESTS FOR PUBLIC INFORMATION

(TEC §26.0085)

An open-enrollment charter school that seeks to withhold information from a parent who has requested public information relating to the parent's child under Chapter 552, Government Code, and that files suit as described by Section 552.324, Government Code, to challenge a decision by the attorney general issued under Subchapter G, Chapter 552, Government Code, must bring the suit not later than the 30th calendar day after the date the school district or open-enrollment charter school receives the decision of the attorney general being challenged. A court shall grant a suit described by this section precedence over other pending matters to ensure prompt resolution of the subject matter of the suit. Notwithstanding any other law, an open-enrollment charter school may not appeal the decision of a court in a suit filed under this section. This section does not affect the right of a parent to appeal the decision.

If the open-enrollment charter school does not bring suit within the period established by above, the open-enrollment charter school shall comply with the decision of the attorney general.

An open-enrollment charter school that receives a request from a parent for public information relating to the parent's child shall comply with Chapter 552, Government Code. If an earlier deadline for bringing suit is established under Chapter 552, Government Code, the timelines above do not apply. This section does not affect the earlier deadline for purposes of Section 532.353(b) (3) for a suit brought by an officer for public information.

PERSONNEL STANDARDS

It is the policy of this Richland Collegiate High School to ensure that personnel standards for all individuals serving children with disabilities are met in accordance with the IDEA and its procedures.

The Richland Collegiate High School recognizes that both the No Child Left Behind Act and the IDEA provide that charter school teachers must meet the requirements set forth in the State's public charter school law. 20 U.S.C. §7801(23) (A) (i); 20 U.S.C. §1401(10) (B) (i). In Texas, that means that the charter school special education teacher must be certified and highly qualified.

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

The Richland Collegiate High School adopts as policy the provisions under State and Federal law concerning personnel, including:

SPECIAL EDUCATION TEACHER DEFINED

(20 U.S.C. §1401(10) (B) (i))

When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that--(i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law.

MINIMUM GENERAL EDUCATION TEACHER QUALIFICATIONS (TEC §12.129)

A person employed as a teacher by an open-enrollment charter school must hold a high school diploma.

NOTICE OF TEACHER QUALIFICATIONS

(TEC §12.130)

Each open-enrollment charter school shall provide to the parent or guardian of each student enrolled in the school written notice of the qualifications of each teacher employed by the school.

SCHOOL ATTENDANCE OFFICER

(TEC §§25.088, 25.089, 25.090)

The school attendance officer may be selected by the governing body of an open-enrollment charter school.

An attendance officer may be compensated from the funds of the open-enrollment charter school.

An attendance officer may be the probation officer or an officer of the juvenile court of the county.

If the governing body of an open-enrollment charter school has not selected an attendance officer, the duties of attendance officer shall be performed by the peace officers of the county in which the school is located. Additional compensation may not be paid for services performed under this section.

CRIMINAL HISTORY RECORDS

(TEC §22.083)

An open-enrollment charter school shall obtain from any law enforcement or criminal justice agency all criminal history record information that relates to:

- (1) A person whom the school intends to employ in any capacity; or
- (2) A person who has indicated, in writing, an intention to serve as a volunteer with the school.

An open-enrollment charter school may obtain from any law enforcement or criminal justice agency all criminal history record information that relates to:

- (1) A volunteer or employee of the district, school, service center, or shared services arrangement; or
- (2) An employee of or applicant for employment by a person that contracts with the district, school, service center, or shared services arrangement to provide services, if:
 - (A) The employee or applicant has or will have continuing duties related to the contracted services; and
 - (B) The duties are or will be performed on school property or at another location where students are regularly present.

The superintendent of an open-enrollment charter school shall promptly notify the State Board for Educator Certification in writing if the person obtains or has knowledge of information showing that an applicant for or holder of a certificate issued under Subchapter B, Chapter 21 of the TEC (certification of educators), has a reported criminal history.

ACCESS TO CRIMININAL HISTORY RECORDS OF SCHOOL BUS
DRIVERS, BUS MONITORS, AND BUS AIDES
(TEC §22.084)

Except as provided below, an open-enrollment charter school that contracts with a person for transportation services shall obtain from any law enforcement or criminal justice agency all criminal history record information that relates to:

- (1) A person employed by the person as a bus driver; or
- (2) A person the person intends to employ as a bus driver.

Except as provided below, a person that contracts with an open-enrollment charter school to provide transportation services shall submit to the school the name and other identification data required to obtain criminal history record information of each person described above. If the school obtains information that a person described above has been convicted of a felony or a misdemeanor involving moral turpitude, the school shall inform the chief personnel officer of the person with whom the school has contracted, and the person may not employ that person to drive a bus on which students are transported without the permission of the governing body of the open-enrollment charter school.

A commercial transportation company that contracts with an open-enrollment charter school to provide transportation services may obtain from any law enforcement or criminal justice agency all criminal history record information that relates to:

- (1) A person employed by the commercial transportation company as a bus driver, bus monitor, or bus aide; or
- (2) A person the commercial transportation company intends to employ as a bus driver, bus monitor, or bus aide.

If the commercial transportation company obtains information that a person employed or to be employed by the company has been convicted of a felony or a misdemeanor involving moral turpitude, the company may not employ that person to drive or to serve as a bus monitor or bus aide on a bus on which students are transported without the permission of the governing body of the open-enrollment charter school.

REVOCATION OF CERTIFICATE AND TERMINATION OF
EMPLOYMENT BASED ON CONVICTION OF CERTAIN OFFENSES
(TEC §21.058)

An open-enrollment charter school that receives notice under TEC §21.058(a) of the revocation of a certificate shall:

- (1) Immediately remove the person whose certificate has been revoked from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student; and
- (2) As soon as practicable, terminate the employment of the person in accordance with the person's contract and with State law governing certification of educators.

RICHLAND COLLEGIATE HIGH SCHOOL SPECIAL EDUCATION POLICIES

INTRODUCTION

Richland Collegiate High School (RCHS), an open-enrollment charter school, shall provide special education services to eligible students in accordance with all applicable federal law and regulations, state statutes, rules of the State Board of Education (SBOE) and commissioner of education, and the State Plan Under Part B of the Individuals with Disabilities Education Act (IDEA).

To be eligible to receive special education services, a student must be a "child with a disability," as defined in the federal regulations implementing IDEA and the Texas Education Code. Eligibility categories, as defined in Title 19 of the Texas Administrative Code Section 89.1040, include the following: autism, deaf-blindness, auditory impairment, emotional disturbance, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, learning disability, speech impairment, traumatic brain injury, and visual impairment. *34 CFR 300.7(a); Tex. Educ. Code 29.003; 19 Tex. Admin. Code 89.1040.*

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Eligible RCHS students with disabilities shall receive a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. *Tex. Educ. Code 29.003(a).*

"Free appropriate public education" (FAPE) means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by TEA;
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student's individualized education program (IEP). *20 U.S.C. 1401(9); 34 CFR 300.13; 34 CFR 300.121(d).*

LEAST RESTRICTIVE ENVIRONMENT

RCHS shall ensure that, to the maximum extent appropriate, eligible RCHS students with disabilities shall be educated with students who are not disabled. Special classes,

separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. *20 U.S.C. 1412(a)(5); 34 CFR 300.114.*

PRIOR WRITTEN NOTICE

RCHS shall provide written notice to the student's parent or guardian at least five school days before RCHS proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student or the provision of a free appropriate education to a student. *20 U.S.C. 1415(b)(3); 19 Tex. Admin. Code 89.1015.*

PROCEDURES & PRACTICE

The RCHS Special Education Director may develop procedures and practices consistent with federal and state laws and regulations to comply with RCHS's responsibility to provide special education services.

IDENTIFICATION

CHILD FIND

RCCHS is responsible for providing a free appropriate public education (FAPE) to all individuals with disabilities who are enrolled at RCCHS. Eligible students are served by RCCHS with the assistance of the Texas Education Agency and the Region 10 Education Service Center. Regardless of the severity of the disability, RCCHS will make every effort to locate, identify, and evaluate these individuals.

The RCCHS Special Education Director is responsible for implementation and direction of the "Child Find" program, as well as annually identifying any other staff members who will participate in the organization and implementation of the child find program.

Any RCCHS students who are suspected of having a disability and may be in need of special education services under the IDEA, may be referred for an evaluation to determine eligibility for Special Education services using referral procedures adopted by the school.

All federal and state regulations governing the confidentiality of records, timelines, and implementation of programs for students eligible for special education services will be adhered to in this program. *20 U.S.C. 1412(a)(3)(A); 34 CFR 300.111.*

PRE-REFERRAL ACTIVITIES

Pre-referral activities are general education initiatives designed to address problems that students are experiencing in the general education program.

Student Support Team (SST) – a team consisting of teachers, administrators, school counselors, and/or the parent(s) may elect to review the performance of a student who is experiencing difficulties in the general education program, either with academics or behavior. Student work samples, grades, standardized test results, state competency testing, anecdotal records, and discipline records may be included in this review. Adaptations within the general education program may be initiated and may include any methods and/or interventions the SST recommends to resolve the student's academic or behavioral difficulties, including, but not limited to, intervention strategies, tutorials, remedial services and compensatory services. The team may reconvene to review the student's progress after implementation of the adaptations. If the adaptations are not successful, the SST committee may determine that a referral for Special Education evaluation is appropriate.

A referral for Special Education evaluation may be initiated by school personnel, the

student's parents or legal guardian, or another person involved in the education or care of the student. This referral will be forwarded to the campus SST team. *19 Tex. Admin. Code 89.1011.*

EVALUATION

INITIAL EVALUATION

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

RCCHS shall ensure that assessments of students who transfer during the academic year are coordinated with the student's prior and subsequent schools, as necessary, and as expeditiously as possible, to ensure prompt completion of evaluations. *20 U.S.C. 1414(b)(3)(D)*.

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

CONSENT FOR INITIAL EVALUATION

Before RCCHS conducts an initial assessment, it shall obtain informed, written parental consent for the evaluation by giving the student's parent prior written notice, which includes a full explanation of all procedural safeguards and describes evaluation procedures that RCCHS proposes to conduct. If the parent does not provide consent for an initial evaluation, or if the parent fails to respond to a request to provide consent, then RCCHS may pursue the initial evaluation by utilizing due process procedures.

If a parent revokes consent, that revocation is not retroactive. A revocation does not negate an action that occurred after the consent was given and before the consent was revoked.

Parental consent for an evaluation shall not be construed as consent for placement. *20 U.S.C. 1414(a)(1)(D), (E); 34 CFR 300.300*.

INITIAL REFERRAL

The admission, review, and dismissal (ARD) committee shall make its decisions regarding a student referred for a full and individual initial evaluation within 30 calendar days from the date of the completion of the written evaluation report. If the 30th day falls during the summer and school is not in session, then the ARD committee shall have until the first day of classes in the Fall semester to finalize decisions concerning the initial eligibility determination, the IEP, and placement,

unless the initial evaluation indicates the student will need extended school year (ESY) services during that summer. *19 Tex. Admin. Code 89.1050(d)*.

COPY OF REPORT TO PARENTS

A copy of the evaluation report and the documentation of determination of eligibility must be given to the parent. *20 U.S.C. 1414(b)(4)(B)*.

REEVALUATIONS

RCCHS shall ensure that each child is reevaluated if RCCHS determines that the educational or related services needs of the child, including improved academic achievement and functional performance, warrant a reevaluation, or if the child's parent or teacher requests a reevaluation.

Reevaluation shall occur:

1. No more than once a year, unless the parent and RCCHS agree otherwise; and
2. At least once every three years, unless the parent and RCCHS agree that a reevaluation is unnecessary. *20 U.S.C. 1414(a)(2), (b), (c); 34 CFR 300.303.*

CONSENT FOR REEVALUATION

RCCHS must obtain informed parental consent prior to conducting any reevaluation of a student with a disability. If the parent refuses consent to the reevaluation, RCCHS may pursue the reevaluation through the due process procedures. Parental consent need not be obtained if RCCHS can demonstrate that it made reasonable efforts to obtain consent and the parent failed to respond. *20 U.S.C. 1414(c)(3); 34 CFR 300.300(c)*.

DETERMINATION OF NEEDED EVALUATION DATA

As part of an initial evaluation (if appropriate) and as part of any re-evaluation, a group that includes the ARD committee members and other qualified professionals, as appropriate, shall:

1. Review existing evaluation data, including but not limited to, evaluations provided by the parents of the student, current classroom-based assessments and observations by the teachers and related services providers.
2. Identify what additional data, if any, is needed to determine:

- a) Whether the student has a particular category of disability, or, in the case of a re-evaluation of a student, whether the student continues to have such a disability;
- b) The present levels of academic achievement and functional performance and educational needs of the student;
- c) Whether the student needs special education and related services, or in the case of a re-evaluation of a student, whether the student continues to need special education and related services;
- d) Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general curriculum.

If the ARD committee determines that no additional data is needed to ascertain whether the student continues to be a student with a disability, then RCHS:

- 1. Shall notify the student's parent(s) of that determination and the reasons for it;
- 2. Shall notify the student's parent(s) of the right of the parents to request an evaluation to determine whether, for purposes of services, the student continues to be a student with a disability;
- 3. Is not required to conduct the evaluation unless requested to do so by the student's parents. *34 CFR 300.305.*

INDEPENDENT EVALUATION

The parents of an RCHS student who has been evaluated have a right to obtain an independent educational evaluation if they disagree with RCHS's evaluation.

If a parent requests an independent evaluation, then RCHS shall provide the parents with information regarding where one can be obtained. In addition, RCHS shall either ensure that an evaluation is performed at public expense or initiate a due process hearing to establish that RCHS's evaluation is appropriate.

If an independent evaluation is at public expense, then the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that RCHS uses when it initiates an evaluation.

If RCHS initiates a due process hearing, and RCHS's evaluation is found to be appropriate, then the parent still has a right to an independent evaluation, but not at public expense. If the parent obtains an independent educational evaluation at private

expense, then the results of the evaluation shall be considered by RCHS, if it meets RCHS criteria, in any decision made with respect to providing a free appropriate public education to the student. *34 CFR 300.502.*

PSYCHOLOGICAL EXAMINATIONS AND TESTS

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

1. The name and type of the examination or test; and
2. An explanation of how the examination or test will be used to develop an appropriate IEP for the child. *Tex. Educ. Code 29.0041.*

The time required for RCHS to provide information and seek consent under Education Code 29.0041(b) may not be counted toward the 60 calendar days for completion of an initial evaluation. If a parent does not give consent within 20 calendar days after the date RCHS provided to the parent the information required, then the parent's consent is considered denied.

PRESCRIPTION MEDICATION

An employee of RCHS is prohibited from requiring a child to obtain a prescription for a substance covered under the federal Controlled Substances Act (21 U.S.C. 801 *et seq.*) as a condition of attending school, receiving an evaluation for special education, or receiving special education and related services.

An employee is not prohibited from consulting or sharing classroom-based observations with parents regarding a student's academic and functional performance, behavior in the classroom or school, or the need for evaluation for special education or related services. *20 U.S.C. 1412(a)(25).*

ELIGIBILITY DETERMINATION

DETERMINATION OF ELIGIBILITY

The initial evaluation shall consist of procedures to determine whether a RCHS student is a child with a disability and must occur within 60 days of receiving parental consent for the evaluation.

This time frame shall not apply if:

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

20 U.S.C. 1414(a)(1)(C)(ii); Tex. Educ. Code 29.004.

Upon completion of the administration of assessments and other evaluation measures, a team of qualified professionals and the parent shall make the determination of whether the child is eligible for special education and related services. A student is eligible to participate in RCHS's special education program if the student is not more than 21 years of age and has one or more of the disabilities listed in federal regulations, state law, or both; and the student's disability(ies) prevent the student from being adequately or safely educated without the provision of special services. A lack of instruction in reading or math or limited English proficiency shall not be the determinant factor. *20 U.S.C. 1414(b)(4)-(5); Tex. Educ. Code 29.003(B); 19 Tex. Admin. Code 89.1035; 19 Tex. Admin. Code 89.1040.*

CONSENT TO SERVICES

Before initially placing an RCHS student in RCHS's special education program, RCHS shall seek informed consent from the student's parent.

If the parent refuses to consent to services or fails to respond to a request to provide consent, RCHS shall not provide special education and related services to the child and RCHS shall not be considered to be in violation of the requirement to make available a free and appropriate public education to the child. RCHS is not required to convene an individualized education program (IEP) meeting or develop an IEP for the

services for which RCHS requested consent. *20 U.S.C. 1414(a)(1)(D); 34 CFR 300.300.*

CHANGE IN ELIGIBILITY

RCHS shall evaluate a child before determining that the child is no longer a child with a disability. However, an evaluation is not required before the termination of eligibility due to graduation with a regular diploma or due to exceeding the age eligibility for a free appropriate public education under state law. *20 U.S.C. 1414(c)(5).*

PLACEMENT OPTIONS

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

1. Mainstream -- providing services in a regular classroom;
2. Homebound -- providing services at home or hospital bedside;
3. Hospital class -- providing services in a classroom, hospital facility, or residential care and treatment facility not operated by RCHS;
4. Speech therapy -- providing speech therapy services in a regular education classroom or other setting;
5. Resource room -- providing services in a setting other than the regular classroom for less than 50 percent of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus -- providing services to a student who is in a self-contained program for 50 percent or more of the regular school day on a regular school campus;
7. Nonpublic day school -- providing services through a contractual agreement with a nonpublic school for special education;
8. Vocational adjustment program -- providing services to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
9. State school for persons with mental retardation -- providing services to a student who resides at a state school when the services are provided at the state school location; or
10. Other program options: including contracts with other school districts and programs approved by TEA. *19 Tex. Admin. Code 89.63(c), (f).*

SHARED SERVICES ARRANGEMENTS

RCHS may enter into a written contract to jointly operate its special education program. The contract must be approved by the Commissioner of Education. Education Code 29.007

INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND ARDS

ADMISSION, REVIEW, AND DISMISSAL COMMITTEE

RCHS shall establish an admission, review, and dismissal (ARD) committee for each eligible student with a disability and for each student for whom a full and individual initial evaluation is conducted. The ARD committee shall be the individualized education program (IEP) team as defined at 34 CFR 300.344.

RESPONSIBILITIES OF ARD COMMITTEE AND IEP TEAM

The ARD committee and RCHS are responsible for all of the functions for which the IEP team is responsible under federal law and regulations and for which the ARD committee is responsible under state law, including, specifically, the following:

1. Evaluation, re-evaluation, and determination of eligibility for special education and related services;
2. Placement of eligible students with disabilities;
3. Development of the student's individualized education program (IEP);
4. Compliance with the least restrictive environment standard;
5. Compliance with state requirements for reading diagnosis and state assessments;
6. Development of intensive programs of instruction under Education Code 28.0213;
8. Evaluation, placement, and coordination of services for students who are deaf, hard of hearing, blind or visually impaired; and
9. Determining eligibility for extracurricular activities, under Education Code 33.081.

Tex. Admin. Code 89.1050(a).

ARD COMMITTEE MEMBERS

RCHS shall ensure that each ARD committee meeting includes all of the following:

1. The parents of a child with a disability;
2. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
3. At least one special education teacher or, if appropriate, at least one special education provider of the child;
4. A representative of RCHS who:

- a. Is qualified to provide or supervise the provision of specially-designed instruction to meet the unique needs of children with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of resources of RCHS;
5. An individual who can interpret the instructional implications of evaluation results, who may already be a member of the ARD committee, as listed in items 1-4, above;
 6. The child, if appropriate; and
 7. Other individuals who have knowledge or special expertise regarding the child at the discretion of RCHS or the parent. *34 CFR 300.321.*

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

A member of the ARD committee may be excused from attending an ARD committee meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of curriculum or related services if the parent and RCHS agree in writing and the member submits, in writing, input into the development of the IEP before the meeting. *20 U.S.C. 1414(d)(1)(B)-(C); 34 CFR 300.321.*

PARENT INVOLVEMENT

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

1. Notice of the purpose, time, and location of the meeting, who will be in attendance, and that persons with knowledge or special expertise may be invited by either the parent or RCHS;
2. Scheduling the meeting at a mutually agreed on time and place.

If the purpose of the meeting is to consider transition services, the notice must also indicate this purpose, indicate that RCHS will invite the student, and identify any other agency that will be invited to send a representative. *34 CFR 300.322; 19 Tex. Admin. Code 89.1045.*

ALTERNATIVE MEANS OF MEETING PARTICIPATION

When conducting ARD committee meetings, the parent and RCHS may agree to use alternative means of meeting participation, such as video conferences and conference calls. *34 CFR 300.328.*

An ARD meeting may be conducted without a parent in attendance if RCHS is unable to convince the parents that they should attend, but RCHS shall keep a record of its attempts to arrange a mutually agreed on time and place, such as detailed records of telephone calls, correspondence, or visits made or attempted, and the results of any of those actions. *34 CFR 300.322.*

MEETINGS

RCHS shall initiate and conduct ARD committee meetings for the purpose of developing, reviewing, and revising the IEP of a child with a disability. The committee shall review each child's IEP periodically, and, if appropriate, revise the IEP. A meeting must be held for this purpose at least once a year.

A meeting does not include informal or unscheduled conversations involving RCHS personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provisions if those issues are not addressed in the child's IEP. A meeting also does not include preparatory activities that public agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting. *20 U.S.C. 1414(d)(4); 34 CFR 300.324.*

MEETING AT PARENT'S REQUEST

A parent may request an ARD committee meeting at any mutually agreeable time to address specific concerns about his or her child's special education services. RCHS must respond to the request by holding the meeting or requesting TEA's assistance through the mediation process. RCHS shall inform parents of the functions of the ARD committee and the circumstances or types of problems for which requesting an ARD committee meeting would be appropriate. *19 Tex. Admin. Code 89.1045(b).*

TRANSFER STUDENTS

When a student transfers to RCHS from within the state, the ARD committee may, but is not required to, meet when the student enrolls, if, a copy of the student's IEP is available, the parent(s) indicate in writing that they are satisfied with the current IEP, and the district determines that the current IEP is appropriate and can be implemented as written.

If the above conditions are not met, then the ARD committee must meet when the student enrolls and the parents verify that the student was receiving special education services in the previous school district, or the previous school district verifies in writing or by telephone that the student was receiving special education services. At this meeting, the ARD committee must do one of the following:

1. the ARD committee may determine that it has appropriate evaluation data and other information to develop and begin implementation of a complete IEP for the student; or
2. the ARD committee may determine that valid evaluation data and other information from the previous school district are insufficient or unavailable to develop a complete IEP. In this event, the ARD committee may authorize the provision of temporary special education services pending receipt of valid evaluation data from the previous school district or the collection of new evaluation data by RCHS. In this situation, a second ARD committee meeting must be held within 30 school days from the date of the first ARD committee meeting to finalize or develop an IEP based on current information.

The previous school district must provide RCHS a copy of the student's records, including the child's special education records, not later than the 30th calendar day after the student is enrolled at RCHS. *19 Tex. Admin. Code 89.1050(f)*.

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

RCHS shall develop, review, and revise an IEP for each child with a disability. *20 U.S.C. 1412(a)(4)*

At the beginning of each school year, RCHS shall have in effect, for each child with a disability in its jurisdiction, an IEP. *20 U.S.C. 1414(d)(2)(A); 34 CFR 300.323*.

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

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

6. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and nonacademic activities;
7. The projected dates for initiation of services and modifications and the anticipated frequency, location, and duration of the services and modifications;
8. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state assessments;
9. Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter, a statement of the transition service needs of the student; and
10. Beginning not later than one year before the child reaches the age of 17, a statement that the child has been informed of the rights that will transfer to the child upon reaching the age of majority. *20 U.S.C. 1414(d); 34 CFR 300.320; 19 Tex. Admin. Code 89.1055.*

TRANSLATION OF IEP INTO NATIVE LANGUAGE

If the parent is unable to speak English and if Spanish is the parent's native language, then RCHS shall provide a written or audiotaped copy of the student's IEP translated into Spanish. If the parent's native language is other than Spanish or English, then RCHS shall make a good faith effort to provide a written or audiotaped copy of the student's IEP translated into the parent's native language. *Tex. Educ. Code 29.005(d).*

AUTISM / PERVASIVE DEVELOPMENTAL DISORDER

For RCHS students with autism/pervasive developmental disorders, information about the following shall be considered and, when needed, shall be addressed in the IEP:

1. Extended educational programming;
2. Daily schedules reflecting minimal unstructured time;
3. In-home training or viable alternatives;
4. Prioritized behavioral objectives;
5. Prevocational and vocational needs of students 12 years of age or older;
6. Parent training; and
7. Suitable staff-to-students ratio.

If the ARD committee determines that the services are not needed in one or more of the items listed in 1-7 above, then the IEP shall include a statement reflecting that decision and the basis upon which the determination was made. *19 Tex. Admin Code 89.1055(e)-(f).*

COLLABORATIVE PROCESS

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

TEN-DAY RECESS

When agreement about all required elements of the IEP is not achieved, the parent or adult student who disagrees shall be offered a single opportunity to have the committee recess for a period not to exceed ten school days. This recess is not required when the student's presence on the campus presents a danger of physical harm to the student or others or when the student has committed an expellable offense or an offense which may lead to a placement in an alternative education program.

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

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

The date, time, and place for continuing the ARD committee meeting shall be determined by agreement before the recess. *19 Tex. Admin. Code 89.1050(h)*.

FAILURE TO REACH AGREEMENT

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

If RCHS intends to implement an IEP with which the parents or adult student disagree, it shall provide prior written notice at least five school days before implementing the IEP.

Parents shall have the right to file a complaint, request mediation, or request a due process hearing at any point, when they disagree with ARD committee decisions. *19 Tex. Admin. Code 89.1050(h)*.

MODIFICATION OF EXISTING IEP

After the annual IEP meeting for a school year, the parent and RCHS may agree not to convene an IEP meeting for the purposes of making changes to the IEP and instead may develop a written document to amend or modify the student's current IEP.

To the extent possible, RCHS shall encourage the consolidation of reevaluation meetings for the student and other ARD meetings for the student.

Changes to the IEP may be made either by the entire ARD committee or by amending the IEP by agreement, rather than redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with amendments incorporated. *20 U.S.C. 1414(d)(3)(D)-(F).*

TRANSITION SERVICES

TRANSITION SERVICES DEFINED

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

1. Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.
2. Is based on the individual child's needs, taking into account the child's strengths, preferences, and interests.
3. Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation. *20 U.S.C. 1401(34); 34 CFR 300.43.*

INDIVIDUAL TRANSITION PLANNING (ITP)

Beginning when a student turns 14 (or younger, if determined appropriate by the ARD committee), and updated annually, a student's IEP shall include a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study and a statement of the interagency responsibilities or any needed linkages.

The following issues must be considered in the development of the IEP, and, if appropriate, integrated into the IEP:

1. appropriate student involvement in the student's transition to life outside the public school system;
2. if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;
3. if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled;
4. any postsecondary education options;
5. a functional vocational evaluation;
6. employment goals and objectives;

7. if the student is at least 18 years of age, the availability of age-appropriate instructional environments;
8. independent living goals and objectives; and
9. appropriate circumstances for referring a student or the student's parents to a governmental agency for services. *34 CFR 300.320; 19 Tex. Admin. Code 89.1055(g).*

MEMBERSHIP FOR TRANSITION MEETINGS

If the purpose of the meeting is to consider transition services for a student, then RCHS shall invite:

1. The student. If the student does not attend, then RCHS shall take steps to ensure that the student's preferences and interests are considered.
2. A representative of any other agency that is likely to be responsible for providing or paying for transition services. If such a representative is invited, but does not attend, RCHS shall take other steps to obtain the participation of the other agency in the planning of any transition services. *34 CFR 300.322.*

GRADUATION

Graduation with a regular high school diploma terminates a student's eligibility for special education services. For students who receive a diploma according to 19 Tex. Admin. Code 89.1070(c), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

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

RCHS is not required to conduct an evaluation before termination of eligibility due to graduation from RCHS with a regular high school diploma or due to exceeding the age eligibility for a free appropriate public education under state law.

RCHS shall provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals. *20 U.S.C. 1414(c)(5); 34 CFR 300.102,.305; 19 Tex. Admin. Code 89.1070.*

PROCEDURAL REQUIREMENTS

RCCHS shall establish and maintain procedures to ensure that RCCHS students with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education. These procedures shall include:

OPPORTUNITIES FOR PARENTS

An opportunity for the parents of an RCCHS student with a disability to examine all records relating to the student, or participate in meetings with respect to the identification, evaluation, and educational placement of the child, and the provision of a free appropriate public education to the child; and to obtain an independent educational evaluation of the student.

ASSIGNMENT OF SURROGATE PARENT

Procedures to protect the rights of the child whenever the parents of the child are not known, RCCHS cannot locate the parents after reasonable efforts to do so, or the child is a ward of the state. These procedures shall include assigning an individual to act as a surrogate for the parents. This individual shall not be an employee of TEA, RCCHS, DCCCD, or any other agency that is involved in the education or care of the child.

PRIOR WRITTEN NOTICE

Prior written notice to the parents whenever RCCHS proposes to initiate or change, or refuses to initiate or change: 1) the identification, evaluation, or educational placement of the child, or 2) the free appropriate public education of the child.

The written notice to parents shall be provided at least five school days before the proposed action is taken, unless the parents agree otherwise.

PARENTS' NATIVE LANGUAGE

Procedures designed to ensure that the prior written notice is in the native language of the parents, unless it is clearly not feasible to do so. The notice must include the elements set forth at 34 CFR 300.503(b).

TRANSFER OF RIGHTS TO ADULT STUDENTS

Beginning at least one year before a student reaches 18 years of age, the student's IEP will include a statement that the student has been informed that, unless the student's parent or other individual has been granted guardianship of the student under Chapter 13 of the Texas Probate Code, all rights granted to the parent under the IDEA '04, Part B, other than the right to receive any notice required under IDEA '04, Part B, will transfer to the student upon reaching age 18.

At the time the student reaches the age of 18, the parent(s) and the adult student will be informed that parental rights have been transferred to the student, the student has the same right to make educational decisions as a student without a disability, any notice required under IDEA '04 will be provided to both the parent and adult student unless the student is incarcerated in an adult or juvenile, state or local correctional institution and information will be given to both parties regarding obtaining additional information.

A Notice under IDEA '04, Part B that is required to be given to an adult student and parent does not create a right for the parent to consent to or participate in the proposal or refusal to which the Notice relates. A Notice of an ARD committee meeting does not constitute invitation to, or create a right for, the parent to attend the meeting. However, the adult student or the school may invite individuals who have knowledge or special expertise regarding the student, including the parent. *34 CFR 300.520.*

PROCEDURAL SAFEGUARDS

NOTICE

RCHS shall provide a copy of the procedural safeguards to parents once a year, except that a copy also shall be given to the parents:

1. Upon initial referral or parental request for evaluation;
2. Upon the first occurrence of the filing of a complaint; and
3. Upon request by a parent.

RCHS may place a current copy of the procedural safeguards notice on its Internet Web site. *34 CFR 300.504.*

CONTENTS OF NOTICE

The procedural safeguards notice shall be written in the native language of the parents (unless it clearly is not feasible to do so) and written in an easily understandable manner. The notice shall include a full explanation of the procedural safeguards relating to:

1. Independent educational evaluation;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. The opportunity to present and resolve complaints, including:
 - a. The time period in which to make a complaint,
 - b. The opportunity for the agency to resolve the complaint, and
 - c. The availability of mediation;
6. The child's placement during pendency of due process proceedings;
7. Procedures for students who are subject to placement in an interim alternative educational setting;
8. Requirements for unilateral placement by parents of children in private schools at public expense;

9. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
10. State-level appeals;
11. Civil actions, including the time period in which to file such actions; and
12. Attorneys' fees. *20 U.S.C. 1415(a)-(b), (d); 34 CFR 300.504(c).*

COMPLAINT PROCEDURES

A parent may request an impartial due process hearing, which shall be conducted by TEA.

SUFFICIENT NOTICE OF COMPLAINT

A due process complaint must include:

1. the name of the student;
2. the address of the student's residence;
3. the name of the school the student is attending;
4. a description of the nature of the problem relating to the proposed or refused initiation or change, including facts related to the problem; and
5. a proposed resolution.

A party may not have a hearing on a due process complaint until the party files a complaint that meets the above requirements. RCHS may challenge the sufficiency of a complaint within 15 days of receipt of the complaint. If RCHS has not sent a prior written notice under 34 CFR 300.503 to the parent regarding the subject matter of the complaint, then RCHS must provide a response to the complaint within ten days of receiving the complaint. The response shall not preclude RCHS from asserting the complaint notice is insufficient.

A party may amend its due process complaint only if the other party consents in writing or the hearing officer consents to the amendment not less than five days prior to the due process hearing. *34 CFR 300.508 (a)-(f)*.

RESOLUTION SESSION

Within 15 days of receiving notice of a due process complaint, RCHS must convene a meeting with the parent and the relevant members of the ARD committee, as described in 34 CFR 300.510, to discuss the due process complaint and provide an opportunity to resolve the dispute. The resolution session is not required if both the parent and RCHS agree in writing to waive the meeting or to use the mediation process described in 34 CFR 300.506.

If a resolution is reached, the parties must enter into a legally binding agreement that is signed by both the parents and a representative of RCHS and is enforceable in state court. An agreement entered into under this section may be voided by either party within three business days of the agreement's execution. *34 CFR 300.510 (d)-(e)*.

TIME LIMIT

The parent or RCHS must request a due process hearing within one year of the date the complainant knew or should have known of the alleged action that serves as the basis for the hearing request. *20 U.S.C. 1415(f)(1)(A); 19 Tex. Admin. Code 89.1151.*

EXCEPTION

This timeline shall not apply if the parent was prevented from requesting a hearing due to:

1. A specific misrepresentation by RCHS that it had resolved the problem forming the basis of the complaint; or
2. RCHS's withholding of information from the parent that RCHS was required by the IDEA to provide. *20 U.S.C. 1415(b)(6)-(7).*

STAY PUT

During the pendency of any proceeding conducted under IDEA part B (regarding RCHS's obligation to provide FAPE), unless RCHS and the parent agree otherwise, the student involved in the complaint shall remain in the then-current educational placement. *20 U.S.C. 1415(j)*

EXCEPTION

When an appeal of a manifestation determination has been requested by a parent or RCHS, the student shall remain in the interim alternative educational setting, pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever occurs first, unless the parent and RCHS agree otherwise. *20 U.S.C. 1415(k)(3)(B), 1415(k)(7); 34 CFR 300.533.*

DISCIPLINE

Except as set forth below, the placement of a student with a disability who receives special education services may be made only by a duly-constituted ARD committee. Any disciplinary action regarding the student shall be determined in accordance with federal and state law and regulations. *Tex. Educ. Code 37.004*

RCCHS is not required to provide services to a student during periods of disciplinary removal if the student has been removed from his or her current placement for ten school days or less in that school year, if services are not provided to a student without disabilities who has been similarly removed. *34 CFR 300.530(d)(3)*.

SUBSEQUENT REMOVALS

After a student has been removed from his or her current placement for more than ten school days in the same school year, during any subsequent days of removal, RCCHS shall provide the services necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the student's IEP. This requirement applies if the subsequent removal is not a change in placement (defined below) or the behavior is determined not to be a manifestation of the student's disability.

If the removal is not a change in placement, then school personnel, in consultation with the student's special education teacher, determine the extent to which these services are necessary.

If the student is removed because of behavior that is determined not to be a manifestation of the student's disability, then the student's IEP team determines the extent to which these services are necessary. *20 U.S.C. 1412(a)(1), 1413(a)(1); 34 CFR 300.530, .531.*

NOTICE OF PROCEDURAL SAFEGUARDS

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

REMOVALS OF TEN DAYS OR LESS

To the extent removal would apply to students without disabilities, school personnel may remove a student with a disability who violates a code of student conduct from the current placement to an appropriate interim alternative educational setting, another setting, or suspension for not more than ten school days.

School personnel may order additional removals of not more than ten consecutive school days in the same school year for separate incidents of misconduct, so long as those removals do not constitute a change in placement (defined below). *20 U.S.C. 1415(k)(1)(B); 34 CFR 300.530.*

REMOVALS OF MORE THAN TEN DAYS – CHANGE IN PLACEMENT

Any disciplinary action that would constitute a change in placement may be taken only after the student's ARD committee conducts a manifestation determination review. *Tex. Educ. Code 37.004.*

CHANGE IN PLACEMENT

A change in placement occurs if a student is:

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because they cumulate to more than ten school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. *34 CFR 300.536.*

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

MANIFESTATION DETERMINATION

Within ten school days of any decision to change the placement of a student because of a violation of a code of student conduct, RCHS, parents, and relevant members of the ARD committee shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was:

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

If RCHS, the parent, and relevant members of the ARD committee determine that either of the above is applicable, then the conduct shall be determined to

be a manifestation of the student's disability. *20 U.S.C. 1415(k)(1)(E); 34 CFR 300.530(e)-(f)*.

NOT A MANIFESTATION

If the determination is that the student's behavior was not a manifestation of the student's disability, then the disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration in which they would be applied to students without disabilities, except that RCHS shall still provide services so as to enable the student to continue to participate in the general education curriculum and to progress toward meeting the student's IEP goals, although they may be provided in an interim alternative educational setting. *20 U.S.C. 1412(a)(1), 1415(k)(1)(C); 34 CFR 300.121(d), 300.530(c)-(d)*.

BEHAVIORAL INTERVENTION PLAN

If RCHS, the parents, and relevant members of the ARD committee determine that the conduct was a manifestation of the student's disability, then the ARD committee shall:

1. Conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) if RCHS had not conducted an FBA before the manifestation determination and before the behavior that resulted in the change in placement.
2. If a BIP has already been developed, review the BIP and modify it, as necessary, to address the behavior.
3. Except as provided below for weapon/drug offenses or serious bodily injury, return the student to the placement from which the student was removed, unless the parent and RCHS agree to a change in placement as part of the modification of the BIP. *20 U.S.C. 1415(k)(1)(F); 34 CFR 300.530(f)*.

SUBSEQUENT REMOVALS THAT ARE NOT A CHANGE IN PLACEMENT

If a student with a BIP is subsequently removed and that removal is not a change in placement, the ARD committee shall review the BIP and its implementation to determine if modifications are necessary. If one or more members of the ARD committee believe that modifications are needed, the committee shall meet to modify the plan and its implementation, to the extent the committee determines necessary.

INTERIM ALTERNATIVE EDUCATIONAL SETTING

WEAPONS / DRUG/ SERIOUS BODILY INJURY OFFENSES

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

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or a school district; or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of a state or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the state or RCHS. *20 U.S.C. 1415(k)(1)(G); 34 CFR 300.530(g).*

WEAPON

In this policy, "weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but does not include a pocket knife with a blade of less than two and a half inches in length. *20 U.S.C. 1415(k)(7)(C); 18 U.S.C. 930(g)(2); 34 CFR 300.530(i).*

CONTROLLED SUBSTANCE

"Controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812[c]). "Illegal drug" means a controlled substance, but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any authority under the Controlled Substance Act or any other provision of federal law. *20 U.S.C. 1415(k)(7)(A), (B); 34 CFR 300.530(i).*

SERIOUS BODILY INJURY

"Serious bodily injury" means bodily injury that involves:

1. A substantial risk of death;
2. Extreme physical pain;
3. Protracted and obvious disfigurement; or
4. Protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

20 U.S.C. 1415(k)(7)(D); 18 U.S.C. 1365(h)(3); 34 CFR 300.530(i).

CRITERIA FOR ALTERNATIVE SETTING

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

The setting shall be selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP. The setting shall also include services and modifications designed to address the behavior that caused the student to be placed in the alternative setting so that the behavior does not recur. *20 U.S.C. 1415(k)(3).*

APPEALS

A parent who disagrees with a placement decision or the manifestation determination may request a hearing.

If RCHS believes that maintaining a current placement of a student is substantially likely to result in injury to the student or others, the school may request a hearing. *20 U.S.C. 1615(k)(3)(A); 34 CFR 300.532; 19 Tex. Admin. Code 89.1151.*

A hearing officer may hear and decide the appeal. *20 U.S.C. 1415(k)(3)(B).*

PLACEMENT DURING APPEALS

When an appeal has been requested by a parent or RCHS:

1. The student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the student's assignment to the alternative setting, whichever occurs first, unless the parent and RCHS agree otherwise; and

2. The state or RCHS shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination ten school days after the hearing.

20 U.S.C. 1415(k)(3)(B), 1415(k)(7); 34 CFR 300.533.

TRANSFER OF RECORDS

If RCHS initiates disciplinary procedures applicable to all students, RCHS shall ensure that the student's special education and disciplinary records are transmitted for consideration by the person or persons making the final determination regarding the disciplinary action. *20 U.S.C. 1415(k)(5)(B).*

REPORTING CRIMES

Federal law does not prohibit RCHS from reporting a crime committed by a student with a disability to appropriate authorities. If RCHS reports a crime, then RCHS shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities. However, because RCHS may transmit records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA), written consent from the parent or adult student must be obtained before RCHS may transfer such records. *20 U.S.C. 1415(k)(6).*

STUDENTS NOT YET IDENTIFIED

A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated a code of student conduct may assert any of the protections provided for in the IDEA if RCHS had knowledge that the student had a disability before the behavior that precipitated that disciplinary action occurred. *20 U.S.C. 1415(k)(5)(A).*

KNOWLEDGE

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

1. The parent of the student has expressed concern in writing to supervisory or administrative personnel of RCHS or to the teacher of the

2. The parent of the student has requested an evaluation of the student for special education and related services in writing; or
3. The student's teacher, or other RCHS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student directly to the special education director or to other supervisory personnel of RCHS. *20 U.S.C. 1415(k)(5)(B); 34 CFR 300.534.*

RCHS shall not be deemed to have knowledge that the student had a disability if:

1. The parent has not allowed an evaluation of the student;
2. The parent has refused services; or
3. The student has been evaluated and it was determined that the student did not have a disability. *20 U.S.C. 1415(k)(5)(C); 34 CFR 300.534.*

If RCHS does not have knowledge (as described above), before taking disciplinary measures, that a student has a disability, the student may be subjected to the same disciplinary measures as are applied to students without disabilities who engaged in comparable behaviors.

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities. *20 U.S.C. 1415(k)(5)(D); 34 CFR 300.534.*

BEHAVIOR MANAGEMENT TECHNIQUES

Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

CONFINEMENT

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. Texas Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

1. The student possesses a weapon; and
2. The confinement is necessary to prevent the student from causing bodily harm to the student or another person.

For these purposes, "weapon" includes any weapon described under Education Code 37.007(a)(1). *Tex. Educ. Code 37.0021.*

SECLUSION

A RCHS employee or volunteer or an independent contractor of RCHS may not place a student in seclusion. "Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Education Code 37.0021 and any rules or procedures adopted under Education Code 37.0021 do not apply to a peace officer, while performing law enforcement duties; juvenile probation, detention, or corrections personnel; or an educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district. *Tex. Educ. Code 37.0021.*

RESTRAINT

A school employee, volunteer, or independent contractor may use restraint only in an emergency and with the following limitations:

1. Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency.

2. Restraint shall be discontinued at the point at which the emergency no longer exists.
3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
4. Restraint shall not deprive the student of basic human necessities.

"Restraint" means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student's body. "Restraint" does not include the use of:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into a street), teach a skill, or provide comfort;
3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors; or
4. Seat belts and other safety equipment used to secure students during transportation.

"Emergency" means a situation in which a student's behavior poses a threat of:

1. Imminent, serious physical harm to the student or others; or
2. Imminent, serious property destruction.

TRAINING

Training for school employees, volunteers, or independent contractors shall be provided according to the requirements set forth at 19 Tex. Admin. Code 89.1053.

DOCUMENTATION

In a case in which restraint is used, school employees, volunteers, or independent contractors shall implement the following documentation requirements:

1. On the day restraint is utilized, the campus administrator or designee must be notified verbally or in writing regarding the use of restraint.

2. On the day restraint is utilized, a good faith effort shall be made to verbally notify the parent(s) regarding the use of restraint.
3. Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent within one school day of the use of restraint.
4. Written documentation regarding the use of restraint must be placed in the student's special education eligibility folder in a timely manner so the information is available to the ARD committee when it considers the impact of the student's behavior on the student's learning and/or the creation or revision of the BIP.
5. Written notification to the parent(s) and documentation to the student's special education eligibility folder shall include the following:
 - a. Name of the student;
 - b. Name of the staff member(s) administering the restraint;
 - c. The date of the restraint and the time the restraint began and ended;
 - d. Location of the restraint;
 - e. Nature of the restraint;
 - f. A description of the activity in which the student was engaged immediately preceding the use of restraint;
 - g. The behavior that prompted the restraint;
 - h. The efforts made to de-escalate the situation and alternatives to restraint that were attempted; and
 - i. Information documenting parent contact and notification.

TIME-OUT

A school employee, volunteer, or independent contractor may use time-out with the following limitations.

1. Physical force or threat of physical force shall not be used to place a student in time-out.
2. Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP

and/or BIP if it is utilized on a recurrent basis to increase or decrease targeted behavior.

3. Use of time-out shall not be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

"Time-out" means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

1. That is not locked; and
2. From which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

TRAINING

Training regarding the use of time-out for school employees, volunteers, or independent contractors shall be provided according to the requirements set forth at 19 Tex. Admin. Code 89.1053.

DOCUMENTATION

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP or BIP. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use. 19 Tex. Admin. Code 89.1053.

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POLICY REPORT NO. 13

Approval of Resolution Ordering Election for May 10, 2008, in Trustee District 5 and 6

It is recommended that the Board of Trustees of the Dallas County Community College District order an election and other matters related to the election by adopting the attached Election Order Resolution. The election will be held on May 10, 2008 in Trustee Districts 5 and 6. In addition, the Election Calendar is attached.

Effective Date: February 5, 2008

Submitted by Mr. Robert Young, district legal counsel

ELECTION ORDER
RESOLUTION

WHEREAS, Section 3.004, Election Code, and Section 130.082, Education Code, requires the Board of Trustees of Dallas Community College District to order an election to elect certain members of the Board of Trustees in even-numbered years; and

WHEREAS, various provisions of the Election Code require the election order to contain certain information; NOW THEREFORE;

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF DALLAS COUNTY COMMUNITY COLLEGE DISTRICT:

Section 1. That an election shall be held on the second Saturday in May, 2008, which is the tenth day of May, 2008, to elect two (2) members of the Board of Trustees of Dallas County Community College District in Trustee Districts 5 and 6.

Section 2. That Bruce Sherbet is the early voting clerk for the May 10, 2008 election. Early voting by mail shall be conducted at Dallas County Elections Department, eighth floor, 2377 North Stemmons Freeway, Suite 820, Dallas, Texas 75207. Early voting by mail begins March 11, 2008 and ends May 2, 2008.

Section 3. The deputy early voting clerks for conducting early voting by personal appearance will be designated by Bruce Sherbet.

The early polling location for voting by personal appearance is on the first floor of the Records Building, 509 Main Street, Dallas, Texas 75202 and other locations as designated by the Board of Trustees of Dallas County Community College District.

Early voting dates and times:

April 28 through May 2	(Monday thru Friday)	8:00 am to 5:00 pm
May 3	(Saturday)	8:00 am to 5:00 pm
May 4	(Sunday)	1:00 pm to 6:00 pm
May 5 & May 6	(Monday and Tuesday)	7:00 am to 7:00 pm

Section 4. That the date of the final canvass of returns for the May 10, 2008 election is Wednesday, May 21, 2008, in the R.L. Thornton, Jr. Building, 701 Elm Street, Dallas, Texas 75202 and the presiding officer of the canvass is Jerry Prater.

Section 5. That simultaneously with the adoption of this resolution, a Spanish version of this resolution is adopted.

Election Order Resolution
February 5, 2008
Page 2

Section 6. That this resolution is effective upon adoption by the Board of Trustees of Dallas County Community College District and that this resolution shall be signed by the Chairman of the Board of Trustees.

DALLAS COUNTY COMMUNITY COLLEGE
DISTRICT

By: _____
Jerry Prater, Chairman
Board of Trustees

ATTEST

By: _____
Wright L. Lassiter, Jr., Secretary
Board of Trustees

Adopted: February 5, 2008

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
Board of Trustees Election
Districts 5 & 6
May 10, 2008**

Election Calendar

<u>Day / Date, 2008</u>	<u>Event</u>
Monday, February 11	First day to accept candidate application and to appoint campaign treasurer upon filing application. First day to file declaration of write-in candidacy.
Monday, March 10	Last day to accept candidate application by 5:00 p.m.
Tuesday, March 11	Drawing for position on ballot at 10:00 a.m. First day to accept application for early voting by mail.
Monday, March 17	Last day to file declaration of write-in candidacy by 5:00 pm.
Monday, April 28	First day for early voting by personal appearance.
Friday, May 2	Last day to accept application for early voting by mail.
Tuesday, May 6	Last day for early voting by personal appearance.
Saturday, May 10	ELECTION DAY
Wednesday, May 21	Special Board Meeting after Election Final canvass of election returns Runoff Election ordered by Board, <i>if necessary</i> Drawing for position on runoff ballot Certify placement of candidates on ballot for runoff
Tuesday, June 3	First Regular Board Meeting after Election Administer Oath of Office and conduct swearing in ceremonies. Reorganize Board, if no runoff.
Saturday, June 14*	RUNOFF ELECTION DAY

*The runoff election date is subject to change. This calendar will be supplemented at a future date, if necessary.

Revised January 14, 2008

RESOLUCIÓN DE LA ORDEN DE ELECCIÓN

POR CUANTO, el Artículo 3.004, Código Electoral, y el Artículo 130.082, Código de Educación, requieren que la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas ordene una elección para elegir a ciertos miembros de la Junta de Síndicos en años pares; y

POR CUANTO, varias disposiciones del Código Electoral requieren que la orden de elección contenga cierta información, POR LO TANTO;

LA JUNTA DE SÍNDICOS DEL DISTRITO DEL COLEGIO COMUNITARIO DEL CONDADO DE DALLAS RESUELVE QUE:

Artículo 1. Se celebrará una votación el segundo sábado de mayo del 2008, el cual es el 10 de mayo del 2008, para elegir dos (2) miembros de la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas en los Distritos de Síndicos 5 y 6.

Artículo 2: Bruce Sherbet es el empleado a cargo de la votación anticipada para la elección del 10 de mayo del 2008. La votación anticipada por correo se realizará en el Departamento de Elecciones del Condado de Dallas, octavo piso, 2377 North Stemmons Freeway, Oficina 820, Dallas, Texas 75207. La votación anticipada por correo comienza el 11 de marzo del 2008 y concluye el 2 de mayo del 2008.

Artículo 3. Bruce Sherbet designará a los empleados suplentes a cargo de la votación anticipada en persona.

El lugar para votar en forma anticipada en persona es en el primer piso del Edificio de Registros, 509 Main Street, Dallas, Texas 75202 y los demás lugares designados por la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas.

Días y horario para votar en forma anticipada:

28 de mayo hasta el 2 de mayo	lunes a viernes	8:00 a.m. hasta las 5:00 p.m.
3 de mayo	sábado	8:00 a.m. hasta las 5:00 p.m.
4 de mayo	domingo	1:00 p.m. hasta las 6:00 p.m.
5 de mayo y 6 de mayo	lunes y martes	7:00 a.m. hasta las 7:00 p.m.

Artículo 4. La fecha para presentar el escrutinio final de la elección del 10 de mayo del 2008 es el miercoles 21 de mayo del 2008, en el Edificio R.L. Thornton, Jr., 701

Elm Street, Dallas, Texas 75202 y Jerry Prater es el funcionario que preside el escrutinio electoral.

Artículo 5. Simultáneamente con la adopción de esta resolución, se adopta la versión en idioma español de la misma.

Artículo 6. Esta resolución entrará en vigor en el momento en que sea adoptada por la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas. La misma será firmada por el Presidente de la Junta de Síndicos.

DISTRITO DEL COLEGIO COMUNITARIO DEL CONDADO DE DALLAS

Por: _____
Jerry Prater, Presidente
Junta de Síndicos

DOY FE

Por: _____
Wright L. Lassiter, Jr., Secretario
Junta de Síndicos

Adoptada: 5 de febrero del 2008

POLICY REPORT NO. 14

Approval of Resolution Establishing County Voter Precinct Boundaries
for the May 10, 2008 Trustee Election

It is recommended that the Board of Trustees of the Dallas County Community College District adopt the attached resolution that establishes the same county voting precinct boundaries for the May 10, 2008 election as adopted by the Dallas County Commissioners Court for its use.

Effective Date: February 5, 2008

Submitted by Mr. Robert Young, district legal counsel

RESOLUTION ESTABLISHING
COUNTY VOTER PRECINCT
BOUNDARIES

WHEREAS, Section 42.061, Election Code, authorizes the Board of Trustees of Dallas County Community College District to establish election precincts for any elections ordered by the Board of Trustees; and

WHEREAS, the Board of Trustees desire to have the same voting precincts as adopted by the Commissioners Court of Dallas County for the May 10, 2008 election; NOW THEREFORE;

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF DALLAS COUNTY COMMUNITY COLLEGE DISTRICT:

Section 1. That the boundaries of the voting precincts for the May 10, 2008 election to elect two (2) members of the Board of Trustees of Dallas County Community College District in Districts 5 and 6 shall be the same precinct boundaries that were created and defined by the Commissioners Court of Dallas County, Texas for its use.

Section 2. That simultaneously with the adoption of this resolution, a Spanish version of this resolution is adopted.

Section 3. That this resolution is effective upon adoption by the Board of Trustees of Dallas County Community College District and shall be signed by the Chairman of the Board of Trustees.

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT

By: _____
Jerry Prater, Chairman
Board of Trustees

ATTEST

By: _____
Wright L. Lassiter, Jr., Secretary
Board of Trustees

Adopted: February 5, 2008

RESOLUCIÓN QUE ESTABLECE
LOS LÍMITES DE LOS
DISTRITOS ELECTORALES PARA EL VOTANTE DEL CONDADO

POR CUANTO, el Artículo 42.061, Código Electoral, autoriza a la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas a establecer distritos electorales para una votación ordenada por la Junta de Síndicos; y

POR CUANTO, la Junta de Síndicos desea tener los mismos distritos electorales que los adoptados por el Tribunal de Comisionados del Condado de Dallas para la elección del 10 de mayo del 2008; POR LO TANTO;

LA JUNTA DE SÍNDICOS DEL DISTRITO DEL COLEGIO COMUNITARIO DEL CONDADO DE DALLAS RESUELVE QUE:

Artículo 1. Los límites de los distritos electorales para la votación del 10 de mayo del 2008 para elegir dos (2) miembros de la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas en los Distritos 5 y 6 serán los mismos límites de los distritos electorales que fueron creados y definidos por el Tribunal de Comisionados del Condado de Dallas, Texas, para su uso.

Artículo 2. Simultáneamente con la adopción de esta resolución, se adopta la versión en idioma español de la misma.

Artículo 3. Esta resolución entrará en vigor en el momento en que sea adoptada por la Junta de Síndicos del Distrito del Colegio Comunitario del Condado de Dallas. La misma será firmada por el Presidente de la Junta de Síndicos.

DISTRITO DEL COLEGIO COMUNITARIO DEL CONDADO DE DALLAS

Por: _____
Jerry Prater, Presidente
Junta de Síndicos

DOY FE

Por: _____
Wright L. Lassiter, Jr., Secretario
Junta de Síndicos

Adoptada: 5 de febrero del 2008

BUILDING & GROUNDS REPORT NO. 15

Approval of Amendment to Agreement with Dimensions Architects, Inc.

It is recommended that authorization be given to approve an amendment to the agreement with Dimensions Architects, Inc. in an amount not to exceed \$16,750 for additional services for Brookhaven College.

Original Agreement	\$303,500
Previous Amendment (s)	\$32,700
Amendment	\$16,750
Revised Agreement	\$352,950

Background

The Board approved the original contract with Dimensions Architects, Inc. on October 03, 2006 in the amount of \$303,500 for professional architectural and design services for the automotive technology expansion for Brookhaven College. Amendment 1 was a clarification of agreement wording and an increase in project scope and budget due to energy code compliance relating to the remodeled Q building instructional classroom areas, which required equipment that used more current technology than the existing equipment. The following table contains information about prior amendments to the contract.

Board Approved	VCBA Approved	Change Order No.	Amount	Revised Contract
10/03/06			\$303,500	
06/05/07		1	\$32,700	\$336,200
Pending		2	\$16,750	\$352,950

This amendment of \$16,750 provides (1) \$11,250 for construction documents revision, and (2) \$5,500 for site plan approval documents. The amendment provides additional civil engineering services including an additional topographic survey, a campus loop water plan, and an early grading package. The increase to the construction budget increases the architect and engineer fee for a site plan required by the City of Farmer's Branch.

This amendment has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel.

This recommendation increases the contract to \$352,950, which is \$49,450 (14.01%) over the original contract amount. This project is financed by General Obligation Bond Series 2004. Funds are budgeted in architects & engineers

account #27211 in division #40-02-970203

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs and Mr. Steve Park, executive director, bond program management team

BUILDING & GROUNDS REPORT NO. 16

Approval of Amendment to Agreement with HDR Architecture, Inc.

It is recommended that authorization be given to approve an amendment to the agreement with HDR Architects, Inc. in an amount not to exceed \$93,282 for additional services for Brookhaven College.

Original Agreement	\$2,499,379
Previous Amendment (s)	\$840,260
Amendment	\$93,282
Revised Agreement	\$3,432,921

Background

The Board approved the original contract with HDR Architects, Inc. July 11, 2006 in the amount of \$2,499,379 for professional architectural and design services for the science and allied health building for Brookhaven College. Amendment 1 was a clarification of agreement wording, and for the additional 10,000 GSF (\$431,436). Also, the City of Farmers Branch required that the DCCCD develop a campus master plan (\$311,504) and related to the master plan, MEP and civil studies were required (\$97,320) totaling \$840,260. The following table contains information about prior amendments to the contract.

Board Approved	VCBA Approved	Change Order No.	Amount	Revised Contract
07/11/06			\$2,499,379	
12/05/06		1	\$840,260	\$3,339,639
Pending		2	\$93,282	\$3,432,921

This amendment of \$93,282 provides for additional fee due to the assembly of an early site bid package and professional services related to supplemental information to the City of Farmers Branch site plan application for planning and zoning.

This amendment has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel.

This recommendation increases the contract to \$3,432,921, which is \$933,542 (37.35%) over the original contract amount. This project is financed by General Obligation Bond Series 2004. Funds are budgeted in architects & engineers account #27211 in division #40-02-970202.

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs and Mr. Steve Park, executive director, bond program management team

BUILDING & GROUNDS REPORT NO. 17

Approval of Amendment to Agreement with KAI Texas, LLC

It is recommended that authorization be given to approve an amendment to the agreement with KAI Texas, LLC in an amount not to exceed \$24,946 for additional services for Eastfield College.

Original Agreement	\$726,590
Previous Amendment (s)	\$4,463
Amendment	\$24,946
Revised Agreement	\$755,999

Background

The Board approved the original contract with KAI Texas, LLC August 8, 2006 in the amount of \$726,590 for professional architectural and design services for the south campus (Pleasant Grove) of Eastfield College. Amendment 1 was a fee for additional services for the preparation of civil engineering drawings and specifications required for demolition of existing site improvements. Amendment 2 was clarification of agreement wording. The following table contains information about prior amendments to the contract.

Board Approved	VCBA Approved	Change Order No.	Amount	Revised Contract
08/08/06			\$726,590	
12/05/06		1	\$4,463	\$731,053
	02/14/07	2	0	\$731,053
Pending		3	\$24,946	\$755,999

This amendment of \$24,946 provides for additional services for an increase in the project size and scope of work, specifically additional classrooms and office space for the Southeast Dallas Chamber of Commerce.

This amendment has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel.

This recommendation increases the contract to \$755,999, which is \$29,409 (3.89%) over the original contract amount. This project is financed by General Obligation Bond Series 2004. Funds are budgeted in architects & engineers account #27211 in division #40-04-970401.

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs and Mr. Steve Park, executive director, bond program management team

**Summary of Recommendations for Agreements
With Minority and Woman Owned Businesses**

(Tab 18)

Recommendations in the Building and Grounds Reports Section of This Agenda
Architects and Engineers

	# agreements	% agreements	\$ amount	% amount
MBE	0	0	0	0
WBE	0	0	0	0
Not classified	0	0	0	0
Total	0	0	0	0

Pre-Qualified Pools from Which Recommendations for Agreements
In the Building and Grounds Reports Section of This Agenda Were Derived
Architects and Engineers

	# in pool	% in pool
MBE	0	0
WBE	0	0
Not classified	0	0
Total	0	0

Recommendations in the Building and Grounds Reports Sections
Architects and Engineers
September 4, 2007 – February 5, 2008

	# agreements	% agreements	\$ amount	% amount
MBE	1	20	79,310	17
WBE	2	40	85,539	18
Not classified	2	40	305,360	65
Total	5	100	470,209	100

Notes: This report excludes amendments and change orders because they attach to previously authorized engagements. Classification of an individual or company as a minority or women owned business may be according to self-report or personal knowledge rather than on registration with a certification agency. An individual or company that is both a minority and woman owned business has MBE status in this report. "Not classified" includes firms known to be neither minority nor woman owned as well as firms for which ethnicity and gender of ownership are not known.

Submitted by Mr. Ed DesPlas, vice chancellor of business affairs

FINANCIAL REPORT NO. 19

Approval of Expenditures for December 2007

It is recommended that expenditures for December 2007 be approved. A summary of expenditures is included in the FAB report. Detailed expenditure information is available in the business affairs office at the District Service Center.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs

FINANCIAL REPORT NO. 20

Presentation of Budget Report for December 2007

The budget report for December 2007 is presented as a matter of record (see attached).

Background

Board of Trustees Policy CDA (LOCAL) requires that “Periodic financial reports shall be submitted to the Board outlining the progress of the budget to that date....” This is accomplished through the Board’s Planning and Budget Committee meetings held throughout the year and also through this informative report that appears on the Board of Trustees agenda each month.

Statistically based exception reporting for the monthly budget reports was implemented November 5, 1991, and has been in continuous use since then. In 1991, the business affairs staff had observed two patterns: (1) a repetition one year to the next of similar questions from trustees about various line items, and, (2) a repetition of similar conditions in the budget reports occurring at predictable points during the fiscal year. These patterns, combined with the District’s history of always operating within its revenues, indicated the District’s budget management processes were stable. Stable processes are amenable to exception reporting based on statistical analysis.

As a general rule, line items in the unrestricted fund have the smallest standard deviations and line items in the restricted fund have the largest. The restricted fund is also prone to have more exceptions than the unrestricted fund. This is because the fiscal year for contracts and grants is almost always different from DCCCD’s fiscal year, and, because there is greater variability in awards of contracts and grants to DCCCD than exists with, for example, collection of tuition and taxes or expenses for instruction. These are normal business conditions for institutions of higher education.

Trustees are asked to approve the budget at the start of each fiscal year, usually at the September Board meeting after review in July and August, and to approve revisions to the budget in the Fall and Spring semesters. The revisions recognize use of fund balance for significant equipment purchases and maintenance projects, enrollments that exceed or fall short of projections, and other changes that arise during the course of business.

At the end of the fiscal year, August 31, the business affairs staff begins the process of closing the books. This involves recognizing encumbrances that will

be carried forward to the next fiscal year and making various other entries in what is called “13th month accounting.” The budget report for month ending August 31 should be viewed differently compared to the other monthly reports because the activities of 13th month accounting and closing the books begin immediately and culminate with publication of the audited annual financial statements in December. The Board’s Audit Committee reviews the audited financial statements, in concert with the independent auditor, before they are presented to the Board of Trustees.

In most cases, receipts and expenditures do not accumulate at the same rate as the fiscal year elapses. For example, whereas many salaries are paid at the rate of 1/12 per month, library books and classroom equipment are not purchased evenly throughout the year. Utility bills vary according to the season. Nonetheless, when reviewing a budget report it is normal to compare percent of receipts and expenditures to percent of fiscal year elapsed and to ask, “Why the difference? Is this normal?” The statistical calculation of means and standard deviations for each line item, based on a minimum of data from the seven preceding years, answers the question—“Is this normal?” In terms of statistical analysis, differences greater than plus or minus three standard deviations are exceptions and always warrant investigation. For purposes of the District’s monthly review of the budget, the business affairs staff provides an explanation for line items with differences greater than two standard deviations.

Since implementing this methodology in 1991, none of the exceptions have occurred as an attempt to defraud the District. Most often, exceptions in the unrestricted and auxiliary funds have been caused by changes in account classifications or schedules for recording certain expenses. Occasionally employee error or oversight has caused a line item to appear as an exception.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

REVENUES & ADDITIONS

Year-to-Date December 31, 2007
33.3% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget	Control Limits	Notes
UNRESTRICTED FUND						
State Appropriations	\$ 89,473,204	\$ 38,533,347	\$ 50,939,857	43.1%	38.2-51.6%	
Tuition	64,384,882	41,077,550	23,307,332	63.8%	57.0-65.8%	
Taxes for Current Operations	119,889,500	26,566,817	93,322,683	22.2%	2.1-32.9%	
Federal Grants & Contracts	981,855	321,691	660,164	32.8%	11.4-60.9%	
State Grants & Contracts	151,832	147,385	4,447	97.1%	n/a	
General Sources:						
Investment Income	6,250,000	2,292,150	3,957,850	36.7%	28.5-37.8%	
General Revenue	2,276,850	1,012,451	1,264,399	44.5%	n/a	
Subtotal General Sources	8,526,850	3,304,601	5,222,249	38.8%	26.1-49.9%	
SUBTOTAL UNRESTRICTED	283,408,123	109,951,391	173,456,732	38.8%	n/a	
Use of Fund Balance & Transfers-in	21,775,981	-	21,775,981	0.0%	n/a	
TOTAL UNRESTRICTED	305,184,104	109,951,391	195,232,713	36.0%	32.0-41.1%	
AUXILIARY FUND						
Sales & Services	6,545,897	1,423,625	5,122,272	21.7%	22.8-28.6%	(1)
Investment Income	373,426	111,478	261,948	29.9%	15.1-65.0%	
Transfers-in	4,523,797	4,523,797	-	100.0%	n/a	
Use of Fund Balance	735,408	-	735,408	0.0%	n/a	
TOTAL AUXILIARY	12,178,528	6,058,900	6,119,628	49.8%	13.9-58.0%	
RESTRICTED FUND						
State Appropriations:						
Insurance & Retirement Match	23,258,341	8,292,387	14,965,954	35.7%	n/a	
SBDC State Match	1,501,733	473,538	1,028,195	31.5%	n/a	
Subtotal State Appropriations	24,760,074	8,765,925	15,994,149	35.4%	n/a	
Grants, Contracts & Scholarships:						
Federal	63,601,103	9,366,936	54,234,167	14.7%	n/a	
State	7,032,507	1,014,342	6,018,165	14.4%	n/a	
Local	6,568,181	954,898	5,613,283	14.5%	n/a	
Transfers-in	942,019	33,007	909,012	3.5%	n/a	
Subtotal Grants, Contracts & Scholarships	78,143,810	11,369,183	66,774,627	14.5%	n/a	
Richland Collegiate High School	68,372	-	68,372	0.0%	n/a	
TOTAL RESTRICTED	102,972,256	20,135,108	82,837,148	19.6%	n/a	
RICHLAND COLLEGIATE HIGH SCHOOL						
State Funding	2,089,322	533,982	1,555,340	25.6%	n/a	
TOTAL COLLEGIATE HIGH SCHOOL	2,089,322	533,982	1,555,340	25.6%	n/a	
TOTAL REVENUES & ADDITIONS	\$ 422,424,210	\$ 136,679,381	\$ 285,744,829	32.4%	n/a	

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

EXPENDITURES & USES BY FUNCTION

Year-to-Date December 31, 2007
33.3% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget	Control Limits	Notes
UNRESTRICTED FUND						
Instruction	\$ 120,096,300	\$ 44,338,834	\$ 75,757,466	36.9%	34.9-39.2%	
Public Service	5,349,959	1,947,347	3,402,612	36.4%	25.6-35.2%	(2)
Academic Support	17,981,184	6,058,817	11,922,367	33.7%	30.2-38.7%	
Student Services	25,718,527	8,358,033	17,360,494	32.5%	31.6-34.1%	
Institutional Support	52,501,960	18,914,819	33,587,141	36.0%	29.3-35.3%	(3)
Staff Benefits	10,255,978	2,785,054	7,470,924	27.2%	25.3-31.9%	
Operations & Maintenance of Plant	27,781,934	12,440,765	15,341,169	44.8%	35.3-45.3%	
Repairs & Rehabilitation	20,124,989	2,829,035	17,295,954	14.1%	9.9-55.6%	
Special Items:						
Reserve - Campus	2,973,784	-	2,973,784	0.0%	n/a	
Reserve - Compensation	2,223,245	-	2,223,245	0.0%	n/a	
Reserve - Operating	2,942,084	-	2,942,084	0.0%	n/a	
Reserve - New Campuses	500,000	-	500,000	0.0%	n/a	
Reserve - Non-operating	329,194	-	329,194	0.0%	n/a	
TOTAL UNRESTRICTED	288,779,138	97,672,704	191,106,434	33.8%	32.5-37.5%	
AUXILIARY FUND						
Student Activities	6,409,059	2,265,135	4,143,924	35.3%	28.6-37.2%	
Sales & Services	4,755,375	1,904,194	2,851,181	40.0%	22.8-61.2%	
Reserve - Campus	532,018	-	532,018	0.0%	n/a	
Reserve - District	364,163	-	364,163	0.0%	n/a	
Transfers-out	117,913	92,821	25,092	78.7%	0.0-119.6%	
TOTAL AUXILIARY	12,178,528	4,262,150	7,916,378	35.0%	21.7-52.9%	
RESTRICTED FUND						
State Appropriations	23,258,341	8,292,387	14,965,954	35.7%	32.0-36.9%	
Grants & Contracts	33,691,255	7,940,987	25,750,268	23.6%	n/a	
Scholarships	45,954,288	3,901,734	42,052,554	8.5%	n/a	
Subtotal Grants, Contracts & Scholarships	102,903,884	20,135,108	82,768,776	19.6%	n/a	
Richland Collegiate High School	68,372	-	68,372	0.0%	n/a	
TOTAL RESTRICTED	102,972,256	20,135,108	82,837,148	19.6%	n/a	
RICHLAND COLLEGIATE H.S.						
Expenditures	2,089,322	356,928	1,732,394	17.1%	n/a	
TOTAL COLLEGIATE HIGH SCHOOL	2,089,322	356,928	1,732,394	17.1%	n/a	
SUBTOTAL EXPENDITURES & USES	406,019,244	122,426,890	283,592,354	30.2%	n/a	
TRANSFERS & DEDUCTIONS:						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,134,765	912,810	1,221,955	42.8%	36.3-49.2%	
LoanStar Loan to Debt Service Fund	208,281	208,281	-	100.0%	n/a	
Institutional Matching-Contracts/Grants	136,544	74,098	62,446	54.3%	7.8-89.4%	
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	4,523,797	4,523,797	-	100.0%	n/a	
Unexpended Plant Fund	6,350,000	3,600,000	2,750,000	56.7%	n/a	
Debt Service Fund	3,051,579	762,895	2,288,684	25.0%	n/a	
TOTAL TRANSFERS & DEDUCTIONS	16,404,966	10,081,881	6,323,085	61.5%	n/a	
TOTAL EXPENDITURES & USES	\$ 422,424,210	\$ 132,508,771	\$ 289,915,439	31.4%	n/a	

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

EXPENDITURES & USES BY ACCOUNT CLASSIFICATION

Year-to-Date December 31, 2007
33.3% of Fiscal Year Elapsed

	Approved Budget	Year-to-Date Actuals	Remaining Balance	Percent Budget
UNRESTRICTED FUND				
Salaries & Wages	\$ 186,246,675	\$ 66,198,234	\$ 120,048,441	35.5%
Staff Benefits	10,255,978	2,785,054	7,470,924	27.2%
Purchased Services	12,602,686	4,885,804	7,716,882	38.8%
Operating Expenses	64,209,478	20,514,235	43,695,243	31.9%
Supplies & Materials	9,016,721	4,173,408	4,843,313	46.3%
Minor Equipment	6,511,246	1,562,188	4,949,058	24.0%
Capital Outlay	6,593,703	1,855,521	4,738,182	28.1%
Charges	(15,625,655)	(4,301,740)	(11,323,915)	27.5%
SUBTOTAL UNRESTRICTED	279,810,832	97,672,704	182,138,128	34.9%
Reserve - Campus	2,973,784	-	2,973,784	0.0%
Reserve - Compensation	2,223,245	-	2,223,245	0.0%
Reserve - Operating	2,942,083	-	2,942,083	0.0%
Reserve - New Campuses	500,000	-	500,000	0.0%
Reserve - Non-operating	329,194	-	329,194	0.0%
Transfers & Deductions:				
Mandatory Transfers:				
Tuition to Debt Service Fund	2,134,765	912,810	1,221,955	42.8%
LoanStar Loan to Debt Service Fund	208,281	208,281	-	100.0%
Institutional Matching - Contracts/Grants	136,544	74,098	62,446	54.3%
Non-Mandatory Transfers & Deductions:				
Auxiliary Fund	4,523,797	4,523,797	-	100.0%
Unexpended Plant Fund	6,350,000	3,600,000	2,750,000	56.7%
Debt Service Fund	3,051,579	762,895	2,288,684	25.0%
TOTAL UNRESTRICTED	305,184,104	107,754,585	197,429,519	35.3%
AUXILIARY FUND	12,178,528	4,262,150	7,916,378	35.0%
RESTRICTED FUND	102,972,256	20,135,108	82,837,148	19.6%
RICHLAND COLLEGIATE HIGH SCHOOL	2,089,322	356,928	1,732,394	17.1%
TOTAL EXPENDITURES & USES	\$ 422,424,210	\$ 132,508,771	\$ 289,915,439	31.4%

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

REVENUES & ADDITIONS

Year-to-Date - 33.3% of Fiscal Year Elapsed

	December 31, 2007			December 31, 2006		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
UNRESTRICTED FUND						
State Appropriations	\$ 89,473,204	\$ 38,533,347	43.1%	\$ 84,752,747	\$ 36,484,638	43.0%
Tuition	64,384,882	41,077,550	63.8%	60,814,917	38,241,485	62.9%
Taxes for Current Operations	119,889,500	26,566,817	22.2%	110,791,496	20,744,439	18.7%
Federal Grants & Contracts	981,855	321,691	32.8%	1,133,870	523,799	46.2%
State Grants & Contracts	151,832	147,385	97.1%	131,292	3,176	2.4%
General Sources:						
Investment Income	6,250,000	2,292,150	36.7%	4,925,543	1,764,050	35.8%
General Revenue	2,276,850	1,012,451	44.5%	2,256,630	782,168	34.7%
Subtotal General Sources	8,526,850	3,304,601	38.8%	7,182,173	2,546,218	35.5%
SUBTOTAL UNRESTRICTED	283,408,123	109,951,391	38.8%	264,806,495	98,543,755	37.2%
Use of Fund Balance & Transfers-in	21,775,981	-	0.0%	10,251,852	-	0.0%
TOTAL UNRESTRICTED	305,184,104	109,951,391	36.0%	275,058,347	98,543,755	35.8%
AUXILIARY FUND						
Sales & Services	6,545,897	1,423,625	21.7%	7,227,730	1,673,945	23.2%
Investment Income	373,426	111,478	29.9%	385,322	121,432	31.5%
Transfers-in	4,523,797	4,523,797	100.0%	3,998,797	3,998,797	100.0%
Use of Fund Balance	735,408	-	0.0%	351,462	-	0.0%
TOTAL AUXILIARY	12,178,528	6,058,900	49.8%	11,963,311	5,794,174	48.4%
RESTRICTED FUND						
State Appropriations:						
Insurance & Retirement Match	23,258,341	8,292,387	35.7%	20,959,931	7,302,057	34.8%
SBDC State Match	1,501,733	473,538	31.5%	1,365,210	447,784	32.8%
Subtotal State Appropriations	24,760,074	8,765,925	35.4%	22,325,141	7,749,841	34.7%
Grants, Contracts & Scholarships:						
Federal	63,601,103	9,366,936	14.7%	63,652,450	8,193,649	12.9%
State	7,032,507	1,014,342	14.4%	5,924,624	671,382	11.3%
Local	6,568,181	954,898	14.5%	5,425,565	1,015,865	18.7%
Transfers-in	942,019	33,007	3.5%	903,745	139,965	15.5%
Subtotal Grants, Contracts & Scholarships	78,143,810	11,369,183	14.5%	75,906,384	10,020,861	13.2%
Richland Collegiate High School	68,372	-	0.0%	n/a	n/a	n/a
TOTAL RESTRICTED	102,972,256	20,135,108	19.6%	98,231,525	17,770,702	18.1%
RICHLAND COLLEGIATE HIGH SCHOOL						
State Funding	2,089,322	533,982	25.6%	n/a	n/a	n/a
TOTAL COLLEGIATE HIGH SCHOOL	2,089,322	533,982	25.6%	n/a	n/a	n/a
TOTAL REVENUES & ADDITIONS	\$ 422,424,210	\$ 136,679,381	32.4%	\$ 385,253,183	\$ 122,108,631	31.7%

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

EXPENDITURES & USES BY FUNCTION

Year-to-Date - 33.3% of Fiscal Year Elapsed

	December 31, 2007			December 31, 2006		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
UNRESTRICTED FUND						
Instruction	\$ 120,096,300	\$ 44,338,834	36.9%	\$ 119,358,286	\$ 43,725,195	36.6%
Public Service	5,349,959	1,947,347	36.4%	5,621,001	1,600,031	28.5%
Academic Support	17,981,184	6,058,817	33.7%	16,587,463	6,051,806	36.5%
Student Services	25,718,527	8,358,033	32.5%	25,389,830	7,909,030	31.2%
Institutional Support	52,501,960	18,914,819	36.0%	49,492,311	17,724,178	35.8%
Staff Benefits	10,255,978	2,785,054	27.2%	10,106,751	2,932,276	29.0%
Operations & Maintenance of Plant	27,781,934	12,440,765	44.8%	27,147,376	11,756,213	43.3%
Repairs & Rehabilitation	20,124,989	2,829,035	14.1%	7,106,956	1,394,158	19.6%
Special Items:						
Reserve - Campus	2,973,784	-	0.0%	736,058	-	0.0%
Reserve - Compensation	2,223,245	-	0.0%	-	-	0.0%
Reserve - Operating	2,942,084	-	0.0%	1,382,500	-	0.0%
Reserve - New Campuses	500,000	-	0.0%	500,000	-	0.0%
Reserve - Non-operating	329,194	-	0.0%	658,910	-	0.0%
TOTAL UNRESTRICTED	288,779,138	97,672,704	33.8%	264,087,442	93,092,887	35.3%
AUXILIARY FUND						
Student Activities	6,409,059	2,265,135	35.3%	6,054,509	2,169,636	35.8%
Sales & Services	4,755,375	1,904,194	40.0%	5,317,752	1,950,773	36.7%
Reserve - Campus	532,018	-	0.0%	158,234	-	0.0%
Reserve - District	364,163	-	0.0%	327,816	-	0.0%
Transfers-out	117,913	92,821	78.7%	105,000	84,971	80.9%
TOTAL AUXILIARY	12,178,528	4,262,150	35.0%	11,963,311	4,205,380	35.2%
RESTRICTED FUND						
State Appropriations	23,258,341	8,292,387	35.7%	20,959,931	7,302,057	34.8%
Grants & Contracts	33,691,255	7,940,987	23.6%	31,355,580	6,526,533	20.8%
Scholarships	45,954,288	3,901,734	8.5%	45,916,014	3,942,112	8.6%
Subtotal Grants, Contracts & Scholarships	102,903,884	20,135,108	19.6%	98,231,525	17,770,702	18.1%
Richland Collegiate High School	68,372	-	0.0%	n/a	n/a	n/a
TOTAL RESTRICTED	102,972,256	20,135,108	19.6%	98,231,525	17,770,702	18.1%
RICHLAND COLLEGIATE H.S.						
Expenditures	2,089,322	356,928	17.1%	n/a	n/a	n/a
TOTAL COLLEGIATE HIGH SCHOOL	2,089,322	356,928	17.1%	n/a	n/a	n/a
SUBTOTAL EXPENDITURES & USES	406,019,244	122,426,890	30.2%	374,282,278	115,068,969	30.7%
TRANSFERS & DEDUCTIONS:						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,134,765	912,810	42.8%	1,894,389	903,690	47.7%
LoanStar Loan to Debt Service Fund	208,281	208,281	100.0%	208,281	208,281	100.0%
Institutional Matching-Contracts/Grants	136,544	74,098	54.3%	63,000	-	0.0%
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	4,523,797	4,523,797	100.0%	3,998,797	3,998,797	100.0%
Unexpended Plant Fund	6,350,000	3,600,000	56.7%	1,250,000	1,250,000	100.0%
Debt Service Fund	3,051,579	762,895	25.0%	3,556,438	911,316	25.6%
TOTAL TRANSFERS & DEDUCTIONS	16,404,966	10,081,881	61.5%	10,970,905	7,272,084	66.3%
TOTAL EXPENDITURES & USES	\$ 422,424,210	\$ 132,508,771	31.4%	\$ 385,253,183	\$ 122,341,053	31.8%

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
2007-08 CURRENT FUNDS OPERATING BUDGET

EXPENDITURES & USES BY ACCOUNT CLASSIFICATION

Year-to-Date - 33.3% of Fiscal Year Elapsed

	December 31, 2007			December 31, 2006		
	Approved Budget	Year-to-Date Actuals	Percent Budget	Approved Budget	Year-to-Date Actuals	Percent Budget
UNRESTRICTED FUND						
Salaries & Wages	\$ 186,246,675	\$ 66,198,234	35.5%	\$ 181,688,260	\$ 64,183,275	35.3%
Staff Benefits	10,255,978	2,785,054	27.2%	10,106,751	2,932,276	29.0%
Purchased Services	12,602,686	4,885,804	38.8%	11,658,334	3,623,786	31.1%
Operating Expenses	64,209,478	20,514,235	31.9%	49,737,943	18,351,694	36.9%
Supplies & Materials	9,016,721	4,173,408	46.3%	8,679,707	4,261,197	49.1%
Minor Equipment	6,511,246	1,562,188	24.0%	2,987,856	2,135,180	71.5%
Capital Outlay	6,593,703	1,855,521	28.1%	9,065,193	1,606,064	17.7%
Charges	(15,625,655)	(4,301,740)	27.5%	(13,114,070)	(4,000,585)	30.5%
SUBTOTAL UNRESTRICTED	279,810,832	97,672,704	34.9%	260,809,974	93,092,887	35.7%
Reserve - Campus	2,973,784	-	0.0%	736,058	-	0.0%
Reserve - Compensation	2,223,245	-	0.0%	-	-	0.0%
Reserve - Operating	2,942,083	-	0.0%	1,382,500	-	0.0%
Reserve - New Campuses	500,000	-	0.0%	500,000	-	0.0%
Reserve - Non-operating	329,194	-	0.0%	658,910	-	0.0%
Transfers & Deductions:						
Mandatory Transfers:						
Tuition to Debt Service Fund	2,134,765	912,810	42.8%	1,894,389	903,690	47.7%
LoanStar Loan to Debt Service Fund	208,281	208,281	100.0%	208,281	208,281	100.0%
Institutional Matching - Contracts/Grants	136,544	74,098	54.3%	63,000	-	0.0%
Non-Mandatory Transfers & Deductions:						
Auxiliary Fund	4,523,797	4,523,797	100.0%	3,998,797	3,998,797	100.0%
Unexpended Plant Fund	6,350,000	3,600,000	56.7%	1,250,000	1,250,000	100.0%
Debt Service Fund	3,051,579	762,895	25.0%	3,556,438	911,316	25.6%
TOTAL UNRESTRICTED	305,184,104	107,754,585	35.3%	275,058,347	100,364,971	36.5%
AUXILIARY FUND	12,178,528	4,262,150	35.0%	11,963,311	4,205,380	35.2%
RESTRICTED FUND	102,972,256	20,135,108	19.6%	98,231,525	17,770,702	18.1%
RICHLAND COLLEGIATE HIGH SCHOOL	2,089,322	356,928	17.1%	n/a	n/a	n/a
TOTAL EXPENDITURES & USES	\$ 422,424,210	\$ 132,508,771	31.4%	\$ 385,253,183	\$ 122,341,053	31.8%

NOTES

A column titled “Control Limits” appears in the two spreadsheets, *Revenues & Additions* and *Expenditures & Uses by Function*, to illustrate the method of analysis. This column contains plus and minus two standard deviations of the mean for each line item. If the entry is “n/a”, this is a line item that aggregates differently in the new format for the budget report and/or there is no historical data yet available.

- (1) Actual *Sales & Services* reflects a lower than normal percent of budget due to a reduction in revenues for the University Center of Dallas.
- (2) Actual *Public Service* reflects a higher than normal percent of budget due to an increase in contracted services at the Bill J. Priest Institute in support of grant programs.
- (3) An analysis of *Institutional Support* reveals that the higher than normal percent of budget is not tied to any specific location or division, but is rather the net effect of various increases and decreases at each location.

FINANCIAL REPORT NO. 21

Approval of Tuition for Continuing Education Courses

It is recommended that approval be given to the attached continuing education course tuitions. This recommendation is made to comply with the Texas Higher Education Coordinating Board guideline: "Tuition and fees for workforce continuing education courses offered for continuing education units (CEUs) must be established by the institution's governing board and be uniformly and consistently assessed."

Background

There are three attached lists compiled from information supplied by deans of continuing education at the colleges. The first list is *Retroactive Approval for Workforce Education CEU Reimbursable Courses* and contains courses not included on the November 2007 board agenda that need to be reported for 2nd quarter reimbursement. The second list is *New Tuition for Workforce Education CEU Reimbursable Courses* and represents changes in tuition costs beginning 3rd quarter. The third list, *New Workforce Education CEU Courses*, contains courses being offered for the first time during 3rd quarter. Because the Coordinating Board groups courses of similar content under generic course numbers, course numbers are repeated.

These courses are reimbursed at the same rate per contact hour as equivalent credit courses. Community colleges report CEU courses for contact hour reimbursement at the end of each reporting quarter (1st quarter: September – November, 2nd quarter: December – February, 3rd quarter: March – May, 4th quarter: June - August).

Tuition varies according to the following factors:

Direct Costs: Instructor salaries; materials, software and equipment for specialized courses; special marketing and recruitment efforts

Indirect Costs: Rental of off-campus facilities.

Submitted by Dr. Andrew Jones, vice chancellor of educational affairs and Ms. Joyce Williams, interim district director of workforce education

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
CONTINUING EDUCATION COURSE TUITION SCHEDULE
EFFECTIVE FOR 3rd QUARTER (March 1, 2008 – May 31, 2008)**

RETROACTIVE APPROVAL FOR WORKFORCE EDUCATION CEU REIMBURSABLE COURSES							
ID	College	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours	Comments/Explanatory Notes
1.	CVC	SLPS	1013	Basic Security - Level III	\$ 150	24	Setup after submission of last report.
2.	CVC	CNBT	1091	Green Building Certificate	\$ 1,495	42	See ID #1
3.	ECC	POFT	1010	Basic Keyboarding	\$ 125	48	See ID #1
4.	ECC	POFI	2001	Word Processing	\$ 160	64	See ID #1
5.	ECC	ITNW	1037	Introduction to the Internet	\$ 125	48	See ID #1
6.	ECC	ITSC	1001	Introduction to Computers	\$ 125	48	See ID #1
7.	EFC	EECT	1004	Electronic Solder	\$ 39	32	See ID #1
8.	EFC	EECT	1004	Electronic Solder	\$ 78	48	See ID #1
9.	EFC	ELPT	2000	Overcurrent Protection	\$ 40	4	See ID #1
10.	EFC	ELPT	2000	Electrical Circuits and Loads	\$ 40	4	See ID #1
11.	EFC	HART	2001	Heating Ventilation and Air Conditioning Contractors Examination Preparation	\$ 195	48	See ID #1
12.	MVC	FMKT	1091	Practicum: Floral Design	\$ 85	18	See ID #1
13.	NLC	CNBT	1091	Supervisory Training Program: Contract Documents and Construction Law	\$ 33	20	See ID #1
14.	NLC	CNBT	1091	Supervisory Training Program: Understanding and Managing Construction Costs	\$ 33	20	See ID #1
15.	NLC	CNBT	1091	Supervisory Training Program: Managing the Project	\$ 33	20	See ID #1
16.	NLC	CNBT	1091	Supervisory Training Program: Leadership and Motivation	\$ 33	20	See ID #1
17.	NLC	CNBT	1091	Basic Commercial Blueprint Reading	\$ 33	30	See ID #1
18.	NLC	CNBT	1091	Ceramic Tile, Hardwood, and Laminate Floor Techniques	\$ 109	21	See ID #1
19.	NLC	CNSE	1091	Site Layout II	\$ 138	80	See ID #1

**RETROACTIVE APPROVAL FOR
WORKFORCE EDUCATION CEU REIMBURSABLE COURSES**

ID	College	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours	Comments/Explanatory Notes
20.	NLC	DFTG	1091	Introduction to Building Systems Design Auto Computer Aided Design (CAD)	\$ 33	30	See ID #1
21.	NLC	DFTG	1091	Intermediate Building Systems Design Auto Computer Aided Design (CAD)	\$ 33	30	See ID #1
22.	NLC	ELPT	1001	Electrical Maintenance Skills	\$ 89	16	See ID #1
23.	NLC	FIRT	1091	Fire Alarm II	\$ 137	80	See ID #1
24.	NLC	HART	1091	Pneumatics Basic through Advanced	\$ 33	16	See ID #1
25.	NLC	HART	1091	Estimating: Heating, Ventilation, Air Conditioning (HVAC) Piping and Plumbing	\$ 75	48	See ID #1
26.	NLC	ITSW	1046	Microsoft Excel for Construction Trades II	\$ 95	12	See ID #1
27.	NLC	MCHN	1091	Occupational Safety and Health Administration (OSHA) - 10 Hour General Industry	\$ 33	10	See ID #1
28.	NLC	PFPB	1011	Backflow Awareness	\$ 33	16	See ID #1
29.	NLC	PFPB	1091	Backflow Practical Skills Refresher	\$ 33	8	See ID #1
30.	NLC	POFT	1027	Introduction/Keyboarding	\$ 78	32	See ID #1
31.	RLC	ARTV	1040	Lighting, Shading and Texture	\$ 117	96	See ID #1
32.	RLC	ELPT	1002	Electrical Power	\$ 720	24	See ID #1
33.	RLC	FRNL	1001	Command Spanish for the Medical Practice	\$ 360	32	See ID #1
34.	RLC	PHRA	1045	Accredited Council on Pharmacy Education (ACPE) Approved IV Technician Certificate	\$ 595	56	See ID #1

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
CONTINUING EDUCATION COURSE TUITION SCHEDULE
EFFECTIVE FOR 3rd QUARTER (March 1, 2008 – May 31, 2008)**

NEW TUITION FOR WORKFORCE EDUCATION CEU REIMBURSABLE COURSES						
ID	College	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours
35.	BHC	HRPO	1007	Performance Reviews-The Why, How, and When	\$ 65	8
36.	BHC	BMGT	1022	Crash Course in Essential Communication Skills	\$ 65	8
37.	BHC	COMG	1009	Fearless Public Speaking and Presentations	\$ 75	9
38.	BHC	ETWR	1043	Technical Writing A to Z	\$ 85	9
39.	BHC	WLDG	1009	Oxy-Acetylene and Arc Welding Techniques for the Craftsman	\$ 180	39
40.	BHC	WLDG	1003	Oxy-Acetylene and Gas Metal Arc Welding Techniques for the Craftsman	\$ 180	39
41.	BHC	EMSP	1047	Pediatric Advanced Life Support	\$ 170	16
42.	BHC	EMSP	2039	Pediatric Advanced Life Support Fast Track	\$ 130	8
43.	ECC	CVOP	2031	Trucking Environment/Lifestyles	\$ 192	16
44.	ECC	CVOP	1005	Commercial Drivers License Written Skills	\$ 473	43
45.	ECC	CVOP	2001	Federal Motor Carrier Safety Regulations	\$ 297	27
46.	ECC	CVOP	1013	Professional Truck Driver I	\$ 1,840	80
47.	ECC	CVOP	2005	Fundamental Driving Skills	\$ 800	32
48.	ECC	CVOP	2037	Advanced Driving Skills II	\$ 800	32
49.	ECC	CVOP	1015	Commercial Drivers License	\$ 98	7
50.	EFC	FITT	1045	Lifeguard/Cardiopulmonary Resuscitation/Automatic External Defibrillation/First Aid	\$ 175	32
51.	EFC	FITT	1045	Lifeguard/Cardiopulmonary Resuscitation/Automatic External Defibrillation/First Aid Review/Recertification	\$ 100	16
52.	NLC	BMGT	1091	Project Management Professional Exam Preparation	\$ 835	21
53.	NLC	BUSG	1009	eBay Basics	\$ 59	12
54.	NLC	ITNW	1007	Internet and E-Mail Basics	\$ 59	12
55.	NLC	ITSC	1006	Introduction to Personal Computers	\$ 59	12
56.	NLC	ITSC	1012	Introduction to Computers	\$ 99	12

NEW TUITION FOR WORKFORCE EDUCATION CEU REIMBURSABLE COURSES						
ID	College	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours
57.	NLC	ITSC	1012	Beginning Computers	\$ 59	12
58.	NLC	ITSW	1041	Intermediate PowerPoint	\$ 60	20
59.	NLC	ITSW	1053	Introduction to Microsoft Access 2003	\$ 60	20
60.	NLC	ITSW	1058	Newsletters, Cards and Labels for the Entrepreneur	\$ 59	12
61.	NLC	ITSW	1058	Business Calendars, Flyers and Custom Certificates	\$ 59	12
62.	NLC	ITSW	2029	Intermediate Excel	\$ 60	20
63.	NLC	ITSW	2047	Advanced Access	\$ 60	20
64.	NLC	ITSW	2049	Advanced Excel	\$ 60	20
65.	NLC	ITSW	2055	Intermediate Access	\$ 60	20
66.	NLC	PHTC	1004	Digital Cameras	\$ 79	16
67.	NLC	PHTC	1004	Second Level - Digital Cameras	\$ 79	16
68.	NLC	POFI	1024	Introduction to Microsoft Word 2003	\$ 60	20
69.	NLC	POFI	1024	Intermediate Microsoft Word	\$ 60	12
70.	NLC	POFI	1042	Intermediate Word	\$ 60	20
71.	NLC	POFI	2037	Advanced Word	\$ 60	20
72.	RLC	ARTC	1090	PhotoShop I (MAC)	\$ 250	32
73.	RLC	ARTC	1090	PhotoShop I (PC)	\$ 250	32
74.	RLC	ARTC	1090	PhotoShop II (MAC)	\$ 250	32
75.	RLC	ARTC	1090	PhotoShop II (PC)	\$ 250	32
76.	RLC	NANO	1001	Introduction to Nanotechnology	\$ 117	48

**DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
CONTINUING EDUCATION COURSE TUITION SCHEDULE
EFFECTIVE FOR 3rd QUARTER (March 1, 2008 – May 31, 2008)**

NEW WORKFORCE EDUCATION CEU REIMBURSABLE COURSES						
ID	Campus	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours
77.	BHC	ETWR	1000	ABC's of Grant Writing	\$ 65	24
78.	BHC	FMKT	1000	Identification of Flowers and Foliage	\$ 65	9
79.	BHC	FMKT	1000	Essential Floral Techniques	\$ 90	12
80.	BHC	FMKT	1005	Arranging With Dried and Silk Flowers	\$ 80	12
81.	BHC	FMKT	1010	Floral Arrangements for Sympathy	\$ 75	9
82.	BHC	FMKT	1015	Professional Floral Wedding Design	\$ 110	15
83.	BHC	FMKT	1015	Floral Arrangements for Weddings and Celebrations	\$ 95	15
84.	CVC	VHPA	1001	Introduction to Auto Parts and Sales	\$ 165	32
85.	CVC	VHPA	1041	Auto Parts Counter Sales	\$ 215	48
86.	CVC	DEMR	2031	Advanced Brake Systems	\$ 117	48
87.	CVC	PHRA	1060	Pharmacy Technician Program	\$ 999	50
88.	CVC	DNTA	1015	Dental Assisting Program	\$ 1,799	100
89.	CVC	ECRD	1011	EKG Technician Certification	\$ 999	50
90.	EFC	CDEC	1008	Active Ways to Learn in the Pre-School Classroom	\$ 35	7
91.	EFC	CDEC	1012	Guiding Unique Children	\$ 35	7
92.	EFC	EECT	1091	Electrical System Technician	\$ 225	40
93.	EFC	FITT	1046	Water Safety Instructor	\$ 175	42
94.	EFC	INSR	2000	Ethics and Consumer Protection	\$ 125	7
95.	MVC	ACNT	1001	How to Plan & Manage a Company Budget	\$ 129	16
96.	MVC	ACNT	2033	QuickBooks Pro 2007 II	\$ 159	24
97.	MVC	FMKT	1091	Practicum: Event & Wedding Planning	\$ 85	18
98.	NLC	BMGT	1012	Project Management - An Introduction	\$ 139	7
99.	NLC	BMGT	1019	The Project Team	\$ 139	7
100.	NLC	BMGT	1024	Project Implementation-Taking Action	\$ 139	8

NEW WORKFORCE EDUCATION CEU REIMBURSABLE COURSES						
ID	Campus	Course Rubric	Course Number	Local Course Title (no abbreviations)	Total Tuition	Total Contact Hours
101.	NLC	HMSY	1009	Preserving Identity Security	\$ 69	8
102.	NLC	HMSY	1015	Evaluating Security Risk	\$ 69	8
103.	NLC	HMSY	1025	Emergency Management: Personal and Community Preparedness	\$ 69	8
104.	NLC	HMSY	1034	Emergency Management: Preparation Before Disaster	\$ 69	8
105.	NLC	ITSC	1006	Introduction to PCs	\$ 90	28
106.	NLC	ITSC	1022	Windows XP Operating Systems	\$ 99	12
107.	NLC	ITSC	1091	Microsoft Project	\$ 99	12
108.	NLC	ITSW	1022	Excel I	\$ 99	12
109.	NLC	ITSW	1046	Excel II	\$ 99	12
110.	NLC	ITSW	1053	Access I	\$ 119	16
111.	NLC	ITSW	1055	Access II	\$ 119	16
112.	NLC	POFI	1005	Publisher	\$ 119	16
113.	NLC	POFI	1024	Word I	\$ 99	12

FINANCIAL REPORT NO. 22

Approval of Resolution Authorizing Cash Accounts

It is recommended that authorization be given for the resolution authorizing cash accounts with Texas Local Government Investment Pool (TexPool).

Background

The Board approved TexPool as an authorized broker-dealer October 2, 2007 (Financial Report No. 30). The resolution enumerates and presents authorized signatures for the following persons: Robb Dean, Wendy Fu, Betty Butler, and Ginny Selman.

Board action is required on the resolutions in compliance with TexPool requirements.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs

FINANCIAL REPORT NO. 23

Approval of Agreement with American Animal Hospital Association

It is recommended that authorization be given to approve an agreement with American Animal Hospital Association in an amount not to exceed \$439,790 for the period September 1, 2006 through August 31, 2008, to provide online instruction in the Distance Education Veterinary Technology Program through Cedar Valley College.

Background

This is a contract for Educational Services between Cedar Valley College (CVC) and the American Animal Hospital (AAHA). Eligibility to participate in the training is limited to enrollments through AAHA as a member or non-member designation. *A contract must be authorized by the Board and the governing body of each contracting party; must state the purpose, terms, rights, and duties of the contracting parties; and must specify that each party paying for the performance of governmental functions or services shall make these payments from current revenues available to the paying party. The payments must be an amount that fairly compensates the performing party for the services, and the contract may be reviewed annually.* The educational services provided in the contract are not to exceed \$439,790. In this agreement, educational services are defined as delivery of online instruction, testing, development of curriculum and student advisement.

The purpose of this Agreement is to allow CVC to provide online instruction presented in three levels—basic, intermediate and advanced, as well as general education and other veterinary courses required to grant an Associate of Arts and Applied Science (AAS) degree to AAHA members and non-members. The first three levels have been designed as non-credit courses. An articulation agreement between the Distance Educational Veterinarian Technology Program (DEVTP) and the onsite program has been developed to convert CEU's earned through DEVTP to academic credit hours in the corresponding on-campus courses at no additional cost to the student. CVC has agreed to offer by distance learning, laboratory and large animal courses, a preceptorship, and any other American Veterinary Medical Association requirements to maintain accreditation.

Cedar Valley College is requesting retroactive approval. The College assumed that there was an automatic renewal of the contract existing from September 1, 2004 to August 31, 2006. When the error was realized, the agenda item was prepared for Board approval.

This recommendation has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel;
- Assurance from the chief business officer, David Browning, vice president of business services, that relevant provisions of the *Board Policy Manual* have been observed;
- Approval of the substance of the agreement by Jennifer Wimbish, president

Estimated revenues are \$1,191,300.

Estimated expenditures are \$439,790.

Financial resources are budgeted in account # 11-03-505121-22321.

Submitted by Dr. Jennifer Wimbish, president, Cedar Valley College and Mrs. Jennie Pollard, executive dean, math, science and allied health division

FINANCIAL REPORT NO. 24

Approval of Memorandum of Agreement with Dallas Chapter, American Payroll Association

It is recommended that authorization be given to approve a memorandum of agreement with the Dallas Chapter, American Payroll Association in an amount not to exceed \$36,673 for the period February 6, 2008, through December 31, 2008, to provide non-credit instructional training in payroll management for North Lake College.

Background

In an effort to respond to the widening market demand for payroll managers, North Lake College wishes to enter into an agreement with the Dallas Chapter, American Payroll Association to provide non-credit instructional training in payroll management. North Lake College will provide the facilities for the program and monitor the curriculum, the instructors, and the student registration. The Dallas Chapter, American Payroll Association will provide textbooks, instructors, and student evaluations for the program. Upon completion of the courses, the Dallas Chapter, American Payroll Association will submit attendance rolls and invoices to North Lake College, who will in turn pay the Dallas Chapter, American Payroll Association eighty percent (80%) of the revenue received from student tuition payments. It is estimated that 115-132 students per year will enroll in this program through North Lake College.

This recommendation has undergone the following administrative review:

- Approval of the form of the agreement from DCCCD's legal counsel;
- Assurance from the chief business officer, Christa Slejko, vice president of business services, that relevant provisions of the *Board Policy Manual* have been observed;
- Approval of the substance of the agreement by Herlinda M. Glasscock, president.

Estimated revenues are \$45,842. Estimated expenditures are \$36,673. Financial resources are budgeted in account # 11-07-577000-22301.

Submitted by Dr. Herlinda Glasscock, president, North Lake College

FINANCIAL REPORT NO. 25

Approval of Right of Way Agreement with Texas Midstream Gas Services, LLC

It is recommended that the Board of Trustees authorize the Board Chairman to execute a Right of Way Agreement with Texas Midstream Gas Services, LLC that provides an easement along Highway 121 and on the Coppell property as evidenced by the attached Agreement.

Background

Texas Midstream Gas Services is a common carrier for petroleum and other products. The primary purpose of the pipelines will be to transport gas, oil, or other inert gases or substances. They have approached the District with a request to purchase an easement for one pipeline on the perimeter of our land purchased for the North Lake College – North Community Campus.

The Easement is eighty feet wide during construction of the two pipelines and will revert to a permanent easement of thirty feet wide. The easement will be 1,292 feet in length and will occupy .803 acres. The District is prevented from constructing any structure on the permanent easement area. Because of its location, it will not interfere with the normal use of the property as planned for the construction of parking lots, drives or buildings for the community campus. According to legal counsel, the District does not have the ability to deny the easement requested by a common carrier, such as Midstream Gas. In addition, Texas Midstream Gas has requested permission to do a “pipe pull” through the intersection of S.H. 121 and Sandy Lake Road using temporary access to our land. This procedure will require a short-term temporary boring to construct the pipelines as the pipelines proceed away from our property to the highway intersection. We do not expect that this access will interfere with our activities for construction on the property. The property will be restored to its previous condition.

Expected revenues are \$220,157 in payment for the easement and the related temporary access. These monies will be provided for additional expenditures that may develop within the capital improvement program. Financial revenues will be added to the budget in account # 40-11-000000-17971 during the spring revision.

Submitted by Mr. Edward DesPlas, vice chancellor for business affairs

**Summary of Recommendations for Agreements
With Minority and Woman Owned Businesses**

(Tab 26)

Recommendations in the Financial Reports Section of This Agenda

	# agreements	% agreements	\$ amount	% amount
MBE	0	0	0	0
WBE	0	0	0	0
Not classified	0	0	0	0
Total	0	0	0	0

Respondents from Which Recommendations for Agreements
In the Financial Section of This Agenda Were Derived

	#	%
MBE	0	0
WBE	0	0
Not classified	0	0
Total	0	0

Recommendations in the Financial Reports Sections
September 4, 2007 – February 5, 2008

	# agreements	% agreements	\$ amount	% amount
MBE	0	0	0	0
WBE	3	38	356,070	7
Not classified	5	63	4,785,136	93
Total	8	100	5,141,206	100

Notes: This report excludes government agencies, state supported institutions, municipalities, non-profit organizations, publicly traded firms, individuals or organizations written into grant proposals, civic and other organizations not logically classified as minority or woman owned businesses. This report also excludes amendments because they attach to previously authorized engagements. Classification of an individual or company as minority or woman owned may be according to self-report or personal knowledge rather than on registration with a certification agency. An individual or company that is both a minority and woman owned business has MBE status in this report. "Not classified" includes firms known to be neither minority nor woman owned as well as firms for which ethnicity and gender of ownership is not known.

Submitted by Mr. Edward DesPlas, vice chancellor for business affairs

PERSONNEL REPORT NO. 27

Reemployment of Faculty for Three-Year Contracts with Alternative Schedules

It is recommended that the Chancellor, on behalf of the DCCCD, be authorized to enter into written contracts of employment, subject to assignment, with the persons named below on the terms and at the compensation indicated.

Last Name	First Name	Campus	Range	Year
Martinez	Joe	5	F01	3 - May 2008 through January 2011
Peschka	Gary	5	F02	3 - January 2008 through September 2011

Background

This is an annual recommendation to authorize contracts of employment with persons who have been previously approved by the Board as full-time faculty members. Due to the nature of the courses taught by these instructors, these recommendations are for periods other than the traditional Academic Year.

It is recommended that the Chancellor, on behalf of the DCCCD, be authorized to enter into written contracts of employment, subject to assignment, with the persons named on the terms and at the compensation indicated.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

PERSONNEL REPORT NO. 28

Consideration of Retirements and Resignations

RETIREMENTS

Williams, Shirley (District Service Center)	District Director of Communication	January 31, 2008
Burnham, Weldon (Richland)	Instructor, Chemistry	January 31, 2008

RESIGNATIONS

Hellmund, Roy (Brookhaven)	Instructor, Automotive Technology	January 11, 2008
Collins, Otis (Eastfield)	Visiting Scholar-Faculty HVAC Program	December 12, 2007
Smith, Rhonda (North Lake) (Part-time)	Campus Peace Officer	January 14, 2008

Background

Retirements

Ms. Shirley Williams (District Service Center) is retiring after serving the district for twenty-four years. Mr. Weldon Burnham (Richland) is retiring after serving the district for thirty-five years.

Resignations

Mr. Roy Hellmund (Brookhaven) is resigning for personal reasons after serving the district for twelve years. Mr. Otis Collins (Eastfield) is resigning due to an increase in his self-employed business after serving the district for five years. Ms. Rhonda Smith (North Lake) is resigning for personal reasons after serving the district for two months.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

DALLAS COUNTY COMMUNITY COLLEGE DISTRICT
 ADJUNCT FACULTY TEACHING CREDIT CLASSES
 BY ETHNICITY & LOCATION
 PAID ON DECEMBER 31, 2006

	Brookhaven		Cedar Valley		Eastfield		El Centro	
Paid On 12/31/06	#	% Loc.	#	% Loc.	#	% Loc.	#	% Loc.
White/Non-Hispanic	339	82.48%	81	57.04%	207	78.71%	154	63.11%
Black/Non-Hispanic	29	7.06%	49	34.51%	33	12.55%	64	26.23%
Hispanic/Mexican-American	20	4.87%	5	3.52%	12	4.56%	13	5.33%
Asian/Pacific Islander	22	5.35%	3	2.11%	11	4.18%	11	4.51%
American Indian/Alaskan Native	0	0.00%	0	0.00%	0	0.00%	2	0.82%
Non Res Alien/For. National	1	0.24%	1	0.70%	0	0.00%	0	0.00%
Other/Not Reported	0	0.00%	3	2.11%	0	0.00%	0	0.00%
Total	411	100.00%	142	100.00%	263	100.00%	244	100.00%
	Mountain View		North Lake		Richland		Grand Total	
Paid On 12/31/06	#	% Loc.	#	% Loc.	#	% Loc.	#	% Loc.
White/Non-Hispanic	141	63.80%	232	73.89%	414	77.67%	1,568	73.68%
Black/Non-Hispanic	48	21.72%	39	12.42%	49	9.19%	311	14.61%
Hispanic/Mexican-American	14	6.33%	14	4.46%	24	4.50%	102	4.79%
Asian/Pacific Islander	10	4.52%	26	8.28%	39	7.32%	122	5.73%
American Indian/Alaskan Native	2	0.90%	2	0.64%	4	0.75%	10	0.47%
Non Res Alien/For. National	1	0.45%	0	0.00%	1	0.19%	4	0.19%
Other/Not Reported	5	2.26%	1	0.32%	2	0.38%	11	0.52%
Total	221	100.00%	314	100.00%	533	100.00%	2,128	100.00%

PAID ON DECEMBER 31, 2007

	Brookhaven		Cedar Valley		Eastfield		El Centro	
Paid On 12/31/07	#	% Loc.	#	% Loc.	#	% Loc.	#	% Loc.
White/Non-Hispanic	305	82.88%	87	64.44%	189	74.70%	132	59.73%
Black/Non-Hispanic	26	7.07%	37	27.41%	36	14.23%	61	27.60%
Hispanic/Mexican-American	15	4.08%	4	2.96%	18	7.11%	16	7.24%
Asian/Pacific Islander	19	5.16%	4	2.96%	9	3.56%	9	4.07%
American Indian/Alaskan Native	0	0.00%	1	0.74%	0	0.00%	2	0.90%
Non Res Alien/For. National	1	0.27%	1	0.74%	0	0.00%	0	0.00%
Other/Not Reported	2	0.54%	1	0.74%	1	0.40%	1	0.45%
Total	368	100.00%	135	100.00%	253	100.00%	221	100.00%
	Mountain View		North Lake		Richland		Grand Total	
Paid On 12/31/07	#	% Loc.	#	% Loc.	#	% Loc.	#	% Loc.
White/Non-Hispanic	114	58.16%	200	73.26%	387	78.02%	1,414	72.81%
Black/Non-Hispanic	46	23.47%	34	12.45%	44	8.87%	284	14.62%
Hispanic/Mexican-American	16	8.16%	11	4.03%	22	4.44%	102	5.25%
Asian/Pacific Islander	11	5.61%	25	9.16%	37	7.46%	114	5.87%
American Indian/Alaskan Native	2	1.02%	1	0.37%	5	1.01%	11	0.57%
Non Res Alien/For. National	1	0.51%	0	0.00%	0	0.00%	3	0.15%
Other/Not Reported	6	3.06%	2	0.73%	1	0.20%	14	0.72%
Total	196	100.00%	273	100.00%	496	100.00%	1,942	100.00%

Note: The number of adjuncts teaching in 2007 is less than those teaching in 2006 because with the change in load allowed to be taught by adjuncts, we are now able to give adjuncts and full-time faculty more classes to teach as extra service and they do not have to go to another College to teach. Additionally, with hiring new full-time faculty, this reduces the need to hire adjuncts.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

PERSONNEL REPORT NO. 30

Employment of Contractual Personnel

It is recommended that the Chancellor, on behalf of the DCCCD, be authorized to enter into written contracts of employment with the persons named below on the terms and at the compensation stated:

REGULAR APPOINTMENT ADMINISTRATORS

KAY HAMPSHIRE (LeCroy Center) -- \$41,916 per year from February 6, 2008 through August 31, 2008, plus \$125 per month business and travel allowance
Instructional Designer

Biographical Sketch: M.S., Indiana University, Bloomington, IN; B.S., Manchester College, North Manchester, IN

Experience: Library Aide, Mesquite Public Library, Mesquite, TX; Senior Training Specialist, E.D.S., Plano, TX; Software Trainer I, LeCroy Center

JACQUELYN GLEE (Cedar Valley) -- \$36,384 per year from February 6, 2008 through August 31, 2008, plus \$95 per month business and travel allowance
Senior Program Services Coordinator

Biographical Sketch: B.S., Alabama State University, Montgomery, AL; M.S., Amberton University, Garland, TX

Experience: Quality Facilitator/Trainer, Spring Telecommunications, Irving (Las Colinas), TX; Financial Administrator, Oak Cliff Bible Fellowship, Dallas, TX; School Alliances Coordinator, Cedar Valley College

CHAD PARKHILL (El Centro) -- \$46,108 per year from February 6, 2008 through August 31, 2008, plus \$125 per month business and travel allowance

Director, Nursing/Allied Health Skills Lab

Biographical Sketch: A.A.S., El Centro College

Experience: Patient Care Technician, Presbyterian Hospital of Dallas, Dallas, TX; Registered Nurse, Methodist Dallas Medical Center, Dallas, TX

GRANT-FUNDED APPOINTMENT ADMINISTRATOR

DANA STAHL (Mountain View) -- \$57,640 per year from February 6, 2008 through August 31, 2008, plus \$125 per month business and travel allowance
Director, Nursing/Allied Health Skills Lab

Biographical Sketch: M.S., Texas Woman's University, Denton, TX; B.S., Oklahoma Baptist University, Shawnee, OK

Experience: Staff Nurse, Presbyterian Hospital of Dallas, Dallas, TX; Full-time Faculty, El Centro College

REGULAR APPOINTMENT FACULTY

REBECCA GARCIA (Brookhaven) -- \$44,000 (Range F01 – Masters Degree or equivalency) Academic Year 2008-2009

Instructor, Spanish

Biographical Sketch: M.A., Texas A&M University-Commerce, Commerce, TX; B.A., Texas Christian University, Fort Worth, TX

Experience: Visiting Scholar-Faculty and Adjunct Faculty, Brookhaven College; Teacher, Highland Meadows Elementary School-Dallas Independent School District, Dallas, TX

YAMAMAH ISA (El Centro) -- \$44,000 (Range F01 – Masters Degree or equivalency) January 7, 2008 through May 8, 2008

Instructor, Nursing

Biographical Sketch: M.S.N., Texas Woman's University, Denton, TX; B.S.N., University of Texas at Arlington, Arlington, TX

Experience: PRN and RN, Arlington Memorial Hospital, Arlington, TX; RN, Parkland Memorial Hospital, Dallas, TX; Full-time Faculty, El Centro College

TEMPORARY APPOINTMENT FACULTY

JAMES HEABERG (Brookhaven) -- \$42,000 (Range F02 – Earned Masters degree and 24 additional hours) February 6, 2008 through May 8, 2008

Instructor, Speech

Biographical Sketch: M.F.A. and B.F.A., Texas Christian University, Fort Worth, TX

Experience: Instructor, Forum Corporation, Tokyo, Japan; Adjunct Faculty, Brookhaven College

DONALD SUTTON (Eastfield) -- \$40,000 (Range F01 – Masters Degree or equivalency) February 6, 2008 through May 8, 2008

Instructor, Air Conditioning and Refrigeration

Biographical Sketch: A.A.S., Eastfield College

Experience: Contractor, D&J Sutton Services, Inc., Dallas, TX; Adjunct Faculty, Eastfield College

DECLINE OFFER OF EMPLOYMENT

TARA HORNE (Richland)

Campus Peace Officer

Note: It is recommended that Ms. Horne's decline of our Offer of Employment be approved.

WITHDRAWAL OF PHASED FACULTY RETIREMENT

DIANE THORPE (North Lake)

Faculty Counselor

Note: It is recommended that Ms. Thorpe's request to withdraw from participation in the phased faculty retirement program be approved.

CORRECTION TO JANUARY 8, 2008 PERSONNEL REPORT

KATHY WINDROW (Eastfield)

Instructor, Art

Note: It is recommended that Ms. Windrow's sabbatical agreement participation date be corrected from Spring 2008 to Spring 2009.

PAMELA ICE (North Lake)

Instructor, Cultural Studies

Note: It is recommended that Ms. Ice's sabbatical agreement participation date be corrected from Fall 2008 to Fall 2009.

Background

Regular Appointment Administrators

Ms. Kay Hampshire (LeCroy Center) (Anglo-American) is recommended to fill a position due to the retirement of Marlena Mooney. Ms. Jacquelyn Glee (Cedar Valley) (African-American) is recommended to fill a new position for continued development of the "Cedar Valley Achievers" program. Mr. Chad Parkhill (El Centro) (Anglo-American) is recommended to fill a new position due to the expansion of the nursing program.

Grant-funded Appointment Administrator

Ms. Dana Stahl (Mountain View) (Anglo-American) is recommended to fill a new position through the Title V Cooperative Grant.

Regular Appointment Faculty

Ms. Rebecca Garcia (Brookhaven) (Hispanic) is recommended to fill a new position due to increased enrollment. Ms. Yamamah Isa (El Centro) (Asian) is recommended to fill a position due to the resignation of Gary Barnes.

Temporary Appointment Faculty

Mr. James Heaberg (Brookhaven) (Anglo-American) is recommended to fill a position due to increased enrollment. Mr. Donald Sutton (Eastfield) (Anglo-American) is recommended to fill a position due to the resignation of Otis Collins.

Decline Offer of Employment

Ms. Tara Horne (Richland) (African-American) has declined our offer of employment for unspecified reasons.

Withdrawal of Phased Faculty Retirement

It is recommended that Diane Thorpe's (North Lake) (Anglo-American) request to withdraw her participation in the phased faculty retirement program be approved.

Correction to January 8, 2008 Personnel Report

It is recommended that Kathy Windrow's (Eastfield) (Anglo-American) sabbatical agreement participation date be corrected from Spring 2008 to Spring 2009. It is recommended that Pamela Ice's (North Lake) (African-American) sabbatical agreement participant date be corrected from Fall 2008 to Fall 2009.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

NEW HIRES ETHNICITY INFORMATION

September 2007 through February 2008

Regular Administrators & Faculty

(Tab 31)

<u>February 2008</u>	<u>Anglo- Am</u>	<u>African- Am</u>	<u>Hispani c</u>	<u>Asia n</u>	<u>Am Indian</u>	<u>Other</u>	<u>Total</u>
ADMINISTRATORS	2	1	0	0	0	0	3
FACULTY	0	0	1	1	0	0	2
TOTAL TO DATE	21	14	8	2	0	0	45

Visiting Administrators & Faculty

<u>February 2008</u>	<u>Anglo- Am</u>	<u>African- Am</u>	<u>Hispani c</u>	<u>Asia n</u>	<u>Am Indian</u>	<u>Othe r</u>	<u>Total</u>
ADMINISTRATORS	0	0	0	0	0	0	0
FACULTY	0	0	0	0	0	0	0
TOTAL TO DATE	3	6	3	0	0	0	12

Non Grant Temporary and Alternative Administrators & Faculty

<u>February 2008</u>	<u>Anglo- Am</u>	<u>African- Am</u>	<u>Hispani c</u>	<u>Asia n</u>	<u>Am Indian</u>	<u>Other</u>	<u>Total</u>
ADMINISTRATORS	0	0	0	0	0	0	0
FACULTY	2	0	0	0	0	0	2
TOTAL TO DATE	10	5	1	0	0	0	16

Grant Funded Administrators & Faculty

<u>February 2008</u>	<u>Anglo- Am</u>	<u>African- Am</u>	<u>Hispani c</u>	<u>Asia n</u>	<u>Am Indian</u>	<u>Other</u>	<u>Total</u>
ADMINISTRATORS	1	0	0	0	0	0	1
FACULTY	0	0	0	0	0	0	0
TOTAL TO DATE	1	1	0	0	0	0	2

GRAND TOTAL: 75

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

PERSONNEL REPORT NO. 32

Approval of Sabbatical Leaves for 2008-2009

It is recommended that three short-term sabbatical leaves be authorized for the Faculty listed below.

Faculty Short-Term Sabbatical

Hueston, Robert – Physical Education/Athletics/Nutrition – Brookhaven College

Period of Leave: Summer II, 2008

Synopsis: To accumulate new lecture and audio-visual materials for the classroom settings and incorporate these into both previous and present methods of instructions.

Meachum, Bettie – Liberal Arts– Cedar Valley College

Period of Leave: Summer I, 2008

Synopsis: The purpose of this sabbatical is to wed the Developmental Psychology (Psy.2314) telecourse materials with my newly developed self-paced course in the same subject.

Guerra, Martin – Communications and Teacher Education– Mountain View College

Period of Leave: Summer I, 2008

Synopsis: To create a compilation of at least 32 recorded American songs together with lyric transcriptions which will be used to highlight and explain various points of grammatical structure, vocabulary, idiomatic expressions, and interpretation of poetry.

Background

This recommendation is to present three requests for short-term sabbaticals from DCCCD instructors for 2008-2009.

A short-term sabbatical may be granted to contractual employees who have satisfactorily completed a minimum sequence of seven full years of service and fulfill an obligation of at least two (2) years of continued service immediately after completion of the sabbatical, if the individual is tendered contracts for such periods.

FACULTY

Proposals for faculty sabbaticals are made in writing to the location president. Following college recommendation, the proposals are reviewed and recommended by the District Faculty Cabinet and sent to the Vice Chancellor of Educational Affairs (VCEA). The VCEA reviews the recommendations and forwards them to the Chancellor for presentation to the Board. In 2007-2008, three (3) faculty members were approved for short-term sabbatical leave. There are three (3) faculty members recommended for approval for 2008-2009. Since 1984 approximately 333 faculty members have requested this benefit.

ADMINISTRATORS

Since 1984 approximately 68 administrators have requested this benefit. There are no administrators requesting a short-term sabbatical for 2008, nor did any administrators request a short-term sabbatical in 2006-2007.

Submitted by Mr. Denys Blell, vice chancellor, human and organizational development

INFORMATIVE REPORT NO. 33

Notice of Grant Awards

Awards in this informative report are usually funded by local, state, or federal public agencies and are budgeted in DCCCD's restricted fund. (Occasionally, private grants managed through Fund 13 are also included in this report.) The fiscal year for each award is defined by the grantor and often will not correspond to DCCCD's fiscal year. In addition to guidelines established by the funding agency, administration of grant awards is subject to all DCCCD policies and procedures.

As provided by Board Policy CAB (Regulation), Grant Receipt Process, the chancellor advises trustees that DCCCD has received notice of the following grant awards.

- The Texas Higher Education Coordinating Board has awarded the DCCCD, El Centro College, \$170,305 to support the Nursing Shortage Reduction Program. The purpose of this grant is to provide funds to state public and private nursing programs that showed an increase in the total number of nursing graduates at the associate, baccalaureate, master's and doctoral degree level from academic year 2006 to academic year 2007. The funding period is from October 24, 2007, to August 31, 2008.
- The U.S. Department of Labor via a subrecipient agreement with the University of Texas at Arlington has awarded the DCCCD, North Lake College, \$205,555 to support the Advanced Manufacturing and Logistics Project. The purpose of this grant is to provide training for 75 workers in the area of Certified Production Technician (CPT) and to provide job training for 125 workers in the areas of Certified Logistics Associate or Certified Logistics Technician (CLA/CLT). The training will be provided by North Lake College and Cedar Valley College. The funding period is from October 3, 2007, to June 30, 2010. The award amount will be split as follows:

<u>College</u>	<u>Amount</u>
Cedar Valley	\$ 102,777
North Lake	\$ 102,778

The amounts of awards reported, to date, in fiscal year 2007-2008, and the amounts of awards for seven fiscal years, 2000-2001 through 2006-2007, appear in tables on the following page.

Amounts of Awards Reported in Fiscal Year 2007-2008

<u>Month Reported</u>	<u>Amount</u>
September 2007	\$ 1,358,415
October 2007	\$ 10,309,885
November 2007	\$ 507,092
December 2007	\$ 434,834
January 2008	\$ 1,319,127
February 2008	\$ 375,860
March 2008	
April 2008	
May 2008	
June 2008	
July 2008	
August 2008 ¹	
<u>Total To Date</u>	<u>\$ 14,305,213</u>

Amounts of Awards Reported in Fiscal Years 2000-2001 through 2006-2007

<u>Type</u>	<u>2000-01</u>	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>
Competitive	24,959,783	11,917,647	20,264,070	18,750,094	22,137,173	17,679,698	17,168,910
Pell Grants ¹	13,407,492	19,658,023	26,199,861	29,899,662	31,449,815	31,467,783	39,780,918
Total	<u>38,367,275</u>	<u>31,575,670</u>	<u>46,463,931</u>	<u>48,649,756</u>	<u>53,586,988</u>	<u>49,147,481</u>	<u>56,949,828</u>

Background

The DCCCD received two new awards as reported in the Informative Report for a total of \$375,860.

Submitted by Mrs. Betheny Reid, executive director of DCCCD Foundation, Inc.

¹ The annual notice of Pell grants almost always appears in the August report. Pell grants are not awarded based on competitive applications; they are a component of Title IV student financial aid.

INFORMATIVE REPORT NO. 34

Receipt of Business and Corporate Contracts

The DCCCD colleges have contracted services with the following companies:

BROOKHAVEN COLLEGE

Companies:

Ford
Ford
Ford
GM
GM
GM
GM
GM
GM

Types of Training Provided:

Automotive Transmission Diagnosis
Automotive Transaxle Repair
Transfer case & 4x4 Repair
Automatic Transmission Repair
Power Train Repair
4180e Transmission Repair
Aisin Transmission Repair
Vibration Correction
HVAC Repair

BHC TOTAL: \$22,632

CEDAR VALLEY COLLEGE

Companies:

American Ace Motorcycle Company
Best Southwest Employee Professional
Employee Development Program
Best Southwest Employee Professional
Employee Development Program
Best Southwest Employee Professional
Employee Development Program
Best Southwest Employee Professional
Employee Development Program
Federal Correctional Institute
Methodist Health System
Texas Department of Criminal Justice
Texas Department of Criminal Justice
Texas Department of Criminal Justice
Texas Department of Criminal Justice
Texas Department of Criminal Justice
Texas Department of Transportation

Types of Training Provided:

Basic Rider
Media Relations

Healthy Living

Reports and Presentations

Supervisory Ethics

Coordination Fee
Access 1
Principles of Retailing
Principles of Marketing
Advertising and Sales
Customer Relations
Principles of Selling
Administrative Fee

CVC TOTAL: \$39,101

EASTFIELD COLLEGE

Companies:
Bethany Baptist Church
Dallas Independent School District
Texas Star Express

Types of Training Provided:
GED Training
Teacher Training
Problem Solving/Employment Law

EFC TOTAL: \$4,950

EL CENTRO COLLEGE

Companies:
Parkland Health & Hospital System
Dallas Public Library Spanish
UT Southwestern Medical Center
Dallas County Detention Service
Mary Kay, Inc.
Nestle Waters
Turbomeca USA, Inc.
Web Converting of Dallas, Inc.

Types of Training Provided:
Spanish for Medical Personnel
Spanish
Emergency Medical Technician
Training
Food Service Manager Certification
Performance Excellence
Lean Manufacturing
Customer Service Excellence
Rapid Improvement

ECC TOTAL: \$32,685

MOUNTAIN VIEW COLLEGE

Companies:

Types of Training Provided:

MVC TOTAL: \$0.00

NORTH LAKE COLLEGE

Companies:

Types of Training Provided:

NLC TOTAL: \$0.00

RICHLAND COLLEGE

Companies:
Alliance for Employee Growth &
Development

Types of Training Provided:
Computer Training

RICHLAND COLLEGE

City of Garland
City of Plano
DFW Test
Meadowstone
National Bankruptcy Services

Employment Law
Professional Development
Technical Training
Emeritus
Leadership

RLC TOTAL: \$11,915

TOTAL AMOUNT THIS REPORT: \$111,283

PREVIOUS YEAR: \$196,511

TOTAL AMOUNT THIS REPORT SINCE SEPTEMBER 2006: \$3,543,754

TOTAL AMOUNT FOR SAME PERIOD FOR PREVIOUS YEAR: \$3,725,380

Background

The DCCCD received awards totaling \$111,283.

Submitted by Dr. Andrew Jones, vice chancellor of educational affairs

INFORMATIVE REPORT NO. 35

Monthly Award and Change Order Summary

Attached is the informative report summarizing awards and change orders approved by the vice chancellor of business affairs in December, 2007.

VICE CHANCELLOR OF BUSINESS AFFAIRS
MONTHLY AWARD AND CHANGE ORDER SUMMARY FOR
December, 2007

AWARDS:

11306	THEATRICAL FIXTURES & ACCESSORIES (BHC) Norcostco, Inc.	\$24,288.36
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This request consists of the purchase of an assortment of theatrical fixtures and accessories such as lens tubes, c-clamps, color frames, pin connectors, safety cables and other accessories. Award is recommended to the overall low bidder, Morcostco, Inc., to assure product compatibility. Furthermore, the relatively small price difference on individual components does not warrant issuing three purchase orders.

11321	WAVEFORM MONITOR (LCET) Troxell Communications, Inc.	\$14,982.20
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This award is for the purchase of a Tektronix digital waveform monitor with HD&AD options. The monitor can be used to diagnose, calibrate, or monitor the video signal of various pieces of equipment used in a television studio. Award is recommended to Troxell Communications, Inc., the only bidder, as there is no assurance that re-bidding would offer an improved level of response.

11322	HIGH-FIDELITY MONITOR SYSTEMS (LCET) Studio Tech Supply	\$12,325.00
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This award is for the purchase of two Grace Design's high-fidelity 5.1 monitor systems used to manage and monitor surround audio sources in a recording studio environment. Award is not recommended to the low bidder, Sweetwater Sound, Inc., as the bid they submitted does not include the Downmix and AES loop-through options as required in the specifications. Award is recommended to the next lowest bidder, Studio Tech Supply.

11330	ENDOSCOPY SYSTEM (ECC) Karl Storz Endoscopy-America, Inc.	\$22,550.31
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This award is for the purchase of an endoscopy system for use by the Health Occupation program.

1D52435 VOICE & DATA CABLE INSTALLATION (RLC)
Ram Communications, Inc. \$19,532.32

This award consists of labor and materials necessary to install voice and data cabling in the Kiowa Hall Modular building.

1D97744 TEGRITY PROVIDEO GRAPHICS ADAPTERS (ECC)
Tegrity, Inc. \$10,450.00

This request consists of the purchase of 55 Provideo Graphics Adapters (video cards) for use in Dell desktop computers at the Paramount Building. The cards will be used in conjunction with the Tegrity video capture system for distribution of classroom material throughout the new building. These adapters must work in the Tegrity application and factory support must be available in the event of breakdown, making them sole source.

7D57341 REPAIRS TO DANCE STUDIO FLOOR (NLC)
Ponder Company, Inc. \$23,383.00

This request consists of the labor and materials necessary to replace approximately 1875 square feet of maple dance floor in F105, the college dance studio, which received water-damage during floods occurring earlier this year. Award is recommended to Ponder Company, Inc. the exclusive distributor of Robbins flooring products in this area, to ensure product compatibility with the existing flooring previously installed by this company.

8D95765 REPLACEMENT OF SIDEWALK EXPANSION JOINT SEALANT
(RLC)
Axis Contracting, Inc. \$13,000.00

This award consists of labor and materials necessary to replace the existing expansion joint sealant, which is cracking and no longer effective, in Crockett Plaza, the breezeway in front of Alamito & Neches, and the bridge across the lake to Fannin. The expansion joints will be cleaned and backer rods installed before being resealed with the new self-leveling sealant.

CHANGE ORDERS:

Frank Dale Construction, Ltd – BID #11230
Courtyard – EFC
Purchase Order No. B11978
Change Order No. 1

Change: Furnish and Install Storm Drainage Reroute. Electrical (labor only) to replace conduit and wire from demolition

Original Contract Amount	\$198,572.00
Change Order Limit/Contingency	29,785.80
Prior Change Order Total Amounts	0
Net Increase this Change Order	13,628.00
Revised Contract Amount	\$212,200.00

Board approved original award 07/10/2007. This is for EFC project #1, *Progress Report on Construction Projects*.

J. Reynold & Company, Inc.
Paramount Building – ECC
Purchase Order No. B12368
Change Order No. 1

Change: Restoration of coping stone for the Paramount Building. The stone will be cleaned, re-caulked, and then sealed with a clear sealer.

Original Contract Amount	\$484,524.00
Change Order Limit/Contingency	72,678.60
Prior Change Order Total Amounts	0
Net Increase this Change Order	9,525.00
Revised Contract Amount	\$494,049.00

Board approved original award 08/07/2007. This is for ECC project #5, *Progress Report on Construction Projects*.

Mart, Inc. – BID #11251
Fire sprinkler system upgrade – RLC
Purchase Order No. B11998
Change Order No. 1

Change: Change order was for unforeseen site conditions and additional 4 inch fire sprinkler to the costume shop.

Original Contract Amount	\$48,223.00
Change Order Limit/Contingency	7,233.45
Prior Change Order Total Amounts	0
Net Increase this Change Order	5,821.20
Revised Contract Amount	\$54,044.20

Board approved original award 07/10/2007. This is for RLC project #7.

Maxim Mechanical Services – BID #11145
Heating water piping – ECC
Purchase Order No. B11901
Change Order No. 2

Change: Replace main isolation valves on the 3rd floor.

Original Contract Amount	\$498,700.00
Change Order Limit/Contingency	49,870.00
Prior Change Order Total Amounts	28,340.00
Net Increase this Change Order	2,000.00
Revised Contract Amount	\$529,040.00

Board approved original award 07/10/2007. This is for ECC project 2.

McClung Contracting – BID #10892
Exterior Improvements – D-W
Purchase Order No. B8960
Change Order No. 10

Change: Reduce the contract sum by the amount of \$1,000.00 for work not completed at University Centers of Dallas (polishing the brass trim) due to deteriorated state of the metal.

Original Contract Amount	\$743,000.00
Change Order Limit/Contingency	74,300.00
Prior Change Order Total Amounts	107,502.00
Net Decrease this Change Order	-1,000.00
Revised Contract Amount	\$849,502.00

Board approved original award 04/05/2005. These projects have been reported as completed.

Superior Fiber & Data Services – BID #11205
Paramount Building – ECC
Purchase Order No. B12279
Change Order No. 1

Change: Request for 27 emergency phones for the Paramount building, cable management, and the labor to install the cabling and cabling manager.

Original Contract Amount	\$212,752.42
Change Order Limit/Contingency	31,912.86
Prior Change Order Total Amounts	0
Net Increase this Change Order	4,120.82
Revised Contract Amount	\$216,873.24

Board approved original award 09/04/2007. This is for ECC project #5, *Progress Report on Construction Projects*.

The 02 Group
Purchasing Diversity Dept. relocation – DSC
Purchase Order No. B11919
Change Order No. 2

Change: Additional architecture and engineering services for space plans,
furniture specification and additional reimbursables.

Original Contract Amount	\$ 4,280.00
Change Order Limit/Contingency	0
Prior Change Order Total Amounts	3,300.00
Net Increase this Change Order	6,309.00
Revised Contract Amount	\$13,889.00

Vice Chancellor of Business Affairs approved original award 08/03/2007.

3i/JE Dunn Construction – BID #11124
Paramount Building – ECC
Purchase Order No. 11283
Change Order No. 28

Change: Provide Unistrut engineered system in lieu of steel support for
overhead wood ceiling for open study area on the second floor.

Original Contract Amount	\$10,535,800.00
Change Order Limit/Contingency	1,053,580.00
Prior Change Order Total Amounts	379,382.87
Net Increase this Change Order	7,870.00
Revised Contract Amount	\$10,923,052.87

Board approved original award 09/05/2006. This is for ECC project #5, *Progress Report on Construction Projects*.

3i/JE Dunn Construction – BID #11124
Paramount Building – ECC
Purchase Order No. 11283
Change Order No. 29

Change: Change Order includes: indirect fixtures required on 3rd and 6th floors; relocation of wall outlets to floor outlets; install 2 inch conduits from 4th floor to 6th floor for wire and data gateways; the old fire alarm panel ceased to function, therefore temporarily requiring wiring into new panel to keep the 5th floor operational.

Original Contract Amount	\$10,535,800.00
Change Order Limit/Contingency	1,053,580.00
Prior Change Order Total Amounts	387,252.87
Net Increase this Change Order	22,720.00
Revised Contract Amount	\$10,945,772.87

Board approved original award 09/05/2006. This is for ECC project #5, *Progress Report on Construction Projects*.

3i/JE Dunn Construction – BID #11124
Paramount Building – ECC
Purchase Order No. 11283
Change Order No. 30

Change: Add a test header for the Jockey Pump per the Fire Marshall.

Original Contract Amount	\$10,535,800.00
Change Order Limit/Contingency	1,053,580.00
Prior Change Order Total Amounts	409,972.87
Net Increase this Change Order	2,940.00
Revised Contract Amount	\$10,948,712.87

Board approved original award 09/05/2006. This is for ECC project #5, *Progress Report on Construction Projects*.

3i/JE Dunn Construction – BID #11124
Paramount Building – ECC
Purchase Order No. 11283
Change Order No. 31

Change: Change Order includes: convert pump #1 and one boiler to emergency power; supply power to exhaust fan-3; credit for lightning protection; install 120 V emergency power to control panels; remove and elevate 3 inch main sprinkler lines on 4th floor; enclose roof drain piping in electrical rooms; repair pre-existing water damaged walls in room 1018.

Original Contract Amount	\$10,535,800.00
Change Order Limit/Contingency	1,053,580.00
Prior Change Order Total Amounts	412,912.87
Net Increase this Change Order	10,464.00
Revised Contract Amount	\$10,959,176.87

Board approved original award 09/05/2006. This is for ECC project #5, *Progress Report on Construction Projects*.

INFORMATIVE REPORT NO. 36

Progress Report on Construction Projects

The status of all construction projects as of December 31, 2007 is shown on the attached charts.

PROGRESS REPORT ON CONSTRUCTION PROJECTS

Status Report as of December 31, 2007

PROJECTS								DESIGN				CONSTRUCTION				Final Completion Acceptance			
		Board Review	A & E Selection	Feasibility Study	Programming	Concept Review	Schematic Rev	30%	65%	95%	100%	Bidding	Board Approval	Construction Start	30%		65%	95%	100%
	BHC																		
1	Renovate cafeteria																		
2	Install gym bleachers																		
3	Install access control system																		
4	Recarpet Bldg. B,D,J,T																		
5	Provide acoustical study B304																		
	Bond Program																		
6	Construct Science bldg																		
7	Expand automotive tech																		
8	Construct Workforce & Continuing Ed bldg with expanded classrooms																		
	CVC																		
1	Install theater mezzanine																		
2	Install new kiln																		
3	Administrate lease for office modular Vet Tech bldg																		
4	Repair water damage bldgs B,C,D																		
5	Repair stairwell Bldg. A																		
6	Subsurface roof moisture																		
	Bond Program																		
7	Expand mechanical infrastructure																		
8	Construct Science bldg																		
9	Construct Industrial Tech bldg																		
	DO																		
	Bond Program																		
1	District Office at 1601 Lamar																		
	DSC																		
1	Install emergency generator																		
2	Replace 140T chiller																		
	ECC																		
1	Replace HW & CW valves cent. plant																		
2	Replace domestic HW pipes Bldg. A																		
3	Modify storm drainage system																		
	Bond Program																		
4	Develop West Campus																		
5	Build Center for Allied Health & Nursing																		
	EFC																		
1	Replace lower courtyard																		
2	Reconstruct roadway																		
3	Evaluate renovation of lecture hall																		
4	Renovate HVAC Bldg. A, 2 nd floor																		
5	Replace drain piping Central Plant floor																		
6	Replace paint booth Bldg. T																		
7	Repair concrete sidewalk																		
	Bond Program																		
8	Develop South campus																		
9	Expand parking																		
10	Expand mechanical infrastructure																		
11	Build General Classroom																		
12	Remodel vacated space																		

PROGRESS REPORT ON CONSTRUCTION PROJECTS

Status Report as of December 31, 2007

PROJECTS		DESIGN						CONSTRUCTION				Final Completion Acceptance							
		Board Review	A & E Selection	Feasibility Study	Programming	Concept Review	Schematic Rev	30%	65%	95%	100%		Bidding	Board Approval	Construction Start	30%	65%	95%	100%
	█ Project Status																		
13	Construct Workforce Development																		
14	Construct Parent Child Study Center																		
15	Construct Industrial Technology Center																		
	LCET																		
1	Renovate server room																		
	MVC																		
1	Create ADA access to performance hall																		
2	Replace KIVA lighting																		
3	Replace access control																		
4	Install security cameras																		
	Bond Program																		
5	Build soccer fields & community recreation complex																		
6	Expand mechanical infrastructure																		
7	Construct Science bldg																		
8	Construct Performing Arts bldg																		
9	Remodel vacated space																		
10	Construct Economic & Workforce Center																		
11	Construct Student Center																		
	NLC																		
1	Replace signage																		
2	Restore slope Bldg. T																		
3	Remodel & convert old library																		
4	Replace chiller																		
5	Test and balance HVAC systems																		
6	Install CCTV system																		
7	Retrofit interior lighting																		
8	Replace sidewalk lighting																		
9	Replace temporary sidewalk Bldg. A																		
10	Replace existing main entrance signs with digital marquees																		
11	Construct new elevator Bldg. A																		
12	Relocate above ground fuel tanks																		
13	Improve water filtration gym East wall																		
14	Improve drainage Bldg F entrance																		
	Bond Program																		
15	Develop South campus																		
16	Develop North campus																		
17	Expand parking																		
18	Expand mechanical infrastructure																		
19	Construct Science bldg																		
20	Construct General Purpose bldg																		
21	Build General Classroom																		
22	Remodel vacated space																		
23	Repair structural/waterproofing																		
	RLC																		
1	Develop softball complex																		
2	Develop Graduation site improvements																		

PROGRESS REPORT ON CONSTRUCTION PROJECTS

Status Report as of December 31, 2007

PROJECTS		DESIGN						CONSTRUCTION				Final Completion Acceptance							
		Board Review	A & E Selection	Feasibility Study	Programming	Concept Review	Schematic Rev	30%	65%	95%	100%		Bidding	Board Approval	Construction Start	30%	65%	95%	100%
	■ Project Status																		
3	Replace restroom partitions																		
4	Install new handrails in Fannin Perf. Hall																		
5	Change door swing																		
6	Replace AHU Hondo bldg																		
7	Replace fire alarms campus-wide																		
8	Install security cameras																		
9	Install 3 solar light poles																		
10	Install new modular bldg																		
11	Revise east entryway Walnut St.																		
12	Replace storefront doors																		
13	Install west side ADA																		
14	Install speed bumps to East Circle Dr																		
	Bond Program																		
15	Construct Science bldg & expand parking/mechanical infrastructure																		
16	Renovate Sabine Hall																		
17	Develop Garland Workforce Training Center																		

COMPLETED PROJECTS²

² This is the last report on which these projects will appear.

INFORMATIVE REPORT NO. 37

Bond Program Report on Projects

The status of planning as of December 31, 2007 for projects assigned to contracted construction program managers and other bond funded projects.

Background

The Bond Program Management Team has begun publishing a status report at www.dcccd.edu that includes site photographs, Gantt charts for each project, upcoming deadlines and persons to contact for submitting proposals and bids. The primary audiences for the Internet report are taxpayers in Dallas County and local businesses that are interested in participating in the District's bond program.

The primary audience for this report is the District's Board of Trustees. In this report, Trustees are informed about program design for new buildings, potential and actual impacts on campus operations and surrounding neighborhoods, and other matters that may affect student learning, operational productivity, public safety, and constituents' perceptions about use of public funds. Also listed are projects managed through DCCCD Facilities Management as part of the 2004 bond program.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs and Mr. Steven Park, executive director, bond/program management team and Mr. Clyde Porter, associate vice chancellor of facilities management/district architect

Brookhaven College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$3,030,342	2,973,192				
Science Building Original Budget: \$29,200,000 Revised Budget: \$46,947,573 Total Awarded: \$40,505,079	0	3,339,639	37,000,000	165,223	217
	Construction Start / End: Nov 07 / Aug 09 Managed by Bond Program Management Team. \$37,000,000 CMAR Guaranteed Maximum Price 12/20/2007.				
Automotive Technology Expansion Original Budget: \$4,000,000 Revised Budget: \$4,054,780 Total Awarded: \$387,880	0	336,200	0	51,680	0
	Construction Start / End: Mar 08 / Mar 09 Managed by Bond Program Management Team.				
Workforce & Continuing Education Building Original Budget: \$8,200,000 Revised Budget: \$7,574,145 Total Awarded: \$6,035,705	0	541,118	5,494,587	0	0
	Construction Start / End: Jun 08 / Jul 09 Managed by Bond Program Management Team.				
Location Summary	Original Budget: 60,606,840		Revised Budget: 61,606,840		Total Awarded: 49,901,856

BHC Deferred Projects		
Project	Original Budget	Budget Transferred To
Music Hall	\$7,000,000	Science building project
Adaptive Remodel	\$2,000,000	Science building project
Library / Classroom Addition	\$7,900,000	Science building project and workforce and continuing education building project
Mechanical Infrastructure	\$2,306,840	Science building project
December 31, 2007		

Cedar Valley College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$2,585,342	2,536,582				
Mechanical Infrastructure Original Budget: \$4,306,840 Revised Budget: \$77,810 Total Awarded: \$77,810	0	0	0	77,810	0
Construction Start / End: Nov 07 / Jan 09 Managed by Bond Program Management Team. --Budget and scope included in science, allied health, and veterinary technology building.					
Science, Allied Health, and Veterinary Technology Building Original Budget: \$30,600,000 Revised Budget: \$38,021,487 * Total Awarded: \$32,662,469	0	2,181,137	30,194,547	286,785	0
Construction Start / End: Nov 07 / Jan 09 Managed by Bond Program Management Team. * \$55,500 added from non-bond program dollars.					
Industrial Technology Building Original Budget: \$6,600,000 Revised Budget: \$12,877,701 Total Awarded: \$11,503,674	0	979,150	10,428,800	95,624	100
Construction Start / End: Dec 07 / Jan 09 Managed by Bond Program Management Team. \$10,403,914 CMAR Guaranteed Maximum Price 12/13/2007.					
Location Summary	Original Budget: 53,506,840		Revised Budget: 53,562,340		Total Awarded: 46,780,535

CVC Deferred Projects		
Project	Original Budget	Budget Transferred To
Performing Arts Center	\$10,200,000	Science building project
Expanded Athletic Fields and Facility	\$1,800,000	Science building project
December 31, 2007		

Eastfield College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$2,825,342	2,565,107				
South Campus Original Budget: \$10,200,000 Revised Budget: \$12,485,456 * Total Awarded: \$8,952,081	0	731,053	7,916,356	60,571	244,101
	Construction Start / End: Aug 07 / Oct 08 Managed by Bond Program Management Team. * \$2,499,289 land purchase and \$296,167 demolition.				
Expanded Parking Original Budget: \$1,500,000 Revised Budget: \$1,425,000 Total Awarded: \$0	0	0	0	0	0
	Construction Start / End: Aug 09 / Feb 10 Managed by Bond Program Management Team.				
Mechanical Infrastructure Original Budget: \$2,306,840 Revised Budget: \$94,433 Total Awarded: \$94,433	0	0	0	94,433	0
	Construction Start / End: Oct 08 / Dec 09 Managed by Bond Program Management Team. --Budget and scope included in workforce development building.				
Adaptive Remodel Original Budget: \$4,600,000 Revised Budget: \$3,622,610 Total Awarded: \$0	0	0	0	0	0
	Construction Start / End: Jul 09 / May 10 Managed by Bond Program Management Team. --Budget transferred to workforce development building and parent child study center.				

Eastfield College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
General Classroom Building Original Budget: \$17,400,000 Revised Budget: \$16,176,770 Total Awarded: \$12,125,065	0	1,058,965	10,995,000	71,100	0
Construction Start / End: Sep 07 / Oct 08 Managed by Bond Program Management Team. \$10,995,000 CMAR Guaranteed Maximum Price 11/16/2007. --Budget balance transferred to workforce development building and parent child study center.					
Workforce Development Building Original Budget: \$7,100,000 Revised Budget: \$10,192,415 Total Awarded: \$8,478,141	0	705,994	7,752,179	19,968	0
Construction Start / End: Oct 08 / Dec 09 Managed by Bond Program Management Team.					
Parent Child Study Center Original Budget: \$0 Revised Budget: \$6,255,980 Total Awarded: \$5,065,097	0	434,854	4,617,898	12,345	0
Construction Start / End: Aug 08 / Aug 09 Managed by Bond Program Management Team.					
Industrial Technology Center Original Budget: \$0 Revised Budget: \$7,224,290 Total Awarded: \$5,756,173	0	446,607	5,293,958	15,608	0
Construction Start / End: Jul 08 / Sep 09 Managed by Bond Program Management Team.					
Location Summary	Original Budget: 61,706,840		Revised Budget: 60,302,296		Total Awarded: 43,036,097

EFC Deferred Projects		
Project	Original Budget	Budget Transferred To
Fine Arts Building	\$8,400,000	Workforce building project and parent child study center project
North Campus	\$10,200,000	Richland College Garland workforce development center project
December 31, 2007		

El Centro College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$802,034	786,906				
West Campus Original Budget: \$10,200,000 Revised Budget: \$13,689,437 * Total Awarded: \$8,641,227	0	599,729	7,952,700	78,198	10,600
	Construction Start / End: Mar 08 / Mar 09 Managed by Bond Program Management Team. * \$3,484,907 land purchase and \$514,530 demolition.				
Allied Health and Nursing Original Budget: \$16,100,000 Revised Budget: \$20,592,600 *	Construction Start / End: Jan 06 / Aug 07 Managed by Facilities Management. Awarded \$15,103,450 * \$292,600 added from non-bond program dollars.				
Adaptive Remodel Original Budget: \$3,850,000 Revised Budget: \$5,998,646 *	Managed by Facilities Management. * \$1,000,000 added from bond program management team contingency and \$1,000,000 from mechanical infrastructure.				
Paramount Building / Land Acquisition Original Budget: \$11,000,000 Revised Budget: \$11,309,880	Construction: Completed Managed by Facilities Management. Awarded \$11,243,117				
Location Summary	Original Budget: 46,990,680	Revised Budget: 52,392,597	Total Awarded: 35,774,700		

ECC Deferred Projects		
Project	Original Budget	Budget Transferred To
Adaptive Remodel	\$3,850,000	Allied health and nursing project
Mechanical Infrastructure	\$1,990,680	Adaptive remodel
December 31, 2007		

Mountain View College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$2,594,564	2,545,628				
Mechanical Infrastructure Original Budget: \$4,491,280 Revised Budget: \$643,054 Total Awarded: \$74,000	0	0	0	74,000	0
	Construction Start / End: Nov 07 / Jun 09 Managed by Bond Program Management Team. --Budget and scope included in science building and student center and services building.				
Science Building Original Budget: \$15,300,000 Revised Budget: \$17,790,162 Total Awarded: \$15,564,579	0	1,171,350	14,305,212	88,017	0
	Construction Start / End: Nov 07 / Dec 08 Managed by Bond Program Management Team. \$12,948,189 CMAR Guaranteed Maximum Price 11/19/2007.				
Performing Arts Center Original Budget: \$5,700,000 Revised Budget: \$3,990,000 Total Awarded: \$290,143	0	278,552	0	11,591	0
	Construction Start / End: Jun 08 / Feb 09 Managed by Bond Program Management Team. --Partial budget transferred to student center and services building.				

Mountain View College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Adaptive Remodel Original Budget: \$2,300,000 Revised Budget: \$2,185,000 Total Awarded: \$0	0	0	0	0	0
Construction Start / End: Jun 09 / Feb 10 Managed by Bond Program Management Team.					
Economic & Workforce Development Building Original Budget: \$7,600,000 Revised Budget: \$7,216,750 Total Awarded: \$5,866,446	0	525,407	5,329,499	11,540	0
Construction Start / End: Aug 08 / Aug 09 Managed by Bond Program Management Team.					
Student Center and Services Building Original Budget: \$16,500,000 Revised Budget: \$17,871,750 Total Awarded: \$15,363,727	0	1,038,090	14,247,500	78,137	0
Construction Start / End: Jan 08 / May 09 Managed by Bond Program Management Team.					
Athletic and Community Recreation Complex Original Budget: \$5,300,000 Revised Budget: \$9,309,625 *	Construction Start / End: Mar 07 / Apr 08 Managed by Facilities Management. Awarded \$8,341,989 * \$3,009,625 added from non-bond program dollars. December 31, 2007				
Location Summary	Original Budget: 57,191,280		Revised Budget: 61,600,905		Total Awarded: 48,046,512

North Lake College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$2,789,534	2,736,922				
South Campus Original Budget: \$10,200,000 Revised Budget: \$14,767,594 * Total Awarded: \$8,726,546	0	638,350	7,977,698	87,068	23,430
	Construction Start / End: Oct 07 / Dec 08 Managed by Bond Program Management Team. \$7,977,698 CMAR Guaranteed Maximum Price 12/04/2007. * \$4,493,873 land purchase and \$583,721 demolition.				
North Campus Original Budget: \$10,200,000 Revised Budget: \$18,936,338 * Total Awarded: \$8,729,784	0	731,031	7,898,239	75,020	25,494
	Construction Start / End: Aug 07 / Sep 08 Managed by Bond Program Management Team. \$7,898,239 CMAR Guaranteed Maximum Price 08/08/2007. * \$9,072,438 land purchase and related cost of \$23,900.				
Mechanical Infrastructure Original Budget: \$1,990,680 Revised Budget: \$76,795 Total Awarded: \$76,795	0	0	0	76,795	0
	Construction Start / End: Dec 07 / Feb 09 Managed by Bond Program Management Team. --Budget and scope included in science and medical professions building.				
Adaptive Remodel Original Budget: \$4,100,000 Revised Budget: \$3,895,000 Total Awarded: \$0	0	0	0	0	0
	Construction Start / End: Sep 09 / May 10 Managed by Bond Program Management Team.				

North Lake College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Science & Medical Professions Building Original Budget: \$6,800,000 Revised Budget: \$15,156,956 * Total Awarded: \$13,216,487	0	894,413	12,076,584	245,490	0
Construction Start / End: Dec 07 / Feb 09 Managed by Bond Program Management Team. \$12,076,584 CMAR Guaranteed Maximum Price 10/29/2007. * \$165,900 added from non-bond program dollars.					
General Purpose Building Original Budget: \$0 Revised Budget: \$12,460,000 Total Awarded: \$10,126,960	0	851,285	9,264,775	10,900	0
Construction Start / End: Oct 08 / Nov 09 Managed by Bond Program Management Team.					
Workforce Development Center Original Budget: \$0 Revised Budget: \$1,600,000 Total Awarded: \$133,761	0	133,761	0	0	0
Construction Start / End: Feb 08 / Sep 08 Managed by Bond Program Management Team.					
Structural Repairs Original Budget: \$2,000,000 Revised Budget: \$1,598,295 Total Awarded: \$0	0	0	0	0	0
Construction Start / End: Feb 09 / Aug 09 Managed by Bond Program Management Team.					
Location Summary	Original Budget: 55,790,680		Revised Budget: 71,280,512		Total Awarded: 43,747,255

NLC Deferred Projects		
Project	Original Budget	Budget Transferred To
Expanded Parking	\$1,500,000	General purpose building project
Fine Arts Building	\$12,500,000	General purpose building project and science and medical professions building project
General Classroom	\$6,500,000	General purpose building project
December 31, 2007		

Richland College	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$3,310,342	3,209,570				
Garland Workforce Development Center Original Budget: \$0 Revised Budget: \$14,608,268 * Total Awarded: \$10,506,322	0	830,980	9,449,000	195,329	31,013
	Construction Start / End: Oct 07 / Dec 08 Managed by Bond Program Management Team. \$9,449,000 CMAR Guaranteed Maximum Price 11/12/2007. * \$2,631,175 land purchase and \$912,293 demolition. \$2,000,000 added from non-bond program dollars.				
Science Building Original Budget: \$31,600,000 Revised Budget: \$51,481,498 * Total Awarded: \$45,729,319	0	3,534,900	41,900,000	237,910	56,509
	Construction Start / End: Oct 07 / Jul 09 Managed by Bond Program Management Team. * \$1,600,000 added from non-bond program dollars.				
Adaptive Remodel Original Budget: \$0 Revised Budget: \$4,325,000 Total Awarded: \$0	0	0	0	0	0
	Construction Start / End: May 09 / Jan 10 Managed by Bond Program Management Team.				
Location Summary	Original Budget: 56,006,840		Revised Budget: 74,425,108		Total Awarded: 59,445,211

RLC Deferred Projects		
Project	Original Budget	Budget Transferred To
Expanded Parking	\$3,800,000	Science building project
Mechanical Infrastructure	\$2,306,840	Science building project
Fine Arts Addition	\$10,000,000	Science building project and adaptive remodel project
Guadalupe Hall	\$2,200,000	Science building project and adaptive remodel project
Library Expansion	\$4,100,000	Science building project
Student Food Service	\$2,000,000	Science building project and adaptive remodel project
December 31, 2007		

District Office at 1601 S Lamar	Awarded \$				
	Program Manager Fee	Architect Fee	CMAR / Contractor	Other Professional Services	Other Awards
Location Wide Original Budget: \$0 Revised Budget: \$510,000	500,379				
District Office Relocation Original Budget: \$0 Revised Budget: \$13,056,439 * Total Awarded: \$9,496,106	0	22,000	9,430,000	38,046	6,060
	Construction Start / End: Dec 07 / Oct 08 Managed by Bond Program Management Team. * \$1,829,288 land purchase and \$37,151 demolition. \$1,500,000 added from non-bond program dollars.				
Location Summary	Original Budget: 10,200,000	Revised Budget: 13,566,439		Total Awarded: 9,996,485	
December 31, 2007					

Other	
Property Acquisition	Revised budget dollars were \$27,890,120. There is \$1,511,388 designated of remaining property acquisition costs.
Project Development	Revised budget dollars were \$10,000,000. There is \$8,375,200 now designated of program development costs as needed for project contingencies, particularly those associated with site development for the new campuses.

Notes	
Other Professional Services	Examples of 'Other Professional Services' are geotechnical investigation services, civil and utility assessments, construction materials testing service consultants, environmental and hazardous materials consulting services and abatement, and unique professional services (i.e., a theater assessment or LEED green building commissioning services).
Other Awards	Examples of 'Other Awards' are demolition activity, electrical and plumbing work, site cleanup, permits, and fees.
Construction Start and End Dates	Construction start and end dates are subject to change due to weather, process delays, or unforeseen events beyond the scope of the District and the bond program management team.
Financial Analysis	This report is an informative report only.

**Summary of Recommendations for Awards
With Minority and Woman Owned Businesses
(Tab 38)**

VCBA Awards in the Informative Reports Section of This Agenda

	# awards	% awards	\$ amount	% amount
MBE	1	7	17,011.64	8
WBE	0	0	0	0
Not classified	13	93	183,794.79	92
Total	14	100	200,806.43	100

Bidders and Proposers from Which VCBA Awards
in the Informative Reports Section of This Agenda Were Derived

	#	%
MBE	2	7
WBE	0	0
Not classified	27	93
Total	29	100

VCBA Awards in the Informative Reports Sections
September 4, 2007 – February 5, 2008

	# awards	% awards	\$ amount	% amount
MBE	3	9	46,435.89	8
WBE	2	5	25,618.00	4
Not classified	32	86	503,271.62	88
Total	37	100	575,325.51	100

Notes: This report excludes government agencies, state supported institutions, municipalities, non-profit organizations, pricing agreements, publicly traded firms, civic and other organizations not logically classified as minority or woman owned businesses. This report also excludes amendments and change orders because they attach to previously authorized engagements. Classification of an individual or company as a minority or woman owned business may be according to self-report or personal knowledge rather than on registration with a certification agency. An individual or company that is both minority and woman owned has MBE status in this report. "Not classified" includes firms known to be neither minority nor woman owned as well as firms for which ethnicity and gender of ownership is not known. As provided by DCCCD policy and procedure, these awards were based on lowest and best bid or proposal.

Submitted by Mr. Edward DesPlas, vice chancellor of business affairs