



# International Leadership of Texas, Inc.

## December 1, 2021 Special Board Meeting

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### **Date and Time**

Wednesday December 1, 2021 at 6:15 PM CST

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### **Board of Directors of International Leadership of Texas December 1, 2021**

#### **Meeting Notice & Mission Statement**

In compliance with the Texas Open Meetings Act, the Texas Government Code, Chapter 551, timely public advance written notice (at least 72 hours before the scheduled time of the meeting) is given of the subjects to be considered by the Board of Directors of International Leadership of Texas (the "Board") and the Board will convene a Special Open Meeting of the Board of Directors of International Leadership of Texas on the date and time set forth herein.

International Leadership of Texas Board of Directors will be holding its regularly scheduled public board meeting at the date and time noticed above. Members of the public will be able to watch the meeting via the link <https://zoom.us/j/801651349> or by a link that will be posted on the ILTexas.org website (click the button "Board Meetings" to view any updates to this Notice).

If you would like to sign up to speak at the meeting, please send your name to [board@iltexas.org](mailto:board@iltexas.org), 24-Hours in advance of the noticed Meeting time so that we will be able to promote you to a panelist, which will allow you to speak with our board members.

It is the intent of the Board to have a quorum physically present at the above address. Board members not physically present may participate by live two-way video and audio feed in accordance with the Texas Open Meetings Act. If a quorum of the Board cannot be physically present at the above address, it is the intent to have the presiding officer physically present at the above address.

The Board hereby certifies that this notice was posted on a bulletin board or on something akin thereto or at a place readily accessible and convenient to the public at 1651 N. Glenville Dr., #216, Richardson, TX 75081, as well as online at [www.ILTexas.org](http://www.ILTexas.org). And that the meeting will be accessible at the address listed immediately above. The items on this Agenda may be taken in any order. The mission of ILTexas is to prepare students for exceptional leadership roles in the international

community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character.

/s/ Finn Simmenssen, For ILTexas' Board

## Agenda

	Purpose	Presenter	Time
<b>I. Opening Items</b>			<b>6:15 PM</b>
Opening Items			
<b>A.</b> Record Attendance and Guests			
<b>B.</b> Call the Meeting to Order			
<b>II. Approve Minutes of Prior Meetings</b>			
<b>A.</b> APPROVE MINUTES OF OCTOBER 21, 2021 REGULAR BOARD MEETING	Approve Minutes		
<b>III. Public Speakers</b>			
Board Services			
<b>A.</b> Guest will appear to speak: Mr. Royce Dunn, parent of an ILTexas student	FYI		
<b>IV. Superintendent-CEO Report and Information Items</b>			
<b>A.</b> SUPERINTENDENT-CEO REPORT	FYI	Eddie Conger	
<b>B.</b> SCHOOL LEADERSHIP REPORT	FYI	Dr. Thomas Seaberry	
<b>C.</b> DEPUTY SUPERINTENDENT OF ACADEMIC STUDENT SERVICES REPORT	FYI	Dr. Laura Carrasco	
<b>D.</b> CHIEF ADMINISTRATIVE OFFICER REPORT	FYI	Jerry McCreight	
<b>V. BOARD COMMITTEE REPORTS</b>			
<b>A.</b> REPORT FROM FINANCE AND AUDIT COMMITTEE	Discuss	Tracy Cox	
<b>B.</b> REPORT FROM NOMINATION COMMITTEE	Discuss	Dr. Lynne Beach	
<b>VI. Executive Session</b>			
<b>A.</b> AUTHORIZATION	FYI		
Closed Session for Any and All Reasons Permissible by Texas Law, including, but not limited to, Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.075, 551.076, 551.082, 551.083, 551.084, pertaining to any item listed on this agenda, as permitted by applicable law.			

	Purpose	Presenter	Time
<b>B. CONSULT WITH ATTORNEY PURSUANT TO GOVERNMENT CODE 551.071</b>	Discuss		
Consultation with counsel regarding pending litigation.			

## VII. CONSENT AGENDA

<b>A. CONSENT AGENDA ITEMS -- SINGLE VOTE UNLESS OTHERWISE SPECIFIED</b>	Vote		
1. Approve amendment to Parent/Student Handbook adding section on Accelerated Learning. 2. Approve amendment to Parent/Student Handbook to define "days" as "days the school is in operation." 3. Approve amendment to Parent/Student Handbook---Student Code of Conduct to move possession of Vape Pens to a Level 3 offense. 4. Approve amendment to Parent/Student Handbook—Student Code of Conduct to add "Fighting" as an offense. 5. Approve Resolution authorizing the filing of a Non-expansion amendment to move the beginning of accepting applications from January 1 to November 1 of the preceding School Year beginning for the 2022-2023 School Year and the end of the enrollment period to the last day of February. 6. Approve 2021 Update of Special Education Policy Framework 7. Approve Structured Cabling and A/V Add-Ons Package for new HQ. 8. Approve up to \$200,000 to properly support, reinforce, and pour-back foundation areas needing additional support and related projects at new HQ.			

## VIII. Board Items for Discussion/Action

<b>A. CONSIDER/ACT ON OCTOBER, 2021 FINANCIAL REPORT</b>	Vote	James Dworkin	
Discuss/Take Action to approve the October, 2021 International Leadership of Texas, Inc. Financial Report.			
<b>B. CONSIDER/ACT TO ADOPT RESOLUTION APPROVING REMOTE INSTRUCTION</b>	Vote	Dr. Thomas Seaberry	
Discuss/Take action to adopt a Resolution approving Remote Instruction as authorized by SB15.			

## IX. Closing Items

<b>A. Adjourn Meeting</b>	Vote		
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## Cover Sheet

### APPROVE MINUTES OF OCTOBER 21, 2021 REGULAR BOARD MEETING

**Section:** II. Approve Minutes of Prior Meetings  
**Item:** A. APPROVE MINUTES OF OCTOBER 21, 2021 REGULAR  
BOARD MEETING  
**Purpose:** Approve Minutes  
**Submitted by:**  
**Related Material:**  
Minutes for October 21, 2021 Regular Board Meeting on October 21, 2021



## International Leadership of Texas, Inc.

### Minutes

#### October 21, 2021 Regular Board Meeting

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##### **Date and Time**

Thursday October 21, 2021 at 6:15 PM

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##### **Board of Directors of International Leadership of Texas October 21, 2021**

##### **Meeting Notice & Mission Statement**

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www.ILTexas.org. And that the meeting will be accessible at the address listed immediately above. The items on this Agenda may be taken in any order. The mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character.

/s/ Finn Simmensen, For ILTexas' Board

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#### **Directors Present**

Dr. Lynne Beach (remote), Major General James Williams, PETER GUDMUNDSSON (remote), Soner Tarim (remote), Tracy Cox (remote)

#### **Directors Absent**

Chris Moreland, Gabriela Smith

#### **Guests Present**

Amy Michie, Caitlin Madison, Charles Klein, Dr. Laura Carrasco, Dr. Thomas Seaberry, Eddie Conger, Finn Simmensen, James Dworkin, James T. (Tim) Brightman, Jerry McCreight, Lucy Mariappa (remote), Rodney Cooksy (remote), Veronica Csorvasi (remote)

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### **I. Opening Items**

#### **A. Record Attendance and Guests**

#### **B. Call the Meeting to Order**

Major General James Williams called a meeting of the board of directors of International Leadership of Texas, Inc. to order on Thursday Oct 21, 2021 at 6:20 PM.

### **II. Approve Minutes of Prior Meetings**

#### **A. APPROVE MINUTES OF SEPTEMBER 15, 2021 REGULAR BOARD MEETING**

Dr. Lynne Beach made a motion to approve the minutes from September 15, 2021 Regular Board Meeting on 09-15-21.

PETER GUDMUNDSSON seconded the motion.

The board **VOTED** unanimously to approve the motion.

### **III. Superintendent-CEO Report and Information Items**

#### **A. SUPERINTENDENT-CEO REPORT**

Superintendent-CEO Eddie Conger reported to the Board.

- Medical authorities are recognizing mental health issues among children and some say these constitute a national mental health emergency.
- Summer Cybersecurity Camp (Texas A&M).
- Ongoing initiative to help TAMU become a flagship university in the Chinese Language.

#### **B.**

## **SCHOOL LEADERSHIP REPORT**

Deputy Superintendent of School Leadership Dr. Thomas Seaberry reported to the Board.

- Virtual school pursuant to SB-15: limits on total enrollment, academic eligibility; Zoom as primary medium; uniforms required; enrollment estimates; RLP Rating will be issued separate from standard A-F Rating; tentative timeline.

## **C. DEPUTY SUPERINTENDENT OF ACADEMIC STUDENT SERVICES REPORT**

Deputy Superintendent of Academic Student Services Dr. Laura Carrasco reported to the Board.

- 2021-2022 Priorities; Professional Development Day; Hispanic Heritage Month
- Dr. Veronica Csorvasi briefed the Board on English Language Learners

## **D. CHIEF ADMINISTRATIVE OFFICER REPORT**

Chief Administrative Officer Jerry McCreight reported to the Board.

- New hires; employee count.
- Positions authorized, filled, available, unfilled.

## **IV. Executive Session**

### **A. AUTHORIZATION**

### **B. CONSULT WITH ATTORNEY PURSUANT TO GOVERNMENT CODE 551.071**

The Board entered Executive Session at 7:07 p.m. and returned to Open Session at 8:20 p.m., having conducted no votes and made no decisions while in Executive Session.

## **V. CONSENT AGENDA**

### **A. CONSENT AGENDA ITEMS -- SINGLE VOTE UNLESS OTHERWISE SPECIFIED**

Tracy Cox made a motion to approve the Consent Agenda as presented.  
PETER GUDMUNDSSON seconded the motion.  
The board **VOTED** unanimously to approve the motion.

## **VI. Board Items for Discussion/Action**

### **A. CONSIDER/ACT ON SEPTEMBER, 2021 FINANCIAL REPORT**

Dr. Lynne Beach made a motion to approve the September, 2021 Financial Report.  
Tracy Cox seconded the motion.  
CFO James Dworkin reported to the Board.  
The board **VOTED** unanimously to approve the motion.

### **B.**

**CONSIDER/ACT TO ADOPT RESOLUTION ON PURCHASE AUTHORITY  
DELEGATED TO SUPERINTENDENT AND CFO**

PETER GUDMUNDSSON made a motion to adopt the Resolution.

Tracy Cox seconded the motion.

CFO James Dworkin briefed the Board on the proposed Resolution.

The board **VOTED** unanimously to approve the motion.

**C. CONSIDER/ACT TO APPROVE THE 2020-2021 AUDIT REPORT**

PETER GUDMUNDSSON made a motion to approve the Audit Report.

Tracy Cox seconded the motion.

CFO James Dworkin introduced independent auditor Amy Michie, who briefed the Board on the auditors' Unqualified Opinion and engaged in discussion with Board Members.

The board **VOTED** unanimously to approve the motion.

**D. CONSIDER/TAKE ACTION TO ADOPT A RESOLUTION AUTHORIZING  
WAIVER TO DELAY CONSTRUCTION**

Dr. Lynne Beach made a motion to adopt the Resolution.

Soner Tarim seconded the motion.

Superintendent-CEO Eddie Conger briefed the Board on the proposed Resolution.

The board **VOTED** unanimously to approve the motion.

**VII. Closing Items**

**A. Adjourn Meeting**

PETER GUDMUNDSSON made a motion to adjourn.

Dr. Lynne Beach seconded the motion.

The board **VOTED** unanimously to approve the motion.

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 8:40 PM.

Respectfully Submitted,

Finn Simmenssen

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**Documents used during the meeting**

- 2021-2022 ILTexas Professional Learning Plan to Support for English Learners (Emergent Bilingual Students).docx.pdf
- Academic Board Report, October 2021.pdf
- BE ESL Program Evaluation - Oct. 17.pdf
- Admin Rpt Oct 21 2021 combined.pdf
- CONSENT AGENDA ITEM 1 Trivium r. E. Adv. - ILTexas Agm def BG Ramirez DW510222 ready.pdf
- CONSENT AGENDA ITEM 2 KWHS PCCO 037R1 - Final Contract Reconciliation.pdf
- CONSENT AGENDA ITEM 3 Aggieland HS PCCO 044 Final Contract Value Reconciliation.pdf



- CONSENT AGENDA ITEM 4 Resolution -- Disposal of Surplus Property -- for vote 20211021.pdf
- CONSENT AGENDA ITEM 5 Tarrant Office Lease Board Exhibit 20211021.pdf
- Cover for Audit - Board Intro.pdf
- ILTexas FS 2021-09 Board.pdf
- Resolution -- Procurement Authority -- for vote 20211021.pdf
- Audit Draft final 10.20.21.pdf
- Resolution - Waiver Delay Richmond Pearland Mansfield -- for vote 20211021.pdf

# Cover Sheet

## SCHOOL LEADERSHIP REPORT

<b>Section:</b>	IV. Superintendent-CEO Report and Information Items
<b>Item:</b>	B. SCHOOL LEADERSHIP REPORT
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	This Page is Blank.docx

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## Cover Sheet

### DEPUTY SUPERINTENDENT OF ACADEMIC STUDENT SERVICES REPORT

<b>Section:</b>	IV. Superintendent-CEO Report and Information Items
<b>Item:</b>	C. DEPUTY SUPERINTENDENT OF ACADEMIC STUDENT
<b>SERVICES REPORT</b>	
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	Academic Board Report, Nov 2021.pdf SPED_POLICY_FRAMEWORK_2021_with_Summary.pdf

# **ILTexas Academic Board Report**

December 1, 2021

Presented by: Dr. Laura Carrasco  
Deputy Superintendent of Academics & Student Services



## 2021-2022 ILTexas Priorities:

Increase capacity of principals/APs as instructional leaders (w Dr. Seaberry as lead):

- a) Instructional Leadership Professional Development (PD)
- b) Observation/ Feedback Support & Instructional Rounds
- c) Clarity/follow through with academic non-negotiables, roles & responsibilities (campus-area-HQ)

Improve Tier 1 Instruction:

- a) High Quality Instructional Materials (HQIM)/ Lesson Plans
- b) Improved Instruction: i) Intellectual Preparation Process during Professional Learning Communities, ii) PD from Deans/ICs during PLC time and iii) Coaching Observation Feedback efficacy
- c) Improve fidelity to DLI program implementation
- d) Ensure special populations have the supports they need

System for Multi-Tiered Systems of Support (MTSS):

- a) Improve Access to Tier 2 Diagnostics/Diagnostic Data Analysis & clarity of available academic and behavior interventions
- b) Ensure campuses have a system for tracking and monitoring MTSS
- c) Reading & Math Accelerated Learning (w/ weekly implementation data)

## **2021-2022 ILTexas Priorities.**

### Increase capacity of principals/APs as instructional leaders (w Dr. Seaberry as lead):

Last week we hosted our 3rd monthly Professional Learning Community (PLC) with Assistant Principals (APs) by grade band, centered around growing them in the area of instructional leadership. Further, on Dec 13 & 14th we'll be hosting a curriculum & instruction retreat, anchored in our key roles and responsibilities around supporting teachers.

### Improve Tier 1 Instruction:

\*Held our Cycle 1 Review of our Resilient Schools Support Program (RSSP) with Bellwether, our partners, evaluating our progress towards our strategic initiative aimed at improving Tier 1 K-5 math instruction via the Intellectual Preparation Process (IPP).

\*Charterwide, have held 7 separate mini-lessons around coaching and observation feedback.

\*Last week we sent a team of 41 to the La Cosecha Conference in New Mexico (our nation's only two-way dual language education conference)

### Multi-Tiered Systems of Support (MTSS):

\*Our Director of MTSS has completed a visit to each campus, visiting with each grade level team individually to provide some personalized support.

\*Our Executive Dir of Professional Development/ Accelerated instruction has completed her 7th executive summary, reviewing our charterwide accelerated instruction program.



Thank you! ¡Gracias! 谢谢!





# International Leadership of Texas Board Policy – Special Education Legal Framework 2021 Update

**SPECIAL EDUCATION CROSSWALK**

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
<b>Child Find</b>		#CHILD FIND-Child Find Duty #CHILD FIND - Generic
State Funding: Special Allotments	6.20	
Open-Enrollment Charter Equal Educational Opportunity	6.3, 6.1	
Applicability of Texas Education Code Relating to Special Education	6.2	
Compliance with Federal Funding Requirements: IDEA	6.17	
Free Appropriate Public Education	6.1	
Evaluation Procedures	6.16	
Child Find Duty	6.6	
Referral for Possible Special Education Services	6.15	
Ages 0-5	6.5	
Independent Educational Evaluations	6.16	
Monitoring and Compliance	6.2	
Eligibility	6.14	
<b>District and Campus Improvement Plan</b>		
District and Campus Improvement Plans	6.12	
<b>Parent Notification and Personal Graduation Plan</b>		
Graduation Requirements	6.3, 6.22	
<b>Closing the Gap</b>		
Closing the Gap	6.8	
Testing – Student Assessment	6.3, 6.16	
Diagnosis and Programs of Instruction	6.3, 6.8	
Free Appropriate Public Education	6.1	
Applicability of Texas Education Code Relating to Special Education	6.2	
State Funding: Special Allotments	6.20	
Graduation Requirements	6.3, 6.22	
Curriculum	6.8	
Open-Enrollment Charter Equal Educational Opportunity	6.3, 6.1	
Individual Education Program	6.3	
Shared Services Arrangements	6.19	
<b>Dyslexia Services</b>		#CHILD FIND - Dyslexia Services
Dyslexia Services	6.13	
Curriculum	6.8	
Public Education Information Management System (PEIMS)	6.2	
<b>Referral for Possible Special Education Services</b>		#CHILD FIND - Referral for Possible Special Education
Referral for Possible Special Education Services	6.15	

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
Native Language	6.3, 6.9, 6.25	
Consent	6.9, 6.25	
Independent Educational Evaluations	6.16	
Prior Written Notice	6.9	
Child Find Duty	6.6	
Monitoring and Compliance	6.2	
Eligibility	6.14	
<b>Ages 0-5</b>		#Child Find - Ages 0-5
Ages 0-5	6.5	
State Funding: Special Allotments	6.20	
Child Find Duty	6.6	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Prior Written Notice	6.9	
Native Language	6.3, 6.9, 6.25	
Testing- Student Assessment	6.3, 6.16	
Least Restrictive Environment	6.3, 6.1	
Individual Education Program (IEP)	6.3	
<b>Children Who Transfer</b>		#CHILD FIND-Children Who Transfer
Evaluation Procedures	6.7, 6.16	
Records	6.26	
Individual Education Program (IEP)	6.7, 6.3	
Admission, Review and Dismissal (ARD) Committee Meeting	6.7, 6.3	
Transfer of Parental Rights at Age of Majority	6.4	
Consent	6.9	
<b>Children Who are Incarcerated</b>		
Transfer of Parental Rights at Age of Majority	6.4	
Transition Services	6.3	
<b>Private School Children</b>	6.24	
<b>Parent</b>		
Consent	6.9	
Native Language	6.3, 6.9, 6.25	
Records	6.26	
Prior Written Notice	6.9	
Health & Safety	6.11, 6.29, 6.29	
Closing the Gap	6.8	
Curriculum	6.8	
Teacher Requested Review	6.2	
Foster and Surrogate Parents	6.23	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Transfer of Parental Rights at Age of Majority	6.4	
Procedural Safeguards	6.15	
<b>Adult Student and Transfer of Right</b>		

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
Transfer of Parental Rights at Age of Majority	6.4	
Records	6.26	
Transition Services	6.3	
Prior Written Notice	6.9	
Consent	6.9	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
<b>Review of Existing Evaluation Data (REED)</b>		#EVALUATION-Review of Existing Evaluation Data
Evaluation Procedures	6.16	
<b>Evaluation Procedures</b>		#EVALUATION-Evaluation Procedures #EVALUATION-Generic
Evaluation Procedures	6.16	
Independent Education Evaluations	6.16	
Eligibility	6.14	
<b>Summary of Performance</b>		
Transition Services	6.3	
<b>Autism</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Autism
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
Autism Supplement	6.14	
<b>Deaf-Blindness</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Deaf Blindness
Free Appropriate Public Education	6.1	
Ages 0-5	6.5	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Deaf or Hard of Hearing</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Deaf or Hard of Hearing
Free Appropriate Public Education	6.1	
Ages 0-5	6.5	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Emotional Disturbance</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Emotional Disturbance
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Intellectual Disability</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Intellectual Disability
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Multiple Disabilities</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Multiple Disabilities
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Noncategorical Early Childhood</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Noncategorical Early Childhood
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Orthopedic Impairment</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Orthopedic Impairment
Free Appropriate Public Education	6.1	

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Other Health Impairment</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Other Health Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Specific Learning Disability</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Specific Learning Disability
Free Appropriate Public Education	6.1	
Referral for Possible Special Education Services	6.15	
Curriculum	6.8	
Dyslexia Services	6.13	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Speech or Language Impairment</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Speech or Language Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Traumatic Brain Injury</b>		#EVALUATION-Disabilities #EVALUATION-Disabilities—Traumatic Brain Injury
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Visual Impairment</b>		#EVALUATION-Disabilities

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
		#EVALUATION-Disabilities—Visual Impairment
Free Appropriate Public Education	6.1	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Evaluation Procedures	6.16	
Eligibility	6.14	
<b>Independent Educational Evaluation</b>		#EVALUATION-Independent Educational Evaluation
Independent Educational Evaluations	6.16	
<b>Rule of Construction</b>		
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Independent Education Program (IEP)	6.3	
<b>ARD Committee Membership</b>		#FAPE Admission Review and Dismissal Committee Membership
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
<b>Parent Participation</b>		#FAPE Parent Participation
Prior Written Notice	6.9	
Native Language	6.3, 6.9, 6.25	
Consent	6.9	
Foster and Surrogate Parents	6.23	
Procedural Safeguards	6.9, 6.15, 6.25	
Referral for Possible Special Education Services	6.15	
Transfer of Parental Rights at Age of Majority	6.4	
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
<b>ARD Committee Meeting</b>		#FAPE Admission Review and Dismissal Committee Meeting #FAPE Generic
Admission, Review and Dismissal (ARD) Committee Meeting	6.3	
Native Language	6.3, 6.9, 6.25	
Teacher Requested Review	6.2	
Independent Education Program (IEP)	6.3	
Procedural Safeguards	6.3, 6.9, 6.16, 6.15, 6.25	
Prior Written Notice	6.9	
Consent	6.9	
Foster and Surrogate Parents	6.23	
Evaluation Procedures	6.16	

<b>REGION 18 LEGAL FRAMEWORK</b>	<b>SLHA BOARD POLICIES</b>	<b>PROCEDURE TEMPLATES</b>
Least Restrictive Environment (LRE)	6.3, 6.1	
Graduation	6.3, 6.22	
Independent Education Evaluations	6.16	
<b>Determination of Eligibility</b>		#FAPE Composite
Free Appropriate Public Education	6.1	
Closing the Gap	6.8	
Curriculum	6.8	
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## **Board Policy – Special Education Summaries**

### **PG-6.1 – Nondiscrimination**

No students with disabilities will be excluded from participation from any service, program, or activity offered by ILTexas

### **PG-6.2 – Administration**

ILTexas assures compliance with the requirements for monitoring federal and state laws relating to special education based on TEC Section 29.010.

### **PG-6.3 – Admission Review and Dismissal Committee**

The ARD committee is responsible for:

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

The ARD committee is made up of the following members:

1. The parents of a child with a disability;
2. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) who must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student's IEP;
3. At least one special education teacher, or where appropriate, at least one special education provider of the child;
4. A representative of ILTexas 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 ILTexas's resources;

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

#### **PG-6.4 – Adult Student**

Not later than one year before a student with disabilities 18<sup>th</sup> birthday, ILTexas will provide the parents with written notification regarding transfer of rights, resources regarding guardianship, and alternatives to guardianship the parents can explore.

When a student with disabilities reaches the age of 18, ILTexas shall provide notice to the parents of the transfer of rights.

#### **PG-6.5 – Ages 0-5**

If ILTexas offers preschool, ILTexas must provide a free appropriate public education in the least restrictive environment to preschool-aged students even if ILTexas does not provide free preschool programs to all preschool-aged children.

ILTexas may provide opportunities for the participation of the preschool students with disabilities in other preschool programs operated by public agencies or by locating classes for preschool students with disabilities in regular elementary schools.

#### **PG-6.6 – Child Find Duty**

ILTexas shall ensure that all children residing within ILTexas boundaries who have disabilities and in need of special education and related services are identified, located, and evaluated.

#### **PG-6.7 – Children who Transfer**

ILTexas shall provide comparable services as described in the transfer student's IEP from the previous district, until ILTexas develops and implements a new IEP.

### **PG-6.8 – Closing the Gap**

The education of students with disabilities can be made more effective by providing incentives for whole-school approaches, scientifically-based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label students as disabled to address the learning and behavioral needs of such students.

### **PG-6.9 – Consent and Prior Written Notice**

Consent means the parent has been fully informed of relevant information in their native language, the parent understands and agrees in writing to the activity for which their consent is sought, and that this consent is voluntary and can be revoked at any time.

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

### **PG-6.10 – Coordination of Funds to Purchase Instructional Materials**

Instructional materials adopted by ILTexas must be provided to students at no cost.

### **PG-6.11 – Discipline of Students with Disabilities**

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 and must be conducted within 10 days of any decision to change placement.

### **PG-6.12 – District and Campus Improvement Plans**

ILTexas annually conducts a comprehensive needs assessment and will conduct district and campus improvement plans.

### **PG-6.13 – Dyslexia**

ILTexas ensures that procedures for identifying and providing appropriate instructional services to students for dyslexia and related disorders are provided by highly trained individuals.

### **PG-6.14 – Eligibility Criteria**

Eligibility is determined by reason of the student having an eligible disability and has the need for special education and related services in one of the 13 disability categories. Determining eligibility is based on the finding of the evaluation which was based on a variety of data sources.

### **PG-6.15 – Referral for Possible Special Education Services**



Referrals for a special education referral can be made by either the ILTexas or the parent. Before, referral the general classroom should be considered for all support services and interventions available to all students.

#### **PG-6.16 – Evaluation**

ILTexas shall conduct a full and individual evaluation prior to special education services to any student. All students must be evaluated in accordance with IDEA and the TEC.

#### **PG-6.17 – Funding – Federal Funding Compliance**

The use of Part B funds must be used to comply with the federal maintenance of effort requirements, supplement State local and other Federal funds and not supplant such funds, and pay the excess costs of providing special education and related services to students with disabilities.

#### **PG-6.18 – Funding – Noneducational Services**

Students with disabilities and their families may be eligible to receive noneducational community based support services paid for by public funds. TEA is responsible for establishing procedures and criteria for the allocation of noneducational funds for the provision of noneducational community-based support services to certain students with disabilities and their families so that those students may receive a free appropriate public education in the least restrictive environment.

#### **PG-6.19 – Funding – Shared Service Arrangements**

ILTexas may enter into a written contract to jointly operate its special education programs. Funds to which the cooperating schools/charter schools are entitled may be allocated to the schools/charter schools jointly as a shared services arrangement.

#### **PG-6.20 – Funding - State Allotments**

ILTexas shall maintain records of students participating in special programs in accordance with the Commissioner of Education's rules. The funds allocated under this section, must be used in the special education program under the guidelines of TEC.

#### **PG-6.21 – General and Fiscal Guidelines**

ILTexas must comply with the TEA General and Fiscal Guidelines with respect to charging costs to special education grant, reasonable costs, and allocating costs.

#### **PG-6.22 – Graduation Plan**

ILTexas does issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the SBOE under Education Code Section but who fails to comply with Section 39.025 relating to exit-level assessment requirements.

ILTexas does allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.

ILTexas does issue a Certificate of Attendance to a student who receives special education services under IDEA and who has completed four years of high school but has not completed the student's IEP. ILTexas shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony. Receiving a Certificate of Attendance does not preclude a student from receiving a diploma.

#### **PG-6.23 – Parent**

Foster parents who act as the parent for a student with a disability must complete a training program before the next scheduled ARD and no later than the 90th day after acting as the student's parent. ILTexas must appoint an individual to serve as the surrogate parent if ILTexas is not able to locate a parent or the foster parent is unwilling to act as the parent.

#### **PG-6.24 – Private School Children**

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

#### **PG-6.25 – Procedural Safeguards and Requirements**

The Superintendent or designee shall establish and maintain procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education. Procedural safeguards must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

#### **PG-6.26 – Records**

Student records shall be maintained for each student from the time the student is in attendance at ILTexas until withdrawal of or graduation from ILTexas. These records shall move with the student from campus to campus. Records for students not in attendance and/or withdrawn and graduated student shall be retained for the period of time required by law. No permanent records may be destroyed without explicit written permission from the Superintendent.

#### **PG-6.27 – Records Retention and Destruction**

Those items declared to be records shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner, by the Records Officers or their designees.

#### **PG-6.28 – Restraint and Timeout**

ILTexas's policy to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

#### **PG-6.29 – Video Surveillance Procedures**

Video surveillance may be requested in writing for the purpose of promoting student safety in certain self-contained classrooms and other special education settings. A response shall be provided not later than the 7th school business day after the receipt of the request. All parents of students attending class or engaging in school activities in the classroom or setting with video surveillance equipment and all school staff shall be provided written notice of the placement.

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****NONDISCRIMINATION****Sec. 1. NONDISCRIMINATION POLICY**

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any service, program, or activity provided or offered by International Leadership of Texas (ILTexas).

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

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

Eligible students with disabilities shall enjoy the right to a free appropriate public education ("FAPE"), which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. Education Code 29.003(a).

FAPE means special education and related services that:

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

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

**Sec. 3. LEAST RESTRICTIVE ENVIRONMENT**

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

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

**Sec. 4. DISCIPLINE**

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

**BOARD POLICY MANUAL**

**POLICY GROUP 6 - SPECIAL EDUCATION**

**NONDISCRIMINATION**

*19 TAC 89.1050(g).*

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

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

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

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

**Sec. 6. RELATED SERVICES**

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**INTERNATIONAL LEADERSHIP OF TEXAS, INC.**

**PG-6.1**

**BOARD POLICY MANUAL**

**POLICY GROUP 6 - SPECIAL EDUCATION**

**NONDISCRIMINATION**

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****ADMINISTRATION****Sec. 1. APPLICABILITY OF TEXAS EDUCATION CODE**

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

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

International Leadership of Texas, Inc. shall comply with the requirements for monitoring compliance with federal and state laws relating to special education pursuant to Texas Education Code Section 29.010.

**Sec. 2. ASSURANCE**

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

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

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

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****ADMINISTRATION**

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

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

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

*Education Code 29.008(a).*

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

*Education Code 29.008(c)..*

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

*Education Code 29.008(d).*

**Sec. 6. FACILITIES**

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



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

**Sec. 7. ADMINISTRATION OF EQUIPMENT**

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

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

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

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

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- e. the signatures of authorized representatives of both transferor and transferee.

(19 TAC 89.1056)

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

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

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

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

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

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

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

ILTexas adopts as policy the provisions under State and Federal law concerning personnel, including:

Charter school teachers must only meet the requirements of the State’s public charter school law, which differ from the requirements for Texas teacher certification. In Texas, State law does not require a teacher employed by an open-enrollment charter school to be certified unless the teacher is assigned to teach in special education or bilingual education programs, in which

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case the appropriate State certification is required. The minimum qualification under State law for a teacher at an open-enrollment charter school, other than a special education or bilingual education teacher, is a bachelor's degree. However, the governing body of ILTexas may set the qualifications for teachers at a standard above what State law requires.

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

*Education Code 12.129(a).*

In an open-enrollment charter school that serves youth referred to or placed in a residential trade center by a local or state agency, a person may be employed as a teacher for a noncore vocational course without holding a baccalaureate degree if the person has demonstrated subject matter expertise related to the subject taught, such as professional work experience, formal training and education, holding a relevant active professional industry license, certification, or registration, or any combination of work experience, training and education, and industry license, certification, or registration, and received at least 20 hours of classroom management training as determined by the governing body of the open-enrollment charter school.

*Education Code 12.129(b).*

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

*19 TAC 89.1131(a).***Sec. 10. NOTICE TO PARENTS – QUALIFICATIONS**

The Superintendent or designee shall provide to the parent or guardian of each student enrolled in ILTexas written notice of the qualifications of each teacher employed by ILTexas.

Additionally, the Superintendent or designee shall, at the beginning of each school year, notify the parents of each student attending ILTexas that the parents may request, and ILTexas shall provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

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

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

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**Sec. 1. ADMISSION, REVIEW AND DISMISSAL COMMITTEES**

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

**Sec. 2. ARD COMMITTEE RESPONSIBILITIES**

The ARD committee and ILTexas are responsible for:

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

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

**Sec. 3. COMMITTEE MEMBERS**

ILTexas shall ensure that each ARD committee meeting includes:

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

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

*19 TAC 89.1050.*

An International Leadership of Texas (ILTexas) member of the ARD committee shall not be required to attend an IEP meeting, in whole or in part, if the parent and ILTexas agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed during the meeting.

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

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

**a) Transition Meeting Membership**

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

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

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

*34 CFR 300.321(b).*

**Sec. 4. PARENTAL INVOLVEMENT**

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

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

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

**Sec. 5. ALTERNATIVE PARTICIPATION METHODS**

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

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

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

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

*34 CFR 300.322(d).*

**Sec. 6. ARD COMMITTEE MEETINGS**

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

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purpose at least once a year. The ARD committee must also determine the child's placement once per year.

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

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

**a) Meeting at Parent Request**

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

*19 TAC 89.1050(e).*

**b) Transfer Students**

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

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

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

**c) Transfer of Records**

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

**d) Military Dependents**

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ILTexas shall initially provide comparable services to a military student with disabilities based on his or her current IEP. This does not preclude ILTexas from performing subsequent evaluations to ensure appropriate placement of the student. Education Code 162.002 art. V, § C.

**Sec. 7. ELIGIBILITY DETERMINATIONS**

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

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

ILTexas shall provide a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

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

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

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

**Sec. 8. INDIVIDUALIZED EDUCATION PROGRAM**

ILTexas shall develop, review, and revise an IEP for each child with a disability.

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

ILTexas shall have an IEP in effect for each child with a disability at the beginning of each school year.

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

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

1. A statement of the child's present levels of academic achievement and functional performance;
2. A statement of measurable annual goals, including academic and functional goals;
3. A description of how the child's progress toward the annual goals will be measured and when periodic reports on the progress of the child will be provided;

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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 these services and modifications;
8. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state or system-wide assessments;
9. If the ARD committee determines that the child must take an alternative assessment instead of a particular regular state or system-wide assessment, a statement of why the child cannot participate in the regular assessment and why the particular assessment selected is appropriate for the child;
10. Beginning not later than the first IEP to be in effect when the child is 16, or younger if determined appropriate by the ARD committee, and updated annually thereafter, a statement of appropriate, measurable postsecondary goals and transition services needed to assist the child in reaching those goals; and
11. Beginning not later than one year before the child reaches the age of 17, a statement that the child has been informed of the rights that will transfer to the child upon reaching the age of majority.

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

**Sec. 9. TRANSLATING IEPs**

If the child's parent is unable to speak English, ILTexas shall:

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

*Education Code 29.005(d).*

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

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

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

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

*19 TAC 89.1055(e)–(f).*

**Sec. 11. VISUAL IMPAIRMENT**

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

An IEP for a student with a visual impairment must include instruction in braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy

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medium for the student, based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs.

*Education Code 30.002.*

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

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

*Education Code 29.303.*

**Sec. 13. COLLABORATIVE PROCESS**

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

**a) *Recess***

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

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

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

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

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

*19 TAC 89.1050(g).*

**b) No Agreement Reached**

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

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

*19 TAC 89.1050.*

**Sec. 14. IEP MODIFICATION**

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

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

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

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

To the extent possible, ILTexas shall encourage the consolidation of reevaluation meetings for the child and other ARD committee meetings for the child.

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

**Sec. 15. LEAST RESTRICTIVE ENVIRONMENT**

ILTexas shall ensure that, to the maximum extent possible, children with disabilities shall be educated with children who are not disabled. Special classes, special schooling, or other removal

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of children with disabilities from the regular educational environment shall occur only when the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved.

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

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

ILTexas shall ensure that ESY services are available as necessary to provide a student with a disability with a FAPE.

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

*34 CFR 300.106; 19 TAC 89.1065.*

**Sec. 17. GRADUATION**

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

*19 TAC 101.3023(a).*

**Sec. 18. STATE ASSESSMENTS**

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

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

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

**Sec. 19. TRANSPORTATION**

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

*19 TAC 89.1096(e).*

**Sec. 20. TRANSITION SERVICES**

**a) *Definitions***

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

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

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

**b) *Individual Transition Planning***

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

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

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

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

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

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

*Education Code 29.0112.*

**c) Graduation**

Graduation with a regular high school diploma under 19 TAC 89.1070(b)(1), (b)(2)(D), (f)(1), (f)(2), or (f)(3)(D) terminates a student's eligibility for special education services. For students

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who receive a diploma according to 19 TAC 89.1070(b)(2)(A), (B), or (C) or (f)(3)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

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

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

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

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

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

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

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

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

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

**Sec. 22. COVID-19 SPECIAL EDUCATION RECOVERY ACT**

**Commented [A1]:** Expires Sept. 1, 2023

**a) *IEP Supplement Applicability***

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Not later than May 1, 2022, ILTexas shall prepare a supplement to be included with the IEP developed under Education Code 29.005(b) for each child who was enrolled in ILTexas' special education program during the 2019-2020 school year or the 2020-2021 school year.

**b) Required Content**

The supplement must include information indicating:

1. if applicable, whether the written report of the child's full individual and initial evaluation under Education Code 29.004 was completed during the 2019-2020 school year or the 2020-2021 school year and, if so, whether the report was completed by the date required under section 29.004;
2. if applicable, whether the child's initial IEP was developed under Education Code 29.005(b) during the 2019-2020 school year or the 2020-2021 school year and, if so, whether the program was developed by the date required under 34 CFR 300.323(c)(1);
3. whether the provision of special services to the child under an IEP during the 2019-2020 school year or the 2020-2021 school year was interrupted, reduced, delayed, suspended, or discontinued; and
4. whether compensatory educational services are appropriate for the child based on the information under (1)-(3) above or any other factors.

**c) Exception**

Education Code 29.0052 does not apply to a child if during the 2020-2021 school year the child's IEP documents the information described in Subsections (b)(1)-(4) above.

*Education Code 29.0052.*

**Sec. 23. SUPPLEMENTAL SPECIAL EDUCATION SERVICES PROGRAM**

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

**a) ARD Committee Duties**

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

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

*Education Code 29.048(b).*

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

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

*Education Code 29.048(a).*

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

Not later than one year before the 18th birthday of a student with a disability, International Leadership of Texas (ILTexas) shall:

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

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

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****AGES 0-5****Sec. 1. PREKINDERGARTEN PROGRAMS****a) *Tuition-Free Program***

International Leadership of Texas, Inc. (ILTexas) shall offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least four years of age. ILTexas may offer tuition-free prekindergarten classes if it identifies 15 or more eligible children who are at least three years of age.

**i. Exemption**

ILTexas may apply to the Commissioner of Education for an exemption from the requirement that it provide a free prekindergarten program if ILTexas would be required to construct classroom facilities in order to provide the program.

**ii. Half-Day Basis**

A tuition-free prekindergarten class may be operated on a half-day basis for children under four years of age and shall be operated on a full-day basis for children who are at least four years of age.

**iii. Program Eligibility**

A child is eligible for enrollment in free prekindergarten if the child is at least three years of age and:

1. Is unable to speak and comprehend the English language;
2. Is educationally disadvantaged;
3. Is homeless, as defined by federal law, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control;
4. Is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority;
5. Is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; or
6. Is or ever has been in:
  - a. the conservatorship of the Department of Family and Protective Services following an adversary hearing under Family Code 262.201; or
  - b. foster care in another state or territory, if the child resides in this state;
7. Is the child of a person eligible for the Star of Texas Award as:

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- a. A peace officer under Section 3106.002, Government Code;
- b. A firefighter under Section 3106.003, Government Code; or
- c. An emergency medical first responder under Section 3106.004, Government Code.

A child who is eligible for enrollment under items 4 or 5 above remains eligible if the child's parent leaves the armed forces, or is no longer on active duty, after the child begins the prekindergarten class.

iv. Public Notice

The Superintendent shall develop a system to notify the population in the community with children eligible or enrollment of the availability of the program. The system must include public notices issued in English and Spanish.

v. Transportation

ILTexas is not required to provide transportation for a prekindergarten class. If transportation is provided, it is included for funding purposes as part of the regular transportation system.

vi. High-Quality Prekindergarten Required

A free prekindergarten class for children who are at least four years of age must comply with the program standards required for high-quality prekindergarten programs under Education Code Chapter 29, Subchapter E-1.

## **Sec. 2. PRESCHOOL-AGED CHILDREN**

If ILTexas offers preschool, ILTexas must provide a free appropriate public education ("FAPE") in the least restrictive environment to preschool-aged students even if ILTexas does not provide free preschool programs to all preschool-aged children.

*34 C.F.R. 300.101(a)-(b) and §300.116.*

ILTexas may provide opportunities for the participation of the preschool students with disabilities in other preschool programs operated by public agencies or by locating classes for preschool students with disabilities in regular elementary schools. However, ILTexas is not required to initiate preschool programs or to establish extensive contact programs with private schools which serve both students with disabilities and students without disabilities solely to satisfy the requirements regarding placement in the least restrictive environment.

*OSEP Policy Memo 89-23; 34 C.F.R. 300.102(a).*

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

*Education Code 29.009.*

**Sec. 3. TRANSITION OF CHILDREN FROM PART C**

By the third birthday of a child participating in early intervention programs the ILTexas must ensure that an individualized education program ("IEP") or an individualized family service plan ("IFSP"), has been developed and is being implemented for the child.

In the case of a child with a disability aged three through five the ARD committee must consider an IFSP that contains the IFSP content (including the natural environments statement, educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures.

*34 CFR 300.323(b).*

**Sec. 6.4.4 COMMUNICATION MODE OF DEAF OR HARD OF HEARING CHILD**

The comprehensive statewide plan for the education of children with visual impairments must:

1. Adequately provide for comprehensive diagnosis and evaluation of each school-age child with a serious visual impairment;
2. Include the procedures, format, and content of the IEP for each child with a visual impairment;
3. Emphasize providing educational services to children with visual impairments in their home communities whenever possible;
4. Include methods to ensure that children with visual impairments receiving special education services in school districts receive, before being placed in a classroom setting or within a reasonable time after placement: (A) evaluation of the impairment; and (B) instruction in an expanded core curriculum, which is required for students with visual impairments to succeed in classroom settings and to derive lasting, practical benefits from the education provided by school districts, including instruction in: (i) compensatory skills, such as braille and concept development, and other skills needed to access the rest of the curriculum; (ii) orientation and mobility; (iii) social interaction skills; (iv) career planning; (v) assistive technology, including optical devices; (vi) independent living skills;

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- (vii) recreation and leisure enjoyment; (viii) self-determination; and (ix) sensory efficiency;
- 5. Provide for flexibility on the part of school districts to meet the special needs of children with visual impairments through: (A) specialty staff and resources provided by the district; (B) contractual arrangements with other qualified public or private agencies; (C) supportive assistance from regional education service centers or adjacent school districts; (D) short-term or long-term services through the Texas School for the Blind and Visually Impaired or related facilities or programs; or (E) other instructional and service arrangements approved by the agency;
- 6. Include a statewide admission, review, and dismissal ("ARD") process;
- 7. Provide for effective interaction between the visually impaired child's classroom setting and the child's home environment, including providing for parental training and counseling either by school district staff or by representatives of other organizations directly involved in the development and implementation of the IEP for the child;
- 8. Require the continuing education and professional development of school district staff providing special education services to children with visual impairments;
- 9. Provide for adequate monitoring and precise evaluation of special education services provided to children with visual impairments through school districts; and
- 10. Require that school districts providing special education services to children with visual impairments develop procedures for assuring that staff assigned to work with the children have prompt and effective access directly to resources available through: (A) cooperating agencies in the area; (B) the Texas School for the Blind and Visually Impaired; (C) the Central Media Depository for specialized instructional materials and aids made specifically for use by students with visual impairments; (D) sheltered workshops participating in the state program of purchases of blind-made goods and services; and (E) related sources.

Each eligible blind or visually impaired student is entitled to receive educational programs according to an IEP that:

- 1. Is developed in accordance with federal and state requirements for providing special education services;
- 2. Is developed by a committee composed as required by federal law;
- 3. Reflects that the student has been provided a detailed explanation of the various service resources available to the student in the community and throughout the state;
- 4. Provides a detailed description of the arrangements made to provide the student with the evaluation and instruction; and
- 5. Sets forth the plans and arrangements made for contacts with and continuing services to the student beyond regular school hours to ensure the student learns the skills and receives the required instruction.

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In the development of the IEP for a student with a visual impairment, proficiency in reading and writing is a significant indicator of the student's satisfactory educational progress.

The IEP for a student with a visual impairment must include instruction in braille and the use of braille unless the student's ARD committee determines and documents that braille is not an appropriate literacy medium for the student.

The ARD committee's determination must be based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs.

Braille instruction may be used in combination with other special education services appropriate to the student's educational needs and shall be provided by a teacher certified to teach students with visual impairments.

*Education Code 30.002.*

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**CHILD FIND DUTY**

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**Sec. 1. CHILD FIND**

International Leadership of Texas, Inc. (ILTexas) shall ensure that all children residing within ILTexas's boundaries who have disabilities, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located, and evaluated. This requirement applies to all children with disabilities, including:

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

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

**Sec. 2. PRIVATE SCHOOL STUDENTS**

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

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

*20 U.S.C. 1412(a)(10)(A)(ii)–(iv).*

**Sec. 3. PRESCHOOL STUDENTS**

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

*Education Code 29.009.*

**Sec. 4. STUDENT RECORDS**

After each student is enrolled in ILTexas, ILTexas will promptly request all student records from the student's previous school.

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

***a. Texas Transfers***

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

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

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

*34 CFR 300.323/.*

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****CLOSING THE GAP****Sec. 1. PREKINDERGARTEN PROGRAMS**

The education of students with disabilities can be made more effective by providing incentives for whole-school approaches, scientifically-based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label students as disabled in order to address the learning and behavioral needs of such students.

*20 U.S.C. 1400(c)(5)(F).*

In implementing coordinated, early intervening services, International Leadership of Texas (ILTexas) may carry out activities that include:

1. professional development (which may be provided by entities other than local educational agencies) for teachers and other school staff to enable such personnel to deliver scientifically based academic instruction and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
2. providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

*20 U.S.C. 1413(f)(2); 34 CFR 300.226(b).*

An early intervention service (including a response-to-intervention or (RTI)) process cannot delay the initial evaluation for special education services of a student suspected of having a disability. A parent may request an evaluation at any time to determine whether the student is a student with a disability. If a parent requests an evaluation and ILTexas agrees that the student may be eligible for special education, ILTexas must evaluate the student. If ILTexas denies the parent's request for evaluation, ILTexas shall provide notice to the parent explaining the basis for the refusal. The parent may challenge the refusal to evaluate through the impartial hearing process.

*20 U.S.C. 1413(f)(3); 34 CFR 300.226(c).*

**Sec. 2. BILINGUAL EDUCATION PROGRAM**

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

*Education Code Chapter 29, Subchapter B; 19 TAC 89.1201-1265.*

*Education Code 29.060(a).*

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****CLOSING THE GAP****Sec. 3. STUDENT WITH DISABILITIES AND LIMITED ENGLISH PROFICIENCY**

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

*19 TAC 89.1230.*

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

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

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

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

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

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

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

*19 TAC 101.1005(a).*

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

ILTexas's bilingual education program's content and instruction shall comply with Education Code Section 29.055.

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

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

*Education Code 29.056(a).*

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

*Education Code §29.056(a).*

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

**Sec. 9. FACILITIES; CLASSES**

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

*Education Code 29.057.*

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

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

*Education Code 29.058.*

**Sec. 11. COOPERATION AMONG SCHOOLS**

ILTexas may cooperate with other schools to provide a bilingual education or special language program.

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**CLOSING THE GAP**

*Education Code 29.059.*

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

Each open-enrollment charter school that is required to offer a bilingual education or special language program shall offer a voluntary program for students of limited English proficiency who will be eligible for admission to kindergarten or the first grade at the beginning of the school year. A school that operates on a system permitted by the Texas Education Code other than a semester system shall offer 120 hours of instruction on a schedule the governing board establishes. The program shall meet the requirements of Education Code Section 29.060.

*Education Code 29.060(a).*

Enrollment of a student in the program is optional with the parent of the student.

*Education Code 29.060(b).*

The program must be an intensive bilingual education or special language program that meets standards established by the Texas Education Agency. The student/teacher ratio for the program may not exceed 18:1.

*Education Code 29.060(c).*

ILTexas may establish on a full- or part-time basis summer school, extended day, or extended week bilingual education or special language programs for students of limited English proficiency and may join with other schools or schools in establishing the programs.

*Education Code 29.060(d).*

The programs required or authorized by Education Code Section 29.060 may not be a substitute for programs required to be provided during the regular school year.

*Education Code 29.060(e).*

The legislature may appropriate money from the foundation school fund for support of a program under Education Code Section 29.060(a).

*Education Code 29.060(f).*

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

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**BOARD POLICY MANUAL**

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**CLOSING THE GAP**

ILTexas shall ensure that bilingual education and special language program teachers are properly certified.

*Education Code 29.061.*

**Sec. 14. APPEALS**

A parent of a student enrolled in a bilingual education or special language program may appeal to the Commissioner of Education if ILTexas fails to comply with the requirements established by law or by the TEA. If the parent disagrees with the placement of the student in the program, the parent may appeal that decision to the Board. Appeals shall be conducted in accordance with procedures adopted by the Commissioner of Education under Chapter 157 of the Texas Administrative Code.

*Education Code 29.064; 19 TAC 89.1240.*

**Sec. 15. PEIMS REPORTING REQUIREMENTS**

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

*Education Code 29.066.*



**BOARD POLICY MANUAL**

**POLICY GROUP 6 - SPECIAL EDUCATION**

**CONSENT AND PRIOR WRITTEN NOTICE**

**Sec. 1. CONSENT**

Consent means that:

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

If the parent revokes consent in writing for his or her child's receipt of services after the child is initially provided special education and related services, International Leadership of Texas (ILTexas) is not required to amend the child's education records to remove any references to the child's receipt of services because of the revocation of consent.

*34 CFR 300.9.*

**Sec. 2. LANGUAGE OF NOTICES**

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

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

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

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

*34 CFR 300.505.*

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

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

1. Upon initial referral or parental request for evaluation;

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**CONSENT AND PRIOR WRITTEN NOTICE**

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

ILTexas may also place a current copy of the procedural safeguards notice on its Internet website.

**a) *Contents of Notice***

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

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

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

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

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

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**CONSENT AND PRIOR WRITTEN NOTICE**

*34 CFR 300.503(a).*

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

*19 TAC 89.1050(h).*

**a) *Contents of Notice***

The notice must include:

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

*34 CFR 300.503(b).*

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

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

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

**c) *Consent to Services***

ILTexas shall seek informed consent from the parent before providing special education and related services to a child.

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

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**POLICY GROUP 6 - SPECIAL EDUCATION**

**CONSENT AND PRIOR WRITTEN NOTICE**

**d) *Consent to Reevaluation***

ILTexas shall obtain informed parental consent before conducting any reevaluation of a child with a disability, except that such informed parental consent need not be obtained if ILTexas can demonstrate that it has taken reasonable measures to obtain such consent and the parent has failed to respond.

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

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

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

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

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

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

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

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

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

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

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

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

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**CONSENT AND PRIOR WRITTEN NOTICE**

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

**Sec. 8. OTHER CONSENT REQUIREMENTS**

Parental consent is not required before ILTexas may:

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

*34 CFR 300.300(d).*

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**COORDINATION OF FUNDS TO PURCHASE INSTRUCTIONAL  
MATERIALS**

Instructional materials adopted by International Leadership of Texas (ILTexas) must be provided to students at no cost.

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

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

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**DISCIPLINE OF STUDENTS WITH DISABILITIES**

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

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

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

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

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

**Sec. 2. SPECIAL EDUCATION STUDENTS**

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

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

*Education Code 37.004(b)*.

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

A student with a disability who violates the ILTexas Student Code of Conduct may be moved from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten consecutive school days, to the extent those

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alternatives are applied to children without disabilities. *20 U.S.C. 1415(k)(1)(B); 34 C.F.R. 300.530(b)(1).*

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

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

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

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

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

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

**Sec. 6. CHANGES IN PLACEMENT**

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

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

1. Removed from the student's current educational placement for more than ten consecutive school days; or
2. Subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than ten school days in a school year;



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- b. The student's behavior is substantially similar to the student's behavior in the previous incidents that resulted in the series of removals; and
- c. Additional factors exist, such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

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

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

**Sec. 7. MANIFESTATION DETERMINATION**

Within ten school days of any decision to change the placement of a student because of a violation of the Student Code of Conduct, ILTexas, parents, and relevant members of the ARD committee (as determined by the parent and ILTexas) 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 ILTexas's failure to implement the IEP.

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

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

**a) *Not a Manifestation***

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

**i. Services During Removal**

The student must:

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**DISCIPLINE OF STUDENTS WITH DISABILITIES**

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

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

**b) *Manifestation***

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

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

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

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

**i. Special Circumstances**

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

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

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

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

**c) *Services During Removal***

The student must:

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

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

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

**Sec. 8. APPEALS**

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

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

**a) *Placement During Appeals***

When an appeal has been requested by a parent or ILTexas, 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 ILTexas agree otherwise.

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

**Sec. 9. REPORTING CRIMES**

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

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

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

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

**a) *School Knowledge***

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

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

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

**b) *Exceptions***

ILTexas 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

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**DISCIPLINE OF STUDENTS WITH DISABILITIES**

3. The student has been evaluated and it was determined that the student did not have a disability.

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

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

However, if a request is made for an evaluation during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

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

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**DISTRICT AND CAMPUS IMPROVEMENT PLANS**

It is the policy of International Leadership of Texas to annually conduct a comprehensive needs assessment and to conduct district and campus improvement plans, if required by state and federal funding requirements.

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## BOARD POLICY MANUAL

## POLICY GROUP 6 - SPECIAL EDUCATION

## DYSLEXIA

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

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

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

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

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

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

**Sec 3. IDENTIFICATION AND TESTING**

A process for early identification, intervention, and support for students at risk for dyslexia and related disorders must be available, as outlined in the *Dyslexia Handbook*. The program must include a screening at the end of each school year for all kindergarten students and by January 31<sup>st</sup> for first grade students.

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

**SEC 4. PERSONNEL QUALIFICATIONS**

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

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## POLICY GROUP 6 - SPECIAL EDUCATION

## DYSLEXIA

education and related services if that provider is the most appropriate person to offer dyslexia instruction.

**SEC. 5. TREATMENT AND SERVICES**

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

**a) *Reading Program***

ILTexas shall purchase a reading program or develop its own reading program for students with dyslexia and related disorders that is aligned with the descriptors found in the *Dyslexia Handbook*.

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

**b) *Reassessment***

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

**SEC 6. PARENT EDUCATION PROGRAM**

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

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

*Education Code 38.003; 19 TAC 74.28.*



## **Sec. 7. REPORTING**

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****ELIGIBILITY CRITERIA****Sec. 1. ELIGIBILITY CRITERIA**

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

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

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

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

**Sec. 2. DETERMINING ELIGIBILITY**

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

*19 TAC 89.1040.*

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

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

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

*34 CFR 300.306.*

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

*34 CFR 300.306(b).*

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

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

*34 CFR 300.8(b).*

**Sec. 3. INTELLECTUAL DISABILITY**

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

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

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

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

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

**Sec. 5. EMOTIONAL DISTURBANCE**

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

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

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

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

**Sec. 6. ORTHOPEDIC IMPAIRMENT**

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

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

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

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*19 TAC 89.1040(10).*

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

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

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

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

**Sec. 8. TRAUMATIC BRAIN INJURY**

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

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

*19 TAC 89.1040(11).*

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

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

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

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

**Sec. 10. DEAFNESS**

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

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

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

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

A student with a visual impairment is one who:

1. has been determined by a licensed ophthalmologist or optometrist to have no vision or to have a serious visual loss after correction; or to have a progressive medical condition that results in no vision or a serious visual loss after correction.
2. has been determined by the following evaluations to have a need for special services, including:
  - a. a functional vision evaluation by a professional certified in the education of students with visual impairments or a certified orientation and mobility instructor. The evaluation must include the performance of tasks in a variety of environments requiring the use of both near and distance vision and recommendations concerning the need for a clinical low vision evaluation and an orientation and mobility evaluation; or
  - b. a learning media assessment by a professional certified in the education of students with visual impairments. The learning media assessment must include recommendations concerning which specific visual, tactual, and/or auditory learning

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media are appropriate for the student and whether or not there is a need for ongoing evaluation in this area.

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

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

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

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

**Sec. 12. DEAF-BLINDNESS**

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

*34 CFR §300.8(c)(2).*

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

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

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## ELIGIBILITY CRITERIA

*19 TAC 89.1040(c).*

### **Sec. 13. SPECIFIC LEARNING DISABILITY**

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

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

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

ILTexas's evaluation must also show that the student:

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

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

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

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Prior to identifying a student as one with a learning disability, ILTexas shall ensure that the suspected disability is not due to lack of educational opportunity or lack of appropriate instruction. ILTexas shall consider data that shows the student has received appropriate instruction in math and reading in the general education setting. ILTexas shall also consider documentation of repeated assessments of achievement at reasonable intervals, reflecting formal evaluation of student progress during instruction. This may include, but is not limited to, RTI progress results, in-class tests on grade-level curriculum, or other regularly administered assessments. Intervals are considered reasonable if consistent with the assessment requirements of a student's specific instructional program.

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

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

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

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

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

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

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

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

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

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

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**ELIGIBILITY CRITERIA**

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

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

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES****Sec. 1. REFERRAL FOR FULL AND INDIVIDUAL INITIAL EVALUATION**

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

**a) *Obligation to Refer***

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

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

**b) *Parent Request***

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

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

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

**Sec. 2. NOTICE OF RIGHTS**

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

34 CFR §300.8(c)(10)

**Sec. 3. INITIAL EVALUATION**

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ILTexas 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).*

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

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

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

ILTexas shall make reasonable efforts to obtain informed parental consent before conducting an initial evaluation.

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

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

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES****Sec. 4. PROVIDING ASSISTANCE TO STUDENTS WHO HAVE LEARNING DIFFICULTIES OR NEED SPECIAL EDUCATION SERVICES**

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

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

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

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

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

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

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****EVALUATION****Sec. 1. FULL AND INDIVIDUAL EVALUATION (FIE)**

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

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

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

*34 CFR 300.301; Education Code 29.310.*

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

*19 TAC 89.1230.*

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

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

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

*34 CFR 300.301, 300.304.*

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**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****EVALUATION****Sec. 2. TIMELINE**

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

*Education Code 29.004(c).*

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

*Education Code 29.004(a).*

This timeframe shall not apply if:

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

*34 CFR 300.301(d).*

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

*Education Code 29.004.*

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



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

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

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

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

*Education Code 29.004.*

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

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

*34 CFR 300.307.*

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

*34 CFR 300.310 (a).*

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****EVALUATION**

*34 CFR 300.9.*

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

*34 CFR 300.350(f).*

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

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

The REED must include a review of the following:

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

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

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

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

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

*34 CFR 300.305.*

ILTexas shall conduct a reevaluation of the student if the school determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation or if the child's parent or teacher requests a reevaluation. A reevaluation may not occur more than once per year, unless agreed to by the school and the parent. A reevaluation must occur at least every three years, unless the school and parent agree the evaluation is unnecessary.

*34 CFR 300.303.*

**Sec. 6. CHANGE IN ELIGIBILITY**

ILTexas shall evaluate a student with a disability before determining a student is no longer eligible for special education and related services.

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

*34 CFR 300.305(e).*

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

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

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

*34 CFR 300.309(b).*

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**EVALUATION**

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

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

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

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

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

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

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

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

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

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

*Education Code 29.0041.*

**Sec. 10. EXTENSION OF TIMELINES**

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

*34 CFR 300.309(c).*

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

*Education Code 29.016.*

**Sec. 12. INDEPENDENT EDUCATIONAL EVALUATIONS**

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

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

**Sec. 13. DEFINITIONS**

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

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

*34 CFR 300.502.*

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

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

If the parent requests an IEE, ILTexas must respond to the parent by either:

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

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

If the parent requests an IEE of the student, ILTexas may ask why the parent objects to the evaluation of the student obtained by ILTexas; however, ILTexas may not require an explanation and may not unreasonably delay either providing the IEE of the student at public expense or filing a due process complaint to request a due process hearing to defend ILTexas's evaluation of the student.

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

*34 CFR 300.502.*

**a) *Parent-Initiated Evaluations***

If the parent obtains an IEE of the student at public expense or the parent shares with ILTexas an evaluation of the student that the parent obtained at private expense:

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

*34 CFR 300.502.*

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

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

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

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

**a) *Location***

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

**b) *Cost***

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

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

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

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

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

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

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

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Travel costs for evaluators will not exceed ILTexas rates for travel as established by state guidelines.

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

**c) *Evaluator Criteria***

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

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

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

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

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

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

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

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

Copies of protocols must be provided to ILTexas.

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

The evaluation must be provided to ILTexas upon completion.

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

*34 CFR 300.502(e).*

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**FUNDING - FEDERAL FUNDING COMPLIANCE**

**IDEA, TITLE I**

**Sec. 1. COMPLIANCE**

International Leadership of Texas (ILTexas) shall use Individuals with Disabilities Education Act (“IDEA”) Part B funds received to:

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

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

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

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

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

ILTexas may reduce the level of expenditures if the reduction is attributable to:

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

*34 CFR 300.204.*

**Sec. 3. EXCESS EXPENDITURES**

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

1. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to the child with a disability in accordance with the individualized education program (“IEP”) of the child, even if nondisabled children benefit from such services;

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**IDEA, TITLE I**

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

*34 CFR 300.208.*

**Sec. 4. EARLY INTERVENING SERVICES**

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

*34 CFR 300.226(e).*

**Sec. 5. USE OF IDEA PART B FUNDS FOR TITLE 1 PROGRAMS**

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

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

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

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**Sec. 6. COMPLIANCE WITH FEDERAL FUNDING REQUIREMENTS: TITLE 1**

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

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

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**FUNDING – NONEDUCATIONAL SERVICES**

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

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

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

*Education Code 29.013(a).*

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

*Education Code 29.013(b).*

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

*Education Code 29.013(c).*

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

*Education Code 29.013(d).*

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**FUNDING – SHARED SERVICES ARRANGEMENTS**

**Sec. 1. SHARED SERVICES ARRANGEMENT**

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

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**FUNDING – STATE ALLOTMENTS**

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

International Leadership of Texas (ILTexas) shall maintain records of students participating in special programs in accordance with the Commissioner of Education's rules.

19 TAC 129.21.

**Sec. 2. SPECIAL EDUCATION ALLOTMENT**

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

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

*Education Code 48.102(h).*

**Sec. 3. COMPENSATORY EDUCATION ALLOTMENT**

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

*Education Code 48.104.*

Funds allocated under Education Code Section 48.104 shall be used to fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B (School-Based Health Centers), Chapter 39, Texas Education Code, or disparity in the rates of high school completion between students at risk of dropping out of school, as defined by Section 29.081 of the Education Code (Compensatory, Intensive, and Accelerated Instruction) and all other students. Specifically, the funds, other than an indirect cost allotment established under SBOE rule, which may not exceed 45 percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Education Code Section 29.081 or an alternative education program established under Education Code Section 37.008 (Disciplinary Alternative Education Programs) or to support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub.

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L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged. In meeting the costs of providing a compensatory, intensive, or accelerated instruction program under Education Code Section 29.081, ILTexas's compensatory education allotment shall be used for costs supplementary to the regular education program, such as costs for program and student evaluation, instructional materials and equipment and other supplies required for quality instruction, supplemental staff expenses, salary for teachers of at-risk students, smaller class size, and individualized instruction.

*Education Code 48.104(k).*

**Sec. 4. BILINGUAL EDUCATION ALLOTMENT**

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

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

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

For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades 7 through 12 or in career and technology education programs for students with disabilities in grades seven through 12, an open-enrollment charter school is entitled to:

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



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**FUNDING – STATE ALLOTMENTS**

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

At least 55% of the funds allocated under this section must be used in providing career and technology education programs in grades 7 through 12.

*Education Code 48.106.*

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**GENERAL AND FISCAL GUIDELINES**

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

International Leadership of Texas, Inc. must comply with the Texas Education Agency General and Fiscal Guidelines.

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

International Leadership of Texas, Inc. may charge costs to a special education grant when those costs follow the International Leadership of Texas, Inc.'s local written procedures for allowability of costs and meet the following criteria:

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

**Sec. 3. REASONABLE COST**

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

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

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**GENERAL AND FISCAL GUIDELINES**

**a) *Allocating Costs***

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

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

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**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****GRADUATION PLAN****Sec. 1. APPLICABILITY OF TITLE RELATING TO HIGH SCHOOL GRADUATION**

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

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

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

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

*Education Code 29.0111; 19 TAC 89.1070.*

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

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

*34 CFR 300.102.*

A student who receives a diploma, but took one or more classes with a modified curriculum, may request the ARD committee determine needed educational services as long as the student meets the age eligibility requirements. Modified curriculum is defined as curriculum or content that is reduced in amount or complexity of the required Texas Essential Knowledge and Skills (“TEKS”).

*19 TAC 89.1070.*

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

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

1. Demonstrates mastery of the required states standards;
2. Completes the credit requirements under the Foundation High School Program; or

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**GRADUATION PLAN**

3. Achieves satisfactory performance on the required state assessment unless the ARD committee determines that satisfactory performance on the required state assessment is not necessary for graduation.

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

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

*19 TAC 89.1070; Education Code 28.025.*

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

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

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

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments is eligible for an endorsement if the student meets the other endorsement requirements.

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

*19 TAC 89.1070; Education Code 28.025.*

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****GRADUATION PLAN****Sec. 6. TRANSITIONING TO THE FOUNDATION HIGH SCHOOL PROGRAM**

For students who entered 9th grade prior to the 2014-2015 school year, a student may receive a diploma under the Foundation High School Program if the student's ARD committee determines the student should take courses under the Foundations program and the student completes the requirements.

A student transitioning may also receive an endorsement if he or she meets the requirements.

A student who is in 11th or 12th grade in the 2014-2015, 2015-2016, or 2016-2017 school years and transitioning to the Foundation High School Program, who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate if the student met the other graduation requirements.

*19 TAC 89.1070; Education Code 28.025.*

**Sec. 7. SUBSTITUTIONS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM****a) *Language other than English***

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

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

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

**b) *Physical Education***

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

- The student's ARD committee, if the student receives special education services under the IDEA and Texas Education Code Chapter 29;

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

*Education Code 28.025(b-11).*

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

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

**Sec. 8. DISTINGUISHED ACHIEVEMENT, RECOMMENDED, AND MINIMUM HIGH SCHOOL PROGRAM**

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the recommended or distinguished program; and
3. Achieves satisfactory performance on the required state assessment.

A student who is in 11th or 12th grade in 2014-2015, 2015-2016, or 2016-2017 school years and who took each of the required assessments, but failed to achieve satisfactorily on no more than two assessments may graduate under the recommended or distinguished program if the student met the other graduation requirements.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

1. Demonstrates mastery of the state standards;
2. Completes credit requirements for graduation under the minimum program; and
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee.

A student receiving special education services who entered 9th grade before the 2014-2015 school year, may also graduate with a regular diploma if the student:

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1. Demonstrates mastery of the state standards through courses, one or more of which contained modified content and is aligned with the requirements under the minimum high school program;
2. Completes credit requirements for graduation under the minimum program;
3. Participates in or satisfactorily performs on the required state assessment as determined by the ARD committee; and
4. Successfully completes the IEP and meets one of the following conditions:
  - a. consistent with the IEP, the student obtains full-time employment and masters sufficient self-help skills to enable the student to maintain employment without direct or ongoing educational support;
  - b. consistent with the IEP, demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support;
  - c. has access to services that are not within the legal responsibility of ILTexas or educational options for which the student has been prepared for by the academic program; or
  - d. No longer meets eligibility requirements.

*19 TAC 89.1070.*

## **Sec. 9. HIGH SCHOOL DIPLOMA AND CERTIFICATE; ACADEMIC ACHIEVEMENT RECORD**

ILTexas does issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the SBOE under Education Code Section 28.025(a) but who fails to comply with Section 39.025 (Secondary-Level Performance Required) relating to exit-level assessment requirements. ILTexas does allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.

*Education Code 28.025(d).*

## **Sec. 10. CERTIFICATE OF ATTENDANCE**

ILTexas does issue a Certificate of Attendance to a student who receives special education services under the Individuals with Disabilities Education Act ("IDEA"), and who has completed four years of high school but has not completed the student's IEP. ILTexas shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony. Receiving a Certificate of Attendance does not preclude a student from receiving a diploma.

*Education Code 28.025(f).*

## **Sec. 11. PROMOTION TO 6TH OR 9TH GRADE**

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A student may not be promoted to 6th grade if the student does not perform satisfactorily on the 5th grade mathematics and reading assessments.

A student may not be promoted to 9th grade if the student did not perform satisfactorily on the 8th grade mathematics and reading assessments.

Each time a student fails to perform satisfactorily on an assessment administered under Section 39.023(a) in the 3rd, 4th, 5th, 6th, 7th, or 8th grade, ILTexas shall provide the student with accelerated instruction in the applicable subject area. Accelerated instruction may require participation of the student before or after normal school hours and may include participation at times of the year outside normal school operations.

The ARD committee of a student who participates in ILTexas's special education program and who does not perform satisfactorily on an assessment shall determine:

1. the manner in which the student will participate in an accelerated instruction program under this section; and
2. whether the student will be promoted or retained under this section.

*Education Code 28.0211.*

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**Sec. 1. FOSTER PARENT**

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

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

*Education Code 29.015(a).*

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

*Education Code 29.015(b).*

International Leadership of Texas (ILTexas) may not require a foster parent to retake a training program to continue serving as a child’s parent or to serve as the surrogate parent for another child if the foster parent has completed a training program to act as a parent of a child with a disability provided by:

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

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

*Education Code 29.015(c).*

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

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

*Education Code 25.007.*

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

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

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

**Sec. 2. SURROGATE PARENT**

ILTexas must appoint an individual to serve as the surrogate parent for a child if:

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

A surrogate parent appointed by ILTexas may not:

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

A surrogate parent must:

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

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

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

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****PRIVATE SCHOOL CHILDREN****Sec. 1. CHILD FIND PRIVATE SCHOOL STUDENTS**

International Leadership of Texas (ILTexas) shall coordinate with home school districts, who are primarily responsible for consulting with private school representatives, regarding the child find process and the provision of special education and related services to children enrolled in private schools within ILTexas's boundaries.

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

*20 U.S.C. 1412(a)(10)(A)(ii)–(iv).*

**Sec. 2. SPECIAL EDUCATION STUDENTS PLACED IN PRIVATE SCHOOL****a) *Placement by ILTexas***

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

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

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

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

*19 TAC 89.1096(b).*

**Sec. 3. REJECTION OF OFFER OF FAPE****a) *Student Receives ISP***

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

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

**b) *Reimbursement***

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

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

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**Sec. 1. PROCEDURAL SAFEGUARDS**

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

*20 U.S.C. 1415(a)–(b).*

These procedures shall include:

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

**Sec. 2. LANGUAGE OF NOTICES**

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

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

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

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

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34 CFR 300.505.

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

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

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

ILTexas may also place a current copy of the procedural safeguards notice on its Internet website.

**c) *Contents of Notice***

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

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

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

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**Sec. 3. DISPUTE RESOLUTION**

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

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

*19 TAC 89.1150.*

**Sec. 4. DUE PROCESS COMPLAINT**

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

**a) *Time Limits***

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

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

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

A due process complaint filed on or after September 1, 2022 must set forth an alleged violation that occurred not more than two years before the date the parent or ILTexas knew or should have known about the alleged action that forms the basis of the complaint. *20 U.S.C. 1415(f)(1)(A); Education Code 29.0164.*

**b) *Exceptions***

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These time limits shall not apply if the parent was prevented from requesting a hearing due to:

1. A specific misrepresentation by ILTexas that it had resolved the problem forming the basis of the complaint; or
2. ILTexas's withholding of information from the parent that ILTexas was required by the IDEA to provide.

*20 U.S.C. 1415(f)(3)(D); 34 CFR 300.511(f); 19 TAC 89.1151(d).*

**c) “Stay Put”**

During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing, the child shall remain in the then-current educational placement unless ILTexas and the parent agree otherwise. If the child is applying for initial admission to a public school, the child shall, with the consent of the parents, be placed in the public school program until all proceedings have been completed. *20 U.S.C. 1415(j); 34 CFR 300.518, 300.533.*

**d) Exception**

When a due process hearing has been requested by a parent or ILTexas concerning a disciplinary change of placement or manifestation determination, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the child's assignment to the alternative setting, or the 45-day timeline, if applicable, whichever occurs first, unless the parent and ILTexas agree otherwise. *20 U.S.C. 1415(k)(3)(A), 1415(k)(4)(A); 34 CFR 300.533.*

**e) Resolution Process**

Within 15 days of receiving notice of a parent's due process complaint, and before initiating a due process hearing under 34 CFR 300.511, ILTexas shall convene a meeting with the parent and the relevant member or members of the ARD committee. The purpose of the meeting is for the parent to discuss the due process complaint and the facts that form the basis of the due process complaint, so that ILTexas has the opportunity to resolve the dispute.

The meeting need not be held if the parent and ILTexas agree in writing to waive the meeting, or the parent and ILTexas agree to use the mediation process.

If ILTexas has not resolved the due process complaint to the satisfaction of the parent within 30 days of the receipt of the complaint, the due process hearing may occur. If ILTexas is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been

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made, ILTexas may, at the conclusion of the 30-day period, request that a hearing officer dismiss the parent's due process complaint.

*34 CFR 300.510.*

**Sec. 5. TRANSFER OF RIGHTS TO ADULT STUDENTS**

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

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

*34 CFR 300.520; Education Code 29.017(a)–(b); 19 TAC 89.1049(c).*

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Student records shall be maintained for each student from the time the student is in attendance at International Leadership of Texas (ILTexas) until withdrawal or graduation from ILTexas. These records shall move with the respective student from campus to campus. Records for students not in attendance and/or withdrawn students and graduates shall be retained for the period of time required by law. No permanent records may be destroyed without explicit written permission from the Superintendent.

**Sec. 1. EDUCATION RECORDS****a) *“Education Records” Defined***

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by ILTexas or by a person acting for ILTexas.

The term “education records” does not include:

1. Records that are created or received by ILTexas after an individual is no longer a student in attendance, and that are not directly related to the individual’s attendance as a student.
2. Records made by ILTexas personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of ILTexas that were created by that law enforcement unit for the purpose of law enforcement.
4. Records on a student who is eighteen years of age or older, or who is attending an institution of postsecondary education, that are:
  - a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
  - b. Made, maintained, or used only in connection with treatment of the student; and
  - c. Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
5. Grades on peer-graded papers before they are collected and recorded by a teacher.

State and federal law safeguard educational records from unauthorized inspection or use. All information relating to student performance, including grades, test results, and disciplinary records are considered confidential educational records. Release of those records are restricted to parents; school staff members with a legitimate educational interest; various governmental agencies or in response to a subpoena or court order; or a school to which the student transfers or subsequently

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enrolls. Release to any other person or agency will occur only with prior written consent of the parent.

**b) *Screening Records***

The Principal of each ILTexas campus shall maintain records of screening for special senses and communication disorders, spinal screening, and assessment for type 2 diabetes for each student in ILTexas. Records shall be open for inspection by the state or local health department. The Texas-Mexico Border Health Coordination Office may, directly or through local health departments, enter a school and inspect records relating to assessment for type 2 diabetes. Individual screening records may be transferred among schools in accordance with Section 2-d (Access by Other Persons) below.

**c) *Immunization Records***

ILTexas shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by the Texas Education Agency ("TEA") or by representatives of local health departments or the Texas Department of State Health Services ("TDSHS"). ILTexas shall cooperate with other districts and schools in transferring students' immunization records between other schools. Specific approval from students or parents is not required prior to making such record transfers.

**d) *Medical Records***

The parent of a student is entitled to access the student's medical records maintained by ILTexas. On request of a student's parent, ILTexas shall provide a copy of the student's medical records to the parent. ILTexas may not impose a charge that exceeds the amount authorized by Section 552.261 of the Government Code.

**e) *Privacy Rule for Non-"Education Records"***

To the extent ILTexas is a covered entity under the Health Insurance Portability and Accountability Act ("HIPAA"), ILTexas must comply with the Privacy Rule, 45 CFR Part 164, with respect to protected health information that is not an education record.

**f) *Food Allergy Information***

Information regarding a child's food allergy, regardless of how it is received by ILTexas, shall be retained in the child's student records, but may not be placed in the health record maintained for the child by ILTexas.

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If ILTexas receives documentation of a food allergy from a physician, that documentation shall be placed in the health record maintained for the child by ILTexas. A registered nurse may enter appropriate notes about a child's possible food allergy in the health record maintained for the child by ILTexas, including a notation that the child's student records indicate that a parent has notified ILTexas of the child's possible food allergy.

**g) *Assessment Instruments***

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by ILTexas are confidential and may be made available only to the student, the student's parent, and to ILTexas personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by ethnicity, sex, grade level, subject area, campus, and school system, and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names of individual students or teachers.

**h) *Academic Achievement Records (Grades 9–12)***

ILTexas shall use the academic achievement record (transcript) form adopted by the State Board of Education ("SBOE"). This form shall serve as the academic record for each student and shall be maintained permanently by ILTexas. Copies of the record shall be made available to students transferring to another district. The information may be provided to the student or to the receiving district or to both. ILTexas shall respond promptly to all requests for student records from receiving districts.

**i) *Enrollment Records***

If a parent or other person with legal control of a child enrolls the child in ILTexas, the parent or other person, or the school district in which the child most recently attended school, shall furnish to ILTexas all of the following:

1. The child's birth certificate, or another document suitable as proof of the child's identity as defined by the Commissioner of Education in the Student Attendance Accounting Handbook.
2. A copy of the child's records from the school the child most recently attended if he or she was previously enrolled in a school in Texas or in another state.

ILTexas must furnish information under items 1 and 2 not later than the tenth working day after the date ILTexas receives a request for the information.

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If a parent or other person with legal control of a child under a court order requests that ILTexas transfer a child's student records, ILTexas shall notify the parent or other person as soon as practicable that the parent or other person may request and receive an unofficial copy of the records for delivery in person to a school in another district.

**Sec. 2. ACCESS, DISCLOSURE, AND AMENDMENT****a) *Definitions*****i. "Attendance"**

"Attendance" includes, but is not limited to:

1. Attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and
2. The period during which a person is working under a work-study program.

**ii. "Disclosure"**

"Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

**iii. "Parent"**

"Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

**iv. "Personally Identifiable Information"**

"Personally identifiable information" includes, but is not limited to:

1. The student's name;
2. The name of the student's parent or other family members;
3. The address of the student or student's family;
4. A personal identifier, such as the student's biometric record, defined as a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA



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sequence, facial characteristics, and handwriting); social security number; or student number;

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. Information requested by a person who ILTexas reasonably believes knows the identity of the student to whom the education record relates.

v. "Record"

"Record" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche.

vi. "Authorized Representative"

"Authorized representative" means any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 C.F.R. 99.31(a)(3) to conduct—with respect to federal- or state-supported education programs—any audit, evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

vii. "Education Program"

"Education program" means any program that is principally engaged in the provision of education, including but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by ILTexas.

viii. "Signed and Dated Written Consent"

"Signed and dated written consent" may include a record and signature in electronic form that:

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person's approval of the information contained in the electronic consent.



**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****RECORDS****b) *Access by Parents***

Access to the education records of a student who is or has been in attendance at ILTexas shall be granted to the parent of the student who is a minor or who is a dependent for tax purposes.

ILTexas shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights. A court may order the custodian of records to delete all references in a child's records to the place of residence of either party appointed as conservator before their release to another party appointed as conservator.

**c) *Access by Student***

Whenever a student has attained 18 years of age or is attending an institution of postsecondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

Nothing in this section prevents ILTexas from disclosing education records, or personally identifiable information from education records, to a parent without prior written consent of an eligible student if the disclosure meets the conditions in 34 CFR 99.31(a), including if the student is a dependent for tax purposes or in the case of a health or safety emergency.

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

**d) *Access by Other Persons***

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

**i. School Officials**

ILTexas may disclose personally identifiable information without parent consent when disclosure is made to school officials with legitimate educational interest in the information. A school official is:

1. A person employed by ILTexas as an administrator, instructor, or support staff member (including health or medical staff and law enforcement unit personnel).
2. A person serving on the Board.

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3. A person or company with whom ILTexas has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist).
4. A consultant, contractor, volunteer, or other party to whom ILTexas has outsourced institutional services or functions, provided that the outside party:
  - a. Performs an institutional service or function for which ILTexas would otherwise use employees;
  - b. Is under the direct control of ILTexas with respect to the use and maintenance of education records; and
  - c. Is subject to the requirements of 34 CFR 99.33(a) governing the use and redisclosure of personally identifiable information from education records.
5. A parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.

ILTexas must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

ii. Officials of Other Schools

Officials of other schools or school systems in which the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer, provided that ILTexas either:

1. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
2. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent).

In either case, ILTexas shall furnish a copy of the transferred records to the parent if requested and shall give the parent an opportunity for a hearing to challenge the content of the record.

iii. Authorized Governmental Representatives

Authorized representatives of the officials or agencies headed by the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal- or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

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ILTexas may not refuse to report information concerning a student holding an F, J, or M visa on the basis of the Family Educational Rights and Privacy Act ("FERPA") and any regulation implementing FERPA. ILTexas is authorized and required to report information that would ordinarily be protected by FERPA only to the extent required by 8 U.S.C. 1372, 8 CFR 214.3, or any corresponding regulation.

iv. *Financial Aid Personnel*

Personnel involved with a student's application for, or receipt of, financial aid.

v. *Juvenile Justice Officials*

State and local officials to whom such information is specifically allowed to be reported or disclosed by state statute if:

1. The allowed reporting or disclosure concerns the juvenile justice system and its ability to effectively serve the student whose records are released, and
2. The officials and authorities to whom such information is disclosed certify in writing to ILTexas that the information will not be disclosed to any other party except as provided under state law without the prior written consent of the parent of the student.

vi. *Organizations Conducting Surveys*

Organizations conducting studies for, or on behalf of, ILTexas for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies who have legitimate interests in the information. Such information must be destroyed when no longer needed for the original purposes of the studies.

ILTexas must enter into a written agreement with the organization that:

1. Specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
2. Requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement;
3. Requires the organization to conduct the study in a manner that does not permit personal identification of parents and students, as defined in this part, by anyone other than representatives of the organization with legitimate interests; and
4. Requires the organization to destroy or return to ILTexas all personally identifiable information when the information is no longer needed for the purposes for which the study

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was conducted and specifies the time period in which the information must be returned or destroyed.

If ILTexas enters into an agreement with an organization conducting a study, it may redisclose personally identifiable information from education records on behalf of educational agencies and institutions that disclosed the information to ILTexas in accordance with the requirements of 34 C.F.R. 99.33(b).

ILTexas is not required to initiate a study or agree with or endorse the conclusions or results of the study.

vii. Accrediting Organizations

Accrediting organizations that require the information for purposes of accreditation.

viii. Health & Safety Emergency

Appropriate persons, including the student's parents, who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

In making a determination, ILTexas may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If ILTexas determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

ix. Secretary of Agriculture

The Secretary of Agriculture, or authorized representative from the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of schools receiving funding or providing benefits of programs authorized under the National School Lunch Act or the Child Nutrition Act.

x. State or Local Child Welfare Agency

An agency caseworker or other representative of a state or local child welfare agency who has the right to access a student's case plan when the agency is legally responsible, in accordance with state law, for the care and protection of the student.

xi. Directory Information

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Any person requesting directory information after ILTexas has given public notice of that definition

**e) *Written Consent***

The parent shall provide a signed and dated written consent before ILTexas discloses personally identifiable information from a student's education records to any individual, agency, or organization other than the parent, the student, or those listed above. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released.

**f) *Instructional Resources and Parental Rights***

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material that will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U. S. Department of Education ("DOE") shall be available for inspection by the parents of students.

**g) *Information Collection*****i. DOE Funded Surveys**

No student shall be required, as part of any program funded in whole or in part by the DOE, to submit to a survey, analysis, or evaluation that reveals information concerning the following topics without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent:

1. Political affiliations or beliefs of the student or the student's parents.
2. Mental and psychological problems of the student or the student's family.
3. Sex behavior and attitudes.
4. Illegal, anti-social, self-incriminating, and demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

**ii. Information Collection Funded by Other Sources**

Except as provided by 20 U.S.C. 1232h(a) or (b), as a condition of receiving funds from programs funded in whole or in part by the DOE, ILTexas shall develop and adopt policies, in consultation

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with parents, pursuant to 20 U.S.C. 1232h(c)(1), and provide for parent notification in accordance with 20 U.S.C. 1232(c)(2).

iii. *Subpoenaed Records*

ILTexas shall release student records to an entity or persons designated in a subpoena. ILTexas shall not disclose to any person the existence or contents of the subpoena if a court orders ILTexas to refrain from such disclosure. Unless the court or other issuing agency orders ILTexas to refrain from such disclosure or the order is an *ex parte* court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331, ILTexas shall make a reasonable effort to notify the parents and the student of all such subpoenas in advance of compliance.

iv. *Sex Offenders*

ILTexas may disclose personally identifiable information without consent if the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to ILTexas under 42 U.S.C. 14071 and applicable federal guidelines.

**h) *Parental Rights and Student Privacy***

As a condition of receiving funds under any applicable program, ILTexas adopts the following policies, pursuant to 20 U.S.C. 1232h(c)(1):

1. Parents have a right to inspect any survey created by a third party before the survey is administered or distributed by ILTexas to the student. Parents should submit such a request to the Principal, and shall be provided an opportunity to inspect the survey within a reasonable period of time as determined by the Principal. Upon a parent's request to inspect a survey, the parent's child shall not participate in the survey until the parent has had a reasonable opportunity to inspect the survey, as determined by the Principal.
2. In the event a survey contains the items listed above, and is administered or distributed to students, ILTexas shall comply with FERPA and other applicable law to protect student privacy.
3. Parents have a right to inspect any instructional material used in the educational curriculum for the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal.

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4. ILTexas may administer physical examinations or other screenings to students as required and/or authorized by state or federal law and in accordance with other applicable policy.
5. ILTexas shall not collect, disclose, or use a student's personal information for the purpose of marketing or selling that information to third parties. This policy does not apply to or restrict the use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services offered by ILTexas, for or to students or educational institutions, such as recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs, or as otherwise required by law. This policy is also subject to state and federal public information laws and FERPA, that makes some student personal information, defined in this policy as "Directory Information," public.
6. Parents have a right to inspect any instrument used in collection of personal information, described above, before the instrument is administered to the student. Parents should submit such a request to the Principal. The Principal shall provide reasonable access to parents within a reasonable period of time, as determined by the Principal. Upon a parent's request to inspect such an instrument, the parent's child shall not participate until the parent has had a reasonable opportunity to inspect the instrument, as determined by the Principal.

The Superintendent shall ensure that parents are provided reasonable notice of the adoption or continued use of these policies. Such notice shall be provided directly to the parents of the students in attendance at ILTexas. At a minimum, ILTexas shall:

1. Provide notice at least annually, at the beginning of the school year and within a reasonable time after any substantive change in the policies; and
2. Offer an opportunity for the parent to opt the student out of participation in an activity described above.

**i) *Request Procedure***

ILTexas must permit parents to inspect and review education records related to their children that are collected, maintained, or used by the ILTexas under the IDEA. ILTexas must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made.

**j) *Destruction of Records***



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ILTexas shall not destroy any education records if there is an outstanding request to inspect and review the records.

**k) *De-Identified Records***

ILTexas, or a party that has received education records or information from education records, may release the records or information without the parent's written consent after the removal of all personally identifiable information provided that ILTexas or other party has made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

**l) *Education Research***

ILTexas, or a party that has received education records or information from education records, may release de-identified student level data from education records for the purpose of education research by attaching a code to each record that may allow the recipient to match information received from the same source, provided that:

1. ILTexas or other party that releases de-identified data under this section does not disclose any information about how it generates and assigns a record code, or that would allow a recipient to identify a student based on a record code;
2. The record code is used for no purpose other than identifying a de-identified record for purposes of education research and cannot be used to ascertain personally identifiable information about a student; and
3. The record code is not based on a student's social security number or other personal information.

**m) *Authenticating Requestors' Identities***

ILTexas must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom ILTexas discloses personally identifiable information from education records.

**n) *Transfer Not Permitted***

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent. If a third party permits access to information in violation of this policy, ILTexas shall not permit access to information from education records to that third party for a period of not less than five years.



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ILTexas shall inform a party to whom a disclosure is made of the requirements of 34 CFR 99.33, unless the disclosure is made pursuant to a court order, lawfully issued subpoena, or litigation; the disclosed information is directory information; the disclosure concerns sex offenders; or the disclosure is made to a parent of a student who is not an eligible student or to a student.

ILTexas may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of ILTexas if:

1. The disclosures meet the requirements of 34 CFR 99.31; and
2. ILTexas has complied with the requirements of 34 CFR 99.32(b) regarding the record of disclosure; or a state or local educational authority or federal official or agency listed requesting information through a subpoena or ex parte order has complied with the requirements of 34 CFR 99.32(b)(2).

***o) Record of Access to Student Records***

Each campus shall maintain a record, kept with the education record of each student, that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records, as well as the names of state and local educational authorities and federal officials and agencies listed in 34 CFR 99.31(a)(3) that may make further disclosures of personally identifiable information from the student's education records without consent. ILTexas must obtain a copy of the record of further disclosures maintained by the named authorities, officials, and agencies under 34 CFR 99.32(b)(2) and make it available in response to a parent's request to review the record.

ILTexas must record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception (see Section 2-d-viii above):

1. The articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
2. The parties to whom ILTexas disclosed the information.

The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as ILTexas maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

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The record shall not include requests for access by, or access granted to, parents of the student or officials of ILTexas, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving records in accordance with a subpoena or ex parte order.

**p) *Right to Amend Records***

The parent of a student whose records are covered by this policy may ask ILTexas to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If ILTexas decides not to amend the education records requested, it shall inform the parent of its decision and his or her right to a hearing to challenge the content of the student's education records.

If ILTexas decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, ILTexas decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of ILTexas. Any explanation shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

**q) *Fees for Copies***

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

**r) *Records of Students with Disabilities***

ILTexas shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

**i. Access Rights**

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with disabilities request to review or inspect school records relating to the education of their child:

1. Parents may request that a representative inspect and review the records.

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2. ILTexas shall comply with a request without unnecessary delay and before any meeting regarding an IEP or hearing relating to the identification, evaluation, or placement of the child, and in no case longer than 45 days after the request.
3. ILTexas shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees), including name, date of access, and the purpose for which the person is authorized to use the records.

ii. List of Types and Locations of Information

ILTexas shall provide parents on request a list of types and locations of education records.

iii. Parental Consent

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the IDEA or disclosed to anyone other than officials of agencies collecting or using this information. ILTexas may not release information from these records without parental consent except as provided in FERPA.

iv. Confidentiality

ILTexas shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in ILTexas shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. ILTexas shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information.

v. Destruction of Information

ILTexas shall inform parents when personally identifiable information collected, maintained, or used to provide special education and related services is no longer needed to provide educational services to the student. Such information shall be destroyed at the request of the parents.

A permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

**s) *Annual Notification of Rights***

ILTexas shall give parents of students in attendance and eligible students in attendance annual notification of their rights under FERPA.

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The notice must inform parents or eligible students that they have the right to:

1. Inspect and review the student's education records;
2. Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and 34 CFR 99.31 authorize disclosure without consent; and
4. File with the DOE a complaint under 34 CFR 99.63 and 99.64 concerning alleged failures by ILTexas to comply with the requirements of the Act and 34 CFR part 99.

The notice must include all of the following:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records under 34 CFR 99.20.
3. If ILTexas has a policy of disclosing education records under 34 CFR 99.31(a)(1), a specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

ILTexas may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights. ILTexas shall effectively notify parents who are disabled and parents of students who have a primary or home language other than English.

**t) *Custodian of Records***

The Superintendent or designee is designated as the custodian of all student records. The Principal of each campus is designated as an agent of the Superintendent or designee for the purposes of the receipt of requests concerning the disclosure of student records.

**Sec. 3. DIRECTORY INFORMATION**

Certain information about students is considered "directory information" and will be released to anyone who follows procedures for requesting it unless the parent or eligible student objects in writing to its release, within a reasonable time period set by the Superintendent, of receiving notice of FERPA rights. A parent or eligible student may also choose to opt out of the release of directory information at any time during the school year. At any time after restricting the release of directory information, a parent or eligible student may in writing authorize ILTexas to release directory information.

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**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****RECORDS****a) *Definition***

ILTexas has designated the following categories of information as directory information for the purpose of disclosure relating solely to school-sponsored/school-affiliated purposes:

1. Student's name;
2. Address;
3. Telephone listing;
4. Electronic mail address;
5. Photographs (including video images);
6. Date and place of birth;
7. Major field of study;
8. Dates of attendance;
9. Grade level;
10. Participation in officially recognized activities and sports;
11. Weight and height of members of athletic teams;
12. Degrees, honors, and awards received; and
13. The most recent educational agency or institution attended.

"Directory information" does not include a student's:

1. Social security number; or
2. Student identification number, unless the student identification number, user identification number, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user.

School-sponsored/school-affiliated purposes are those events/activities that ILTexas conducts and/or sponsors to support ILTexas's educational mission. Examples include, but are not limited to:

1. Extracurricular programs or events (e.g., school plays, concerts, athletic events, graduation ceremonies).
2. Publications (e.g., newsletters, yearbook, etc.).
3. Honor roll and other student recognition lists.
4. Marketing materials of the School (e.g., print media, website, videos, newspaper, etc.).

ILTexas has designated the following categories of information for the purpose of disclosure to military recruiters and institutions of higher education, but only for secondary students:

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1. Student's name;
2. Address;
3. Telephone listing; and
4. E-mail address.

**b) *Disclosure of Directory Information***

ILTexas shall not release directory information except for the purposes indicated above, namely:

1. Disclosure relating to school-sponsored/school-affiliated purposes; and
2. Disclosure to military recruiters and institutions of higher education, but only for secondary students.

**c) *In Class***

A parent or eligible student may not use the right of refusal to opt out of directory information disclosures to prevent ILTexas from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

**d) *Former Students***

ILTexas may disclose directory information about former students without satisfying the public notice conditions above. However, ILTexas must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt-out request.

**e) *Confirmation of Identity or Records***

ILTexas may not disclose or confirm directory information without meeting the written consent requirements in 34 CFR 99.30 if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

**f) *Designation of Directory Information***

ILTexas may designate as directory information any or all information defined as directory information by FERPA. Directory information under that Act that is not designated by ILTexas as directory information is excepted from disclosure by ILTexas under Government Code Chapter 552.

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Directory information consented to by a parent for use only for a limited school-sponsored purpose, such as for a student directory, student yearbook, or school publication, if any such purpose has been designated by ILTexas, remains otherwise confidential and may not be released under Government Code Chapter 552.

***g) Student Recruiting Information***

Notwithstanding the provisions of Section 3 (Directory Information) above, upon receipt of assistance under the Elementary and Secondary Education Act of 1965 (ESEA), ILTexas shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described above not be released without prior written parental consent. ILTexas shall notify parents of the option to make a request and shall comply with any request.

**Sec. 4. INFORMATION FROM LAW ENFORCEMENT*****a) Oral Notice of Arrest or Referral***

Upon receipt of oral notice from a law enforcement agency that it has arrested a student or referred a student to the juvenile board for a specified offense, the Superintendent shall promptly notify all instructional and support personnel who have responsibility for supervising the student. All personnel shall keep the information received confidential.

***b) Written Notice of Arrest or Referral***

Upon subsequent receipt of confidential, written notice of the arrest or referral, the Superintendent or designee may send the information in the confidential notice to a School employee having direct supervisory responsibility over the student if the Superintendent or designee determines that the employee needs the information for educational purposes or for the protection of the person informed or others.

***c) Oral Notice of Conviction or Adjudication***

Upon receipt of oral notice from a prosecuting attorney of a student's conviction, deferred prosecution, or adjudication of a specified offense, including a statement as to whether the student is required to register as a sex offender, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.



**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****RECORDS****d) *Notice of Transfer or Reenrollment***

Upon receipt of notice from a parole, probation, or community supervision office having jurisdiction over a student that a student has transferred or reenrolled, the Superintendent shall, within 24 hours of receiving the notice, notify all instructional and support personnel who have regular contact with the student.

A person who receives information described above shall not disclose it except as specifically authorized by Code of Criminal Procedure 15.27.

Information received by ILTexas under this provision shall not be attached to the permanent academic file of the student who is the subject of the report. ILTexas shall destroy the information at the end of the academic year in which the report was filed.

**e) *Duty to Flag Records***

Upon receipt of notification from a law enforcement agency or the missing children and missing persons information clearinghouse that a child under 11 years of age who attended or who is enrolled in ILTexas is missing, ILTexas shall flag the child's records and maintain the records in its possession so that on receipt of a request regarding the child, ILTexas will be able to notify law enforcement or the missing children and missing persons information clearinghouse that a request for a flagged record has been made.

**i. Request in Person**

When a request for a flagged record is made in person, ILTexas may not advise the requesting party that the request concerns a missing child and shall:

1. Require the person requesting the flagged record to complete a form stating the person's name, address, telephone number, and relationship to the child for whom a request is made, and the name, address, and birth date of the child;
2. Obtain a copy of the requesting party's driver's license or other photographic identification, if possible;
3. If the request is for a birth certificate, inform the requesting party that a copy of a certificate will be sent by mail; and
4. Immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and include a physical description of the requesting party, the identity and address of the requesting party, and a copy of the requesting party's driver's license or other photographic identification.



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After providing the information listed above, ILTexas shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

ii. *Request in Writing*

When a request for a flagged record is made in writing, ILTexas may not advise the requesting party that the request concerns a missing child and shall immediately notify the appropriate law enforcement agency that a request has been made concerning a flagged record and provide to the law enforcement agency a copy of the written request. After providing the notification, ILTexas shall mail a copy of the requested record to the requesting party on or after the 21st day after the date of the request.

iii. *Removal of Flag*

On the return of a missing child under 11 years of age, the law enforcement agency shall notify each school that has maintained flagged records for the child that the child is no longer missing. On receipt of this notification, ILTexas shall remove the flag from the records.

A school that has reason to believe that a missing child has been recovered may request confirmation that the missing child has been recovered from the appropriate law enforcement agency or the missing children and missing persons information clearing-house. If a response is not received after the 45th day after the date of the request for confirmation, ILTexas may remove the flag from the record and shall inform the law enforcement agency or the missing children and missing persons information clearing-house that the flag has been removed.

**Sec. 5. ACCESS TO RECORDS UNDER THE IDEA**

The IDEA grants parents the right to inspect and review all educational records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. 34 CFR § 300.501(a). ILTexas must permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the district under the IDEA. ILTexas must comply with the request without unnecessary delay and before any meeting regarding an IEP, any due process hearing, or resolution session, and in no case more than 45 days after the request has been made. 34 CFR § 300.613(a).

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****RECORDS RETENTION AND DESTRUCTION****Sec. 1. DEFINITIONS****a) “Records”**

The term “records” means all documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other recording media, regardless of physical form or characteristic, and regardless of whether public access to it is open or restricted under the laws of the state, created or received by International Leadership of Texas (ILTexas), or any of its officers or employees pursuant to law or in the transaction of public business, are hereby declared to be the records of ILTexas and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

The term “records” does not include:

1. Convenience copies: “Extra identical copies of documents created only for convenience of reference or research;”
2. Copies of documents furnished to the public (to fulfill a Public Information Act request).
3. Blank forms/stocks of publications; or
4. Library or museum materials.

**b) “Essential Record”**

The term “essential record” means any record of ILTexas necessary to the resumption or continuation of operations of ILTexas in an emergency or disaster, to the recreation of the legal and financial status of ILTexas, or to the protection and fulfillment of obligations to the people of the state.

**c) “Records Management”**

The term “records management” means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographic and electronic and other records storage systems.

**d) “Records Liaison Officers”**

The term “records liaison officers” means the persons designated under Section 9 of this policy.

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**e) “Records Management Committee”**

The term “records management committee” means the committee established under Section 5 of this policy.

**f) “Records Management Officer”**

The term “records management officer” means the person designated in Section 4 of this policy.

**g) “Records Management Plan”**

The term “records management plan” means the plan developed under Section 6 of this policy.

**Sec. 2. RECORDS DECLARED PUBLIC PROPERTY**

All records as defined in Section 1 of this policy are hereby declared to be the property of ILTexas. No official or employee of ILTexas has, by virtue of his or her position, any personal or property right to such records, even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

**Sec. 3. POLICY**

It is hereby declared to be the policy of ILTexas to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

**Sec. 4. RECORDS MANAGEMENT OFFICER**

Director of Special Education Assessment or designee will serve as Records Management Officer for ILTexas as provided by law, and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

**Sec. 5. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES**

The Records Management Officer, in consultation with the Human Resource Director, shall appoint a Records Management Committee consisting of:

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1. A Human Resource Department Supervisor; and
2. A financial officer for ILTexas; and
3. An executive or administrative officer for ILTexas

The committee shall:

1. Assist the Records Management Officer in the development of policies and procedures governing the records management program;
2. Review the performance of the program on a regular basis and propose changes and improvements if needed;
3. Review and approve records control schedules submitted by the Records Management Officer;
4. Give final approval to the destruction of records in accordance with approved records control schedules; and
5. Actively support and promote the records management program throughout ILTexas.

**Sec. 6. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN**

The Records Management Officer and the Records Management Committee shall develop a records management plan for ILTexas to be submitted to the Board. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of ILTexas, and to properly preserve those records of ILTexas that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this policy effectively.

Once approved by the Board, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of ILTexas, and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.

**Sec. 7. DUTIES OF RECORDS MANAGEMENT OFFICER**

In addition to other duties assigned in this policy, the Records Management Officer shall:

1. Administer the records management program and provide assistance to department heads in its implementation;
2. Plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;
3. In cooperation with Principals and department heads, identify essential records and establish a disaster plan for each ILTexas campus and department to ensure maximum

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availability of the records in order to re-establish operations quickly and with minimum disruption and expense;

4. Develop procedures to ensure the permanent preservation of the historically valuable records of ILTexas;
5. Establish standards for filing and storage equipment and for record keeping supplies;
6. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for ILTexas;
7. Provide records management advice and assistance to all ILTexas departments by preparing a manual or manuals of procedure and policy and by on-site consultation;
8. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and ILTexas's records control schedules are in compliance with state regulations;
9. Disseminate to the Board, department heads, and Principals information concerning state laws and administrative rules relating to local government records;
10. Instruct Records Liaison Officers and other personnel in policies and procedures of the records management plan and their duties in the records management program;
11. Direct Records Liaison Officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this policy;
12. Ensure that the maintenance, preservation, microfilming, destruction, or other disposition of ILTexas records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;
13. Maintain records on the volume of records destroyed under approved records -- control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
14. Report annually to the Superintendent on the implementation of the records management plan in each department of ILTexas; and
15. Bring to the attention of the Superintendent non-compliance by department heads, Principals, or other ILTexas personnel with the policies and procedures of the records management program or the Local Government Records Act.

**Sec. 8. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS AND PRINCIPALS**

In addition to other duties assigned in this policy, department heads and Principals shall:

1. Cooperate with the Records Management Officer in carrying out the policies and procedures established by ILTexas for the efficient and economical management of records and in carrying out the requirements of this policy;
2. Adequately document the transaction of government business and the services, programs, and duties for which the department head, principal, and his or her staff are responsible; and

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3. Maintain the records in his or her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the records management program of ILTexas and the requirements of this policy.

**Sec. 9. DESIGNATION OF RECORDS LIAISON OFFICERS**

Each department head and Principal shall designate a member of his or her staff to serve as a Records Liaison Officer for the implementation of the records management program in the department.

If the Records Management Officer determines that in the best interests of the records management program more than one Records Liaison Officer should be designated for a department, the department head or Principal shall designate the number of Records Liaison Officers specified by the Records Management Officer.

Persons designated as Records Liaison Officers shall be thoroughly familiar with all records created and maintained by the department.

In the event of the resignation, retirement, dismissal, or removal by action of the department head or Principal of a person designated as a Records Liaison Officer, the department head or Principal shall promptly designate another person to fill the vacancy.

A department head or Principal may serve as Records Liaison Officer for his or her department.

**Sec. 10. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS**

In addition to other duties assigned in this policy, Records Liaison Officers shall:

1. Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
2. In cooperation with the Records Management Officer, coordinate and implement the policies and procedures of the records management program in their department; and
3. Disseminate information to department staff concerning the records management program.

**Sec. 11. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE**

1. The Records Management Officer, in cooperation with department heads, Principals, and Records Liaison Officers, shall prepare records control schedules on a department by department basis, listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of ILTexas records as the records management plan may require.

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2. Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state, and that it continues to reflect the record keeping procedures and needs of the department and the records management program of ILTexas.
3. Before its adoption, a records control schedule or amended schedule for a department must be approved by the department head or Principal and the members of the Records Management Committee.
4. Before its adoption, a records control schedule must be submitted to and accepted for filing by the director and librarian as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

**Sec. 12. IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE**

1. A records control schedule for a department that has been approved and adopted under Section 11 shall be implemented by department heads, principals and Records Liaison Officers according to the policies and procedures of the records management plan.
2. A record whose retention period has expired on a record control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the records is pertinent to a pending lawsuit, or the department head or principal requests in writing to the Records Management Committee that the record be retained for an additional period.
3. Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Records Management Committee.

**Sec. 13. DESTRUCTION OF UNSCHEDULED RECORDS**

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director and librarian an approved destruction authorization request.

**Sec. 14. CONTRACT SERVICES**

With approval of the Board, the Records Management Officer and Committee may assign and delegate duties under this Policy to contracted services. The engagement of contract services will not relieve persons assigned and responsible under this policy from such assignment and responsibilities.



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**Sec. 15. RECORD OF ACCESS**

ILTexas shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student, (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. The record of access shall be maintained with the education records of the student as long as the records are maintained.

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**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****RESTRAINT AND TIME-OUT****Sec. 1. BEHAVIOR MANAGEMENT TECHNIQUES**

It is International Leadership of Texas (ILTexas)'s policy to treat all students with dignity and respect, including students with disabilities who receive special education services. Any behavior management technique and/or discipline management practice must be implemented in such a way as to protect the health and safety of the student and others. No discipline management practice may be calculated to inflict injury, cause harm, demean, or deprive the student of basic human necessities.

*Education Code 37.0021(a); 19 TAC 89.1053(a), (j).*

**Exceptions.** Education Code 37.0021 (regarding use of confinement, seclusion, restraint, and time-out) does not apply to:

1. A peace officer, while performing law enforcement duties, except as provided by Education Code 37.0021(i); and
2. An educational services provider with whom a student is placed by a judicial authority unless the services are provided in a ILTexas educational program.

*Education Code 37.0021(g).*

**Sec. 2. CONFINEMENT**

A student with a disability who receives special education services may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique. *Education Code 37.0021(a).*

Education Code 37.0021 does not prevent a student's locked, unattended confinement in an emergency situation while awaiting the arrival of law enforcement personnel if:

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

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

*Education Code 37.0021(f), 37.007(a)(1); Penal Code 46.01(1), (3), (6), 46.05.*

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**Sec. 3. SECLUSION**

A ILTexas employee or volunteer or an independent contractor of ILTexas 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(b)(2), (c).*

**Sec. 4. RESTRAINT**

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

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

*19 TAC 89.1053(c).*

**a) *Definitions***

“Restraint” means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of a student’s body.

*Education Code 37.0021(b)(1); 19 TAC 89.1053(b)(2).*

“Restraint” does not include the use of:

1. Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;
2. Limited physical contact with a child to promote safety (*e.g.*, holding a student’s hand), to prevent a potentially harmful action (*e.g.*, running into the street), to teach a skill, or to provide comfort;

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3. Limited physical contact or appropriately prescribed adaptive equipment to prevent a child from engaging in ongoing, repetitive self-injurious behaviors; or
4. Seat belts and other safety equipment used to secure children during transportation.

*19 TAC 89.1053(f).*

“Emergency” means a situation in which a student’s behavior poses a threat of:

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

*19 TAC 89.1053(b)(1).*

**b) Training**

Training for ILTexas employees, volunteers, or independent contractors regarding the use of restraint shall be provided according to the requirements set forth at 19 TAC 89.1053(d).

**c) Data Reporting**

Cumulative data regarding the use of restraint must be electronically reported through the Public Education Information Management System in accordance with reporting standards specified by the Texas Education Agency.

*Education Code 37.0021(i); 19 TAC 89.1053(f),(k).*

**d) Documentation**

In a case in which restraint is used by ILTexas employees, volunteers, or independent contractors, ILTexas shall comply with the documentation requirements set forth at 19 TAC 89.1053(e).

**Sec. 5. TIME-OUT**

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

1. Physical force or threat of physical force shall not be used to place a student in time-out;
2. Time-out must only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student’s individualized education program (“IEP”) and/or behavior intervention plan (“BIP”) if it is utilized on a recurrent basis to increase or decrease targeted behavior; and

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

*19 TAC 89.1053(b)(3), (g).*

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

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

*Education Code 37.0021(b)(3); 19 TAC 89.1053(b)(3).*

**a) *Training***

Training for ILTexas employees, volunteers, or independent contractors regarding the use of time-out shall be provided according to the requirements set forth at 19 TAC 89.1053(h).

**b) *Documentation***

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

*19 TAC 89.1053(i).*

**Sec. 6. PROHIBITED AVERSIVE TECHNIQUES**

ILTexas and employees, volunteers, and independent contractor of ILTexas may not apply an aversive technique, or by authorization, order, or consent, cause an aversive technique to be applied, to a child.

*Education Code 37.0023(b).*

“Aversive technique” means a technique or intervention that is intended to reduce the likelihood of a behavior reoccurring by intentionally inflicting on a student significant physical or emotional discomfort or pain. The term includes a technique or intervention that:

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1. is designed to or likely to cause physical pain, other than an intervention or technique permitted under Section 37.0011;
2. notwithstanding Section Section 37.0011, is designed to or likely to cause physical pain through the use of electric shock or any procedure that involves the use of pressure points or joint locks;
3. involves the directed release of a noxious, toxic, or otherwise unpleasant spray, mist, or substance near the student's face;
4. denies adequate sleep, air, food, water, shelter, bedding, physical comfort, supervision, or access to a restroom facility;
5. ridicules or demeans the student in a manner that adversely affects or endangers the learning or mental health of the student or constitutes verbal abuse;
6. employs a device, material, or object that simultaneously immobilizes all four extremities, including any procedure that results in such immobilization known as prone or supine floor restraint;
7. impairs the student's breathing, including any procedure that involves:
  - a. applying pressure to the student's torso or neck; or
  - b. obstructing the student's airway, including placing an object in, on, or over the student's mouth or nose or placing a bag, cover, or mask over the student's face;
8. restricts the student's circulation;
9. secures the student to a stationary object while the student is in a sitting or standing position;
10. inhibits, reduces, or hinders the student's ability to communicate;
11. involves the use of a chemical restraint;
12. constitutes a use of time-out that precludes the student from being able to be involved in and progress appropriately in the required curriculum and, if applicable, toward the annual goals included in the student's individualized education program, including isolating the student by the use of physical barriers; or
13. except as provided by Section 37.0023 (c), deprives the student of the use of one or more of the student's senses.

*Education Code 37.0023(a).*

## BOARD POLICY MANUAL

## POLICY GROUP 6 - SPECIAL EDUCATION

## VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS

**Sec. 1. DEFINITIONS**

For purposes of this policy, the following terms will have the meanings set forth below:

**“Parent”** means a person standing in parental relation to a child, including a guardian, and whose child receives special education and related services and assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

**“Staff member”** means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a self-contained classroom or other special education setting.

**“Board”** means a majority of the International Leadership of Texas (ILTexas) Board of Directors.

**“School business day”** means a day that campus or ILTexas administrative offices are open.

**“Time-Out”** has the meaning assigned by Education Code 37.0021.

**“Self-contained classroom”** means a classroom on a regular ILTexas campus (*i.e.*, a campus that serves students in general education and students in special education) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the Texas Education Agency (“TEA”):

1. self-contained (mild/moderate/severe) regular campus;
2. full-time early childhood (preschool program for children with disabilities) special education setting;
3. residential care and treatment facility--self-contained (mild/moderate/severe) regular campus;
4. residential care and treatment facility--full-time early childhood special education setting;
5. off home campus--self-contained (mild/moderate/severe) regular campus; or
6. off home campus--full-time early childhood special education setting.

**“Other special education setting”** means a classroom on a separate ILTexas campus (*i.e.*, a campus that serves only students who receive special education and related services) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the TEA:

1. residential care and treatment facility--separate campus; or
2. off home campus--separate campus.

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**“Incident”** means an event or circumstance that involves alleged “abuse” or “neglect,” as those terms are described in Texas Family Code Section 261.001, of a student by a ILTexas employee or alleged “physical abuse” or “sexual abuse,” as those terms are described in Texas Family Code Section 261.410, of a student by another student; and allegedly occurred in a self-contained classroom or other special education setting in which video surveillance is conducted under Texas Education Code Section 29.022.

**Sec. 2. PROMOTION OF STUDENT SAFETY**

ILTexas will, upon receipt of a written request authorized by this policy, provide equipment, including a video camera, to the school or schools specified in the request

A school or campus that receives equipment due to a video surveillance request shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

ILTexas may not:

1. allow regular or continual monitoring of video recorded under this policy; or
2. use video recorded under this policy for routine teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

**Sec. 3. PROCEDURES FOR REQUESTING VIDEO SURVEILLANCE**

Video surveillance under this policy is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings.

**a) *Parent Request***

A parent may request in writing that equipment be provided to the school or campus at which the parent’s child receives special education services in one or more self-contained classrooms or other special education settings.

**b) *Board Request***

The Board may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in self-contained classrooms or other special education settings.



**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS****c) *Principal or Assistant Principal Request***

The Principal or Assistant Principal of a school or campus at which one or more children receive special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the Principal's or Assistant Principal's school or campus.

**d) *Staff Member Request***

A staff member assigned to work with one or more children receiving special education services in a self-contained classroom or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works.

**e) *Additional Procedures***

A school or campus that receives equipment as a result of the request of a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable.

A school or campus that receives equipment as a result of the request by the Board, Principal, or Assistant Principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings.

ILTexas shall designate an administrator (the "Administrator") at the ILTexas Central Office with responsibility for coordinating the provision of equipment to schools and campuses in compliance with this policy.

A written request must be submitted and acted on as follows:

1. A parent, staff member, or Assistant Principal must submit a request to the Principal or designee of the school or campus addressed in the request, and the Principal or designee must provide a copy of the request to the Administrator.
2. A Principal must submit a request by the Principal to the Administrator.
3. The Board must submit a request to the Administrator, and the Administrator must provide a copy of the request to the Principal or designee of the school or campus addressed in the request.

ILTexas shall provide a response to a request not later than the seventh school business day after receipt of the request by the person to whom it must be submitted that either authorizes the request or states the reason for denying the request. Unless granted an extension by the TEA, the school or campus must begin operation of a video camera in compliance with this policy not later than



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the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized.

A parent of a student whose admission, review, and dismissal (“ARD”) committee has determined that the student’s placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed to make a request for the video camera by the later of the date on which the current school year ends, or the 10th school business day after the date of the placement determination by the ARD committee. Unless the TEA grants an extension of time, the school or campus must begin operation of a video camera not later than the later of the 10th school day of the fall semester or the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

**Sec. 4. ADVANCE WRITTEN NOTICE TO CAMPUS STAFF AND PARENTS**

Before ILTexas activates a video camera in a classroom or other special education setting, ILTexas shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting. This notice shall be in the form of a “Notice of Installation of Video and Audio Recording Equipment” form adopted by the Superintendent or designee, and shall be distributed to all parties prior to the start of recording.

At ILTexas’s discretion, campuses may post a notice at the entrance of any self-contained classroom or other special education setting in which video camera are placed stating that video and audio surveillance are conducted in the classroom or setting.

**Sec. 5. TIMES OF OPERATION**

Cameras shall be operational at all times during the instructional day when students are in the self-contained classroom or other special education setting.

A school or campus that places a video camera in a classroom or other special education setting shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under this policy, for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing.

If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance

**BOARD POLICY MANUAL**

**POLICY GROUP 6 - SPECIAL EDUCATION**

**VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request.

Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year submits a new request.

This policy applies to placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

**Sec. 6. RESTRICTIONS ON VIDEO RECORDING**

Video cameras must be capable of covering all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out. Video cameras must also be capable of recording audio from all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of classroom or setting.

**Sec. 7. RETENTION OF RECORDINGS**

ILTexas shall retain video recordings from a video camera placed under this policy for at least three months after the date the video was recorded.

If a person described in Section 8-a (Requests to View a Video Recording) as eligible to receive a copy of a video requests to view a video recording from a video camera placed under this policy, ILTexas must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, ILTexas shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

A video recording under this policy is a governmental record only for purposes of 37.10, Penal Code.

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS****Sec. 8. CONFIDENTIALITY OF VIDEO RECORDINGS**

A video recording of a student is confidential and may not be released or viewed except as provided by Texas Education Code Section 29.022; the Family Educational Rights and Privacy Act of 1974 (“FERPA”); or other applicable law.

***a) Requests to View a Video Recording***

ILTexas will release a recording for viewing by:

1. A ILTexas employee who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the employee;
2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the parent;
3. Appropriate Department of Family and Protective Services (“DFPS”) personnel as part of an investigation under Section 261.406, Family Code;
4. A peace officer, a school nurse, a district-level or campus-level administrator trained in de-escalation and restraint techniques as provided by commissioner rule, or a human resources staff member designated by the Board in response to a report of an alleged incident or an investigation of ILTexas personnel or a report of alleged abuse committed by a student; or
5. Appropriate TEA or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording is not in violation of this policy.

If a person described by subsections (4) or (5) above who views the video recording believes that the recording documents a possible violation under Subchapter E, Chapter 261, Family Code, the person shall notify the DFPS for investigation in accordance with Family Code Section 261.406.

If any person described by subsections (3), (4), or (5) above who views the recording believes that the recording documents a possible violation of ILTexas policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of ILTexas policy relating to the neglect or abuse of a student may be used as part of a disciplinary actions against ILTexas personnel and shall be released at the request of the student’s parent in a legal proceeding.

If ILTexas determines that the recording is an “education record,” ILTexas shall release the recording in accordance with FERPA. State law does not limit the access of a student’s parent to a record regarding the student under FERPA or other law.

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**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

In order to review recordings for potential release, and operation and maintenance of the equipment, the following individuals shall have access to the video equipment: list out titles/departments that may have access to video equipment.

**Sec. 9. PROCEDURES FOR REPORTING A COMPLAINT AND/OR REQUESTING TO VIEW RECORDING**

Video and audio recording equipment shall be used for safety purposes to access documented, specific incidents. To report a complaint of alleged abuse or neglect to ILTexas and/or to request to view a recording allowed by Section 8 above, a written "Incident Report Form," as adopted by the Superintendent or designee, shall be used by the requestor. This form will be completed to the extent of known information, and returned to the Superintendent or designee for validation.

**Sec. 10. GRIEVANCE PROCEDURES**

The special education dispute resolution procedures in 34 C.F.R. 300.151-300.153 and 300.504-300.515, do not apply to complaints alleging that ILTexas has failed to comply with Education Code Section 29.022. Complaints alleging violations of ILTexas's video surveillance obligations for special education settings under Education Code Section 29.022 must be addressed through ILTexas's Student and Parent Grievance Process (see PG-3.XX), as adopted by the Board.

ILTexas, a parent, staff member, or an administrator may request an expedited review by the TEA of ILTexas's (1) denial of a request, (2) request for an extension of time to begin operation of a video camera, or (3) determination to not release a video recording to an individual. If ILTexas, a parent, staff member or administrator requests an expedited review, the TEA shall notify all other interested parties of the request.

If an expedited review has been requested, the TEA shall issue a preliminary judgment as to whether ILTexas is likely to prevail on the issue under a full review by the TEA. If the TEA determines ILTexas is not likely to prevail, ILTexas must fully comply with the policy notwithstanding an appeal of the TEA's decision. The TEA shall notify the requestor and ILTexas, if ILTexas is not the requestor, of the TEA's determination.

**Sec. 11. FUNDING**

ILTexas may solicit and accept gifts, grants, and donations from any person to implement the requirements in Education Code Section 29.022. ILTexas is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement the requirements of Education Code Section 29.022.

**INTERNATIONAL LEADERSHIP OF TEXAS, INC.**

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**BOARD POLICY MANUAL**

**POLICY GROUP 6 - SPECIAL EDUCATION**

**VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

**Sec. 12. NO WAIVER OF IMMUNITY**

The requirements described by this policy do not:

1. Waive any immunity from liability of ILTexas, or of ILTexas officers or employees; or
2. Create any liability for a cause of action against ILTexas or against ILTexas officers or employees.

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## BOARD POLICY MANUAL

## POLICY GROUP 6 - SPECIAL EDUCATION

## VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS

**Sec. 1. DEFINITIONS**

For purposes of this policy, the following terms will have the meanings set forth below:

**“Parent”** means a person standing in parental relation to a child, including a guardian, and whose child receives special education and related services and assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

**“Staff member”** means a teacher, related service provider, paraprofessional, counselor, or educational aide assigned to work in a self-contained classroom or other special education setting.

**“Board”** means a majority of the International Leadership of Texas (ILTexas) Board of Directors.

**“School business day”** means a day that campus or ILTexas administrative offices are open.

**“Time-Out”** has the meaning assigned by Education Code 37.0021.

**“Self-contained classroom”** means a classroom on a regular ILTexas campus (*i.e.*, a campus that serves students in general education and students in special education) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the Texas Education Agency (“TEA”):

1. self-contained (mild/moderate/severe) regular campus;
2. full-time early childhood (preschool program for children with disabilities) special education setting;
3. residential care and treatment facility--self-contained (mild/moderate/severe) regular campus;
4. residential care and treatment facility--full-time early childhood special education setting;
5. off home campus--self-contained (mild/moderate/severe) regular campus; or
6. off home campus--full-time early childhood special education setting.

**“Other special education setting”** means a classroom on a separate ILTexas campus (*i.e.*, a campus that serves only students who receive special education and related services) in which a majority of the students in regular attendance are provided special education and related services and have one of the following instructional arrangements/settings described in the Student Attendance Accounting Handbook adopted by the TEA:

1. residential care and treatment facility--separate campus; or
2. off home campus--separate campus.

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

**“Incident”** means an event or circumstance that involves alleged “abuse” or “neglect,” as those terms are described in Texas Family Code Section 261.001, of a student by a ILTexas employee or alleged “physical abuse” or “sexual abuse,” as those terms are described in Texas Family Code Section 261.410, of a student by another student; and allegedly occurred in a self-contained classroom or other special education setting in which video surveillance is conducted under Texas Education Code Section 29.022.

**Sec. 2. PROMOTION OF STUDENT SAFETY**

ILTexas will, upon receipt of a written request authorized by this policy, provide equipment, including a video camera, to the school or schools specified in the request

A school or campus that receives equipment due to a video surveillance request shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day.

ILTexas may not:

1. allow regular or continual monitoring of video recorded under this policy; or
2. use video recorded under this policy for routine teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

**Sec. 3. PROCEDURES FOR REQUESTING VIDEO SURVEILLANCE**

Video surveillance under this policy is for the purpose of promoting student safety in certain self-contained classrooms and other special education settings.

**a) *Parent Request***

A parent may request in writing that equipment be provided to the school or campus at which the parent’s child receives special education services in one or more self-contained classrooms or other special education settings.

**b) *Board Request***

The Board may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in self-contained classrooms or other special education settings.



**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS****c) *Principal or Assistant Principal Request***

The Principal or Assistant Principal of a school or campus at which one or more children receive special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the Principal's or Assistant Principal's school or campus.

**d) *Staff Member Request***

A staff member assigned to work with one or more children receiving special education services in a self-contained classroom or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works.

**e) *Additional Procedures***

A school or campus that receives equipment as a result of the request of a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable.

A school or campus that receives equipment as a result of the request by the Board, Principal, or Assistant Principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings.

ILTexas shall designate an administrator (the "Administrator") at the ILTexas Central Office with responsibility for coordinating the provision of equipment to schools and campuses in compliance with this policy.

A written request must be submitted and acted on as follows:

1. A parent, staff member, or Assistant Principal must submit a request to the Principal or designee of the school or campus addressed in the request, and the Principal or designee must provide a copy of the request to the Administrator.
2. A Principal must submit a request by the Principal to the Administrator.
3. The Board must submit a request to the Administrator, and the Administrator must provide a copy of the request to the Principal or designee of the school or campus addressed in the request.

ILTexas shall provide a response to a request not later than the seventh school business day after receipt of the request by the person to whom it must be submitted that either authorizes the request or states the reason for denying the request. Unless granted an extension by the TEA, the school or campus must begin operation of a video camera in compliance with this policy not later than



**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized.

A parent of a student whose admission, review, and dismissal (“ARD”) committee has determined that the student’s placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed to make a request for the video camera by the later of the date on which the current school year ends, or the 10th school business day after the date of the placement determination by the ARD committee. Unless the TEA grants an extension of time, the school or campus must begin operation of a video camera not later than the later of the 10th school day of the fall semester or the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made.

**Sec. 4. COORDINATION OF EQUIPMENT**

The administrator responsible for coordinating equipment delivery to campuses shall be Director of Special Education Academics or designee.

**Sec. 5. ADVANCE WRITTEN NOTICE TO CAMPUS STAFF AND PARENTS**

Before ILTexas activates a video camera in a classroom or other special education setting, ILTexas shall provide written notice of the placement to all school or campus staff and to the parents of each student attending class or engaging in school activities in the classroom or setting. This notice shall be in the form of a “Notice of Installation of Video and Audio Recording Equipment” form adopted by the Superintendent or designee, and shall be distributed to all parties prior to the start of recording.

At ILTexas’s discretion, campuses may post a notice at the entrance of any self-contained classroom or other special education setting in which video camera are placed stating that video and audio surveillance are conducted in the classroom or setting.

**Sec. 6. TIMES OF OPERATION**

Cameras shall be operational at all times during the instructional day when students are in the self-contained classroom or other special education setting.

A school or campus that places a video camera in a classroom or other special education setting shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under this policy, for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing.

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**BOARD POLICY MANUAL**

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**VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request.

Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year submits a new request.

This policy applies to placement, operation, and maintenance of a video camera in a self-contained classroom or other special education setting during the regular school year and extended school year services.

**Sec. 7. RESTRICTIONS ON VIDEO RECORDING**

Video cameras must be capable of covering all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out. Video cameras must also be capable of recording audio from all areas of the classroom or other special education setting, including a room attached to the classroom or setting used for time-out.

The inside of a bathroom or any area in the classroom or other special education setting in which a student's clothes are changed may not be visually monitored, except for incidental coverage of a minor portion of a bathroom or changing area because of the layout of classroom or setting.

**Sec. 8. RETENTION OF RECORDINGS**

ILTexas shall retain video recordings from a video camera placed under this policy for at least three months after the date the video was recorded.

If a person described in Section 8-a (Requests to View a Video Recording) as eligible to receive a copy of a video requests to view a video recording from a video camera placed under this policy, ILTexas must retain the recording from the date of receipt of the request until the person has viewed the recording and a determination has been made as to whether the recording documents an alleged incident. If the recording documents an alleged incident, ILTexas shall retain the recording until the alleged incident has been resolved, including the exhaustion of all appeals.

A video recording under this policy is a governmental record only for purposes of 37.10, Penal Code.

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS****Sec. 9. CONFIDENTIALITY OF VIDEO RECORDINGS**

A video recording of a student is confidential and may not be released or viewed except as provided by Texas Education Code Section 29.022; the Family Educational Rights and Privacy Act of 1974 (“FERPA”); or other applicable law.

**a) *Requests to View a Video Recording***

ILTexas will release a recording for viewing by:

1. A ILTexas employee who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the employee;
2. A parent of a student who is involved in an alleged incident that is documented by the recording and has been reported to ILTexas, on request of the parent;
3. Appropriate Department of Family and Protective Services (“DFPS”) personnel as part of an investigation under Section 261.406, Family Code;
4. A peace officer, a school nurse, a district-level or campus-level administrator trained in de-escalation and restraint techniques as provided by commissioner rule, or a human resources staff member designated by the Board in response to a report of an alleged incident or an investigation of ILTexas personnel or a report of alleged abuse committed by a student; or
5. Appropriate TEA or State Board for Educator Certification personnel or agents as part of an investigation.

A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording is not in violation of this policy.

If a person described by subsections (4) or (5) above who views the video recording believes that the recording documents a possible violation under Subchapter E, Chapter 261, Family Code, the person shall notify the DFPS for investigation in accordance with Family Code Section 261.406.

If any person described by subsections (3), (4), or (5) above who views the recording believes that the recording documents a possible violation of ILTexas policy, the person may allow access to the recording to appropriate legal and human resources personnel. A recording believed to document a possible violation of ILTexas policy relating to the neglect or abuse of a student may be used as part of a disciplinary actions against ILTexas personnel and shall be released at the request of the student’s parent in a legal proceeding.

**BOARD POLICY MANUAL****POLICY GROUP 6 - SPECIAL EDUCATION****VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

If ILTexas determines that the recording is an “education record,” ILTexas shall release the recording in accordance with FERPA. State law does not limit the access of a student’s parent to a record regarding the student under FERPA or other law.

In order to review recordings for potential release, and operation and maintenance of the equipment, the following individuals shall have access to the video equipment: list out titles/departments that may have access to video equipment.

**Sec. 10. PROCEDURES FOR REPORTING A COMPLAINT AND/OR REQUESTING TO VIEW RECORDING**

Video and audio recording equipment shall be used for safety purposes to access documented, specific incidents. To report a complaint of alleged abuse or neglect to ILTexas and/or to request to view a recording allowed by Section 8 above, a written “Incident Report Form,” as adopted by the Superintendent or designee, shall be used by the requestor. This form will be completed to the extent of known information, and returned to the Superintendent or designee for validation.

**Sec. 11. GRIEVANCE PROCEDURES**

The special education dispute resolution procedures in 34 C.F.R. 300.151-300.153 and 300.504-300.515, do not apply to complaints alleging that ILTexas has failed to comply with Education Code Section 29.022. Complaints alleging violations of ILTexas’s video surveillance obligations for special education settings under Education Code Section 29.022 must be addressed through ILTexas’s Student and Parent Grievance Process (see PG-3.XX), as adopted by the Board.

ILTexas, a parent, staff member, or an administrator may request an expedited review by the TEA of ILTexas’s (1) denial of a request, (2) request for an extension of time to begin operation of a video camera, or (3) determination to not release a video recording to an individual. If ILTexas, a parent, staff member or administrator requests an expedited review, the TEA shall notify all other interested parties of the request.

If an expedited review has been requested, the TEA shall issue a preliminary judgment as to whether ILTexas is likely to prevail on the issue under a full review by the TEA. If the TEA determines ILTexas is not likely to prevail, ILTexas must fully comply with the policy notwithstanding an appeal of the TEA’s decision. The TEA shall notify the requestor and ILTexas, if ILTexas is not the requestor, of the TEA’s determination.

**Sec. 12. FUNDING**

ILTexas may solicit and accept gifts, grants, and donations from any person to implement the requirements in Education Code Section 29.022. ILTexas is not permitted to use Individuals with

**INTERNATIONAL LEADERSHIP OF TEXAS, INC.**

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**VIDEO SURVEILLANCE OF SPECIAL EDUCATION SETTINGS**

Disabilities Education Act, Part B, funds or state special education funds to implement the requirements of Education Code Section 29.022.

**Sec. 13. NO WAIVER OF IMMUNITY**

The requirements described by this policy do not:

1. Waive any immunity from liability of ILTexas, or of ILTexas officers or employees; or
2. Create any liability for a cause of action against ILTexas or against ILTexas officers or employees.

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# Cover Sheet

## CHIEF ADMINISTRATIVE OFFICER REPORT

<b>Section:</b>	IV. Superintendent-CEO Report and Information Items
<b>Item:</b>	D. CHIEF ADMINISTRATIVE OFFICER REPORT
<b>Purpose:</b>	FYI
<b>Submitted by:</b>	
<b>Related Material:</b>	Board Notification 12.1.2021 revised.pdf Board Report 12.1.21.pdf



## INTERNATIONAL LEADERSHIP OF TEXAS

**Faculty and Support Staff New Hires  
Subsequent to October 21, 2021  
For Board Notification on December 1, 2021**

<b>NEW HIRES FOR THE 21/22 SCHOOL YEAR</b>			
<b>Position</b>	<b>Assignment</b>	<b>Building</b>	<b>Start Date</b>
TEACHER	PFC	GRAND PRAIRIE ELEMENTARY	10/22/2021
AUX - MAINTENANCE	COURIER	HEADQUARTERS	11/08/2021
TEACHER	MIDDLE	LANCASTER MIDDLE	11/08/2021
PARA - DISTRICT	BACKGROUND FINGERPRINTING SPEC	HEADQUARTERS	11/02/2021
TEACHER	ELEMENTARY	KATY ELEMENTARY	11/01/2021
PARA - CAMPUS	INSTRUCTIONAL AIDE	LANCASTER ELEMENTARY	11/10/2021
TEACHER	ELEMENTARY	LANCASTER ELEMENTARY	10/28/2021
TEACHER	HIGH	GARLAND HIGH	10/25/2021
TEACHER	MIDDLE	HOUSTON OREM MIDDLE	11/08/2021
NURSE	NURSE	LANCASTER ELEMENTARY	10/27/2021
PARA - CAMPUS	REGISTRAR	NRH ELEMENTARY	11/08/2021
TEACHER	ELEMENTARY	KATY ELEMENTARY	10/20/2021
PARA - CAMPUS	ADMIN ASSISTANT	GARLAND HIGH	11/03/2021
TEACHER	HIGH	ARLINGTON HIGH	11/09/2021
PARA - CAMPUS	INSTRUCTIONAL AIDE	EAST FW ELEMENTARY	10/25/2021
PARA - CAMPUS	INSTRUCTIONAL AIDE	WM LAKES ELEMENTARY	11/05/2021
TEACHER	PFC	AGGIELAND HIGH	11/01/2021
TEACHER	ELEMENTARY	HOUSTON OREM ELEMENTARY	10/25/2021
TEACHER	HIGH	LANCASTER HIGH	10/29/2021
PROF - DISTRICT	BEHAVIOR SPECIALIST	AREA OFFICE HOUSTON	11/15/2021
PROF - DISTRICT	MULTIMEDIA JOURNALIST	HEADQUARTERS	11/03/2021
PROF - DISTRICT	MANAGER	HEADQUARTERS	11/15/2021
TEACHER	HIGH	KELLER HIGH	11/11/2021
PARA - CAMPUS	RECEPTIONIST	WM LAKES ELEMENTARY	11/03/2021
TEACHER	HIGH	LANCASTER HIGH	11/15/2021
TEACHER	ELEMENTARY	WEST PARK ELEMENTARY	11/09/2021
TEACHER	ELEMENTARY	HOUSTON OREM ELEMENTARY	11/08/2021
PROF - DISTRICT	PROGRAM MANAGER	HEADQUARTERS	11/15/2021
PARA - CAMPUS	INSTRUCTIONAL AIDE	HOUSTON OREM MIDDLE	11/01/2021
TEACHER	ELEMENTARY	GARLAND ELEMENTARY	11/08/2021
PARA - CAMPUS	INSTRUCTIONAL AIDE	WM LAKES MIDDLE	11/15/2021
TEACHER	ELEMENTARY	GRAND PRAIRIE ELEMENTARY	11/09/2021
AUX - FOOD SERVICE	FOOD SERVICE CASHIER	GARLAND ELEMENTARY	11/15/2021
COUNSELOR	COUNSELOR	COLLEGE STATION ELEMENTARY	11/03/2021
TEACHER	ELEMENTARY	HOUSTON OREM ELEMENTARY	11/08/2021
TEACHER	PFC	GARLAND ELEMENTARY	11/05/2021
TEACHER	ELEMENTARY	GARLAND ELEMENTARY	10/25/2021
TEACHER	ELEMENTARY	EAST FW ELEMENTARY	11/01/2021
TEACHER	HIGH	LANCASTER HIGH	10/27/2021
PARA - DISTRICT	DATA CONTROLLER	AREA OFFICE HOUSTON	11/16/2021

**Total employees hired subsequent to 10/21/2021: 40**

**Total Employee Count for 21/22 SY:2,294**

**All employees are contingent upon Fingerprint and HR Clearance.**



## INTERNATIONAL LEADERSHIP OF TEXAS

### Authorized Position Report

December 1, 2021

21/22 SCHOOL YEAR

Position	# Positions	Positions Filled	Available FTE	Pending	Unfilled
AUX - FOOD SERVICE	14	12	2	1	1
AUX - MAINTENANCE	34	31	3		3
AUX - TRANSPORTATION	28	24	4	2	2
COUNSELOR	55	51	4		4
LIBRARIAN/MEDIA	21	20	1		1
NURSE	18	18	-		-
PARA - CAMPUS - INSTRUCTIONAL AIDE	311	246	65	11	54
PARA - CAMPUS - FRONT OFFICE	128	122	6		6
PARA - DISTRICT	69	65	4		4
PROF - CAMPUS	43	36	7	3	4
PROF - CAMPUS ADMIN	90	89	1		1
PROF - DISTRICT	195	184	11		11
SLP	13	10	3		3
SUPERINTENDENT	1	1	-		-
TEMPS	2	-	2		2
TEACHER	1,439	1,385	54	6	48
<b>Total</b>	<b>2,461</b>	<b>2,294</b>	<b>167</b>	<b>23</b>	<b>144</b>



## Cover Sheet

### REPORT FROM FINANCE AND AUDIT COMMITTEE

<b>Section:</b>	V. BOARD COMMITTEE REPORTS
<b>Item:</b>	A. REPORT FROM FINANCE AND AUDIT COMMITTEE
<b>Purpose:</b>	Discuss
<b>Submitted by:</b>	
<b>Related Material:</b>	This Page is Blank.docx

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# Cover Sheet

## REPORT FROM NOMINATION COMMITTEE

<b>Section:</b>	V. BOARD COMMITTEE REPORTS
<b>Item:</b>	B. REPORT FROM NOMINATION COMMITTEE
<b>Purpose:</b>	Discuss
<b>Submitted by:</b>	
<b>Related Material:</b>	This Page is Blank.docx

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## Cover Sheet

### CONSENT AGENDA ITEMS -- SINGLE VOTE UNLESS OTHERWISE SPECIFIED

**Section:** VII. CONSENT AGENDA  
**Item:** A. CONSENT AGENDA ITEMS -- SINGLE VOTE UNLESS  
OTHERWISE SPECIFIED  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:**  
Accelerated\_Learning\_Student\_Handbook\_Addition.pdf  
Additions to Student Code of Conduct.pdf  
Resolution -- Change Date to Begin Accepting Applications for Admission.docx  
ILT, IL TEXAS, HQ SC AND AV ADDS 11-29-2021.pdf

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## ASSESSMENTS, STAAR, AND ACADEMIC SUPPORT....

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### END OF CYCLE/UNIT ASSESSMENTS

At the end of each learning cycle students will be assessed using a standardized assessment tool. Some assessment tools are given at the end of a unit of study, while others are at the end of a cycle. These assessments are standardized across ILTexas. Semester Exams/Final Exams for High School level courses are designed to measure student understanding of required learning objectives taught over the course of the semester/year. The results of these assessments determine a student's overall understanding or mastery of the assessed subject.

### STATE OF TEXAS ASSESSMENTS OF ACADEMIC READINESS (STAAR) TESTING AND REMEDIATION

ILTexas is committed to student success on the State of Texas Assessments of Academic Readiness (STAAR) and takes seriously its obligation to provide students the support and assistance they need to succeed. All students at STAAR-tested grade levels (3–12) will be regularly assessed to ensure they are making appropriate progress through the required state curriculum. Students who are not making satisfactory progress will receive remedial help. **Change statement to Accelerated Instruction Model** Students who have failed a STAAR test in SSI years will be required to attend academic support classes / tutorials (accelerated instruction) when the school offers them in the areas in which the standard was not met. In some cases, this may be an on-going, regularly scheduled class. In others, it may be an intense scheduled tutorial period for any time frame prior to the STAAR testing scheduled for March-May.

### Learning Acceleration

For any student who does not pass the STAAR test in grades 3–8 or STAAR (EOC) end-of-course assessments must either:

- Be assigned a classroom teacher who is a certified master, exemplary, or recognized teacher or
- Will receive supplemental instruction (tutoring) before or after school, or embedded in the school day

The State of Texas Assessments of Academic Readiness (STAAR) and its related End-of-Course (EOC) assessments for high school grades will consist of the following examinations:

Elementary and Middle School

**Grade 3: Reading/Language Arts & Math**

**Grade 4: Reading/Language Arts & Math**

**Grade 5: Reading/Language Arts & Math & Science**

**Grade 7: Reading/Language Arts & Math**

**Grade 8: Reading/Language Arts & Math & Science & Social Studies**

ILTexas Student-parent Handbook and Code of Conduct as amended August 26, 2021 Page 23 of 118

Performance on STAAR Exams

High School End of Course English I and II Algebra I Biology

US History

Additionally, STAAR Spanish is available for eligible students for whom a Spanish version of STAAR is the most appropriate measure of academic performance.

Performance on EOC Assessments

High School students are required, with limited exceptions, to perform satisfactorily on the High School End of Course assessments listed above. A student who has not achieved sufficient scores on the EOC assessments to graduate will have opportunities to retake the assessments. State law and state rules also provide for certain scores on norm-referenced national standardized assessments to substitute for the requirement to meet satisfactory performance on an applicable EOC assessment should a student choose this option.

If a student fails to perform satisfactorily on an EOC assessment, ILTexas will provide **remediation Accelerated Instruction** in the content area for which the performance standard was not met. This may require student participation before or after normal school hours, or at times of the year outside of normal school operations. Satisfactory performance on the applicable assessments will be required for graduation, except in circumstances where a student may be eligible to graduate in accordance with a plan approved by an Individual Graduation Committee.

STAAR Alternate 2 is available for students who have significant cognitive disabilities and are receiving special education services, as determined by the student's ARD committee. These particular assessments may have different testing windows than the general assessments, and the ARD committee will determine whether successful performance on the assessments will be required for graduation.

**add this section**

**ACCELERATED INSTRUCTION PLANS**

ILTexas will establish an accelerated learning committee (“ALC”) for each student who fails to perform satisfactorily on:

1. The third grade mathematics or reading STAAR exam;
2. The fifth grade mathematics or reading STAAR exam; or
3. The eighth grade mathematics or reading STAAR exam.

The ALC will be composed of the Principal or designee, the students’ parent or guardian, and the teacher of the subject of the assessment on which the student failed to perform satisfactorily.

Beginning summer of 2022, the ALC shall, not later than the start of the subsequent school year, develop an educational plan for the student that provides the necessary accelerated instruction to enable the student to perform at the appropriate grade level by the conclusion of the school year. The educational plan must be documented in writing, and a copy must be provided to the student’s parent or guardian.

The student’s parent or guardian may contest the content or implementation of an educational plan developed by the ALC by submitting a written complaint to the campus principal within (1) seven calendar days of the parent or guardian’s receipt of the educational plan or (2) within seven calendar days of the parent or guardian’s concern that the educational plan is not being properly implemented. The campus principal will conduct a conference with the parent or guardian. A parent or guardian who is dissatisfied with the principal’s decision may appeal through our ILTexas grievance process, beginning with the area superintendent (after the principal has been given the opportunity to review and attempt to resolve).



Addition to Student Code of Conduct:

1. To Definitions, add: "Day" as used in this Handbook and Code of Conduct shall mean days in which the school is in session.
2. Level III Rule <#>: Possession, distribution or use of Vape Pens.
3. Level III, Rule <#>: Consensually engaging in fighting, boxing, wrestling, or other combative contact or causing another person to engage in the same by provocation or threat, when the resulting combative contact:
  - (a) Seriously disrupts school operations;
  - (b) Endangers the safety of nonparticipants; or
  - (c) Results in physical injury requiring medical treatment.

# Proposal



To:  
**Charles Klein**  
**International Leadership of Texas**  
1651 N. Glenville Dr., Ste. 216  
Richardson, TX 75081  
C: 713-309-5046  
E: [cklein@ILTexas.org](mailto:cklein@ILTexas.org)

Submitted by:

**Preferred Technologies, LLC**  
3709 Promontory Point Drive, Ste. 106  
Austin, TX 78744  
Telephone: (281) 442-0550  
Facsimile: (281) 449-5597

Title: International Leadership of Texas, New HQ Structured Cabling and A/V additions – Revision 3

Contract Number: DIR-CPO-4742

Date Submitted: 11/29/2021

Point of Contact: Alan Ham  
*Sales and Design Professional*

Base Proposal Amount: \$164,150.35

Signed:

Alan Ham  
*Sales and Design Professional*  
Preferred Technologies, LLC  
(346) 262-3792  
[alanham@pref-tech.com](mailto:alanham@pref-tech.com)



P: 281.442.0550

F: 281.449.5597

[www.pref-tech.com](http://www.pref-tech.com)

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## Overview

Preferred Technologies, LLC. (Pref-Tech) will provide structured data cabling and additions to the existing A/V scope for International Leadership of Texas at their new HQ. Pref-Tech's work will be compliant with manufacturer requirements, applicable codes, and the highest industry standards.

## Scope of Work

Preferred Technologies, LLC. will perform the following tasks:

- **Structured Cabling**
  - Pref-Tech will provide and install (90) dual, wall mounted CommScope CAT6 data drops. These data drops will use a blue jacket.
    - (1) patch panel will be installed in each IDF location to support these CAT6 data drops.
    - Each data drop will include (2) patch cords. (1) will be 3ft long and (1) will be 5ft long.
  - Pref-Tech will provide and install (131) single furniture-mounted CommScope CAT6 data drops to support data for the open area workspaces and the copiers in the designated storage areas. These data drops will use a blue jacket.
    - (1) patch panel will be installed in each IDF location to support these CAT6 data drops.
    - Each data drop will include (2) patch cords. (1) will be 3ft long and (1) will be 5ft long.
  - Pref-Tech will provide and install (24) single, ceiling CommScope CAT6 data drops to be used for the wireless access points (provided by others). These data drops will use a white jacket.
    - (1) patch panel will be installed in each IDF location to support these CAT6A data drops.
    - Each data drop will include (2) patch cords. (1) will be 3ft long and (1) will be 5ft long.
  - Pref-Tech will provide a Corning Single-mode 12-strand OS2 fiber backbone to support the horizontal structured cabling.
    - The ISP will need to install a fiber patch cord from the modem into the switch in the first floor IT Work Room.
- **A/V Additions**
  - Room 120
    - (1) 98" Monitor will be added next to the monitor to be installed in Room 120.
  - Room 118/119
    - (1) additional transmitter will be located at the podium in in each of these rooms and will have sources that can be shown on the rolling A/V cart shown below and on the displays in the room.
  - (1) Rolling cart with 75" display will be shared between the rooms. When in use, it will be plugged into local power and a wall mounted data port at the front of the room in 118/119. It will function in the same way as the fixed displays in 118/119.
  - Connections from the Studio to 118, 119 and 120 will be upgraded from a category cabling connection to a fiber connection. This will require (1) SDI to fiber converter and (1) fiber to SDI converter for each room. Fiber, transmitters, labor for fiber installation and programming/configuration are included in this scope.
- **Pref-Tech Labor Service**
  - Pref-Tech will provide project management services to include proper project facilitation and close out documentation to International Leadership of Texas.



## **Assumptions**

The below assumptions were applied when pricing this project. The pricing in this proposal is contingent upon the validity of these assumptions. Additional charges may result if these assumptions be found false.

- Pref-Tech's work is limited to the installation of the bill of materials listed in the Pricing Sheet.
- Others will provide construction drawings in AutoCAD format for permitting.
- Others will provide all required 120VAC power.
- Others will provide all necessary network access, server and workstation permissions, and IP information.
- Others will provide physical access to all work locations.
- Others will provide adequate pathway for cabling between all four floors.
- Others will provide client workstations.
- Others will provide necessary wall space.
- Others will provide WAPs and switches.
- All material shipments will be standard ground. If expedited shipping is required, then extra charges may apply.
- Taxes are excluded. If taxes apply, then Pref-Tech will apply the required taxes to each invoice.



## Bill of Material

BILL OF MATERIALS			MSRP			DISCOUNT	SUBTOTAL		DIR FEE		TOTAL						
DIR ITEM TYPE	MANUF	PART NUMBER	DESCRIPTION	QTY OF KITS	QTY PER KIT	TOTAL QTY	UNIT	UNIT MSRP	TOTAL MSRP	% OFF MSRP	UNIT RETAIL	TOTAL RETAIL	DIR FEE %	DIR FEE TOTAL	DIR FEE TOTAL	DIR UNIT RETAIL	DIR TOTAL RETAIL
DIR LABOR																	
DIR LABOR	PREF-TECH	DOCUMENTATION	DOCUMENTATION	N/A	N/A	16.00	HR	\$ 175.00	\$ 2,800.00	15.00%	\$ 148.75	\$ 2,380.00	0.75%	\$ 1.12	\$ 17.92	\$ 149.87	\$ 2,397.92
DIR LABOR	PREF-TECH	PROJECT MANAGEMENT	PROJECT MANAGEMENT	N/A	N/A	80.00	HR	\$ 175.00	\$ 14,000.00	15.00%	\$ 148.75	\$ 11,900.00	0.75%	\$ 1.12	\$ 89.60	\$ 149.87	\$ 11,989.60
DIR KIT																	
DIR KIT	PREFERRED TECHNOLOGIES, LLC	ILT-HQ-HQ SCS-1022021	HQ SCS	1.00	N/A	1.00	EA	\$ 107,225.46	\$ 107,225.46	15.00%	\$ 91,141.64	\$ 91,141.64	0.75%	\$ 683.56	\$ 683.56	\$ 91,825.20	\$ 91,825.20
SINGLE CAT 6 WALL DROP BLUE																	
DIR KIT COMPONENT	COMMSCOPE	CMP-0042C3C34-6U-06	CS-UNIPRIS CS34P BLU Q6 423 UTP/CPK 1KFT 23-4P UTP-PLENUM SQL BC CAT6 CS34P BLUE BOXED UNF420891410	N/A	26200.00	26200.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	969625	CS-UNIPRIS UNJ600-BL UNIPRISE MODULAR RJ45 JACK CAT 6, UTP 8 POSITION, BLUE MD #760237778	N/A	131.00	131.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM03-COM06-06	CS-UNIPRIS UC18B82-02F003 CBL ASSY MOD 24-4PR STR CAT6 T568B 3FT BLUE UC18B82-02F003	N/A	131.00	131.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM05-COM06-06	CS-UNIPRIS UC18B82-02F005 CBL ASSY MOD 24-4PR STR CAT6 T568B 3FT BLUE UC18B82-02F005	N/A	131.00	131.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	108258427	1-PORT L TYPE FLUSH MOUNTED FACEPLATE - WHITE	N/A	131.00	131.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	PREF-TECH	CUSTOM	CABLE LABEL	N/A	262.00	262.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DOUBLE CAT 6 WALL DROP BLUE																	
DIR KIT COMPONENT	COMMSCOPE	CMP-0042C3C34-6U-06	CS-UNIPRIS CS34P BLU Q6 423 UTP/CPK 1KFT 23-4P UTP-PLENUM SQL BC CAT6 CS34P BLUE BOXED UNF420891410	N/A	45000.00	45000.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	969625	CS-UNIPRIS UNJ600-BL UNIPRISE MODULAR RJ45 JACK CAT 6, UTP 8 POSITION, BLUE MD #760237778	N/A	360.00	360.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM03-COM06-06	CS-UNIPRIS UC18B82-02F003 CBL ASSY MOD 24-4PR STR CAT6 T568B 3FT BLUE UC18B82-02F003	N/A	180.00	180.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM05-COM06-06	CS-UNIPRIS UC18B82-02F005 CBL ASSY MOD 24-4PR STR CAT6 T568B 3FT BLUE UC18B82-02F005	N/A	180.00	180.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	197619	CS-COMMCO M10L-262 6-PORT FLUSH MT UNLOADED SQL GANG M-SERIES 108169584 WHITE	N/A	180.00	180.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	PREF-TECH	CUSTOM	CABLE LABEL	N/A	360.00	360.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
SINGLE CAT 6 A WAP DROP WHITE																	
DIR KIT COMPONENT	COMMSCOPE	CMP-0042C3C44-6AU-01	CS-UNIPRIS CS44P WHI Q4 423 UTP/CPK 1KFT 23-4P UTP-PLENUM SQL BC CAT6A CS44P WHITE BOX UNF420891410	N/A	6000.00	6000.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	10129203	CS-UNIPRIS UNJ600-262 1-PORT UNI MOD JACK RJ45 CAT6A T568B/5 UNSHIELDED NO DUST COVER WHITE 76024828	N/A	48.00	48.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM03-UNP10G-01	CS-UNIPRIS UC1AA2-08F003 CBL ASSY MOD 24-4PR STRANDED CAT6A 10G T568B 3FT WHITE UC1AA2-08F003	N/A	24.00	24.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	MM05-UNP10G-01	CS-UNIPRIS UC1AA2-08F003 CBL ASSY MOD 24-4PR STRANDED CAT6A 10G T568B 3FT WHITE UC1AA2-08F003	N/A	24.00	24.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	190269	CS-COMMCO M101SMB-B-262 1-PORT SURFACE MT UNLOADED ICONABLE M-SERIES 10769405 WHITE	N/A	24.00	24.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	PREF-TECH	CUSTOM	CABLE LABEL	N/A	48.00	48.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
CAT 6 PATCH PANELS																	
DIR KIT COMPONENT	COMMSCOPE	760207274	MODULAR PANEL 24-PORT, 1-UNIT, CATEGORY SE/6/6A, U/UTP (UNSHIELDED), 1.5 AMPERE, 19" WIDTH X 4.7" DEPTH X 1.75" HEIGHT, POWDER COATED STEEL/ENVELOPE/PLASTIC (BLACK)	N/A	8.00	8.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	COMMSCOPE	760207274	MODULAR PANEL 24-PORT, 1-UNIT, CATEGORY SE/6/6A, U/UTP (UNSHIELDED), 1.5 AMPERE, 19" WIDTH X 4.7" DEPTH X 1.75" HEIGHT, POWDER COATED STEEL/ENVELOPE/PLASTIC (BLACK)	N/A	8.00	8.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
FIBER JACKS/CON																	
DIR KIT COMPONENT	CORNING	012E88-31131-A3	MIC TIGHT-BUFFERED, INTERLOCKING ARMORED CABLE, PLENUM, 12 FIBER, SINGLE-MODE (OS2)	N/A	1500.00	1500.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	CORNING	CCH-CP12-A9	CLOSET CONNECTOR HOUSING (CCH) PANEL, LC ADAPTERS, DUPLEX, UPC, 12 FIBER, SINGLE-MODE (OS2)	N/A	7.00	7.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	CORNING	95-200-99	UNICAM HIGH-PERFORMANCE CONNECTOR, LC, SINGLE MODE (OS2), CERAMIC FERRULE, LOGO, SINGLE PACK, BLUE HOUSING, BLUE BOOT	N/A	72.00	72.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	CORNING	787802SD12003M	FIBER OPTIC JUMPER, TWO FIBER SINGLE-MODE OS2 2.0MM LC UNBOOT TO LC UNBOOT 3 METER	N/A	6.00	6.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	CORNING	CCH-01U	CLOSET CONNECTOR HOUSING, 1 RU	N/A	4.00	4.00	FT	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT																	
DIR KIT	PREFERRED TECHNOLOGIES, LLC	ILT-HQ-AV-ADDITIONS-1022021	AV ADDITIONS	1.00	N/A	1.00	EA	\$ 47,750.00	\$ 47,750.00	15.00%	\$ 40,587.50	\$ 40,587.50	0.75%	\$ 304.41	\$ 304.41	\$ 40,891.91	\$ 40,891.91
MONITOR ADDITION AND AV CART BUILDOUT																	
DIR KIT COMPONENT	VISIONALITY	VIS ADD 1	VISIONALITY PARTS AND LABOR ASSOCIATED WITH THE ADDITION OF A MONITOR IN 120 AND AN AV ROLLING CART	N/A	1.00	1.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
DIR KIT COMPONENT	VISIONALITY	VIS ADD 2	VISIONALITY PARTS AND LABOR ASSOCIATED WITH THE FIBER CONNECTIONS TO ROOM 118, 119 AND 120	N/A	1.00	1.00	EA	\$ -	\$ -	0.00%	\$ -	\$ -	0.75%	\$ -	\$ -	\$ -	\$ -
								MSRP TOTAL			SUBTOTAL			DIR FEE		TOTAL	
								\$ 188,694.39			\$ 162,927.97			\$ 1,222.38		\$ 164,150.35	



P: 281.442.0550

F: 281.449.5597

[www.pref-tech.com](http://www.pref-tech.com)

## **Acceptance of Proposal**

The Pref-Tech team thanks you for allowing us the opportunity to work with you on this project. To accept this proposal and allow Pref-Tech to proceed with the scope of work outlined above, please sign below and fax or email to your account executive.

My signature below constitutes acceptance of this proposed scope of work and the Terms and Conditions provided.

---

Signature

---

Name and Title

---

Company

---

Date



## **Terms and Conditions**

**This proposal is valid for 30 days.**

**This Proposal is subject to change based on unknown items that may occur as result of COVID-19** such as material delays, labor shortages, jobsite disruptions or governmental intervention. Even as the US is experiencing a wind-down, manufactures and production facilities are feeling the impacts limited by international imports (such as chip shortages), health and safety concerns, as well as economic impacts to their business. Lead times and production may be extended without warning. Projects with critical completion schedules should be coordinated with your **Pref-Tech SDP**.

### **Invoicing:**

- **Pref-Tech will submit a mobilization invoice upon contract award for 25% of the total contract amount.** Mobilization includes (but is not limited to) all preparatory work necessary for the coordination and organization of personnel, procurement of materials, equipment, supplies, and incidentals required to begin the project; for the establishment of all necessary storage and facilities to facilitate the work; for premiums on bond and insurance (as applicable); and for all procedures/actions performed or costs incurred before the beginning of work.
- **Customer expressly allows Pref-Tech to invoice for stored materials.** Pref-Tech will store materials at the customer location or in the Pref-Tech bonded and insured warehouse and provide backup documentation with inventories by part number, pictures, etc., as requested by the Customer.
- **Customer expressly allows Pref-Tech to submit progressive invoices based upon completed work percentage or other production milestone.**

Payment terms are NET 30 days from the date of invoice. Past due amounts shall incur interest at 8% per annum, accrued daily from the date due (NET 30) until paid in full.

Pref-Tech may elect to preserve our right to perfect a bond or lien by sending notices in accordance with statutory requirements.

Any change to the scope of work or materials described in this proposal involving extra cost will only be effective upon the execution of a written change order by involved parties.

Pricing is conditional upon unrestricted access to all applicable areas where work is to be performed or access to and from areas where work is to be performed. Unless otherwise noted, the scope of work shown in this proposal is to be performed without delays. Additional trip charges may apply if delays caused by reasons outside of Pref-Tech's control are incurred.

Pref-Tech will guarantee all material and workmanship for a period of one year from the completion of the work included in this proposal. The warranty will commence upon final project acceptance and will terminate the 365<sup>th</sup> day beyond the date of final acceptance, regardless of warranty work conducted during the warranty period. The Owner is responsible for troubleshooting and identifying faults covered under this warranty. Additional fees may apply if Pref-Tech must troubleshoot issues for the Owner and/or if, during the course acting on a warranty request, Pref-Tech determines that the issue was not generated by failures in material or workmanship. Except for the foregoing warranty, Preferred Technologies specifically disclaims all other warranties, express or implied, including but not limited to the warranties of merchantability and of fitness for a particular purpose.

Pref-Tech shall not be liable for any special, consequential, incidental or exemplary damages or loss. Pref-Tech will not be responsible for equipment or parts which are in disrepair due to misuse, accident or mishandled by others not authorized to service this equipment during our agreement time. Pref-Tech will not be responsible for damages caused by fire, the elements, civil commotion, and malicious mischief, negligence of the customer, its agents or acts of God.

This proposal is the property of Pref-Tech. It is not for publication and is issued expressly on the condition that it is not to be copied, reprinted or reproduced in any manner; nor is it to be disclosed to any third party, either wholly or in part without the express written consent of Pref-Tech.



**INTERNATIONAL LEADERSHIP OF TEXAS, INC., BOARD RESOLUTION**  
**OF DECEMBER 2021**  
**AUTHORIZATION TO REQUEST A CHANGE IN DATE FOR BEGINNING AND END**  
**OF ENROLLMENT PERIODS**

**WHEREAS**, The Board of Directors of International Leadership of Texas, Inc., desires for ILTexas to have as long as practicable to enroll students;

**WHEREAS**, the current Charter for ILTexas set the initial opening of enrollment as January 1 of the year in which the subsequent school year starts (for example, January 1, 2021 for the 2022-2023 school year) and ending the enrollment period at the end of February of the following year; and,

**WHEREAS**, the Board of Directors believes it will be beneficial to the charter to begin enrollment in November of the preceding year;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Directors of ILTexas, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, formally declares that:

1. ILTexas should seek to begin enrollment of students beginning in November of each year preceding the next school year (for example, November 1, 2021 for the 2022-2023 school year and end enrollment the last day of February the following year; and,
2. The Board of Directors of ILTexas authorizes the Superintendent/CEO to request and/or apply for any amendments or waivers necessary to implement and effectuate the change of the beginning and end of each school year's enrollment date.

*[signature page follows]*



PASSED AND APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF INTERNATIONAL LEADERSHIP OF TEXAS, INC. ON THE **1st DAY OF DECEMBER, 2021**.

Members Voting in Favor of Resolution:

\_\_\_\_\_  
Maj. Gen. James Williams, Board President

\_\_\_\_\_  
Lynne Beach, M.D., Board Vice President

\_\_\_\_\_  
Mr. Tracy Cox, Board Secretary

\_\_\_\_\_  
Dr. Soner Tarim, Board Member

\_\_\_\_\_  
Mr. Peter Gudmundsson, Board Member

\_\_\_\_\_  
Ms. Gabriela Smith, Board Member

*The undersigned, being the Secretary of the Corporation, hereby certifies that the foregoing represents a true copy of a Resolution of the Directors of the Corporation, duly held on **November 17, 2021**, which Resolution is in full force and effect and has not been revoked or amended.*

\_\_\_\_\_  
Secretary \_\_\_\_\_

## Cover Sheet

### CONSIDER/ACT ON OCTOBER, 2021 FINANCIAL REPORT

<b>Section:</b>	VIII. Board Items for Discussion/Action
<b>Item:</b>	A. CONSIDER/ACT ON OCTOBER, 2021 FINANCIAL
<b>REPORT</b>	
<b>Purpose:</b>	Vote
<b>Submitted by:</b>	
<b>Related Material:</b>	Governance_Letter_-_FINAL.pdf Audit_Report_Final_057848-2021.pdf EMMA_Quarterly_FY2022_-_1st_Qtr.pdf ILTexas_FS_2021-10_-_Board_PKG.pdf

## **International Leadership of Texas, Inc.**

### **Consolidated Financial Statements with Supplemental Information and Compliance Reports June 30, 2021 and 2020**

## International Leadership of Texas, Inc.

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## **International Leadership of Texas, Inc.**

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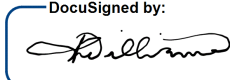
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**International Leadership of Texas, Inc.**  
**Federal Employer Identification No. 27-4549127**  
**County District No. 057-848**  
**Certificate of Board**

We, the undersigned, certify that the attached Financial and Compliance Report of International Leadership of Texas, Inc. was reviewed and (check one) **X** approved \_\_\_ disapproved for the year ended June 30, 2021, at a meeting of the governing body of the charter holder on the 21st day of October, 2021.

DocuSigned by:  
  
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Signature of Board Secretary

DocuSigned by:  
  
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Signature of Board President



## **Independent Auditors' Report**

To the Board of Directors of  
International Leadership of Texas, Inc.

### ***Report on Consolidated Financial Statements***

We have audited the accompanying consolidated financial statements of International Leadership of Texas, Inc. and affiliate (a nonprofit Organization), which comprise the consolidated statements of financial position as of June 30, 2021 and 2020, and the related consolidated statements of activities and cash flows for the years then ended, and the related notes to the consolidated financial statements.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with U.S. generally accepted accounting principles; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on these consolidated financial statements based on our audits. We conducted our audits in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The financial statements of International Leadership of Texas – Global were not audited in accordance with *Government Auditing Standards*. Those standards require that we plan and perform our audits to obtain reasonable assurance about whether the consolidated financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risk of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### ***Opinion***

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the consolidated financial position of International Leadership of Texas, Inc. and affiliate as of June 30, 2021 and 2020 and the changes in its net assets and its cash flows for the years then ended in accordance with U.S. generally accepted accounting principles.

### ***Other Matters***

#### ***Supplementary Information***

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The supplementary information listed in the accompanying table of contents is presented for purposes of additional analysis and is not a required part of the consolidated financial statements. The accompanying schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, is presented for purposes of additional analysis and is also not a required part of the consolidated financial statements. The supplementary information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. The information has been subjected to the auditing procedures applied in the audit of the consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with U.S. generally accepted auditing standards. In our opinion, the information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

### ***Report Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 21, 2021 on our consideration of International Leadership of Texas, Inc.'s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance.



That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering International Leadership of Texas, Inc.'s internal control over financial reporting and compliance.



A Limited Liability Partnership

Arlington, Texas  
October 21, 2021

**International Leadership of Texas, Inc.**  
**Consolidated Statements of Financial Position**  
**June 30, 2021 and 2020**

<b>Assets</b>		
	2021	2020
<b>Current assets:</b>		
Cash and cash equivalents	\$ 72,000,602	\$ 58,456,344
Restricted cash and cash equivalents	64,796,498	56,469,244
Due from government agencies	32,030,542	27,413,333
Accounts receivable	-	6,500
Other current assets	10,013	194,376
<b>Total current assets</b>	168,837,655	142,539,797
Property and equipment, net	477,805,102	440,263,611
<b>Total assets</b>	<u>\$ 646,642,757</u>	<u>\$ 582,803,408</u>
<b>Liabilities and Net Assets</b>		
<b>Current liabilities:</b>		
Accounts payable	\$ 10,356,549	\$ 1,059,571
Accrued payroll	14,505,092	14,014,967
Accrued interest	12,016,232	13,365,876
Student activity funds	760,730	763,207
Deferred revenue	415,455	564,486
Other liabilities	2,897,749	649,062
Current maturities of finance lease liability	118,223	146,446
Current maturities of long-term debt	8,295,182	5,831,373
<b>Total current liabilities</b>	49,365,212	36,394,988
<b>Long-term liabilities:</b>		
Finance lease liability	39,632	157,855
Long-term debt, net of debt issuance costs	556,751,993	527,561,232
<b>Total liabilities</b>	606,156,837	564,114,075
<b>Net assets:</b>		
Without donor restrictions	2,926,915	2,396,423
With donor restrictions	37,559,005	16,292,910
<b>Total net assets</b>	40,485,920	18,689,333
<b>Total liabilities and net assets</b>	<u>\$ 646,642,757</u>	<u>\$ 582,803,408</u>

See notes to consolidated financial statements.

# International Leadership of Texas, Inc.

## Consolidated Statement of Activities

### Year Ended June 30, 2021

	Without donor restrictions	With donor restrictions	Total
<b>Revenue and support:</b>			
<b>Local support:</b>			
SSA - Local revenues from member districts	\$ 984,820	\$ -	\$ 984,820
Interest, dividends, gains, and losses	68,491	-	68,491
Rent	9,500	-	9,500
Foundations, other non-profit organizations, gifts, and bequests	15,811	-	15,811
Other revenues from local sources	482,851	-	482,851
Food service activity	(139,242)	-	(139,242)
<b>Total local support</b>	<b>1,422,231</b>	<b>-</b>	<b>1,422,231</b>
<b>State program revenues:</b>			
Per capita apportionment	-	9,146,435	9,146,435
Foundation school program act revenue	-	194,075,741	194,075,741
State program revenue distributed by TEA	-	4,722,170	4,722,170
<b>Total state program revenues</b>	<b>-</b>	<b>207,944,346</b>	<b>207,944,346</b>
<b>Federal program revenue:</b>			
National school breakfast and lunch program	-	717,912	717,912
Federal program revenue distributed by TEA	-	18,360,489	18,360,489
Federal revenues distributed by other State of Texas agencies	-	11,354,007	11,354,007
<b>Total federal program revenue</b>	<b>-</b>	<b>30,432,408</b>	<b>30,432,408</b>
Net assets released from restrictions-			
Restrictions satisfied by payments	217,110,659	(217,110,659)	-
<b>Total revenue and support</b>	<b>218,532,890</b>	<b>21,266,095</b>	<b>239,798,985</b>
<b>Expenses:</b>			
Instruction	100,389,510	-	100,389,510
Instruction resources and media	1,033,326	-	1,033,326
Curriculum and instructional staff development	6,962,181	-	6,962,181
Instructional leadership	1,944,695	-	1,944,695
School leadership	9,970,527	-	9,970,527
Guidance, counseling and evaluation services	5,501,444	-	5,501,444
Social work services	76,343	-	76,343
Health services	1,845,363	-	1,845,363
Student transportation	1,213,837	-	1,213,837
Food services	11,498,105	-	11,498,105
Extracurricular activities	1,584,470	-	1,584,470
General administration	6,443,704	-	6,443,704
Facilities maintenance and operations	27,084,823	-	27,084,823
Security and monitoring services	2,432,040	-	2,432,040
Data processing services	7,067,364	-	7,067,364
Community services	2,818,419	-	2,818,419
Debt service	30,040,539	-	30,040,539
Fundraising	127,677	-	127,677
<b>Total expenses</b>	<b>218,034,367</b>	<b>-</b>	<b>218,034,367</b>
<b>Excess of revenues over expenses from operations</b>	<b>498,523</b>	<b>21,266,095</b>	<b>21,764,618</b>
<b>Non-operating activities:</b>			
Other gain	31,969	-	31,969
<b>Total non-operating activities</b>	<b>31,969</b>	<b>-</b>	<b>31,969</b>
<b>Change in net assets</b>	<b>530,492</b>	<b>21,266,095</b>	<b>21,796,587</b>
<b>Net assets at beginning of year</b>	<b>2,396,423</b>	<b>16,292,910</b>	<b>18,689,333</b>
<b>Net assets at end year</b>	<b>\$ 2,926,915</b>	<b>\$ 37,559,005</b>	<b>\$ 40,485,920</b>

See notes to consolidated financial statements.

# International Leadership of Texas, Inc.

## Consolidated Statement of Activities

### Year Ended June 30, 2020

	Without donor restrictions	With donor restrictions	Total
<b>Revenue and support:</b>			
<b>Local support:</b>			
SSA - Local revenues from member districts	\$ 2,131,394	\$ -	\$ 2,131,394
Interest, dividends, gains, and losses	629,581	-	629,581
Foundations, other non-profit organizations, gifts, and bequests	109,648	-	109,648
Other revenues from local sources	867,223	-	867,223
Food service activity	1,103,931	-	1,103,931
<b>Total local support</b>	<b>4,841,777</b>	<b>-</b>	<b>4,841,777</b>
<b>State program revenues:</b>			
Per capita apportionment	-	5,640,996	5,640,996
Foundation school program act revenue	-	180,681,158	180,681,158
State program revenue distributed by TEA	-	1,653,550	1,653,550
<b>Total state program revenues</b>	<b>-</b>	<b>187,975,704</b>	<b>187,975,704</b>
<b>Federal program revenue:</b>			
National school breakfast and lunch program	-	7,733,983	7,733,983
Federal program revenue distributed by TEA	-	6,251,270	6,251,270
Federal revenues distributed by other State of Texas agencies	-	6,906,250	6,906,250
<b>Total federal program revenue</b>	<b>-</b>	<b>20,891,503</b>	<b>20,891,503</b>
Net assets released from restrictions-			
Restrictions satisfied by payments	196,341,174	(196,341,174)	-
<b>Total revenue and support</b>	<b>201,182,951</b>	<b>12,526,033</b>	<b>213,708,984</b>
<b>Expenses:</b>			
Instruction	92,334,474	-	92,334,474
Instruction resources and media	883,303	-	883,303
Curriculum and instructional staff development	6,638,021	-	6,638,021
Instructional leadership	1,320,821	-	1,320,821
School leadership	9,408,778	-	9,408,778
Guidance, counseling and evaluation services	4,871,333	-	4,871,333
Social work services	88,658	-	88,658
Health services	1,429,905	-	1,429,905
Student transportation	1,229,552	-	1,229,552
Food services	10,102,452	-	10,102,452
Extracurricular activities	1,338,815	-	1,338,815
General administration	6,794,713	-	6,794,713
Facilities maintenance and operations	25,010,072	-	25,010,072
Security and monitoring services	1,487,898	-	1,487,898
Data processing services	5,202,734	-	5,202,734
Community services	1,617,074	-	1,617,074
Debt service	27,901,366	-	27,901,366
Fundraising	6,360	-	6,360
<b>Total expenses</b>	<b>197,666,329</b>	<b>-</b>	<b>197,666,329</b>
<b>Excess of revenues over expenses from operations</b>	<b>3,516,622</b>	<b>12,526,033</b>	<b>16,042,655</b>
<b>Non-operating activities:</b>			
Other gain	220,033	-	220,033
<b>Total non-operating activities</b>	<b>220,033</b>	<b>-</b>	<b>220,033</b>
<b>Change in net assets</b>	<b>3,736,655</b>	<b>12,526,033</b>	<b>16,262,688</b>
<b>Net assets at beginning of year</b>	<b>(1,340,232)</b>	<b>3,766,877</b>	<b>2,426,645</b>
<b>Net assets at end year</b>	<b>\$ 2,396,423</b>	<b>\$ 16,292,910</b>	<b>\$ 18,689,333</b>

See notes to consolidated financial statements.

# International Leadership of Texas, Inc.

## Consolidated Statements Cash Flows

### Year Ended June 30, 2021 and 2020

	2021	2020
<b>Cash flows from operating activities:</b>		
Change in net assets	\$ 21,796,587	\$ 16,262,688
Adjustments to reconcile change in net assets to net cash provided by operating activities		
Depreciation	14,413,222	13,800,184
Amortization of bond discount	(20,253)	(361,708)
Amortization of debt issuance costs	431,551	448,335
PPP loan forgiveness	(67,478)	
Changes in assets and liabilities:		
Due from government agencies	(4,617,209)	124,639
Accounts receivable	6,500	97,028
Other receivable	-	116,779
Other current assets	184,363	52,653
Accounts payable	4,352,504	(1,304,066)
Accrued payroll	490,125	1,325,253
Accrued interest	(1,349,644)	472,993
Student activity funds	(2,477)	(32,453)
Deferred revenue	(149,031)	(698,394)
Other liabilities	2,248,687	649,062
Net cash provided by operating activities	37,717,447	30,952,993
<b>Cash flows from investing activities:</b>		
Proceeds from sale of investments	-	16,098,557
Purchases of property and equipment	(47,010,239)	(4,743,402)
Net cash provided (used) by investing activities	(47,010,239)	11,355,155
<b>Cash flows from financing activities:</b>		
Net proceeds from issuance of long-term debt	54,574,656	25,067,478
Payments of debt issuance costs	(2,458,451)	-
Principal payments on finance lease liabilities	(146,446)	(3,246,290)
Principal payments on long-term debt	(20,805,455)	(7,194,614)
Net cash provided by financing activities	31,164,304	14,626,574
Net increase in cash and restricted cash and cash equivalents	21,871,512	56,934,722
<b>Cash and restricted cash and cash equivalents at beginning of year</b>	<b>114,925,588</b>	<b>57,990,866</b>
<b>Cash and restricted cash and cash equivalents at end of year</b>	<b>\$ 136,797,100</b>	<b>\$ 114,925,588</b>
<b>Reconciliation of cash and restricted cash and cash equivalents reported within the statement of financial position to the statement of cash flows:</b>		
Cash and cash equivalents	\$ 72,000,602	\$ 58,456,344
Restricted cash and cash equivalents	64,796,498	56,469,244
<b>Cash and restricted cash and cash equivalents reported on the statement of cash flows</b>	<b>\$ 136,797,100</b>	<b>\$ 114,925,588</b>
<b>Supplemental disclosure of cash flow information:</b>		
Cash paid for interest	\$ 29,563,069	\$ 30,566,314
<b>Supplemental schedule of noncash investing and financing activities:</b>		
Property and equipment acquired through finance lease	\$ -	\$ 358,920
Construction in progress accrued in accounts payable at year end	\$ 4,944,474	\$ -

See notes to consolidated financial statements.

# **International Leadership of Texas, Inc.**

## **Notes to Consolidated Financial Statements**

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### **1. School and Nature of Activities**

International Leadership of Texas, Inc. (Corporation), is a Texas not-for-profit corporation formed in 2011 and exempt from federal income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code. Effective October 20, 2020, the Corporation changed its name from International American Education Federation, Inc. to International Leadership of Texas, Inc. The Corporation is governed by a Board of Directors comprised of five members. The Board of Directors is selected pursuant to the bylaws of the Corporation and has the authority to make decisions, appoint the chief executive officer of the Corporation, and significantly influence operations. The Board of Directors has the primary accountability for the fiscal affairs of the Corporation. The Corporation operates a single charter school, International Leadership of Texas (ILTexas) and conducts other non-charter activities with and through International Leadership of Texas – Global (ILTexas Global), a separate not-for-profit corporation.

ILTexas is a state authorized, open enrollment charter school incorporating leadership and culture into all student classrooms. Students are given leadership roles teaching the concept of others before self. Each year, students put their dedication into action in a community service project and spend time learning 12 important character traits that foster a good leader. These traits empower students to overcome challenges to create a better, and more productive society in which to live and work. Stated directly, the mission of ILTexas is to prepare students for exceptional leadership roles in the international community by emphasizing servant leadership, mastering the English, Spanish, and Chinese languages, and strengthening the mind, body and character. In 2018, the Texas Education Agency approved the ILTexas charter renewal through 2028.

In 2013, its first year of operations, ILTexas opened its doors to over 2,400 students. This rapid growth has continued and, for the school year ended June 2021, ILTexas served over 22,500 students at 33 campuses among 20 locations. Now, at the opening of the 2021-2022 school year, ILTexas currently serves over 20,600 enrolled students.

ILTexas Global is a Texas not-for-profit corporation formed in 2014 and exempt from federal income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code with a mission to strengthen, enhance and support the advancement of ILTexas by engaging in fundraising and other charitable activities. ILTexas Global also operates a private school to serve ninth through twelfth grades with a primary focus of offering a Chinese cultural exchange program for the benefit of students in Texas and China. ILTexas Global partners with the Corporation's open-enrollment charter school to further support and facilitate cross-cultural educational models and methods.

ILTexas Global is included in these consolidated financial statements since the Corporation has a direct controlling interest and receives economic benefit from ILTexas Global. Intercompany transactions and balances are eliminated in the consolidation process. Unless otherwise noted, these consolidated entities are hereinafter referred to as the School. ILTexas receives support from the State of Texas Foundation School Fund, government grants and contributions. ILTexas Global is funded through tuition revenue, fees and donations.

## **International Leadership of Texas, Inc.**

### **Notes to Consolidated Financial Statements**

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## **2. Summary of Significant Accounting Policies**

### ***Basis of Accounting and Financial Statement Presentation***

The School prepares its consolidated financial statements on the accrual basis of accounting in accordance with U.S. generally accepted accounting principles (GAAP).

Net assets and revenues, expenses, gains and losses are classified based on the existence and nature or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified as follows:

*Net assets without donor restrictions* - Net assets not subject to donor or grantor imposed restrictions. Net assets without donor restrictions may be designated for specific purposes by action of the board of directors. Where applicable, net assets without donor restrictions remain subject to state accountability.

*Net assets with donor restrictions* - Net assets subject to donor or grantor restrictions that will be met by actions of the School and/or the passage of time. When a restriction expires, net assets with donor or grantor restrictions are reclassified to net assets without donor restrictions and reported in the consolidated statement of activities as net assets released from restrictions.

### ***Credit and Market Risk Concentrations***

Financial instruments which are potentially subject to concentrations of credit risk consist of cash and cash equivalents and accounts receivable. Cash and cash equivalents are placed with high credit quality financial institutions to minimize risk. The balances are insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. At June 30, 2021 the School had no bank balances that were uninsured or without pledged collateral in the School's name.

During the years ended June 30, 2021 and 2020, the School earned revenues of \$219,527,710 and \$201,960,957, respectively, from the Texas Education Agency (TEA). These amounts constitute approximately 92% and 95%, respectively, of total revenues earned. Any unforeseen loss of the charter agreement with TEA or changes in legislative funding could have a material effect on the ability of the School to continue to provide the current level of educational services to its students.

### ***Cash and Cash Equivalents***

The School considers all highly liquid investments with original maturities of three months or less to be cash equivalents. Restricted cash and cash equivalents is limited as to use under the terms of the bond indentures.

## **International Leadership of Texas, Inc.**

### **Notes to Consolidated Financial Statements**

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#### ***Property and Equipment***

Property and equipment are stated at cost, if purchased, and at fair market value, if donated. Assets with a cost of \$5,000 or more and a useful life greater than one year are capitalized.

Property and equipment acquired with public funds received for the operation of the School constitute public property pursuant to Chapter 12 of the Texas Education Code. Depreciation of these assets is calculated on a straight-line method over the estimated useful lives of 3 to 40 years. Expenditures for additions, major renewals, and betterments are capitalized, and maintenance and repairs are charged to expense as incurred.

#### ***Impairment of Long Lived Assets***

The School reviews the carrying value of long-lived assets to determine if facts and circumstances suggest that they may be impaired. In cases where undiscounted expected future cash flows are less than the carrying value, an impairment loss is recognized equal to an amount by which the carrying value exceeds the fair value of assets. There were no indications of asset impairment during the years ended June 30, 2021 and 2020.

#### ***Debt Issuance Costs and Original Issue Discounts or Premiums***

Debt issuance costs and original issue discounts or premiums represent costs incurred related to the issuance of bonds payable and are deferred as a direct deduction from or addition to the carrying amount of bonds payable and amortized using the interest method over the related bond period. Amortization expense is included in debt service in the accompanying consolidated statement of activities.

#### ***Revenue Recognition***

Revenues from the state of Texas are earned based on reported attendance. Public and private grants received are recognized in the period received and when the terms of the grant are met. If public and private terms are not met revenues are reimbursed to funder. Conditional promises to give are contingent upon the School meeting certain criteria specified by the donors. Revenues from conditional promises to give are not recognized until the condition has been fulfilled, advances received from donors are recorded as deferred revenues until the condition has been fulfilled.

A portion of the School's revenue is derived from cost-reimbursable contracts and grants, which are conditioned upon certain performance requirements and/or the incurrence of allowable qualifying expenses. Amounts are recognized as revenue when the School has incurred expenditures in compliance with specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as refundable advances in the consolidated statement of financial position. The School was awarded cost-reimbursable grants of \$2,260,060 that have not been received or recognized at June 30, 2021 because qualifying expenditures have not yet been incurred.



## **International Leadership of Texas, Inc.**

### **Notes to Consolidated Financial Statements**

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The School recognizes contribution revenue for certain services received at the fair value of those services, provided those services create or enhance non-financial assets or require specialized skills which are provided by individuals possessing those skills and would typically need to be purchased if not provided by donation. Numerous individuals donate significant amounts of time to the School. No donated services were utilized that met the criteria to be recorded as revenue in the School's financial statements.

Tuition revenue is recognized over the period ILTexas Global provides services to students. Revenue is reported at the expected transaction price for customers based on historical experience and current market conditions. The estimate of the transaction price is determined by reducing the standard charge by any contractual adjustments, discounts and implicit price concessions based on historical collection experience.

Revenue is recognized as performance obligations are satisfied, which is primarily ratably over the academic year. Generally, ILTexas Global bills students prior to the beginning of the academic year and student accounts receivable are due in full before classes begin unless the student has entered into a monthly payment plan. If a student withdraws during the academic year, the student is refunded based on a defined refund schedule. At year-end, there is no refund liability as the academic year is substantially complete. Accounts receivable are stated at the amount of consideration from students, of which the ILTexas Global has an unconditional right to receive. Balances are comprised of individually insignificant uncollateralized amounts from students and generally require payment either annually, semi-annually or monthly during the fiscal year. Accounts receivable balances older than sixty days are considered delinquent triggering collection efforts. Deferred tuition and fees consist of tuition and other fees collected in advance and are recognized as revenue over the school year.

#### ***Leases***

The School accounts for two distinct types of leases, finance and operating which (i) requires lessees to record a right-of-use asset and a related liability for the rights and obligations associated with a lease, regardless of lease classification, and recognize lease expense in a manner similar to current accounting, (ii) eliminates current real estate specific lease provisions, (iii) modifies the lease classification criteria and (iv) aligns many of the underlying lessor model principles with those in the new revenue standard.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain premeasurements for the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, the School's incremental borrowing rate. Generally, the School uses its incremental borrowing rate as a discount rate.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments, including in-substance fixed payments;
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under the purchase option that the School is reasonably certain to exercise, lease payments in an optional renewal period if the School is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless the School is reasonably certain not to early terminate.

The lease liability is measured at amortized cost using the effective interest method. It is remeasured when there is a change in future lease payments arising from a change in an index or rate, if there is a change in the School's estimate of the amount expected to be payable under a residual value guarantee, or if the School changes its assessment of whether it will exercise a purchase, extension or termination option.

The School has elected not to recognize right-of-use assets and lease liabilities for short term leases of furniture and equipment that have a lease term of 12 months or less and leases of low-value assets. The School recognizes the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

#### ***Federal Income Taxes***

ILTexas and ILTexas Global are organized as Texas nonprofit corporations and have been recognized by the Internal Revenue Service (IRS) as exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code. Each entity is annually required to file a Return of Organization Exempt from Income Tax (Form 990) with the IRS. In addition, the entities are subject to income tax on net income that is derived from business activities that are unrelated to their exempt purposes. For the year ended June 30, 2021, the entities did not conduct unrelated business activities that would be subject to federal income taxes and had no uncertain tax positions. Therefore, no tax provision or liability has been reported in the accompanying consolidated financial statements.

GAAP requires the evaluation of tax positions taken in the course of preparing each entity's annual Form 990 and recognition of a tax liability (or asset) if the entity has taken an uncertain position that more likely than not would not be sustained upon examination by the IRS. Management has analyzed the tax positions taken by each entity, and has concluded that as of June 30, 2021 and 2020, there are no uncertain tax positions taken or expected to be taken that would require recognition of a liability (or asset) or disclosure in the consolidated financial statements.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

#### ***Estimates and Assumptions***

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### ***Contract Compliance***

The School is responsible for compliance with provisions of contracts and grant agreements. Noncompliance could result in the disallowance of expenditures and a request for reimbursement. In the opinion of the School's management, such disallowance, if any, would not be significant to the School's consolidated financial statements.

#### ***Personal Leave***

All employees of the School earn five days of state personal and sick leave per year and three days of local personal sick leave per year. There is no material liability for unpaid accumulated sick leave since the schools do not have a policy to pay any amount when the employees separate from service with the schools, and any unused balance of state days is transferable to other schools. The local days, if not used, are forfeited at the end of each year.

### **3. Restricted Cash and Cash Equivalents**

Certain cash and cash equivalents are held in trust, which includes amounts required to be maintained in separate bank accounts in accordance with the 2015, 2018 and 2021 Series Master Trust Indenture and Security Agreements. Cash and cash equivalents held in trust and interest income earned on these funds are limited as to use under the terms of the bond indentures.

Restricted cash and cash equivalents held in trust were restricted as follows at June 30:

	2021		2020	
	International Leadership of Texas	International Leadership of Texas - Global	International Leadership of Texas	International Leadership of Texas - Global
Debt service reserve fund	\$ 38,761,493	\$ -	\$ 38,393,858	\$ -
Bond debt service fund (interest)	12,274,431	-	10,489,349	-
Bond debt service fund (principal)	7,207,904	-	6,815,740	-
Bond project and maintenance fund	6,542,886	-	652,792	-
Classroom consortium	-	9,784	-	117,505
<b>Total restricted cash and cash equivalents</b>	<b>\$ 64,786,714</b>	<b>\$ 9,784</b>	<b>\$ 56,351,739</b>	<b>\$ 117,505</b>

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

#### 4. Property and Equipment

Property and equipment consist of the following as of June 30:

	2021		2020	
	International Leadership of Texas	International Leadership of Texas - Global	International Leadership of Texas	International Leadership of Texas - Global
Land	\$ 46,346,699	\$ -	\$ 38,839,724	\$ -
Buildings and improvements	439,127,982	-	429,746,529	-
Furniture and equipment	8,427,557	9,878	16,338,873	9,878
Vehicles	4,479,061	-	3,133,998	-
Construction in progress	34,774,296	-	3,978,239	-
<b>Total property and equipment</b>	<b>533,155,595</b>	<b>9,878</b>	<b>492,037,363</b>	<b>9,878</b>
Less accumulated depreciation	(55,353,786)	(6,585)	(51,780,337)	(3,293)
<b>Property and equipment, net</b>	<b>\$ 477,801,809</b>	<b>\$ 3,293</b>	<b>\$ 440,257,026</b>	<b>\$ 6,585</b>

Depreciation expense for the years ended June 30, 2021 and 2020 totaled \$14,413,222 and \$13,800,184, respectively.

At June 30, 2021, construction in progress includes costs incurred to purchase land and construct three new educational facilities. At June 30, 2021, the School had open construction contracts for the construction of new educational facilities of approximately \$15,622,000, of which \$13,264,450 had been paid or incurred at year end.

#### 5. Deferred Revenue

Deferred revenue consists of the following as of June 30:

	2021		2020	
	International Leadership of Texas	International Leadership of Texas - Global	International Leadership of Texas	International Leadership of Texas - Global
Refundable advance	\$ 260,490	\$ -	\$ 156,587	\$ -
Deferred tuition and related fees	-	154,965	-	407,899
	<b>\$ 260,490</b>	<b>\$ 154,965</b>	<b>\$ 156,587</b>	<b>\$ 407,899</b>

#### 6. Leases

##### *Finance Leases*

ILTexas leases furniture and equipment totaling \$334,044 under finance leases at June 30, 2021 and 2020. Accumulated depreciation on these assets totaled \$185,580 and \$74,232 at June 30, 2021 and 2020, respectively.

As of June 30, 2021 and 2020 ILTexas has a finance lease liability totaling \$157,855 and \$304,301, respectively, bearing interest at the incremental borrowing rate of 4.625%.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

Future expected payments for the years ending June 30 are as follows:

2022	\$ 123,160
2023	39,880
Less amounts representing interest	<u>(5,185)</u>
Present value of future minimum lease payments	157,855
Less current maturities	<u>118,223</u>
Finance lease liability, net of current maturities	<u><u>\$ 39,632</u></u>

The majority of the leases contain purchase options exercisable by ILTexas. ILTexas intends to exercise these purchase options. ILTexas assesses at lease commencement whether it is reasonably certain to exercise its purchase options. The School reassesses whether it is reasonably certain to exercise the options if there is a significant event or significant change in circumstances within its control.

## 7. Long-Term Debt

The following is a summary of changes in the School's total long-term debt for the year ended June 30, 2021:

	Beginning Balances	Additions	Reductions	Ending Balances	Amounts Due Within One Year
<b>ILTexas</b>					
<b>Bonds payable:</b>					
Series 2015A	\$ 105,680,000	\$ -	\$ (410,000)	\$ 105,270,000	\$ 2,160,000
Series 2015B	1,630,000	-	(1,630,000)	-	-
Series 2018A	53,580,000	-	-	53,580,000	-
Series 2018B	1,225,000	-	(465,000)	760,000	590,000
Series 2018C	1,383,652	-	(245,455)	1,138,197	260,182
Series 2018D	344,220,000	-	-	344,220,000	2,000,000
Series 2018E	12,855,000	-	(3,055,000)	9,800,000	3,285,000
Series 2021	-	49,630,000	-	49,630,000	-
<b>Total bonds payable</b>	520,573,652	49,630,000	(5,805,455)	564,398,197	8,295,182
Bond premiums/discounts	(4,843,711)	(20,253)	4,864,973	1,009	-
Debt issuance costs	<u>(7,404,814)</u>	<u>(2,458,451)</u>	<u>431,550</u>	<u>(9,431,715)</u>	<u>-</u>
<b>Total bonds payable, net</b>	508,325,127	47,151,296	(508,932)	554,967,491	8,295,182
Lines of credit	<u>25,000,000</u>	<u>-</u>	<u>(15,000,000)</u>	<u>10,000,000</u>	<u>-</u>
<b>Total ILTexas</b>	533,325,127	47,151,296	(15,508,932)	564,967,491	8,295,182
<b>ILTexas - Global</b>					
PPP Loan	<u>67,478</u>	<u>79,684</u>	<u>(67,478)</u>	<u>79,684</u>	<u>-</u>
<b>Total</b>	<u><u>\$ 533,392,605</u></u>	<u><u>\$ 47,230,980</u></u>	<u><u>\$ (15,576,410)</u></u>	<u><u>\$ 565,047,175</u></u>	<u><u>\$ 8,295,182</u></u>

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

The following is a summary of changes in the School's total long-term debt for the year ended June 30, 2020:

	Beginning Balances	Additions	Reductions	Ending Balances	Amounts Due Within One Year
<b>ILTexas</b>					
<b>Bonds payable:</b>					
Series 2015A	\$ 105,680,000	\$ -	\$ -	\$ 105,680,000	\$ 410,000
Series 2015B	3,550,000	-	(1,920,000)	1,630,000	1,630,000
Series 2018A	53,580,000	-	-	53,580,000	-
Series 2018B	1,570,000	-	(345,000)	1,225,000	465,000
Series 2018C	1,615,213	-	(231,561)	1,383,652	245,455
Series 2018D	344,220,000	-	-	344,220,000	-
Series 2018E	12,855,000	-	-	12,855,000	3,055,000
<b>Total bonds payable</b>	<b>523,070,213</b>	<b>-</b>	<b>(2,496,561)</b>	<b>520,573,652</b>	<b>5,805,455</b>
Bond discounts	(4,482,003)	(361,708)	-	(4,843,711)	-
Debt issuance costs	(7,853,149)	-	448,335	(7,404,814)	-
<b>Total bonds payable, net</b>	<b>510,735,061</b>	<b>(361,708)</b>	<b>(2,048,226)</b>	<b>508,325,127</b>	<b>5,805,455</b>
Notes payable	4,698,053	-	(4,698,053)	-	-
Lines of credit	-	25,000,000	-	25,000,000	-
<b>Total ILTexas</b>	<b>515,433,114</b>	<b>24,638,292</b>	<b>(6,746,279)</b>	<b>533,325,127</b>	<b>5,805,455</b>
<b>ILTexas - Global</b>					
PPP Loan	-	67,478	-	67,478	25,918
<b>Total</b>	<b>\$ 515,433,114</b>	<b>\$ 24,705,770</b>	<b>\$ (6,746,279)</b>	<b>\$ 533,392,605</b>	<b>\$ 5,831,373</b>

On June 1, 2015 ILTexas issued \$105,680,000 Education Revenue Bonds – Series 2015A and \$5,360,000 of taxable Education Revenue Bonds – Series 2015B. The bonds mature serially each August 15, starting 2018 until 2045. The bonds were issued as education revenue bonds, and have interest rates ranging from 4.625% to 6.25%, and are collateralized by a deed of trust and pledge of revenues of ILTexas.

On September 15, 2018 ILTexas issued \$53,580,000 Education Revenue Bonds – Series 2018A, \$1,570,000 of Taxable Education Revenue Bonds – Series 2018B, \$1,615,213 Subordinate Education Revenue Bonds – Series 2018C. The bonds mature serially each March 1, starting 2019 until 2043. The bonds were issued as education revenue bonds, and have interest rates ranging from 6% to 8.5%, and are collateralized by a deed of trust and pledge of revenues of ILTexas.

On December 20, 2018 ILTexas issued \$344,220,000 Education Revenue Bonds – Series 2018D and \$12,855,000 of Taxable Education Revenue Bonds – Series 2018E. The bonds mature serially each August 15, starting 2020 until 2048. The bonds were issued as education revenue bonds, and have interest rates ranging from 5% to 6.125%, and are collateralized by a deed of trust and pledge of revenues of ILTexas.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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On June 1, 2021 ILTexas issued \$49,630,000 Education Revenue Bonds – Series 2021. The bonds mature serially each August 15, starting 2023 until 2041. The bonds were issued as education revenue bonds, have interest rates ranging from 3% to 5%, and are collateralized by a deed of trust and pledge of revenues of ILTexas.

Proceeds of the bonds were used for capital asset purchases, construction, repayment of previously issued debt and establishing reserves for future debt service. The bonds are secured by notes issued under the master trust indentures, and such notes are secured by real estate.

The master trust indentures establish that the School must maintain operating reserves in an amount equal to at least forty five days of actual expenses for the year ended June 30, 2021 as well as a debt service coverage ratio, which stipulates that available revenues for each fiscal year must be equal to at least 1.10 times the annual debt service of the School as of the end of the first fiscal year after the date of issuance and thereafter until the individual bond or notes have been paid in full. During the year ended June 30, 2021, the School was in compliance with the requirements in accordance with the master trust indentures.

The required debt service payments to satisfy the requirements of the bonds are as follows for the years ending June 30:

	Principal	Interest	Total
2022	\$ 8,295,182	\$ 29,237,593	\$ 37,532,775
2023	8,865,793	30,389,894	39,255,687
2024	10,322,341	29,904,521	40,226,862
2025	10,859,881	29,402,406	40,262,287
2026	11,185,000	28,869,095	40,054,095
2027-2031	110,080,000	129,536,507	239,616,507
2032-2036	78,185,000	102,537,057	180,722,057
2037-2041	103,320,000	78,560,981	181,880,981
2042-2046	137,540,000	46,511,288	184,051,288
2047-2051	83,230,000	10,144,576	93,374,576
2052	2,515,000	148,800	2,663,800
Total	<u>\$ 564,398,197</u>	<u>\$ 515,242,718</u>	<u>\$ 1,079,640,915</u>

In May 2020, ILTexas Global entered into an unsecured loan (PPP Loan) in the aggregate amount of \$67,478 with a bank pursuant to the Paycheck Protection Program (PPP), which is sponsored by the Small Business Administration (SBA), and is part of the Coronavirus Aid, Relief and Economic Security Act (CARES Act), as amended by the Paycheck Protection Program Flexibility Act of 2020 (Flexibility Act). ILTexas Global received notification of full forgiveness of the PPP Loan on April 13, 2021. Accordingly, ILTexas Global has recognized \$67,478 as a gain in the other revenues section of the consolidated statement of activities for the year ended June 30, 2021.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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In March 2021, ILTexas Global received a second PPP loan (PPP2 Loan) in the amount of \$79,684. The PPP2 Loan may be forgiven partially or in full, if certain conditions are met. If the PPP2 Loan is not forgiven, it will accrue interest at 1% and will be due in 2 years. Management of ILTexas Global believes the PPP2 Loan will be fully forgiven. At June 30, 2021, the balance of the PPP2 Loan totaling \$79,684 is reported as long-term debt.

In April 2020, ILTexas entered into a line of credit agreement with a bank whereby it may borrow up to \$35,000,000, with interest due at the greater of 3.15% or LIBOR (.24% at June 30, 2021). Interest payments are due monthly with principal due upon maturity on April 23, 2023. As of June 30, 2020, \$15,000,000 in advances were outstanding on the agreements. The line is collateralized under the master trust indentures.

In April 2020, ILTexas entered into a separate line of credit agreement with a bank whereby it may borrow up to \$10,000,000, with interest due at the greater of 4.00% or LIBOR (.24% at June 30, 2021). Interest payments are due monthly with principal due upon maturity on April 23, 2023. As of June 30, 2021 and 2020, \$10,000,000 in advances were outstanding on the line of credit. The line is collateralized under the master trust indenture.

Future maturities on the lines of credit and note payable are as follows for the years ending June 30:

2022	\$ -
2023	<u>10,079,684</u>
	<u><u>\$ 10,079,684</u></u>

Interest expense on long-term debt for the years ended June 30, 2021 and 2020 totaled \$29,549,198 and \$27,279,763, respectively.

## 8. Net Assets with Donor Restrictions

Net assets with donor restrictions represent state resources to be used for educational purposes.

## 9. Defined Benefit Pension Plan

### *Plan Description*

The School contributes to the Teacher Retirement System of Texas (TRS), a cost-sharing, multiple-employer defined benefit pension plan with one exception; all risks and costs are not shared by the charter school, but are the liability of the State of Texas. TRS administers retirement and disability annuities, and death and survivor benefits to employees and beneficiaries of employees of the public school systems of Texas. It operates primarily under the provisions of the Texas Constitution, Article XVI, Sec. 67, and Texas Government code, Title 8, Chapters 803 and 805, respectively. The Texas state legislature has the authority to establish and amend benefit provisions of the pension plan and may, under certain circumstances, grant special authority to



## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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the TRS Board of Trustees. TRS issues a publicly available financial report that includes financial statements and required supplementary information for the defined benefit plan. That report may be obtained by writing to the TRS Communications Department, 1000 Red River Street, Austin, Texas 78701 or by calling the TRS Communications Department at 1-800-223-8778, or by downloading the report from the TRS Internet website, [www.trs.state.tx.us](http://www.trs.state.tx.us), under the TRS Publications Heading.

#### ***Funding Policy***

Plan members contributed 7.7% of their annual covered salary in 2021. The school contributes 7.5% for new members of the first 90 days of employment, and the state of Texas contributes 7.5%. Additionally, the School makes a 1.6% non-OASDI payment for all TRS eligible employees. The School contributions do not represent more than 5% of the TRS' total contributions. For the year ended June 30, 2021 and 2020, the School contributed \$854,251 and \$2,101,501 to TRS, respectively.

The risks of participating in a multi-employer, defined benefit plan are different from single-employer plans because (a) amounts contributed to a multi-employer plan by one employer may be used to provide benefits to employees of other participating employers and (b) if an employer stops contributing to TRS, unfunded obligations of TRS may be required to be borne by the remaining employers. There is not withdrawal penalty for leaving TRS.

Total TRS plan assets as of August 31, 2020 and 2019 were \$184 billion and \$181 billion, respectively. Accumulated benefit obligation as of August 31, 2020 and 2019 was \$219 and \$210 billion. The plan was 75.54% and 75.24% funded as of August 31, 2020 and 2019, respectively.

## **10. Health Care Coverage**

During the years ended June 30, 2021 and 2020, full-time employees of the School were covered by a health insurance plan. The School contributed \$397 per month per employee for the period from September 1, 2020 to June 30, 2021 and \$367 per month per employee for the period from September 1, 2019 to June 30, 2020 to the plan.

Employees, at their option, authorized payroll withholdings to pay contributions or premiums for their dependents. All premiums were paid to licensed insurers.

## **11. Contingencies**

The School receives funds through state and federal programs that are governed by various statutes and regulations. State program funding is based primarily on student attendance data submitted to TEA and is subject to audit and adjustment.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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Expenses charged to federal programs are subject to audit and adjustment by the grantor agency. The programs administered by the School have complex compliance requirements and, should state or federal auditors discover areas of noncompliance, funds may be subject to refund if so determined by the TEA or other grantor agency.

During the year ended June 30, 2021, ILTexas performed an internal review of the child nutrition program. As a result of the internal review, ILTexas returned approximately \$350,000 to the Texas Department of Agriculture in July 2021. This amount plus approximately \$663,000 in questioned costs is included in other liabilities at June 30, 2021.

#### ***Litigation***

The School is contingently liable in connection with certain claims and contracts, including those currently in litigation, arising in the normal course of its activities. Although there are inherent uncertainties in any litigation, the School's management and general counsel are of the opinion that the outcome of such matters will not have a material effect on the School's financial position.

#### ***Uncertainties***

As a result of the spread of the SARS-CoV-2 virus and the incidence of COVID-19, economic uncertainties have arisen which may negatively affect the financial position, results of operations and cash flows of the School. The duration of these uncertainties and the ultimate financial effects cannot be reasonably estimated at this time.

## **12. Functional Allocation of Expenses**

#### ***Functional allocation of expenses***

Expenses are reported by their functional classification as program services or management and general or fundraising. Program services are the direct conduct or supervision of activities that fulfill the purposes for which the School exists. Fundraising activities include the solicitation of contributions of money, securities, material, facilities, other assets, and time. Management and general activities are not directly identifiable with specific program or fundraising activities.

Expenses that are attributable to one or more program or supporting activities are allocated among the activities benefited. Salaries and related costs are charged directly either to program services, fundraising or administration based on actual time worked in each area. Information technology costs, depreciation, interest expense, and occupancy costs are allocated based on whether the costs are associated with instructional campuses (program services) or with administrative buildings.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

The School's expenses by natural classification and function are as follows for the year ended June 30, 2021:

	Payroll Costs	Professional & Contracted Services	Supplies & Materials	Other Operating Costs	Debt	Total
<b>Program Services:</b>						
Instructional and Instructional related services	\$ 90,706,209	\$ 3,800,832	\$ 11,863,673	\$ 1,435,701	\$ 17,341,448	\$ 125,147,863
Instructional and school leadership	11,406,196	170,799	158,451	179,776	311,671	12,226,893
Support Services - Student	8,448,053	10,367,266	2,138,527	765,716	3,480,937	25,200,499
Support Services - Nonstudent based	4,158,243	15,006,825	3,306,484	14,112,675	4,730,591	41,314,818
Ancillary services	751,503	2,032,504	12,615	21,815	451,704	3,270,141
<b>Total program services</b>	<b>115,470,204</b>	<b>31,378,226</b>	<b>17,479,750</b>	<b>16,515,683</b>	<b>26,316,351</b>	<b>207,160,214</b>
<b>Support Services:</b>						
Instructional and school leadership	-	-	-	-	1,597,950	1,597,950
Administrative support services	4,817,966	1,281,541	124,034	798,744	993,573	8,015,858
Support services - nonstudent based	-	-	-	-	1,132,668	1,132,668
Fundraising	127,283	-	-	394	-	127,677
<b>Total support services</b>	<b>4,945,249</b>	<b>1,281,541</b>	<b>124,034</b>	<b>799,138</b>	<b>3,724,191</b>	<b>10,874,153</b>
<b>Total expenses</b>	<b>\$ 120,415,453</b>	<b>\$ 32,659,767</b>	<b>\$ 17,603,784</b>	<b>\$ 17,314,821</b>	<b>\$ 30,040,542</b>	<b>\$ 218,034,367</b>

The School's expenses by natural classification and function are as follows for the year ended June 30, 2020:

	Payroll Costs	Professional & Contracted Services	Supplies & Materials	Other Operating Costs	Debt	Total
<b>Program Services:</b>						
Instructional and Instructional related services	\$ 86,236,030	\$ 3,953,580	\$ 7,715,559	\$ 1,950,629	\$ 20,940,043	\$ 120,795,841
Instructional and school leadership	1,199,095	72,560	6,123	43,915	326,796	1,648,489
Support Services - Student	7,786,876	10,320,213	239,282	714,344	1,858,958	20,919,673
Support Services - Nonstudent based	2,088,999	10,235,695	752,742	13,420,534	535,696	27,033,666
Ancillary services	638,232	606,960	354,812	17,070	175,344	1,792,418
<b>Total program services</b>	<b>97,949,232</b>	<b>25,189,008</b>	<b>9,068,518</b>	<b>16,146,492</b>	<b>23,836,837</b>	<b>172,190,087</b>
<b>Support Services:</b>						
Instructional and school leadership	9,209,559	55,204	92,631	50,512	2,506,822	11,914,728
Administrative support services	4,464,679	871,333	76,684	1,382,017	1,127,473	7,922,186
Support services - nonstudent based	1,639,302	1,369,963	754,015	1,439,454	430,234	5,632,968
Fundraising	-	-	-	6,360	-	6,360
<b>Total support services</b>	<b>15,313,540</b>	<b>2,296,500</b>	<b>923,330</b>	<b>2,878,343</b>	<b>4,064,529</b>	<b>25,476,242</b>
<b>Total expenses</b>	<b>\$ 113,262,772</b>	<b>\$ 27,485,508</b>	<b>\$ 9,991,848</b>	<b>\$ 19,024,835</b>	<b>\$ 27,901,366</b>	<b>\$ 197,666,329</b>

### 13. Liquidity and Availability of Resources

The School relies on state aid and federal grants to meet general expenditures related to operations. For purposes of analyzing resources available to meet general expenditures over a twelve-month period. The School considers all expenditures related to its ongoing activities of education as well as the conduct of services undertaken to support those activities, to be general expenditures.

As part of the School's liquidity management, it structures its financial assets to be available as its general expenditures and liabilities become due or as additional funding opportunities are presented by maintaining a significant portion of its assets in cash.

## International Leadership of Texas, Inc.

### Notes to Consolidated Financial Statements

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The School's financial assets available within one year of the consolidated statements of financial position date for general expenditure are as follows:

	2021	2020
Financial assets at June 30:		
Cash and cash equivalents	\$ 72,000,602	\$ 58,456,344
Restricted cash and cash equivalents	64,796,498	56,469,244
Due from government agencies	32,030,542	27,413,333
Accounts receivable	-	6,500
	<u>168,827,642</u>	<u>142,345,421</u>
Less financial assets not available for general expenditure:		
Restricted cash and cash equivalents	<u>(64,796,498)</u>	<u>(45,979,895)</u>
Total financial assets available for general expenditure	<u><u>\$104,031,144</u></u>	<u><u>\$ 96,365,526</u></u>

#### 14. Subsequent Events

Subsequent to year end, the School purchased two properties totaling approximately \$7,700,000 for the future construction of two new school buildings. Additionally, the School entered into agreements to purchase furniture and renovate headquarters totaling approximately \$4,700,000.

On August 31, 2021, the School received a donation of land with a fair value of \$560,000 to serve as the site for a school in Cleveland, Texas.

Effective July 1, 2021, the Corporation no longer has a controlling interest in ILTexas Global.

The School evaluated subsequent events through the date the financial statements were available to be issued, and concluded that no additional disclosures are required.

Supplemental Information

# International Leadership of Texas, Inc.

## Consolidating Statement of Financial Position

### June 30, 2021

	International Leadership of Texas	International Leadership of Texas - Global	Eliminations	Total
<b>Assets</b>				
<b>Current assets:</b>				
Cash and cash equivalents	\$ 71,469,062	\$ 531,540	\$ -	\$ 72,000,602
Restricted cash and cash equivalents	64,786,714	9,784	-	64,796,498
Due from government agencies	32,030,542	-	-	32,030,542
Other current assets	-	10,013	-	10,013
<b>Total current assets</b>	168,286,318	551,337	-	168,837,655
Property and equipment, net	477,801,809	3,293	-	477,805,102
<b>Total assets</b>	<u>\$ 646,088,127</u>	<u>\$ 554,630</u>	<u>\$ -</u>	<u>\$ 646,642,757</u>
<b>Liabilities and Net Assets</b>				
<b>Current liabilities:</b>				
Accounts payable	\$ 10,329,943	\$ 26,606	\$ -	\$ 10,356,549
Accrued payroll	14,505,092	-	-	14,505,092
Accrued interest	12,016,232	-	-	12,016,232
Student activity funds	760,730	-	-	760,730
Deferred revenue	260,490	154,965	-	415,455
Other liabilities	2,897,749	-	-	2,897,749
Current maturities of finance lease liability	118,223	-	-	118,223
Current maturities of long-term debt	8,295,182	-	-	8,295,182
<b>Total current liabilities</b>	49,183,641	181,571	-	49,365,212
<b>Long-term liabilities:</b>				
Finance lease liability	39,632	-	-	39,632
Long-term debt, net of debt issuance costs	556,672,309	79,684	-	556,751,993
<b>Total liabilities</b>	605,895,582	261,255	-	606,156,837
<b>Net assets:</b>				
Without donor restrictions	2,633,540	293,375	-	2,926,915
With donor restrictions	37,559,005	-	-	37,559,005
<b>Total net assets</b>	40,192,545	293,375	-	40,485,920
<b>Total liabilities and net assets</b>	<u>\$ 646,088,127</u>	<u>\$ 554,630</u>	<u>\$ -</u>	<u>\$ 646,642,757</u>

See notes to consolidated financial statements.

# International Leadership of Texas, Inc.

## Consolidating Statement of Activities

### Year Ended June 30, 2021

	International Leadership of Texas	International Leadership of Texas - Global	Eliminations	Total
<b>Revenue and support:</b>				
<b>Local support:</b>				
SSA - Local revenues from member districts	\$ 381,842	\$ 984,820	(381,842)	\$ 984,820
Interest, dividends, gains, and losses	68,491	-	-	68,491
Rent	9,500	-	-	9,500
Foundations, other non-profit organizations, gifts, and bequests	91	15,720	-	15,811
Other revenues from local sources	415,280	67,571	-	482,851
Food service activity	(139,242)	-	-	(139,242)
<b>Total local support</b>	735,962	1,068,111	(381,842)	1,422,231
<b>State program revenues:</b>				
Per capita apportionment	9,146,435	-	-	9,146,435
Foundation school program act revenue	194,075,741	-	-	194,075,741
State program revenue distributed by TEA	4,722,170	-	-	4,722,170
<b>Total state program revenue</b>	207,944,346	-	-	207,944,346
<b>Federal program revenues:</b>				
National school breakfast and lunch program	717,912	-	-	717,912
Federal program revenue distributed by TEA	18,360,489	-	-	18,360,489
Federal revenues distributed by other State of Texas agencies	11,354,007	-	-	11,354,007
<b>Total federal program revenue</b>	30,432,408	-	-	30,432,408
<b>Total revenue and support</b>	239,112,716	1,068,111	(381,842)	239,798,985

See notes to consolidated financial statements.

# International Leadership of Texas, Inc.

## Consolidating Statement of Activities

### Year Ended June 30, 2021

	International Leadership of Texas	International Leadership of Texas - Global	Eliminations	Total
<b>Expenses:</b>				
Instruction	\$ 99,710,035	\$ 1,061,317	\$ (381,842)	\$ 100,389,510
Instruction resources and media	1,033,326	-	-	1,033,326
Curriculum and instructional staff development	6,962,181	-	-	6,962,181
Instructional leadership	1,944,695	-	-	1,944,695
School leadership	9,970,527	-	-	9,970,527
Guidance, counseling, evaluation services	5,501,444	-	-	5,501,444
Social work services	76,343	-	-	76,343
Health services	1,845,363	-	-	1,845,363
Student transportation	1,213,837	-	-	1,213,837
Food services	11,498,105	-	-	11,498,105
Extracurricular activities	1,584,470	-	-	1,584,470
General administration	6,199,471	244,233	-	6,443,704
Facilities maintenance and operations	27,084,823	-	-	27,084,823
Security and monitoring services	2,432,040	-	-	2,432,040
Data processing services	7,067,364	-	-	7,067,364
Community services	2,818,419	-	-	2,818,419
Debt service	30,040,539	-	-	30,040,539
Fundraising	127,677	-	-	127,677
<b>Total expenses</b>	<b>217,110,659</b>	<b>1,305,550</b>	<b>(381,842)</b>	<b>218,034,367</b>
<b>Excess of revenues over expenses from operations</b>	<b>22,002,057</b>	<b>(237,439)</b>	<b>-</b>	<b>21,764,618</b>
<b>Non-operating activities:</b>				
Other gain	31,969	-	-	31,969
<b>Total non-operating activities</b>	<b>31,969</b>	<b>-</b>	<b>-</b>	<b>31,969</b>
<b>Change in net assets</b>	<b>22,034,026</b>	<b>(237,439)</b>	<b>-</b>	<b>21,796,587</b>
<b>Net assets at beginning of year</b>	<b>18,158,519</b>	<b>530,814</b>	<b>-</b>	<b>18,689,333</b>
<b>Net assets at end of year</b>	<b>\$ 40,192,545</b>	<b>\$ 293,375</b>	<b>\$ -</b>	<b>\$ 40,485,920</b>

See notes to consolidated financial statements.



## Supplemental Information Required by TEA

# International Leadership of Texas

## Statement of Financial Position

### June 30, 2021

#### Assets

**Current assets:**

Cash and cash equivalents	\$ 71,469,062
Restricted cash and cash equivalents	64,786,714
Due from government agencies	<u>32,030,542</u>

**Total current assets** 168,286,318

Property and equipment, net 477,801,809

**Total assets** \$ 646,088,127

#### Liabilities and Net Assets

**Current liabilities:**

Accounts payable	\$ 10,329,943
Accrued payroll	14,505,092
Accrued interest	12,016,232
Student activity funds	760,730
Deferred revenue	260,490
Other liabilities	2,897,749
Current maturities of finance lease liability	118,223
Current maturities of long-term debt	<u>8,295,182</u>

**Total current liabilities** 49,183,641

**Long-term liabilities:**

Finance lease liability	39,632
Long-term debt, net of debt issuance costs	<u>556,672,309</u>

**Total liabilities** 605,895,582

**Net assets:**

Without donor restrictions	2,633,540
With donor restrictions	<u>37,559,005</u>

**Total net assets** 40,192,545

**Total liabilities and net assets** \$ 646,088,127

# International Leadership of Texas

## Statement of Activities

### Year Ended June 30, 2021

	Without donor restrictions	With donor restrictions	Total
<b>Revenue and support:</b>			
<b>Local support:</b>			
5722 SSA - Local revenues from member districts	\$ 381,842	\$ -	\$ 381,842
5742 Interest, dividends, gains, and losses	68,491	-	68,491
5743 Rent	9,500	-	9,500
5744 Foundations, other non-profit organizations, gifts, and bequests	91	-	91
5749 Other revenues from local sources	415,280	-	415,280
5751 Food service activity	(139,242)	-	(139,242)
<b>Total local support</b>	735,962	-	735,962
<b>State program revenues:</b>			
5811 Per capita apportionment	-	9,146,435	9,146,435
5812 Foundation school program act revenue	-	194,075,741	194,075,741
5829 State program revenue distributed by TEA	-	4,722,170	4,722,170
<b>Total state program revenue</b>	-	207,944,346	207,944,346
<b>Federal program revenues:</b>			
5921 National school breakfast and lunch program	-	717,912	717,912
5929 Federal program revenue distributed by TEA	-	18,360,489	18,360,489
5939 Federal revenues distributed by other State of Texas agencies	-	11,354,007	11,354,007
<b>Total federal program revenue</b>	-	30,432,408	30,432,408
Net assets released from restrictions			
Restrictions satisfied by payments	217,110,659	(217,110,659)	-
<b>Total revenue and support</b>	217,846,621	21,266,095	239,112,716
<b>Expenses:</b>			
11 Instruction	99,710,035	-	99,710,035
12 Instruction resources and media	1,033,326	-	1,033,326
13 Curriculum and instructional staff development	6,962,181	-	6,962,181
21 Instructional leadership	1,944,695	-	1,944,695
23 School leadership	9,970,527	-	9,970,527
31 Guidance, counseling, evaluation services	5,501,444	-	5,501,444
32 Social work services	76,343	-	76,343
33 Health services	1,845,363	-	1,845,363
34 Student transportation	1,213,837	-	1,213,837
35 Food services	11,498,105	-	11,498,105
36 Extracurricular activities	1,584,470	-	1,584,470
41 General administration	6,199,471	-	6,199,471
51 Facilities maintenance and operations	27,084,823	-	27,084,823
52 Security and monitoring services	2,432,040	-	2,432,040
53 Data processing services	7,067,364	-	7,067,364
61 Community services	2,818,419	-	2,818,419
71 Debt service	30,040,539	-	30,040,539
81 Fundraising	127,677	-	127,677
<b>Total expenses</b>	217,110,659	-	217,110,659
<b>Excess of revenues over expenses from operations</b>	735,962	21,266,095	22,002,057
<b>Non-operating activities:</b>			
7959 Other gain	31,969	-	31,969
<b>Total non-operating activities</b>	31,969	-	31,969
<b>Change in net assets</b>	767,931	21,266,095	22,034,026
<b>Net assets at beginning of year</b>	1,865,609	16,292,910	18,158,519
<b>Net assets at end of year</b>	<u>\$ 2,633,540</u>	<u>\$ 37,559,005</u>	<u>\$ 40,192,545</u>

# International Leadership of Texas

## Statement of Cash Flows

### Year Ended June 30, 2021

**Cash flows from operating activities:**

Change in net assets	\$ 22,034,026
Adjustments to reconcile change in net assets to net cash provided by operating activities	
Depreciation	14,409,930
Amortization of bond discount	(20,253)
Amortization of debt issuance costs	431,551
Net gain on sale of vehicles	2,384
Changes in assets and liabilities:	
Due from government agencies	(4,617,209)
Other current assets	194,376
Accounts payable	4,328,448
Accrued payroll	490,125
Accrued interest	(1,349,644)
Student activity funds	26,478
Deferred revenue	103,903
Other liabilities	2,297,749
Net cash provided by operating activities	38,331,864

**Cash flows from investing activities:**

Purchases of property and equipment	(47,012,623)
Net cash used by investing activities	(47,012,623)

**Cash flows from financing activities:**

Net proceeds from issuance of long-term debt	54,494,972
Payment of debt issuance costs	(2,458,451)
Principal payments on finance lease liabilities	(146,446)
Principal payments on long-term debt	(20,805,455)
Net cash provided by financing activities	31,084,620
Net increase in cash and cash equivalents	22,403,861
Cash and restricted cash and cash equivalents at beginning of year	113,851,915
Cash and restricted cash and cash equivalents at end of year	\$ 136,255,776

**Reconciliation of cash and restricted cash and cash equivalents reported within the statement of financial position to the statement of cash flows:**

Cash and cash equivalents	\$ 71,469,062
Restricted cash and cash equivalents	64,786,714

**Cash and restricted cash and cash equivalents reported on the statement of cash flows** \$ 136,255,776

**Supplemental disclosure of cash flow information:**

Cash paid for interest	<u><u>\$ 29,563,069</u></u>
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**Supplemental schedule of noncash investing and financing activities:**

Construction in progress accrued in accounts payable at year end	<u><u>\$ 4,944,474</u></u>
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**International Leadership of Texas**  
**Schedule of Expenses**  
**Year Ended June 30, 2021**

Object Code	Description	Amount
6100	Payroll costs	\$ 119,970,775
6200	Professional and contracted services	32,563,980
6300	Supplies and materials	17,514,640
6400	Other operating costs	17,020,722
6500	Debt service	30,040,542
	Total expenses	<u>\$ 217,110,659</u>

**International Leadership of Texas**  
**Schedule of Capital Assets**  
**June 30, 2021**

Description		Ownership Interest	
		Local	State
1510	Land	\$ 519,788	\$ 45,826,911
1520	Buildings and improvements	4,376,666	434,751,316
1531	Vehicles	74,806	4,404,255
1549	Furniture and equipment	743,325	7,684,232
1580	Construction in progress	-	34,774,296
1570	Accumulated depreciation	(1,022,634)	(54,331,152)
		<u>\$ 4,691,951</u>	<u>\$ 473,109,858</u>

# International Leadership of Texas

## Budgetary Comparison Schedule

### Year Ended June 30, 2021

	Budgeted Amounts		Actual Amounts	Variance from Final Budget
	Original	Final		
<b>Revenue and support:</b>				
<b>Local support:</b>				
5722 SSA- Local revenues from member districts	\$ 800,000	\$ 380,000	\$ 381,842	\$ 1,842
5742 Interest, dividends, gains, and losses	700,000	68,000	68,491	491
5743 Rent	-	10,000	9,500	(500)
5744 Foundations, other non-profit organizations, gifts, and bequests	-	-	415,371	415,371
5749 Other revenues from local sources	833,051	410,000	-	(410,000)
5751 Food service activity	1,124,875	(139,242)	(139,242)	-
<b>State program revenues:</b>				
5811 Per capita apportionment	9,000,000	9,000,000	9,146,435	146,435
5812 Foundation school program act revenue	177,370,669	198,752,610	194,075,741	(4,676,869)
5829 State program revenue distributed by TEA	4,500,000	4,700,000	4,722,170	22,170
<b>Federal program revenues:</b>				
5920 Federal program revenue distributed by TEA	22,812,221	30,786,632	30,432,408	(354,224)
<b>Total revenue and support</b>	<b>217,140,816</b>	<b>243,968,000</b>	<b>239,112,716</b>	<b>(4,855,284)</b>
<b>Expenses:</b>				
11 Instruction	101,198,547	101,900,000	99,710,035	2,189,965
12 Instruction resources and media	1,080,377	1,034,000	1,033,326	674
13 Curriculum and instructional staff development	7,392,607	6,832,000	6,962,181	(130,181)
21 Instructional leadership	1,555,137	1,789,000	1,944,695	(155,695)
23 School leadership	10,377,796	9,937,000	9,970,527	(33,527)
31 Guidance, counseling, evaluation services	5,509,208	5,537,000	5,501,444	35,556
32 Social work services	98,088	78,000	76,343	1,657
33 Health services	1,686,076	1,882,000	1,845,363	36,637
34 Student transportation	1,545,273	1,210,000	1,213,837	(3,837)
35 Food services	10,377,002	14,495,000	11,498,105	2,996,895
36 Extracurricular activities	1,593,899	1,572,000	1,584,470	(12,470)
41 General administration	6,173,190	6,299,000	6,199,471	99,529
51 Facilities maintenance and operations	26,883,395	27,836,000	27,084,823	751,177
52 Security and monitoring service	1,682,668	2,488,000	2,432,040	55,960
53 Data processing services	5,467,207	7,132,000	7,067,364	64,636
61 Community services	1,847,315	2,776,000	2,818,419	(42,419)
71 Debt service	30,739,952	30,090,000	30,040,539	49,461
81 Fundraising	10,000	113,000	127,677	(14,677)
<b>Total expenses</b>	<b>215,217,737</b>	<b>223,000,000</b>	<b>217,110,659</b>	<b>5,889,341</b>
<b>Excess revenues over expenses from operations</b>	<b>1,923,079</b>	<b>20,968,000</b>	<b>22,002,057</b>	<b>(10,744,625)</b>
<b>Non-operating activities:</b>				
7959 Other gain	-	32,000	31,969	31
<b>Total non-operating activities</b>	<b>-</b>	<b>32,000</b>	<b>31,969</b>	<b>31</b>
<b>Change in net assets</b>	<b>1,923,079</b>	<b>21,000,000</b>	<b>22,034,026</b>	<b>(10,744,656)</b>
<b>Net assets at beginning of year</b>	<b>18,158,519</b>	<b>18,158,519</b>	<b>18,158,519</b>	<b>-</b>
<b>Net assets at end of year</b>	<b>\$ 20,081,598</b>	<b>\$ 39,158,519</b>	<b>\$ 40,192,545</b>	<b>\$ (1,034,026)</b>

## International Leadership of Texas

### Education Programs Schedule

### Year Ended June 30, 2021

Data Codes	Section A: Compensatory Education Programs	Responses
AP1	Did you LEA expend any state compensatory education program state allotment funds during the district's fiscal year?	Yes
AP2	Does the LEA have written policies and procedures for its state compensatory education program?	Yes
AP3	List the total state allotment funds received for state compensatory education programs during the district's fiscal year.	\$20,333,899
AP4	List the actual direct program expenditures for state compensatory education programs during the LEA's fiscal year. (PIC's 24, 26, 28, 29, 30, 34)	\$17,509,652
<b>Section B: Bilingual Education Programs</b>		
AP5	Did your LEA expend any bilingual education program state allotment funds during the LEA's fiscal year?	Yes
AP6	Does the LEA have written policies sand procedures for its bilingual education program?	Yes
AP7	List the total state allotment funds received for bilingual education programs during the LEA's fiscal year	\$4,614,017
AP8	List the actual direct program expenditures for bilingual education programs during the LEA's fiscal year. (PIC's 25, 35)	\$3,109,364



# International Leadership of Texas

## Schedule of Real Property Ownership Interest

### Year Ended June 30, 2021

Description	Property Address	Total Assessed Value	Ownership Interest		
			Local	State	Federal
A005401, R STEVENSON (ICL), TRACT 5, 12.14 ACRES	TBD - 4070 State Hwy 6 South, College Station, TX 77845	\$ 1,763,960	\$ -	\$ 1,763,960	\$ -
BOWEN ADDITION Block 1 Lot 2A	4950 S. Bowen Rd., Arlington, TX 76017	21,442,526	-	21,442,526	-
ILTexas GP ADDN Block 1 Lot 1	2851 Ragland Rd., Grand Prairie, TX 75052	15,596,422	-	15,596,422	-
SUNBELT ADD Block A Lot 3 AKA WHIDDON ADDN	6460 S. State Hwy 360, Grand Prairie, TX 75052	123,623	-	123,623	-
GANDY, BLOCK 1, LOT 1, ACRES 14.38	3610 Longmire Dr., College Station, TX 77845	13,448,849	-	13,448,849	-
WOODHAVEN CNTRY CLUB ESTATES Block 14A Lot 1	5901 Boca Raton Blvd., Ft. Worth, TX 76112	15,438,041	-	15,438,041	-
SPANISH OAKS APT ADDITION Block 1 Lot 1	5817 Boca Raton Blvd., Ft. Worth, TX 76112	303,831	-	303,831	-
ILTexas BLK 1 LT 1 ACS 13.174	3301 N. Shiloh Rd., Garland, TX 75041	-	-	-	-
ILTexas HS BLK 1 LOT 1 ACS 14.204	4413 N Shiloh Rd. (listed as 4749), Garland, TX 75044	-	-	-	-
ILTexas HS BLK 1 LT 2 ACS 3.947	2650 Arapaho Rd. (listed as 2640), Garland, TX 75044	-	-	-	-
CHARTER SCHOOL ADDN Block A Lot 1	3501 Great Southwest Pkwy., Grand Prairie, TX 75052	22,568,751	-	22,568,751	-
GREENWAY BLK 1 LT 2A ACS 3.357	2021 Lakeside Blvd., Richardson, TX 75082	6,245,000	-	6,245,000	-
RES A BLK 1 PORTER FRANZ	24406 Franz Rd., Katy, TX 77493	-	-	-	-
0171 JNO FREDERICK, ACRES 21.2802, Katy Westpark High School, Block 1, Unrestricted Reserve "A"	20055 Beechnut St., Richmond, TX 77407	18,161,043	-	18,161,043	-
ILTexas ADDN Block 1 Lot 1 LESS PORTION IN TIF D214060708	2301 Heritage Trace Pkwy., Ft. Worth, TX 76177	19,287,541	-	19,287,541	-
ILTexas ADDN Block 1 Lot 1 PORTION IN TIF D214060708	2301 Heritage Trace Pkwy., Ft. Worth, TX 76177	23,398,587	-	23,398,587	-
RICHMOND ADDN - FT WORTH Block 36 Lot 1	10537 NW Hwy. 287, Ft. Worth, TX 76131	907,716	-	907,716	-
RICHMOND ADDN - FT WORTH Block 36 Lot 1 IMROVEMENT ONLY	10537 NW Hwy. 287, Ft. Worth, TX 76131	14,691,268	-	14,691,268	-
RICHMOND ADDN - FT WORTH Block 28 Lot 1 PLAT D220093983 (14.60 @)	10421 Lakemont Dr., Ft. Worth, TX 76131	954,236	-	954,236	-
PLEASANT RUN CHARTER SCHOOL BLK 1 LT 1 ACS 11.680	1900 W Pleasant Run Rd., Lancaster, TX 75146	-	-	-	-
NORTHGLENN ADDN Block 1 Lot 1R	4131 Rufe Snow Dr., North Richland Hills, TX 76180	19,812,177	-	19,812,177	-
RES A BLK 1 EAST OREM CHARTER SCHOOL	5445 E Orem Dr., Houston, TX 77048	-	-	-	-
SAGINAW CHARTER SCH SUBD Block 1 Lot 1	500 N. Old Decatur Rd., Saginaw, TX 76179	20,984,596	-	20,984,596	-
BLK 6629 TR 11 ACS 26.65	7811 University Hills Blvd., Dallas, TX 75241	533,000	-	533,000	-
.3500 U/D IN RES A BLK 1 (14.7958) WESTPARK CHARTER SCHOOL	15300 Bellaire Blvd., Houston, TX 77083	-	-	-	-
RES B WINDMILL LAKES SEC 1 R/P	9898 Windmill Lakes Blvd. (listed as 9901), Houston, TX 77075	-	-	-	-
RES A WINDMILL LAKES SEC 1 R/P	9901 Windmill Lakes Blvd., Houston, TX 77075	-	-	-	-
RES A3 WINDMILL LAKES SEC 1 R/P	9901 Windmill Lakes Blvd., Houston, TX 77075	-	-	-	-
RES A2 WINDMILL LAKES SEC 1 R/P	9901 Windmill Lakes Blvd., Houston, TX 77075	-	-	-	-
IN PROGRESS:		-	-	-	-
RESERVE D, BLOCK 29, SANTA FE 6	TBD - Road 5200 (Community Drive) and Road 5500 (Alameda Drive), Cleveland, TX 77327	-	-	-	-
616 J LAWRENCE 54.419 ACRES	TBD - Double Oak Ave. at Davis Dr., Grand Prairie, TX 76065	-	-	-	-
Liberty at Broadway Marketplace (A0070 WDC Hall) (Pearland) BLK1 Lot 1 Acres 4.587 Front Acreage, BLK 1 Lot2 Acres 8.028 Primary Site Frontage Acreage, Lot Detention Reserve Acres 3.887 DET-RET Pond.	TBD - E. Broadway & Liberty Dr., Pearland, TX 77581	-	-	-	-
0062 WM MORTON, TRACT 1, ACRES 52.92	TBD - 1202 FM 359, Richmond, TX 77406	-	-	-	-

## International Leadership of Texas

### Related Party Transactions

### Year Ended June 30, 2021

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Related Party Name	Name of Relation to the Related Party	Relationship	Type of Transaction	Description of Terms and Conditions	Source of Funds Used	Payment Frequency	Total Paid During Fiscal Year	Principal Balance Due
None								

# **International Leadership of Texas** **Schedule of Related Party Compensation and Benefits** **Year Ended June 30, 2021**

Related Party Name	Name of Relation to the Related Party	Relationship	Compensation or Benefit	Payment Frequency	Description	Source of Funds Used	Total Paid During Fiscal Year
None							

Compliance Reports



**Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards***

To the Board of Directors of  
International Leadership of Texas, Inc.

We have audited the consolidated financial statements of International Leadership of Texas, Inc. (School) (a nonprofit Organization), which comprise the consolidated statement of financial position as of June 30, 2021, and the related consolidated statements of activities and cash flows for the year then ended, and the related notes to the consolidated financial statements, and have issued our report thereon dated October 21, 2021. We conducted our audit in accordance with U.S. generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. The consolidated financial statements of International Leadership of Texas – Global were not audited in accordance with *Government Auditing Standards* and accordingly this report does not include reporting on internal controls over financial reporting or instances of reportable noncompliance associated with International Leadership of Texas – Global.

***Internal Control over Financial Reporting***

In planning and performing our audit of the consolidated financial statements, we considered the School's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the consolidated financial statements, but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, we do not express an opinion on the effectiveness of the School's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the School's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### ***Compliance and Other Matters***

As part of obtaining reasonable assurance about whether the School's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### ***Purpose of this Report***

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the School's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the School's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



A Limited Liability Partnership

Arlington, Texas  
October 21, 2021



## **Independent Auditors' Report on Compliance for Each Major Federal Program and on Internal Control over Compliance Required by the Uniform Guidance**

To the Board of Directors of  
International Leadership of Texas, Inc.

### ***Report on Compliance for Each Major Federal Program***

We have audited International Leadership of Texas, Inc.'s (School) (a nonprofit Organization) compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the School's major federal programs for the year ended June 30, 2021. The School's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

### ***Management's Responsibility***

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on compliance for each of the School's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with U.S. generally accepted auditing standards; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the School's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the School's compliance.

### ***Opinion on Each Major Federal Program***

In our opinion, the School complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major federal programs for the year ended June 30, 2021.

## ***Other Matters***

The results of our auditing procedures disclosed instances of noncompliance which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as item 2021-001. Our opinion on each major federal program is not modified with respect to these matters.

## ***Report on Internal Control over Compliance***

Management of the School is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the School's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the School's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 2021-001 to be a material weakness. The School's response to the internal control over compliance findings identified in our audit are described in the accompanying corrective action plan. The School's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.



The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

*Sutton Grost Cary*

A Limited Liability Partnership

Arlington, Texas  
October 21, 2021

## International Leadership of Texas, Inc.

### Schedule of Findings and Questioned Costs

### Year Ended June 30, 2021

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#### **Section I – Summary of Auditors’ Results**

##### ***Consolidated Financial Statements***

Type of auditor’s report issued:	Unmodified
Internal control over financial reporting:	
• Material weaknesses identified?	No
• Significant deficiencies identified?	None reported
Noncompliance material to consolidated financial statements noted?	No

##### ***Federal Awards***

Internal control over major programs:	
• Material weaknesses identified?	Yes
• Significant deficiencies identified?	None reported
Type of auditors’ report issued on compliance for major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?	Yes
Identification of major federal programs or cluster:	
Child and Adult Care Food Program	CFDA 10.558
Special Education Grants to States	CFDA 84.027A
Education Stabilization Fund Under the Coronavirus Aid, Relief, And Economic Security Act	CFDA 84.425D
Coronavirus Relief Fund	CFDA 21.019
Dollar threshold used to distinguish between type A and type B programs:	\$750,000
Auditee qualified as low-risk auditee?	Yes

#### **Section II – Financial Statement Findings**

Audit findings: None

## **International Leadership of Texas, Inc. Schedule of Findings and Questioned Costs Year Ended June 30, 2021**

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### **Section III – Federal Award Findings and Questioned Costs**

#### **2021-001: Internal Controls over Food Program Manual Meal Count Process**

**Criteria:** Internal controls over the food program manual meal count process should be designed and implemented to ensure that the meal count is properly documented to reflect meals served to students and new campuses and service centers are approved as site locations by the Texas Department of Agriculture (TDA).

**Condition:** During the fiscal year, ILTexas operated a child nutrition program which delivered meals to campuses, homes, and other service centers throughout Texas. The food was for eligible children, funded by the U.S. Department of Agriculture, and administered by the TDA. Due to the pandemic, ILTexas served meals to students in a drive up grab and go manner and added additional sites for meal delivery. During an internal audit, ILTexas discovered a former employee had authorized food deliveries to sites not approved by the TDA. When funding claims were submitted, unauthorized sites were included with authorized sites. The sites utilized manual meal count sheets to record meals served to eligible students and families. ILTexas also discovered, the written meal count sheets were not properly documented in accordance with the TDA operating guidance.

**Effect:** Meals served at unapproved sites were not eligible for reimbursement and the documentation of meals served may not meet the requirements of TDA review.

**Known costs:** \$351,611 returned to TDA

**Questioned costs:** \$650,000 estimate under review

**Cause:** Internal controls over the food program site approvals were not properly followed to ensure meals were served only at approved sites. Manual meal counts were not administratively reviewed to ensure the check marks preferred by TDA reviewers were consistently applied to every meal served.

**Perspective:** During the pandemic, a former employee did not follow proper procedures to approve every new deliver site created to serve students. Additionally, the electronic meal count system was often unavailable and a manual tally sheet system had to be implemented. Drive-up grab-and-go lines created additional challenges as staff focused on delivering meals to students in a safe manner and employees reverted to drawing lines through tally sheets instead of applying the individual check marks preferred by TDA reviewers.

**Recommendation:** We recommend ILTexas increase training of employees on processes to document manually counted meals served to students. This includes ensuring manual meal count sheets are reviewed and signed by the Child Nutrition Manager and submitted to a Supervisor for review and approval. Additionally, as it has done in this instance, ILTexas needs to continue to hold itself and employees to the highest standards in all official matters.

## **International Leadership of Texas, Inc. Schedule of Findings and Questioned Costs Year Ended June 30, 2021**

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Management's Response: In an effort to strengthen the internal knowledge base and expertise within ILTexas, a new Child Nutrition Director with extensive background and experience with child nutrition programs was hired and begins in October 2021. Additional internal controls have been put in place for meal counts that now require validation by the site supervisor, Child Nutrition Director and Business Manager. Additionally, the Child Nutrition department will discuss and implement best practices to establish the highest level of controls for manual meal counts and adding new sites. All Child Nutrition staff will attend additional training to ensure the accuracy and completeness of all documentation.

Views of responsible officials and planned corrective actions: Management agrees with the finding. See Corrective Action Plan.

### **Section IV – Summary of Prior Year Audit Findings**

Audit findings: None

# International Leadership of Texas, Inc.

## Schedule of Expenditures of Federal Awards

### Year Ended June 30, 2021

Federal Grantor/ Pass through Grantor/ Program or Cluster Title	Federal AL Number	Pass-through Entity Identifying Number	Federal Expenditures
U.S. Department of Agriculture:			
Passed through Texas Education Agency:			
School Breakfast Program	10.553	71402001	\$ 21,303
School Breakfast Program - COVID-19	10.553	52402001	77,156
National School Lunch Program	10.553	71302001	43,961
National School Lunch Program - COVID-19	10.555	52302001	126,203
Passed through Texas Department of Agriculture:			
National School Lunch Program - USDA Commodities	10.555	3001201	449,289
Total Child Nutrition Cluster			717,912
Child and Adult Care Food Program	10.558	N/A	11,354,007
Total U.S. Department of Agriculture			12,071,919
U.S. Department of Education:			
Passed through Texas Education Agency:			
Title I Grants to Local Educational Agencies (Title I, Part A of the ESEA)	84.010A	21610101057848 / 21610141057848	5,234,537
Passed through Region X Education Service Center:			
Title I Grants to Local Educational Agencies (Title I, Part A of the ESEA)	84.010A	2061014057848	52,502
Total CFDA 84.010			5,287,039
Passed through Texas Education Agency:			
Special Education Grants to States (IDEA, Part B)	84.027A	206600010578486000 / 216600010578486000	2,917,933
Charter School Program	84.282A	1859010171100	1,976,900
Career and Technical Education - Basic Grants to States (Perkins V)	84.048A	20420006057848 / 21420006057848	241,980
Education Stabilization Fund Under the Coronavirus Aid, Relief, and Economic Security Act - COVID-19	84.425D	20521001057848	3,614,359
Education Stabilization Fund Under the Coronavirus Aid, Relief, and Economic Security Act - COVID-19 (PPRP)	84.425D	52102135	1,566,910
Total CFDA 84.425D			5,181,269
Student Support and Academic Enrichment Program	84.424A	21680101057848	350,547
Supporting Effective Instruction State Grants (Title II, Part A)	84.367A	21694501057848	552,118
English Language Acquisition State Grants (Title III, Part A)	84.365A	21671001057848	507,211
Total U.S. Department of Education			17,014,997
U.S. Department of Treasury			
Coronavirus Relief Fund	21.019	2020-CF-21019	779,388
Total Expenditures of Federal Awards			\$ 29,866,304

See notes to schedule of expenditures of federal awards.

## **International Leadership of Texas, Inc.**

### **Notes to Schedule of Expenditures of Federal Awards**

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#### **1. Basis of Presentation**

The accompanying schedule of expenditures of federal awards (Schedule) presents the activity of all applicable federal award programs of ILTexas. The information in this Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

Because the Schedule presents only a selected portion of the operations of ILTexas, it is not intended to and does not present the financial position, changes in net assets or cash flows of ILTexas.

Expenditures reported on the Schedule are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles in Uniform Guidance, or the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. ILTexas has elected not to use the 10 percent de minimis indirect cost rate as allowed under the Uniform Guidance.

#### **2. Food Commodities**

Food commodities are recognized as federal expenditures when distributed. Distributed food is reported in the Schedule under the National School Lunch Program and is valued based on amounts reported to ILTexas by the TDA. These amounts are considered to be non-cash assistance to ILTexas.

ILTexas received non-cash assistance in the form of food commodities totaling \$449,289 for the year ended June 30, 2021.



# **INTERNATIONAL LEADERSHIP OF TEXAS**

## **EDUCATION REVENUE DEBT**

CONTINUING DISCLOSURE REPORT FOR THE  
QUARTER ENDED SEPTEMBER 30, 2021



## INTERNATIONAL LEADERSHIP OF TEXAS REVENUES & EXPENDITURES REPORT\*\*

REVENUE	Adopted Budget	FY 2022 Q1
5700 Local		
5800 State/Local	228,600,000	54,963,739
5900 Federal	38,400,000	5,547,836
	267,000,000	60,511,575
EXPENSE		
11 Instructional	116,000,000	25,773,171
12 Library and Media	1,200,000	292,139
13 Curriculum development	7,800,000	1,710,900
21 Instructional Leadership	1,900,000	973,492
23 School Leadership	11,400,000	2,902,985
31 Guidance & Counseling	6,500,000	1,251,589
32 Social services	100,000	23,585
33 Health Services	2,200,000	397,409
34 Student Transportation	1,400,000	512,545
35 Food Services	14,400,000	1,641,900
36 Extra Curricular Activities	1,900,000	368,397
41 General Administration	7,400,000	1,029,259
51 Facilities Maintenance	32,000,000	9,491,042
52 Security and Monitoring	2,800,000	460,658
53 Technology / Data Systems	7,900,000	1,145,869
61 Community Services	2,900,000	1,010,841
71 Debt Service	34,700,000	7,535,778
81 Fundraising	100,000	88,474
	252,600,000	56,610,033
Total	252,600,000	56,610,033
Change in Net Assets	14,400,000	3,901,542
Ending Net Assets Balance	54,592,545	58,494,087

**\*\*Internally prepared Financials, subject to change.**



## INTERNATIONAL LEADERSHIP OF TEXAS STATEMENT OF FINANCIAL POSITION

ASSETS	UNAUDITED*** JUNE 30, 2021	UNAUDITED*** SEPTEMBER 30, 2021
<b>CURRENT ASSETS</b>		
Cash and cash equivalents	\$ 71,469,062	\$ 51,933,111
Restricted cash	64,786,714	64,811,714
Due from STATE and FEDERAL programs	32,030,542	37,433,068
Other Current Assets	-	-
Total Current Assets	<u>168,286,318</u>	<u>154,177,893</u>
 <b>PROPERTY AND EQUIPMENT</b>		
Land	46,346,699	46,346,699
Buildings	439,127,982	441,860,201
Furniture and equipment	8,427,557	9,175,841
Vehicles	4,479,061	4,727,616
Less accumulated depreciation	(55,353,786)	(59,777,686)
Construction in Process	34,774,296	42,533,110
Total Property and Equipment	<u>477,801,809</u>	<u>484,865,781</u>
Total Assets	<u><u>\$ 646,088,127</u></u>	<u><u>\$ 639,043,674</u></u>
 <b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable	\$ 10,329,943	\$ 4,778,359
Accrued wages payable	14,505,092	15,102,228
Accrued interest payable	12,016,232	10,892,252
Due to student groups	760,730	830,232
Deferred revenue	260,490	366,590
Other liability	2,897,749	-
Current portion of Capital lease payable	118,223	98,573
Current portion of long-term debt	8,295,182	8,437,843
Total Current Liabilities	<u>49,183,641</u>	<u>40,506,077</u>
 <b>LONG-TERM LIABILITIES</b>		
Finance(Buildings) Lease Liability	39,632	29,718
Long-term debt	556,672,309	554,413,792
Total Long-Term Liabilities	<u>556,711,941</u>	<u>554,443,510</u>
Total Liabilities	<u><u>\$ 605,895,582</u></u>	<u><u>\$ 594,949,587</u></u>
 <b>NET ASSETS</b>		
Beginning balance	\$ 18,158,519	\$ 40,191,630
Current Year Change in Net Asset (Revenue/Expenses)	<u>22,034,026</u>	<u>3,902,457</u>
Total Net Assets	<u>40,192,545</u>	<u>44,094,087</u>
Total Liabilities and Net Assets	<u><u>\$ 646,088,127</u></u>	<u><u>\$ 639,043,674</u></u>

\*\*\*Internally Prepared Financial Statements

TABLE 2 – HISTORICAL ENROLLMENT, CURRENT ENROLLMENT AND CURRENT WAITLIST AS OF OCTOBER 1, 2021

GARLAND ELEMENTARY, MIDDLE SCHOOL AND HIGH SCHOOL						
	2017-18	2018-19	2019-20	2020-21	2021-22	2021-22
Grade	Enrollment	Enrollment	Enrollment	Enrollment	Enrollment	Waitlist
K	160	160	159	159	161	5
1	162	161	159	160	160	98
2	160	160	160	160	157	46
3	153	163	158	156	157	91
4	158	155	156	156	156	99
5	156	162	155	156	153	96
6	155	156	156	153	157	107
7	153	155	156	161	154	59
8	156	156	155	157	154	18
9	179	186	179	166	148	0
10	185	182	155	159	155	0
11	108	149	147	129	138	0
12	113	108	141	143	117	0
<b>TOTAL</b>	<b>1,998</b>	<b>2,053</b>	<b>2,036</b>	<b>2,015</b>	<b>1,967</b>	<b>619</b>

ARLINGTON ELEMENTARY, MIDDLE AND ARLINGTON-GRAND PRAIRIE HIGH SCHOOL						
	2017-18	2018-19	2019-20	2020-21	2021-22	2021-22
Grade	Enrollment	Enrollment	Enrollment	Enrollment	Enrollment	Waitlist
K	145	131	118	118	118	0
1	141	144	135	118	113	0
2	145	145	146	132	117	0
3	132	136	129	146	128	0
4	125	135	146	137	131	0
5	127	113	135	153	132	0
6	132	123	126	131	140	0
7	126	125	135	123	117	0
8	123	117	113	132	126	1
9*	193	172	193	244	216	0
10*	107	170	159	176	186	1
11*	134	87	134	138	155	0
12*	67	111	88	127	133	0
<b>TOTAL</b>	<b>1,697</b>	<b>1,709</b>	<b>1,757</b>	<b>1,875</b>	<b>1,812</b>	<b>2</b>

\* Grades 9-12 are enrolled at Arlington-Grand Prairie High School.

<b>KELLER ELEMENTARY AND MIDDLE SCHOOL AND KELLER-SAGINAW HIGH SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	161	160	164	160	160	141
1	162	162	160	159	159	127
2	162	163	167	161	159	106
3	158	158	157	155	157	113
4	156	156	152	152	157	22
5	156	148	156	153	151	0
6	155	156	136	153	153	0
7	150	147	142	142	143	0
8	141	133	128	139	139	0
9*	192	199	199	249	233	0
10*	133	168	152	180	235	0
11*	73	112	145	141	158	0
12*	32	66	104	136	132	0
<b>TOTAL</b>	<b>1,831</b>	<b>1,928</b>	<b>1,962</b>	<b>2,080</b>	<b>2,136</b>	<b>509</b>

\*Grades 9-12 are enrolled at Keller-Saginaw High School.

<b>GRAND PRAIRIE ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	160	158	159	160	158	13
1	158	161	159	158	161	82
2	159	162	158	158	159	18
3	154	157	154	154	155	35
4	156	155	155	154	158	46
5	154	158	156	154	155	13
6	155	153	156	156	154	36
7	153	155	155	157	156	55
8*	144	144	151	155	154	25
<b>TOTAL</b>	<b>1,393</b>	<b>1,403</b>	<b>1,403</b>	<b>1,406</b>	<b>1,410</b>	<b>323</b>

\* For grades 9-12 see the Arlington Elementary, Middle and High School table above which reflects enrollment at Arlington-Grand Prairie High School.

<b>NORTH RICHLAND HILLS ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	156	156	146	153	154	0
1	160	159	159	152	152	0
2	157	164	163	147	145	0
3	154	157	156	152	144	0
4	152	150	155	143	146	0
5	152	151	156	147	139	0
6	155	149	143	153	157	0
7	145	147	125	145	146	0
8*	83	132	128	117	136	0
<b>TOTAL</b>	<b>1,314</b>	<b>1,365</b>	<b>1,331</b>	<b>1,309</b>	<b>1,319</b>	<b>0</b>

\* Grades 9-12 are enrolled at Keller-Saginaw High School..

<b>KATY ELEMENTARY AND MIDDLE SCHOOL AND KATY-WESTPARK HIGH SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	158	152	158	159	157	10
1	155	148	161	159	159	125
2	159	153	156	158	158	139
3	152	145	146	154	153	73
4	154	155	123	151	153	20
5	154	143	136	138	151	0
6	133	129	133	156	146	0
7	131	128	114	133	148	0
8	121	116	105	121	129	0
9*	159	187	193	206	208	0
10*	48	156	162	182	186	0
11*	N/A	59	151	158	159	0
12*	N/A	N/A	53	141	153	0
<b>TOTAL</b>	<b>1,524</b>	<b>1,671</b>	<b>1,791</b>	<b>2,016</b>	<b>2,060</b>	<b>367</b>

\* Grades 9-12 are enrolled at Katy-Westpark High School.

<b>WESTPARK ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	161	136	130	151	127	0
1	162	149	153	143	152	0
2	156	150	150	159	139	0
3	151	148	154	154	141	0
4	155	143	142	156	139	0
5	133	144	151	155	153	24
6	155	132	149	154	143	0
7	145	147	131	155	146	0
8*	130	120	134	142	145	0
<b>TOTAL</b>	<b>1,348</b>	<b>1,269</b>	<b>1,294</b>	<b>1,369</b>	<b>1,285</b>	<b>24</b>

\* For grades 9-12 see the Katy Elementary and Middle School and Katy-Westpark High School table above which reflects enrollment at Katy-Westpark High School.

<b>LANCASTER ELEMENTARY AND MIDDLE SCHOOL AND LANCASTER-DESOTO HIGH SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	139	116	101	97	124	0
1	143	141	128	121	107	0
2	143	144	141	148	118	0
3	141	139	129	143	137	0
4	144	137	141	144	144	0
5	148	150	134	157	140	0
6	147	154	156	155	158	3
7	141	139	134	148	146	0
8	82	128	124	146	121	0
9*	N/A	43	45	80	72	0
10*	N/A	N/A	33	49	69	0
11*	N/A	N/A	N/A	31	45	2
12*	N/A	N/A	N/A	N/A	29	0
<b>TOTAL</b>	<b>1,228</b>	<b>1,291</b>	<b>1,266</b>	<b>1,419</b>	<b>1,410</b>	<b>5</b>

\* Grades 9-12 are enrolled at Lancaster-DeSoto High School.

<b>EAST FORT WORTH ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	133	112	91	95	108	0
1	134	127	96	117	123	0
2	139	138	117	115	124	0
3	144	124	141	137	129	0
4	151	133	125	147	130	0
5	135	149	113	142	137	0
6	145	142	129	157	166	0
7	84	139	112	134	142	1
8	57	71	119	113	111	1
9*	N/A	30	N/A	N/A	N/A	N/A
10*	N/A	N/A	N/A	N/A	N/A	N/A
11*	N/A	N/A	N/A	N/A	N/A	N/A
12*	N/A	N/A	N/A	N/A	N/A	N/A
<b>TOTAL</b>	<b>1,122</b>	<b>1,165</b>	<b>1,043</b>	<b>1,157</b>	<b>1,170</b>	<b>2</b>

\* As of the 2019-20 school year, Grades 9-12 are enrolled at Arlington-Grand Prairie High School.

<b>SAGINAW ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	160	159	157	156	159	42
1	156	161	159	158	158	57
2	159	159	159	158	160	60
3	152	157	156	151	154	29
4	146	148	154	151	148	0
5	143	157	147	152	152	0
6	137	150	155	150	155	6
7	115	131	139	151	138	0
8*	61	108	117	123	136	1
<b>TOTAL</b>	<b>1,229</b>	<b>1,330</b>	<b>1,343</b>	<b>1,350</b>	<b>1,360</b>	<b>195</b>

\* For grades 9-12 see the Keller Elementary and Middle School and Keller-Saginaw High School table above which reflects enrollment at Keller-Saginaw High School.

<b>WINDMILL LAKES ELEMENTARY AND MIDDLE SCHOOL AND WINDMILL LAKES-OREM HIGH SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	158	146	119	112	108	0
1	141	147	145	138	146	0
2	151	153	138	156	140	0
3	148	148	137	148	153	0
4	154	142	139	133	139	0
5	148	142	143	147	147	0
6	152	149	144	155	147	0
7	113	145	152	157	156	14
8	52	102	127	152	142	0
9*	N/A	60	100	170	183	0
10*	N/A	N/A	58	102	161	0
11*	N/A	N/A	N/A	63	96	0
12*	N/A	N/A	N/A	N/A	56	0
<b>TOTAL</b>	<b>1,217</b>	<b>1,334</b>	<b>1,402</b>	<b>1,633</b>	<b>1,774</b>	<b>14</b>

\* Grades 9-12 are enrolled at Windmill Lakes-Orem High School.

<b>HOUSTON OREM ELEMENTARY AND MIDDLE SCHOOL</b>						
	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2021-22</b>
<b>Grade</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Enrollment</b>	<b>Waitlist</b>
K	N/A	137	127	113	117	0
1	N/A	123	146	145	133	0
2	N/A	144	132	160	154	0
3	N/A	148	141	152	159	26
4	N/A	146	135	155	142	0
5	N/A	128	128	150	147	0
6	N/A	155	142	156	155	48
7	N/A	118	144	147	155	20
8	N/A	71	111	156	142	0
<b>TOTAL</b>	<b>-</b>	<b>1,170</b>	<b>1,206</b>	<b>1,334</b>	<b>1,304</b>	<b>94</b>

\* For grades 9-12 see the Windmill Lakes Elementary and Middle School and Windmill Lakes-Orem High School table above which reflects enrollment at Windmill Lakes-Orem High School.

COLLEGE STATION ELEMENTARY, MIDDLE AND HIGH SCHOOL						
	2017-18	2018-19	2019-20	2020-21	2021-22	2021-22
Grade	Enrollment	Enrollment	Enrollment	Enrollment	Enrollment	Waitlist
K	N/A	159	160	159	158	99
1	N/A	119	159	160	160	178
2	N/A	124	159	160	159	140
3	N/A	107	155	154	153	71
4	N/A	123	156	156	154	8
5	N/A	119	153	155	152	0
6	N/A	107	153	154	153	0
7	N/A	55	133	139	151	0
8	N/A	36	69	120	141	0
9	N/A	N/A	35	49	83	0
10	N/A	N/A	N/A	36	38	0
11	N/A	N/A	N/A	N/A	30	0
<b>TOTAL</b>	<b>-</b>	<b>949</b>	<b>1,332</b>	<b>1,442</b>	<b>1,532</b>	<b>496</b>

TOTAL ILTEXAS ENROLLMENT						
	2017-18	2018-19	2019-20	2020-21	2021-22	2021-22
Grade	Enrollment	Enrollment	Enrollment	Enrollment	Enrollment	Waitlist
K	1,691	1,882	1,789	1,835	1,809	311
1	1,674	1,902	1,919	1,932	1,883	667
2	1,690	1,959	1,946	2,008	1,889	509
3	1,639	1,887	1,913	1,988	1,920	438
4	1,651	1,878	1,879	1,968	1,897	195
5	1,606	1,864	1,863	1,995	1,909	134
6	1,621	1,855	1,878	2,023	1,984	202
7	1,456	1,731	1,772	1,924	1,898	151
8	1,150	1,434	1,581	1,788	1,776	46
9	723	877	944	1,177	1,143	0
10	473	676	719	892	1,030	1
11	315	407	577	670	781	2
12	212	285	386	548	620	0
<b>TOTAL</b>	<b>15,901</b>	<b>18,637</b>	<b>19,166</b>	<b>20,748</b>	<b>20,539</b>	<b>2,656</b>



## INTERNATIONAL LEADERSHIP OF TEXAS

## VOLUNTARY COVENANT CALCULATIONS: UNAUDITED AND SUBJECT TO CHANGE

DEBT SERVICE COVERAGE	Budgeted 6/30/2022	FYE 6/30/2021**	3 Months Ended 9/30/2021**
Change in Net Assets	\$ 14,400,000	\$ 22,034,026	\$ 3,901,542
Plus: Depreciation & Amortization	15,510,143	14,821,228	4,423,901
Plus: Interest Expense	31,789,857	30,040,539	7,535,778
Net Available for Debt Service	61,700,000	66,895,793	15,861,221
Master Debt	42,995,182	35,845,994	8,987,142
Debt Service Coverage:	<b>1.44x</b>	<b>1.87x</b>	<b>1.76x</b>
Debt Service Requirement	1.10x	1.10x	1.10x
In Compliance?	YES	YES	YES

## Additional Calculations:

Master Debt	42,995,182	35,845,994	8,987,142
Subordinate Debt & Lease	123,160	623,916	30,790
Less voluntary pre-payments	-	-	-
Debt Service (all debt)	<u>43,118,342</u>	<u>36,469,910</u>	<u>9,017,932</u>
Debt Service Coverage:	<b>1.43x</b>	<b>1.83x</b>	<b>1.76x</b>
Debt Service Requirement	1.10x	1.10x	1.10x

	As of 6/30/2021**	As of 9/30/2021**
Bank Cash and Equivalents	\$ 71,469,062	\$ 71,469,062
Plus: Debt Service Interest Funds	12,274,431	10,081,581 <sup>(1)</sup>
Unrestricted Cash and Equivalents	83,743,493	81,550,643
Total Expenses	217,110,659	56,610,033
Less: Depreciation & Amortization	<u>(14,821,228)</u>	<u>(4,423,901)</u>
Daily Cash Expense	554,217.62	567,240.57
<b>Days' Cash on Hand</b>	<b>151.1</b>	<b>143.8</b>
Without interest reserve credit	129.0	126.0

\*\*Internally Prepared Financial Statements

<sup>(1)</sup> Estimated FYE 2022 balance



October 21, 2021

To the Board of Directors  
International Leadership of Texas, Inc. and affiliate

We have audited the consolidated financial statements of International Leadership of Texas, Inc. and affiliate (Corporation) for the year ended June 30, 2021, and have issued our report thereon dated October 21, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 12, 2021. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Auditing Findings**

#### ***Qualitative Aspects of Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the School are described in Note 2 to the consolidated financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year. We noted no transactions entered into by the Corporation during the year for which there is lack of authoritative guidance or consensus. All significant transactions have been recognized in the consolidated financial statements in the proper period.

Accounting estimates are an integral part of the consolidated financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the consolidated financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The most sensitive estimates affecting the financial statements were:

- Management's estimate of the incremental borrowing rate used to calculate the present value of the financing lease obligation is based on observable interest rates for existing secured debt.
- Management's estimate of depreciation expense which is based on estimated useful life of the related assets.
- Management's estimate of the Foundation School Payment (FSP) receivable which is based on budgeted revenue and school days.
- Management's estimate of the allocation of the costs of providing various programs and supporting services on a functional basis is based on direct and allocated costs.

We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- The disclosure of the amount of restricted cash and cash equivalents in Note 3.
- The disclosure of long-term debt in Note 7 to the financial statements.

The financial statement disclosures are neutral, consistent and clear.

### ***Difficulties Encountered in Performing the Audit***

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### ***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. The attached schedule summarizes uncorrected misstatements of the financial statements. Management has determined that their effects are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

### ***Disagreements with Management***

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

### ***Management Representation***

We have requested certain representations from management that are included in the management representation letter dated October 21, 2021.

### ***Management Consultations with Other Independent Accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to the School’s financial statements or a determination of the type of auditors’ opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### ***Other Audit Findings or Issues***

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the School’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### ***Other Matters***

With respect to the schedule of expenditures of federal awards accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information is presented in accordance with the requirements of the Uniform Guidance, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the schedule of expenditures of federal awards to the underlying accounting and other records used to prepare the schedule.

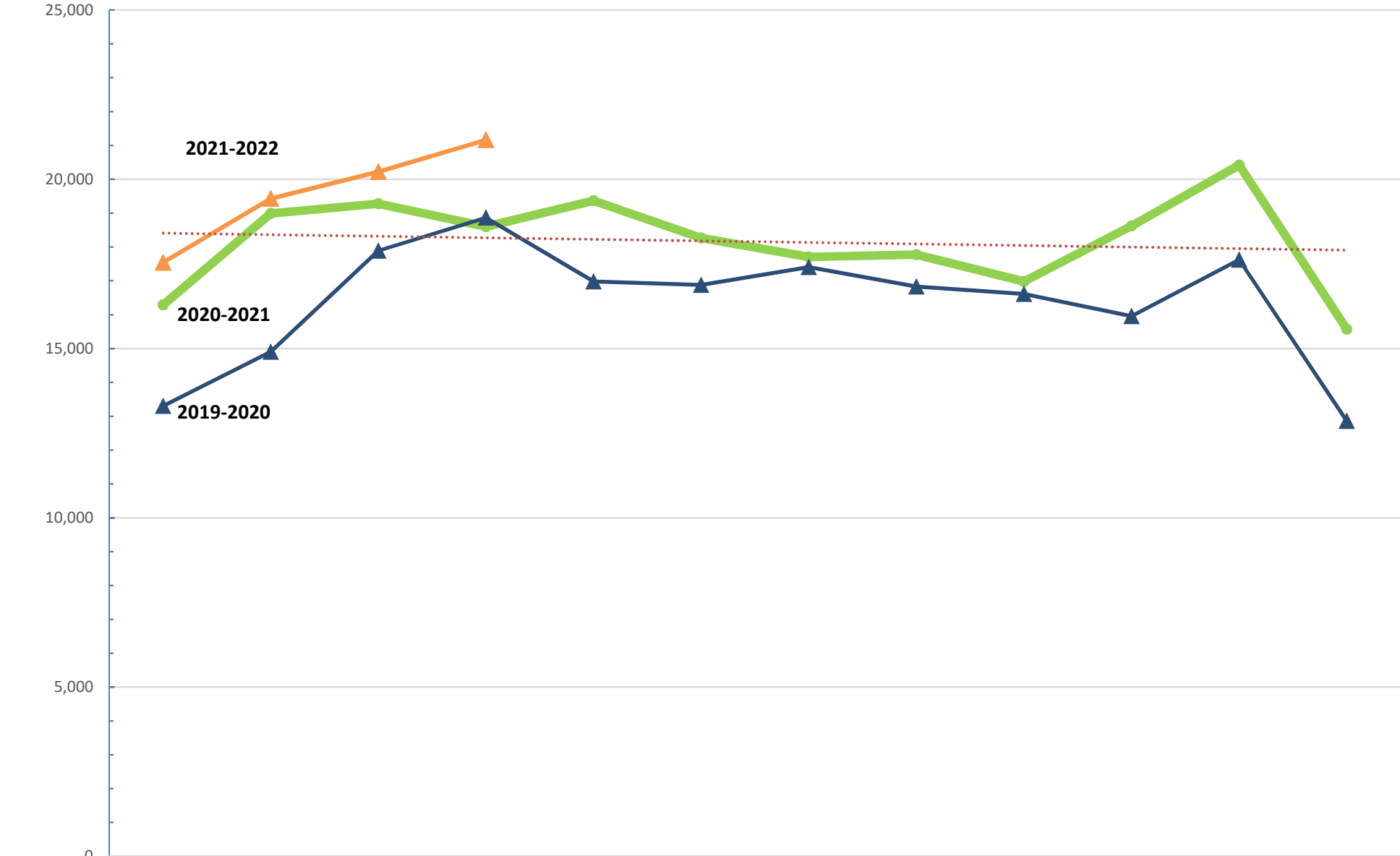
With respect to the accompanying supplemental information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that it complies with U.S. generally accepted accounting principles and the Financial Accountability System Resource Guide published by the Texas Education Agency. The methods of preparing the supplemental information has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the schedules to underlying accounting and other records used to prepare the consolidated financial statements or to the financial statements themselves.

This information is intended solely for the use of the board of directors and management of the Corporation and is not intended to be and should not be used by anyone other than these specified parties.

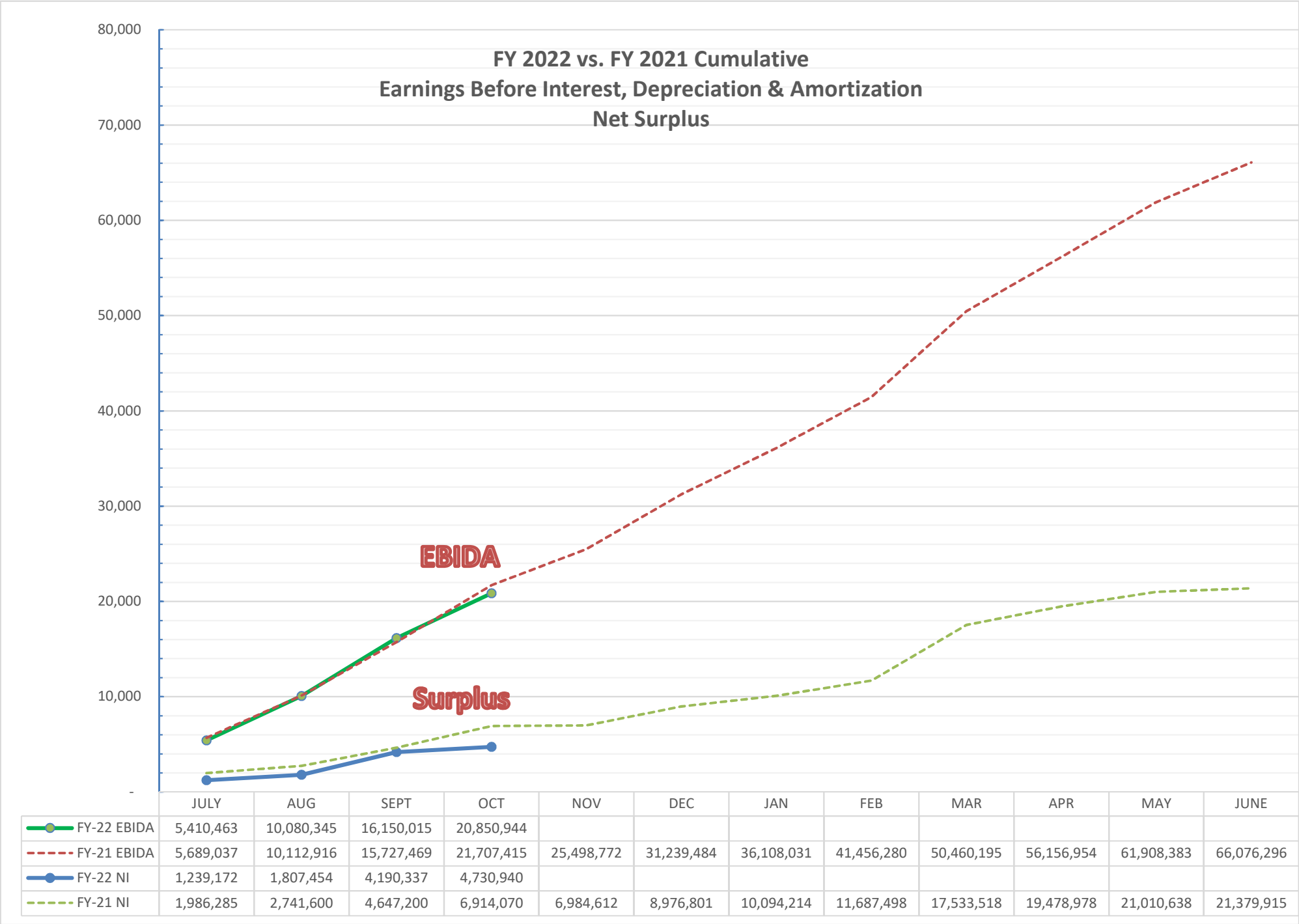
*Sutton Grost Cary*

A Limited Liability Partnership

TOTAL MONTHLY EXPENSES



2021-22	17,545,456	19,431,050	20,223,732	21,162,645								
2020-21	16,292,575	18,991,399	19,280,397	18,601,063	19,369,603	18,267,073	17,709,146	17,776,784	16,984,373	18,625,295	20,418,286	15,574,418
2019-20	13,306,685	14,902,934	17,887,960	18,866,142	16,982,487	16,876,725	17,406,249	16,833,481	16,612,201	15,957,893	17,624,013	12,864,370



# INTERNATIONAL LEADERSHIP OF TEXAS

## UNAUDITED

### Financial Summary

	Jul-21 2021-2022	Aug-21 2021-2022	Sep-21 2021-2022	Oct-21 2021-2022	Nov-21 2021-2022	Dec-21 2021-2022	Year-to-Date 2021-2022	Budget 2021-2022
<b>Total Ending Cash</b>	<b>\$ 52,988,110</b>	<b>\$ 46,577,344</b>	<b>\$ 51,933,111</b>	<b>\$ 40,204,272</b>				
<i>Days Cash (excl. Bond Int. Fund)</i>	<i>100.2</i>	<i>83.2</i>	<i>89.8</i>	<i>67.5</i>				
Bond Project Fund	6,274,749	6,274,749	6,274,749	6,274,749				
Lease & Notes Payable	\$ 147,993	\$ 138,142	\$ 128,291	\$ 118,440				
\$10 million PNC Revolver	-	-	10,000,000					
\$35 million PNC Revolver	-	-	-	-				
<b>Revenues</b>	<b>\$ 18,784,628</b>	<b>\$ 19,999,331</b>	<b>\$ 22,606,615</b>	<b>\$ 21,703,248</b>			<b>\$ 83,093,822</b>	<b>\$ 267,000,000</b>
<b>Less Expenses:</b>								
Payroll Costs	9,602,559	11,337,631	12,441,494	11,963,641			45,345,326	145,600,000
Other Operating	3,771,606	3,991,817	4,095,451	5,038,678			16,897,552	59,700,000
Interest & Amort.	2,710,493	2,639,187	2,186,098	2,658,575			10,194,353	32,300,000
Depreciation	1,460,798	1,462,415	1,500,688	1,501,750			5,925,650	15,000,000
Other Gain (Loss)								-
<b>Change in Net Assets</b>	<b>1,239,172</b>	<b>568,281</b>	<b>2,382,883</b>	<b>540,603</b>			<b>4,730,940</b>	<b>14,400,000</b>
<b>EBIDA</b>	<b>\$ 5,410,463</b>	<b>\$ 4,669,883</b>	<b>\$ 6,069,670</b>	<b>\$ 4,700,929</b>			<b>\$ 20,850,944</b>	<b>\$ 61,700,000</b>
Total Liabilities	588,756,492	588,496,791	595,539,791	585,399,836				
Total Equity	41,431,718	42,000,000	44,382,883	44,923,486				
<b>D/E</b>	<b>14 : 1</b>	<b>14 : 1</b>	<b>13 : 1</b>	<b>13 : 1</b>				
<b>Equity Percent</b>	<b>6.6%</b>	<b>6.7%</b>	<b>6.9%</b>	<b>7.1%</b>				
<b>Interest = % of Revenue</b>	<b>14.4%</b>	<b>13.8%</b>	<b>12.3%</b>	<b>12.3%</b>				
Bond Cash Interest	\$ 2,629,690	\$ 2,596,264	\$ 2,143,175	\$ 2,596,264			\$ 9,965,393	
Bond Principal	691,265	725,849	725,849	725,849			2,868,811	
Other Debt Interest	38,291	411	411	19,800			58,913	
Other Debt Principal	9,862	9,851	9,851	9,851			39,415	
Cash Debt Service*	\$ 3,369,108	\$ 3,332,374	\$ 2,879,286	\$ 3,351,763			\$ 12,932,531	
<b>D-S Coverage (YTD)</b>	<b>1.6</b>	<b>1.5</b>	<b>1.7</b>	<b>1.6</b>			<b>1.6</b>	
<b>D-S % of Revenue (YTD)</b>	<b>17.9%</b>	<b>17.3%</b>	<b>15.6%</b>	<b>15.6%</b>			<b>15.6%</b>	

\* Excludes optional pre-payments



## UNAUDITED

	July 2021	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Unaudited	Budget
	FY2022	FY2022	FY2022	FY2022	FY2022	FY2022	Year-to-Date	FY2022
<b>Enrollment</b>								
<b>Total Local Support</b>	4,938	44,118	14,373	6,102	-	-	69,531	300,000
<b>Total State Funds</b>	16,815,897	17,078,622	21,005,791	17,564,745	-	-	72,465,055	228,300,000
<b>Federal Program Revenues</b>								
Title I/II/III+Immigrant/IV/IDEAB	824,561	674,783	599,281	524,803	-	-	2,623,428	
Carl Perkins Grant	-	-	53,499	6,365	-	-	59,864	
Teacher Leadership / Cycle 2	10,000	-	-	-	-	-	10,000	
Instructional Continuity Grant	17,498	-	-	-	-	-	17,498	
ESSER II	-	-	-	1,778,501	-	-	1,778,501	
ESSER III	-	-	-	519,469	-	-	519,469	
Health+Related Svc (SHARS)	-	-	10,730	-	-	-	10,730	
Medicaid Admin. Claim	10,214	517	(10,790)	2,320	-	-	2,261	
JROTC	13,630	13,630	13,630	7,041	-	-	47,930	
Child Nutrition	1,087,891	2,187,661	920,101	1,293,903	-	-	5,489,557	
<b>Total Federal Program Rev.</b>	1,963,794	2,876,591	1,586,451	4,132,401	-	-	10,559,236	38,400,000
<b>Total Revenues</b>	<b>\$ 18,784,628</b>	<b>\$ 19,999,331</b>	<b>\$ 22,606,615</b>	<b>\$ 21,703,248</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 83,093,822</b>	<b>\$ 267,000,000</b>
<b>Expenses</b>								
11 Instructional	7,154,922	9,096,215	9,522,034	9,513,588	-	-	35,286,758	116,000,000
12 Inst. resources & media	86,532	100,997	104,610	125,332	-	-	417,471	1,200,000
13 Curriculum & inst. staff devel.	534,429	596,277	580,194	615,436	-	-	2,326,337	7,800,000
21 Instructional leadership	231,776	329,904	411,812	353,995	-	-	1,327,487	1,900,000
23 School leadership	796,542	1,042,591	1,063,852	1,025,707	-	-	3,928,692	11,400,000
31 Guidance counseling & eval.	388,457	403,126	460,006	814,827	-	-	2,066,417	6,500,000
32 Social work services	5,365	5,595	12,625	15,003	-	-	38,587	100,000
33 Health services	118,652	129,313	149,444	150,716	-	-	548,125	2,200,000
34 Student transportation	95,445	107,622	309,478	156,791	-	-	669,335	1,400,000
35 Food services	683,027	807,688	741,389	778,768	-	-	3,010,872	14,400,000
36 Extracurricular activities	170,000	92,961	105,436	100,818	-	-	469,214	1,900,000
41 General administration	1,462,189	(363,654)	(69,276)	691,158	-	-	1,720,417	7,400,000
51 Facilities maintenance & ops.	2,502,911	3,062,950	3,925,181	2,375,157	-	-	11,866,200	32,000,000
52 Security and Monitoring	134,850	215,662	110,146	422,288	-	-	882,946	2,800,000
53 Data processing services	235,084	587,627	323,158	1,114,516	-	-	2,260,386	7,900,000
61 Community services	206,155	547,625	257,061	201,279	-	-	1,212,120	2,900,000
71 Debt service	2,710,493	2,639,187	2,186,098	2,675,575	-	-	10,211,353	34,700,000
81 Fundraising	28,627	29,364	30,483	31,691	-	-	120,165	100,000
<b>Total Expenses</b>	<b>\$ 17,545,456</b>	<b>\$ 19,431,050</b>	<b>\$ 20,223,732</b>	<b>\$ 21,162,645</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 78,362,882</b>	<b>\$ 252,600,000</b>
<b>Change in Total Net Assets</b>	<b>\$ 1,239,172</b>	<b>\$ 568,281</b>	<b>\$ 2,382,883</b>	<b>\$ 540,603</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,730,940</b>	<b>\$ 14,400,000</b>

# INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

## Expenses by Object Code

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	ILTexas
	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	2020-2021
<b>61-- Payroll Costs</b>	<b>9,602,559</b>	<b>11,337,631</b>	<b>12,441,494</b>	<b>11,963,641</b>	-	-	<b>45,345,326</b>
	51.1%	56.7%	55.0%	55.1%			54.6%
6211 Legal Services	6,987	32,419	12,230	45,226	-	-	96,862
6212 Audit Services	10,000	61,100	-	-	-	-	71,100
6219 Professional Services	-	-	-	-	-	-	-
6239 ESC Services	10,300	2,850	6,236	33,904	-	-	53,291
6249 Contracted Maint/Repair	211,444	760,618	168,939	769,477	-	-	1,910,479
6254 Internet Services	20,359	18,352	9,783	17,736	-	-	66,230
6255 Cell Phones	6,332	6,332	-	14,852	-	-	27,515
6256 Water/Waste Mgmt	66,715	79,268	69,794	83,025	-	-	298,801
6257 Phone	35,139	21,481	31,425	30,306	-	-	118,350
6258 Electric	165,966	266,690	190,689	232,213	-	-	855,558
6259 Gas	3,186	2,251	2,459	3,933	-	-	11,829
6269 Rentals-Op Leases	75,469	101,537	102,546	116,325	-	-	395,878
6291 Consulting Services	-	75,222	-	3,000	-	-	78,222
6297 Security Service/Student	134,850	159,177	28,271	315,538	-	-	637,835
FOOD Child Nutrition Contr. Svcs.	639,868	652,566	681,676	590,204	-	-	2,564,314
6299 Misc. Contracted Service	796,434	1,739,762	991,557	1,587,104	-	-	5,114,857
<b>62-- Professional And Contracted Svcs.</b>	<b>2,183,049</b>	<b>3,979,625</b>	<b>2,295,606</b>	<b>3,842,843</b>	-	-	<b>12,301,122</b>
6311 Fuel	5,833	12,929	23,666	21,778	-	-	64,206
6319 Supplies M/O	10,447	46,943	87,445	62,738	-	-	207,573
6321 Textbooks	249	5,943	16,068	36,364	-	-	58,625
6329 Reading Materials	154,123	73,998	20,804	86,077	-	-	335,003
6339 Testing Materials	-	3,106	3,701	-	-	-	6,807
6344 USDA Commodities	-	135,966	-	114,903	-	-	250,869
6395 IT Repair Equipment	-	11,036	9,155	54,621	-	-	74,812
6396 Student Credits	-	(87,977)	(11,994)	(3,059)	-	-	(103,030)
6398 General Expense	1,000,000	(1,000,000)	-	-	-	-	-
6399 General Supplies	294,894	617,912	193,017	400,516	-	-	1,506,339
6601 Fixed Asset	-	-	-	9,271	-	-	9,271
6628 F&E / Grant Funded	-	-	-	37,287	-	-	37,287
6631 F&E / Grant Funded	-	-	-	-	-	-	-
6633 F&E / Grant Funded	-	-	-	-	-	-	-
6639 F&E / Grant Funded	-	-	-	14,290	-	-	14,290
6641 VEHICLES	-	-	-	-	-	-	-
6669 F&E / Grant Funded	-	-	-	-	-	-	-
66xx Asset Purchases	-	-	-	60,848	-	-	60,848
<b>63+66 Other Supplies &amp; Materials</b>	<b>1,465,546</b>	<b>(180,144)</b>	<b>341,864</b>	<b>834,787</b>	-	-	<b>2,462,052</b>
6411 Employee Travel	109,286	23,694	39,155	56,599	-	-	228,735
6412 Travel-Students	-	-	4,669	-	-	-	4,669
6419 Travel-Non-Emp	-	-	-	-	-	-	-
6429 Ins/Bonding Costs	64	(6,728)	1,630,177	13,428	-	-	1,636,941
6449 Depr Exp	1,460,798	1,462,415	1,500,688	1,501,750	-	-	5,925,650
6494 Reclass Transp Exp	-	-	-	-	-	-	-
6495 Memberships And Dues	780	13,420	217,870	188,453	-	-	420,523
6497 Dyslexia	-	-	(0)	-	-	-	(0)
6498 Campus Discr. Fund	3,933	21,118	32,565	16,418	-	-	74,035
6499 Misc Op Costs	8,948	140,832	(466,455)	69,150	-	-	(247,525)
<b>64-- Other Operating Expenses</b>	<b>1,583,809</b>	<b>1,654,751</b>	<b>2,958,670</b>	<b>1,845,799</b>	-	-	<b>8,043,028</b>
6521 Interest on Bonds	2,663,166	2,629,741	2,176,652	2,629,741	-	-	10,099,300
6522 Capital Lease Interest	416	411	411	411	-	-	1,649
6523 Interest on Other Debt	37,875	-	-	19,389	-	-	57,264
6524 Amort. Bond Issue Costs	42,512	42,512	42,512	42,512	-	-	170,048
6525 Amort. Bond Disc.(Prem.)	(33,476)	(33,477)	(33,477)	(33,477)	-	-	(133,907)
6529 Bond Issuance & Maint.	-	-	-	17,000	-	-	17,000
6598 Penalties+Net Pay Discounts	-	-	-	-	-	-	-
6599 Other Debt Fees	-	-	-	-	-	-	-
<b>Total Expenses</b>	<b>\$ 17,545,456</b>	<b>\$ 19,431,050</b>	<b>\$ 20,223,732</b>	<b>\$ 21,162,645</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 78,362,882</b>

# INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

## Expenses by Object Code

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	IL Texas
	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	FY 2021	2020-2021
6111 Salary Control	-	-	-	-	-	-	-
6112 Salaries/Wages Sub Teach	9,525	26,465	241,810	310,701	-	-	588,500
6117 Extra Duty/Professional	284,920	45,246	77,834	98,582	-	-	506,582
6118 Stipends/Professional	271,640	293,658	290,163	299,057	-	-	1,154,518
6119 Salaries Teachers/Profesional	6,728,419	8,466,194	8,742,625	8,466,922	-	-	32,404,160
6121 O/T Support Personnel	38,779	88,483	78,111	44,510	-	-	249,883
6127 Extra Duty Pay/Support Persnl	14,851	11,234	13,609	12,258	-	-	51,952
6129 Salaries/Wages Sup Persnl	910,966	998,517	1,083,777	1,096,285	-	-	4,089,545
6139 Employee Allowances	36	-	-	-	-	-	36
6141 FICA/Medicare	115,351	137,903	145,991	142,927	-	-	542,171
6142 GRP Health/Life Insurance	618,859	612,883	734,176	744,500	-	-	2,710,417
6143 Workers'Comp	12,308	-	242,683	(2,295)	-	-	252,696
6146 TRS	396,904	457,048	590,716	550,196	-	-	1,994,865
6149 Employee Benefits	-	-	-	-	-	-	-
6179 Payroll Accrual	200,000	200,000	200,000	200,000	-	-	800,000
<b>61-- Payroll Costs</b>	<b>9,602,559</b>	<b>11,337,631</b>	<b>12,441,494</b>	<b>11,963,641</b>	-	-	<b>45,345,326</b>
	51.1%	56.7%	55.0%	55.1%			54.6%
<b>PAYROLL BY DESIGNATED FUNDS SOURCE</b>							
199 Local - Unrestricted	-	-	24,134	-	-	-	24,134
420 Fsp/Other State Aid	8,810,171	10,746,937	11,889,515	10,937,901	-	-	42,384,523
427 Discretionary	-	-	-	-	-	-	-
429 St Funded Temp Rstrct	-	1,115	-	4,083	-	-	5,198
498 ???	-	-	-	-	-	-	-
<b>4XX State General Funds</b>	<b>8,810,171</b>	<b>10,748,052</b>	<b>11,913,649</b>	<b>10,941,984</b>	-	-	<b>42,413,855</b>
<b>240 Child Nutrition</b>	<b>18,033</b>	<b>17,573</b>	<b>51,410</b>	<b>51,652</b>	-	-	<b>138,668</b>
211 Title I, A	465,508	321,748	266,661	260,049	-	-	1,313,966
224 IDEA B Formula	214,452	181,925	137,338	146,730	-	-	680,445
244 Carl Perkins	-	-	-	-	-	-	-
255 Title II	62,748	34,469	30,458	31,099	-	-	158,774
256 Teachers Leadership Cycle	-	-	-	-	-	-	-
263 Title III	18,139	13,737	12,819	13,238	-	-	57,932
266 ESSER I	-	-	-	-	-	-	-
276 Instructional Continuity	-	-	-	-	-	-	-
281 Esser II	-	-	-	-	-	-	-
282 Esser III	-	-	-	498,225	-	-	498,225
289 Title IV	13,510	20,127	29,160	20,666	-	-	83,463
<b>Federal Funds</b>	<b>774,355</b>	<b>572,006</b>	<b>476,435</b>	<b>970,006</b>	-	-	<b>2,792,803</b>
<b>61-- Payroll Costs</b>	<b>9,602,559</b>	<b>11,337,631</b>	<b>12,441,494</b>	<b>11,963,641</b>	-	-	<b>45,345,326</b>
	51.1%	56.7%	55.0%	55.1%			54.6%

# INTERNATIONAL LEADERSHIP OF TEXAS - UNAUDITED

## BALANCE SHEET

Assets	Beginning	Jul-21	Aug-21	Sep-21	Oct-21
<b>Current assets:</b>					
Cash and cash equivalents	\$ 71,469,063	\$ 52,988,110	\$ 46,577,344	\$ 51,933,111	\$ 40,204,272
Cash, bond project fund	6,274,749	6,274,749	6,274,749	6,274,749	6,274,749
Cash, bond maintenance fund	268,137	276,471	284,804	293,137	301,471
Cash, bond debt service funds	19,482,335	19,482,335	19,482,335	19,482,335	19,482,335
Cash, debt service reserve fund	38,761,493	38,761,493	38,761,493	38,761,493	38,761,493
Due from government agencies	36,530,541	37,066,212	37,625,255	38,312,068	40,666,949
Other current assets	-	-	-	-	-
<b>Total current assets</b>	<b>172,786,319</b>	<b>154,849,370</b>	<b>149,005,980</b>	<b>155,056,893</b>	<b>145,691,268</b>
<b>Non-current assets:</b>					
Land	46,346,699	46,346,699	46,346,699	46,346,699	46,346,699
Buildings	439,127,983	439,127,983	441,835,394	441,860,201	441,860,201
Furniture and equipment	8,427,557	8,427,557	9,175,841	9,175,841	9,175,841
Vehicles	4,479,061	4,576,079	4,688,700	4,727,616	4,727,616
Less: Accumulated depreciation	(55,353,785)	(56,814,583)	(58,276,997)	(59,777,686)	(61,279,436)
Construction in Process	34,774,296	33,675,105	37,721,175	42,533,110	43,801,133
<b>Total non-current assets</b>	<b>477,801,810</b>	<b>475,338,840</b>	<b>481,490,811</b>	<b>484,865,781</b>	<b>484,632,054</b>
<b>Total assets</b>	<b>\$ 650,588,129</b>	<b>\$ 630,188,210</b>	<b>\$ 630,496,791</b>	<b>\$ 639,922,674</b>	<b>\$ 630,323,322</b>
<b>Liabilities and Net Assets</b>					
<b>Current Liabilities:</b>					
Accounts payable	14,351,672	6,328,382	7,804,778	5,368,563	5,671,085
Accrued payroll	14,505,092	14,700,401	14,903,732	15,102,228	15,302,316
Accrued interest	10,892,252	10,892,252	10,892,252	10,892,252	10,892,252
Student activity funds	760,730	763,061	822,848	830,232	914,332
Deferred revenue	4,760,491	1,639,140	366,590	366,590	366,590
Lease liabilities, current	118,223	111,671	105,122	98,573	92,024
Bonds, current maturities	8,295,182	8,342,743	8,390,293	8,437,843	8,485,393
<b>Total current liabilities</b>	<b>53,683,641</b>	<b>42,777,651</b>	<b>43,285,616</b>	<b>41,096,282</b>	<b>41,723,992</b>
	3.2	3.6	3.4	3.8	3.5
<b>Long-term liabilities:</b>					
Lease liabilities, long-term	39,632	36,322	33,020	29,718	26,416
Notes payable, long-term	10,000,000	-	-	10,000,000	-
Bonds payable, long-term	556,103,015	555,364,189	554,590,790	553,817,392	553,043,993
Bonds payable, reserve and pmt funds	-	-	-	-	-
Bonds payable, net premium (discount)	1,009	(32,467)	(65,944)	(99,421)	(132,898)
Bonds payable, issue costs	(9,431,715)	(9,389,203)	(9,346,691)	(9,304,179)	(9,261,667)
<b>Total long-term liabilities</b>	<b>556,711,941</b>	<b>545,978,841</b>	<b>545,211,175</b>	<b>554,443,509</b>	<b>543,675,844</b>
<b>Total liabilities</b>	<b>85.6% 610,395,583</b>	<b>588,756,492</b>	<b>588,496,791</b>	<b>595,539,791</b>	<b>585,399,836</b>
<b>Net assts (deficit):</b>					
Beginning balance	16,829,679	40,191,630	40,191,630	40,191,630	40,191,630
Current year change in net assets	23,362,866	1,240,088	1,808,369	4,191,253	4,731,856
<b>Total net assets</b>	<b>40,192,546</b>	<b>41,431,718</b>	<b>42,000,000</b>	<b>44,382,883</b>	<b>44,923,486</b>
<b>Total liabilities and net assets</b>	<b>\$ 650,588,129</b>	<b>\$ 630,188,210</b>	<b>\$ 630,496,791</b>	<b>\$ 639,922,674</b>	<b>\$ 630,323,322</b>

## Cover Sheet

### CONSIDER/ACT TO ADOPT RESOLUTION APPROVING REMOTE INSTRUCTION

**Section:** VIII. Board Items for Discussion/Action  
**Item:** B. CONSIDER/ACT TO ADOPT RESOLUTION APPROVING  
REMOTE INSTRUCTION  
**Purpose:** Vote  
**Submitted by:**  
**Related Material:**  
Resolution re Remote Instruction.docx  
Exhibit\_1--Copy\_of\_Remote\_Learning\_Program\_Proposal.docx

## Remote Learning Program Proposal

Senate Bill 15 (SB 15) was sent to the governor to be signed into law on September 1, 2021. Upon the governor's signature of the bill, International Leadership of Texas may receive full ADA funding for students who attend local remote learning programs at any point during the 2021-22 school year if that remote instruction meets the requirements set by SB 15.

Under SB 15, International Leadership of Texas proposes local remote learning delivered via a combination of synchronous instruction, and asynchronous instruction, for grades K-8th. The number of students receiving remote instruction will not exceed 10% of all enrolled students.

**Remote Synchronous Instruction** – Two-way, real-time/live, virtual instruction between teachers and students when students are not on campus. In this method, the student has a set schedule which mirrors the on campus regular schedule. Students are part of a class taught by a teacher through the ZOOM platform. Attendance measurement frequency is daily and occurs at 9.30am every day the campus is open.

**Remote Asynchronous Instruction** – Instruction that does not require having the instructor and student engaged at the same time. In this method, students learn from instruction that is not necessarily being delivered in-person or in real time. Teachers are available to support students during set class periods in the school day. Instructional material is available through various forms of digital and online learning, such as prerecorded video lessons or digital based learning tasks that students complete on their own. Also pre-assigned work and formative assessments are made available to students. Attendance measurement frequency is daily and may occur from 12:00 am to 11:59 pm every day the campus is open. Each student will be offered an equivalent of four hours (240 instructional minutes) of daily instruction through Asynchronous remote Instruction.

Under SB 15, International Leadership of Texas may:

- Establish additional academic criteria for students to be eligible to participate in local remote learning program
- Remove a student from local remote learning due to unsatisfactory academic or attendance performance, provided that each student and parent has sufficient notice and opportunity to provide input before a student is removed from remote courses.
- Administer assessments to students enrolled in local remote learning in the same manner as students learning on campus to assess progress.
- Provide students enrolled in remote learning the ability to participate in any extracurricular activity sponsored or sanctioned by International Leadership of Texas

Teachers will be selected from existing campuses Teachers will not deliver instruction concurrently; concurrent instruction is instruction delivered to both on-campus and remote learners during the same class period, at the same time.

**INTERNATIONAL LEADERSHIP OF TEXAS, INC., BOARD RESOLUTION**  
**OF DECEMBER 2021**  
**AUTHORIZATION TO REQUEST AND IMPLEMENT REMOTE LEARNING AS**  
**AUTHORIZED BY SB15**

**WHEREAS,** The Board of Directors of International Leadership of Texas, Inc., has authorized previous methods of providing remote or virtual instruction;

**WHEREAS,** the Texas Legislature passed and Governor Abbott signed SB 15, which authorizes Open Enrollment Charters (and other school systems) to offer Remote Instruction under specific circumstances;

**WHEREAS,** The Board of Directors desires for ILTexas to offer such Remote Instruction; and,

**WHEREAS,** The Board of Directors believes offering such Remote Instruction will benefit the public and enhance ILTexas' delivery of educational opportunities;

**NOW THEREFORE, BE IT RESOLVED,** that the Board of Directors of ILTexas, at a lawfully called meeting of the Board, held in compliance with the Texas Open Meetings Act, formally declares that:

1. ILTexas should institute Remote Instruction consistent with the provisions set out in Exhibit 1, hereto; and,
2. The Board of Directors of ILTexas authorizes the Superintendent/CEO to request and/or apply for any amendments or waivers necessary to implement and effectuate Remote Instruction pursuant to this Resolution.

**PASSED AN APPROVED BY THE MAJORITY OF MEMBERS OF THE BOARD OF DIRECTORS OF ILTEXAS ON THIS 1<sup>ST</sup> DAY OF DECEMBER, 2021.**