

Update 123 Local Policy Overview

Introduction

Hello, and welcome to an overview of the local policy recommendations included in Update 123, presented by TASB Policy Service.

Update 123 covers recommended local policy revisions to address several remaining laws from the 88th Legislative Session. Other revisions included in this update are in response to changes to the Administrative Code. As mentioned in the Update 122 overview, some of the new laws required the Texas Education Agency (TEA) or other state agencies to develop rules or guidelines to implement the new laws. Some of those newly developed rules and guidelines impact local policy.

While not covered in this overview, many of the legal policies included in this update were also affected by legislative changes and amendments to state rules that are now in effect. For information regarding those legal changes, review the explanatory notes included with your district's Update 123 materials, located in the [Local Manual Updates](#) section of Policy Online®.¹

TASB Numbered Update Reminders

You should always review your district's customized update materials, available in the [Local Manual Updates](#) section of Policy Online, for specific policy recommendations. Please remember that legal policies provide the legal framework for key areas of district operations; they are not adopted by the board.

After the board acts on the local policies in Update 123, don't forget to log in to Policy Online and go to [Local Manual Updates](#) to notify us of the board's action. Policy Online makes it easy to keep track of updates and notify us when the board takes action on policies in an update.

BBD: Board Members, Training and Orientation

The revision to BBD(LOCAL) was prompted by [House Bill 3033](#),² which authorizes the attorney general to require trustees to complete Public Information Act (PIA) training if the attorney general finds the district violated the Act. Your current policy language delegates the responsibility for PIA training on behalf of newly elected or appointed board members to the public information coordinator. The new language clarifies that PIA training imposed specifically by the attorney general cannot be delegated and must be completed by the individual board members.

BBFA: Board Members, Conflict of Interest Disclosure

While state law establishes specific conflict disclosure requirements for board members, the recommended language in BBFA(LOCAL) would address the ethical duty of a board member to disclose a financial or other personal interest in a board transaction or decision beyond the statutory requirements. The new text recommended in this policy demonstrates a commitment to avoid undue influence, increase transparency, and avoid the appearance of impropriety in public dealings.

CCGB: Ad Valorem Taxes, Economic Development

Policy CCGB(LOCAL) is only included in the update for those districts that currently have a policy and also have existing Chapter 313 agreements with entities that provide limitations on appraised value. On December 31, 2022, Chapter 313 of the Tax Code, which is also known as the Texas Economic Development Act, expired. Agreements in place before the expiration of that law can continue in effect. Since new applications for limitation of appraised value are no longer permitted, the provisions relating to the application process are recommended for removal from the policy.

CKC: Safety Program/Risk Management, Emergency Plans

On September 7, 2023, TEA released model standards to assist districts in developing procedures to notify parents of violent activity that has occurred or is being investigated at a campus or other district facility or at a school-sponsored activity. New provisions in CKC(LOCAL) direct the superintendent to develop procedures that provide for these notifications.

Also, for districts that previously had text at CKC(LOCAL) providing for the board to authorize employees or board members to possess firearms on campus, that text has been moved to the appropriate code in the CKE series.

CKE series: Security Personnel

[House Bill 3](#),³ passed during the 88th Legislative Session, required school districts to provide for adequate security of its campuses. Since that legislation was enacted, many districts formed their own police departments, entered into agreements with local law enforcement for additional school resource officers, authorized district employees or board members to possess firearms in the capacity of a guardian or a marshal, or contracted with security personnel. The CKE policy series includes CKE, which addresses security personnel in general and instances where a district has more than one type of security arrangement.

Policy CKEA deals with district-commissioned peace officers; CKEB contains information regarding school marshals; CKEC covers school resource officers; and CKED includes information about other security arrangements, including contracted security. Policy CKED also addresses employees or board members authorized to carry firearms on district property, who are commonly referred to as guardians.

The revisions to the policies in the CKE series are recommended to provide additional guidance on the topics of nonschool employment of district police officers, authorization of school marshals, the responsibilities of marshals and guardians, and revocation of authority for school marshals. Closely review your district's update packet, including the explanatory notes. They will provide information on changes to any CKE series policies included in your district's manual.

CQC: Technology Resources, Equipment

TEA consulted with the Texas Health and Human Services Commission (HHSC) to develop model health and safety guidelines for the effective integration of digital devices in schools. The law requires the board to adopt a policy for the effective integration of digital devices in the district. In adopting CQC(LOCAL), the board could incorporate the guidelines prepared by TEA and the HHSC. The provision in this new policy states that the board adopts the model guidelines and directs the superintendent to develop regulations to implement these guidelines.

DCE: Employment Practices, Other Types of Contracts

The recommendations in DCE(LOCAL) are intended to clarify that a non-Chapter 21 contract employee can request a hearing with the board when their contract is terminated during the contract term.

DGBA: Employee Complaints/Grievances

FNG: Student & Parent Complaints/Grievances

GF: Public Complaints

With the current structure of the CKE series and a planned restructuring of the DIA and FFH series on discrimination and harassment, it is necessary to adjust cross-references in the complaint policies, DGBA(LOCAL), FNG(LOCAL), and GF(LOCAL) to reflect the series instead of a specific code.

EEH: Instruction Arrangements, Homebound Instruction

Amendments to the *Student Attendance Accounting Handbook* prompted revisions to policy EEH(LOCAL). A student may now receive homebound services for psychological conditions as well as medical conditions. The policy has been updated to reflect this change. The *Student Attendance Accounting Handbook* also indicates that the weeks of confinement due to a medical or psychological condition do not need to be consecutive to qualify for homebound instruction. The policy has been revised to remove this consecutive weeks requirement.

EF series: Instruction Resources

[House Bill 900](#)⁴ from the 88th Legislative Session amended state law to require the Texas State Library and Archives Commission (TSLAC), with initial approval by the State Board of Education, to adopt standards for school library collection development for Texas public schools. The standards require a local policy, which is coded at EFB(LOCAL). In response to a Policy Alert emailed to districts on February 14, many districts adopted the recommended EFB(LOCAL) prior to Update 123. For all other districts, the recommended EFB(LOCAL) has been included in the update. The new policy includes provisions to comply with the standards from the State Board rules.

In EFA(LOCAL), the recommended revision makes selection of items from the list adopted by the State Board of Education optional instead of mandatory based on current law. The list of individuals who can submit a request for reconsideration of instructional materials has been revised to align with the list provided in the new EFB(LOCAL).

The majority of districts currently have policy EF(LOCAL), which covers both instructional materials and library materials. If this applies to your district, you will find when reviewing your update packet that EF(LOCAL) is recommended for deletion and a new EFA(LOCAL) addressing instructional materials has been added along with the EFB(LOCAL) addressing library materials. If your district had already split EF(LOCAL) into EFA and EFB, your board will only need to consider revisions to those codes.

Thank You!

That covers the local policies in Update 123. We hope you find this overview helpful. Should you have any questions or want further clarification, please contact your [assigned policy consultant](#),⁵ and don't forget to notify us of board action on this update using [Policy Online](#).

¹ Policy Online Local Manual Updates (TASB login required):

<https://pol.tasb.org/Member/LocalManualUpdates>

² House Bill 3033: <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB03033F.pdf>

³ House Bill 3: <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB00003F.pdf>

⁴ House Bill 900: <https://capitol.texas.gov/tlodocs/88R/billtext/pdf/HB00900F.pdf>

⁵ Policy consultant contact information (TASB login required):

<https://pol.tasb.org/Member/PolicyConsultant/Details>