

AGENDA ITEM
BOARD OF TRUSTEES
AGENDA

<input type="checkbox"/> Workshop	<input type="checkbox"/> Regular	<input checked="" type="checkbox"/> Special
-----------------------------------	----------------------------------	---

- (A) Report Only Recognition

Presenter(s):

Briefly describe the subject of the report or recognition presentation.

- (B) Action Item

GILBERTO GONZALEZ, SUPERINTENDENT

Presenter(s): JESUS ARTURO COSTILLA, EXEC. DIRECTOR OF HUMAN RESOURCES

Briefly describe the action required.

CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE POLICY UPDATE 107 AS RECEIVED FROM THE TEXAS ASSOCIATION OF SCHOOL BOARDS (TASB).

- (C) Funding source: Identify the source of funds if any are required.

- (D) Clarification: Explain any questions or issues that might be raised regarding this item.



Localized Policy Manual Update 107

Eagle Pass ISD

Remember: You can download a PDF of this update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more on my.tasb.org under *Policy Service Resource Library: Local Manual Updates*.

Need help? Please call your policy consultant, Sarah Gutierrez, at 800-580-7529 or e-mail Policy.Service@TASB.org.

Overview

Update 107 contains recommended changes to local policies on topics including:

- Gifts, fundraising, and solicitations;
- Expense reimbursement; and
- Compulsory attendance.

Revisions to legal policies incorporate various administrative rules and additional provisions from the Every Student Succeeds Act (ESSA).

Your Localized Update 107 packet also contains:

- **Explanatory Notes** describing the changes to each policy. Please note that, where appropriate, the Explanatory Notes ask you to verify that a particular policy reflects current district practice and to advise us of any changes needed so that our records and the district's policy manual accurately track the district's practice. Explanatory notes may also provide important information about policies not included in the update packet.
- **Vantage Points—A Board Member's Guide to Update 107**, which provides local officials a highly summarized first glance at the update. Please distribute the enclosed copies of *Vantage Points* to your board members with the review copies of the update.
- **Instructions** for incorporating this update into each of the district's Localized Policy Manuals after board adoption. Use the enclosed Instruction Sheet as a guide to which policies should be added, replaced, and removed from your manual.

(LEGAL) vs. (LOCAL) Policies: Remember the Difference

(LEGAL) policies:

- Reflect the ever-changing legal context for governance and management of the district
- Should inform local decision making
- Should NOT be adopted, but only reviewed

(LOCAL) policies:

- Require close attention by both the administration and the board
- Must reflect the practices of the district and the intentions of the board
- May only be changed by board action (adopt, revise, or repeal)

If your board adopts changes to the (LOCAL) policies contained in this packet, please notify your policy consultant.

How to Place Policy Changes on the Agenda for Board Action

Board action on Localized Update 107 must occur within a properly posted, open meeting of the board.

- Update 107 may be addressed on the agenda posting as “Policy Update 107, affecting (LOCAL) policies (see attached list of codes).”
- You may use the “Agenda Posting (LOCAL) Policy List” provided online in *Local Manual Updates* and attach that list to the posting, or you may compile a list of (LOCAL) policy codes, titles, and subtitles from the material provided below.
- **BoardBook** compilers should use “Policy Update 107, affecting (LOCAL) policies” as the agenda item and, as agenda sub-items, the policy code, title, and subtitle of each of the (LOCAL) policies affected by the update.
- Here is a suggested motion for board action on Localized Update 107:
“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 107 [with the following changes:]”

How to Notify Policy Service of Board Action

Notify Policy Service of the board's action on Update 107 using the Update 107 Adoption Notification Form, enclosed, so Policy Service records remain accurate.

How to Keep Minutes

The board's action on Localized Update 107 must be reflected in board minutes. Your minutes should include:

- The list of proposed (LOCAL) policy actions, such as the Instruction Sheet—annotated to reflect any changes made by the board
- The Explanatory Notes for the update (filed as an attachment to the minutes)
- Copies of new, replaced, or rescinded (LOCAL) policies

How to Maintain Your Historical Record

To construct a separate historical record of the manual, you must track the history of individual (LOCAL) policies. You should maintain a permanent historical record of every (LOCAL) policy adopted, revised, or rescinded by the board.

At a minimum, this record should include the following key pieces of information:

- Policy code
- Date of board action
- Text of policy

For more guidance on maintaining this record, please refer to:

- *The Administrator's Guide to Policy Management*
(<https://www.tasb.org/Services/Policy-Service/myTASB/Guidance-for-Policy-Administrators.aspx>)
- Tutorial videos on handling an update (<https://www.tasb.org/Services/Policy-Service/myTASB/Tutorials.aspx>)

These guides are available in the myTASB *Policy Service Resource Library*.

How to Keep Your Administrative Regulations Current

Inspect your administrative procedures and documents—including EXHIBITS, REGULATIONS, handbooks, and guides—that may be affected by Update 107 policy changes.

If you must make changes to the REGULATIONS or EXHIBITS contained in your board policy manual, please notify your policy consultant.

Disclaimer and Copyright

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

Entire localized update packet © 2017 Texas Association of School Boards, Inc. All rights reserved.

Vantage Points

A Board Member's Guide to Update 107

Please note: *Vantage Points* is an executive summary, prepared specifically for board members, of the TASB Localized Update. The topic-by-topic outline and the brief descriptions focus attention on key issues to assist local officials in understanding changes found in the policies. The description of policy changes in *Vantage Points* is highly summarized and should not substitute for careful attention to the more detailed, district-specific Explanatory Notes and the policies within the localized update packet.

We welcome your comments or suggestions for improving *Vantage Points*. Please write to us at TASB Policy Service, P.O. Box 400, Austin, TX 78767-0400, e-mail us at policy.service@tasb.org, or call us at 800-580-7529 or 512-467-0222.

For more information about Policy Service, visit our website at <http://policy.tasb.org>.

This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.



Update 107 contains recommended changes to local policies on topics including gifts and fundraising, employee and contractor misconduct, employee suspension and expense reimbursement, and student compulsory attendance and wellness policies. Revisions to legal policies incorporate various administrative rules and additional provisions from the Every Student Succeeds Act (ESSA).

**Gifts,
Fundraising, and
Solicitations**

Policies CDC (Gifts and Solicitations) and FJ (Student Fundraising) have been renamed to better reflect the topics addressed in those codes.

CDC(LOCAL) AND FJ(LOCAL) POLICY CONSIDERATIONS

CDC(LOCAL) addresses unsolicited gifts and donations as well as gifts and donations solicited by the district or its employees. For most districts, the policy indicates that authority is delegated to the superintendent to accept gifts and donations, except when the potential gift is real property or when the donor has made a gift conditional on a specific use by the district.

For solicited gifts, such as online fundraising campaigns or platforms, an employee must receive approval before using the name or image of the district, a campus, or any student, and must comply with any district administrative regulations.

FJ(LOCAL) addresses student fundraising, and significant revisions are recommended to simplify the policy. It is recommended that details of fundraising plans, approval of activities, and any required reports be addressed in administrative regulations.

GE(LOCAL) POLICY CONSIDERATIONS

Revisions are also recommended at GE(LOCAL) to clarify when and under what conditions district-affiliated school support or booster organizations, and other parent groups, can solicit donations or fundraise on behalf of the district.

Personnel Issues

**Paraprofessional
Qualifications**

ESSA requires a state's standards for paraprofessionals working in programs supported with Title I funds to include the qualifications that were in place on the day before ESSA was enacted (December 10, 2015). For reference purposes, DBA(LEGAL) has been updated to include those standards that were effective before December 10, 2015.

Employee and Contractor Misconduct

ESSA requires districts that receive Title I funds to have regulations or policies that prohibit assisting a school employee, contractor, or agent in obtaining a new job if there is knowledge or probable cause to believe that the individual engaged in sexual misconduct with a minor or student. CJ(LEGAL) and DC(LEGAL) have been updated with these statutory requirements.

CJ(LOCAL) AND DC(LOCAL) POLICY CONSIDERATIONS

To satisfy the policy requirement of this ESSA provision, local policy language is recommended for inclusion in your manual at CJ(LOCAL), regarding contractors and agents, and at DC(LOCAL), regarding employees.

The State Board for Educator Certification also addressed this ESSA requirement in recent amendments to the Educators' Code of Ethics. See DH(EXHIBIT).

Suspension/ Termination

DFAA, DFBA, AND DFCA(LOCAL) POLICY CONSIDERATIONS

Revisions for clarity are recommended to the local policies addressing the authority to place a probationary or term contract employee on administrative leave, sometimes referred to as suspension with pay. A new local policy addressing the authority to place continuing contract employees on administrative leave is recommended for those districts that still have employees on continuing contracts.

Expense Reimbursement

DEE(LOCAL) POLICY CONSIDERATIONS

Several changes are recommended at policy DEE(LOCAL) on employee expense reimbursement. In addition to recommended changes for clarity and policy style, two provisions are also recommended for deletion, as these are either already covered by law or are not required for all types of reimbursements.

Instruction

Legally referenced policies have been updated to reflect:

- Current State Board of Education rules on instructional materials [see EFAA(LEGAL) and CMD(LEGAL)],
- Administrative Code rules regarding how state funding is generated for off-campus programs [see EHDD(LEGAL) and FEB(LEGAL)], and

- Recent Administrative Code amendments related to endorsements under the foundation program [see EIF(LEGAL)].

Student Issues

Homeschool and Compulsory Attendance

FEA(LOCAL) POLICY CONSIDERATIONS

Recent guidance from TEA prompted recommended revisions at FEA(LOCAL) to align with the documentation requirements for a student who is homeschooled or is thought to be homeschooled.

Student Wellness

Current Administrative Code rules prompted changes to both FFAA(LEGAL), on physical examinations, and FFAB(LEGAL), on required immunizations. Final federal rules on district wellness policies under the Healthy, Hunger-Free Kids Act have been added at FFA(LEGAL).

FFA(LOCAL) POLICY CONSIDERATIONS

Note that some districts' Update materials will contain recommended revisions for FFA(LOCAL) to accommodate recently adopted federal regulations related to the required student wellness policies. If this policy is not included in a district's Update materials, we encourage you to contact your policy consultant to determine whether revisions are necessary to your local student wellness policy.

Exhibits

Please note: In this update, most districts will see recommendations to delete several exhibits from the policy manual. In our ongoing effort to provide districts more flexibility for customizing and formatting forms, we are recommending that many current exhibits containing forms be deleted from the local policy manual in favor of the district modifying them and housing them with the district's other administrative materials. The forms recommended for deletion in Update 107 will be available in the *TASB Regulations Resource Manual* when Update 53 to that publication is released in March.