

(LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

TRANSPORTATION MANAGEMENT
DISTRICT VEHICLES

CNB
(LOCAL)

NO NONSCHOOL USE	The District shall not permit use of District vehicles for non-school purposes.
EMERGENCY USE EXCEPTION OF SCHOOL BUSES	In case of emergencies or disasters, the Superintendent or designee may authorize the use of District vehicles by civil defense, health, or emergency service authorities.
SCHOOL-RELATED USE	The Superintendent or designee shall develop administrative regulations for requesting, scheduling, and using District vehic-
EXTRACURRICULAR ACTIVITIES AND FIELD TRIPS	lesschool buses for extracurricular activities, and field trips, and other school-related purposes. The regulations shall address any necessary charges to student groups for such uses, in accordance with applicable state rules.
[SEE GKD REGARDING NONSC HOOL USE	The District shall not permit nonschool use of District school facili- ties] buses.

The Superintendent or designee shall implement, monitor, and evaluate electronic media resources for instructional and administrative purposes.

AVAILABILITY OF
ACCESS

**LIMITED PERSONAL
USE**

Access to the District's electronic communications system, including the Internet, shall be made available to students and employees **primarily for instructional and administrative purposes and** in accordance with administrative regulations. **Limited personal use of the system shall be permitted if the use:**

- 1. Imposes no tangible cost on the District;**
- 2. Does not unduly burden the District's computer or network resources; and**
- 3. Has no adverse effect on an employee's job performance or on a student's academic performance.**

**USE BY MEMBERS
OF THE PUBLIC**

Access to the District's electronic communications system, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall be permitted so long as the use:

- 1. Imposes no tangible cost on the District; and**
- 2. Does not unduly burden the District's computer or network resources.**

ACCEPTABLE USE

The Superintendent or designee shall develop and implement administrative regulations, guidelines, and user agreements consistent with the purposes and mission of the District and with law and policy.

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to **allow monitoring of their use and to** comply with such regulations and guidelines. Noncompliance ~~with applicable regulations~~ may result in suspension **of access** or termination of privileges and other disciplinary action consistent with District policies. [See DH, FN series, FO series, and the Student Code of Conduct] Violations of law may result in criminal prosecution as well as disciplinary action by the District.

ACCEPTABLE USE
INTERNET SAFETY

The Superintendent or designee shall develop and implement **an Internet safety plan to:**

- 1. Control students' access to inappropriate materials, as well as to materials that are harmful to minors;**

2. **Ensure student safety**~~administrative regulations, guidelines,~~ and **security when using electronic communications;**
3. **Prevent unauthorized access, including hacking**~~user agreements, consistent with the purposes~~ and **other unlawful activities;**
4. **Restrict unauthorized disclosure, use, and dissemination**~~mission~~ of personally identifiable information regarding students; and
5. **Educate students about cyberbullying awareness and response and about appropriate online behavior, including interacting with other individuals on social networking Web sites and in chat rooms.**

FILTERING

Each ~~the~~ District computer ~~and~~ with Internet access shall have a filtering device or software that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors, as defined by the federal Children's Internet Protection Act and as determined by the Superintendent or designee.~~law and policy governing copyright.~~
[See EFE]

The Superintendent or designee shall enforce the use of such filtering devices. Upon approval from the Superintendent or designee, an administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose.

MONITORED USE

Electronic mail transmissions and other use of the electronic communications system by students and employees shall not be considered **private**. **Designated District staff shall be authorized to monitor such communication at any time to ensure appropriate use**~~confidential and may be monitored at any time by designated District staff.~~

**INTELLECTUAL
PROPERTY RIGHTS**

Students shall retain all rights to work they create using the District's electronic communications system.

As agents of the District, employees shall have limited rights to work they create using the District's electronic communications system. The District shall retain the right to use any product created in the scope of a person's employment even when the author is no longer an employee of the District.

**DISCLAIMER OF
LIABILITY**

The District shall not be liable for users' inappropriate use of electronic communication resources or violations of copyright restrictions **or other laws**, users' mistakes or negligence, ~~and~~ ~~or~~ costs incurred by users. The District shall not be responsible for ensur-

ing the accuracy, **age appropriateness**, or usability of any information found on the Internet.

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

DBB
(LOCAL)

TUBERCULOSIS
CERTIFICATE

All employees, volunteers, or students from an institution of higher learning requesting access to the District for student teaching, observing, or internships, including student nurses, dental hygiene students, and the like, who have immigrated to the United States from Asia, Mexico, Central America, South America, Eastern Europe, Africa, or any other country where tuberculosis is considered endemic shall be required to submit a certificate or statement of examination for tuberculosis. The certificate or statement shall be signed by a physician licensed to practice medicine in the state of Texas and shall provide documentation that the individual is either free from tuberculosis or under appropriate treatment for tuberculosis and is not considered to be contagious.

CLOSING DATE

The closing date for filing of individual certificates or statements with the Board shall be the date on which the individual is to commence duties at the school; those duties shall not commence until the certificate or statement has actually been received by the Board or its authorized representatives.

An original or true and correct copy of a certificate or statement shall be honored by the Board on transfer of an employee or a volunteer from another district, provided that the certificate or statement is complete and valid, and further provided that not more than 120 days shall have elapsed since employment in a Texas public school.

EXAMINATIONS
DURING
EMPLOYMENT

~~The A medical examination may be required of any employee when, in the judgment of the immediate supervisor after consultation with the Superintendent or designee~~ **may require an employee to undergo a medical examination if information received from the employee, the employee's supervisor, or other sources indicates the employee has a physical or mental impairment that:**

- ~~1. Interferescondition interferes~~ with the **employee's** ability to perform **essential** ~~job-related~~ functions; or
- ~~2. Posesmay pose~~ a direct threat to the health or safety of the employee or others. **A communicable or other infectious disease may constitute a direct threat.**

The District may designate the physician to perform the examination. ~~If the District designates the physician, the District and, in that case,~~ shall pay the cost of the examination. ~~The District may placeIf in the Superintendent's discretion the circumstances so require,~~ the employee ~~may be placed on~~ **paid** administrative leave ~~while awaiting results of~~ **with pay, pending** the ~~examination physician's report and evaluating the results~~ **District's decision.**

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
MEDICAL EXAMINATIONS AND COMMUNICABLE DISEASES

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BASED ON THE RESULTS OF THE EXAMINATION HEALTH OR SAFETY CONSIDERATIONS

~~If it is determined that the employee poses a direct threat to health or safety within the District or that the employee's ability to perform job-related functions is affected,~~ the Superintendent or designee shall determine **whether** ~~under what circumstances the employee might continue to perform job-related functions without posing a direct threat to self or others.~~

EXCLUSION

If the employee **has an impairment. If so** ~~cannot perform job-related functions without posing a threat to health or safety,~~ the Superintendent or designee **shall determine whether the impairment interferes with the employee's ability to perform essential job functions or poses a direct threat. If not,** ~~may exclude~~ the employee **shall be returned to his or her job position** ~~from work. However, before being excluded from work, the employee shall be permitted to present evidence to the Superintendent or designee relevant to his or her fitness to continue regular duties.~~

If the impairment does interfere with the employee's ability to perform essential job functions or poses a direct threat, the Superintendent or designee shall determine whether the employee has a disability and, if so, whether the disability requires reasonable accommodation, including the use of available leave. The granting of additional unpaid leave may be a reasonable accommodation in some circumstances. If the employee does not have a disability, the Superintendent or designee shall evaluate the employee's eligibility for leave. [See DEC(LOCAL)]

[See DAA for information on disabilities and reasonable accommodation.]

USE OF LEAVE

~~Employees who are excluded from work because of a communicable disease or other medical condition may use any accrued paid leave to which they are entitled or request temporary disability leave, as appropriate. [See DEC]~~

PLACEMENT ON TEMPORARY DISABILITY

AT EMPLOYEE'S REQUEST

The Superintendent **or designee** shall have authority to place an employee on temporary disability leave **at the employee's request**, as appropriate, when ~~in the judgment of the Superintendent in consultation with the physician who has performed the medical exam,~~ the employee's condition interferes with the performance of regular duties.

BY BOARD AUTHORITY

Based on the Superintendent's recommendation that an employee be involuntarily placed on temporary disability leave, the Board shall place an employee on temporary disability

EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
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leave if the Board determines, in consultation with the physician who performed the medical examination, that the educator's condition interferes with the performance of regular duties.

~~-[See DEC(LEGAL)]~~

OTHER
REQUIREMENTS

Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees. Food service workers shall comply with health requirements established by city, county, and state health authorities. Bus drivers shall comply with legal requirements. [See DBA]

~~Employees with communicable diseases shall follow recommendations of public health officials regarding contact with students and other employees.~~

TERMINATION OF
EMPLOYMENT

~~Employees who are excluded from work because of a communicable disease may have their employment terminated when all leave to which they are entitled has expired, in accordance with appropriate policies. [See DEC and DF series]~~

STUDENT RECORDS

FL
(LOCAL)

COMPREHENSIVE
SYSTEM

The Superintendent or designee shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation **and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy.** These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school **officials.**
~~personnel.~~

CUMULATIVE RECORD

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for nonenrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent. [See GBA]

CUSTODIAN OF
RECORDS

The principal is custodian of all records for currently enrolled students. The Superintendent is the custodian of records for students who have withdrawn or graduated. The student handbook made available to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

TYPES ~~AND~~
~~LOCATIONS~~ OF
EDUCATION RECORDS

The record custodian shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. All documentation regarding a student's testing history and any accelerated instruction he or she has received, including any documentation of discussion or action by a grade placement committee convened for the student.
5. Health services record, including:
 - a. The results of any tuberculin tests required by the District.
 - b. The findings of screening or health appraisal programs the District conducts or provides. [See FFAA]

- c. Immunization records. [See FFAB]
6. Attendance records.
7. Student questionnaires.
8. Records of teacher, counselor, or administrative conferences with the student or pertaining to the student.
9. Verified reports of serious or recurrent behavior patterns.
10. Copies of correspondence with parents and others concerned with the student.
11. Records transferred from other districts in which the student was enrolled.
12. Records pertaining to participation in extracurricular activities.
13. Information relating to student participation in special programs.
14. Records of fees assessed and paid.
- 15. Records pertaining to student and parent complaints.**
- ~~15-16.~~ Other records that may contribute to an understanding of the student.

ACCESS BY PARENTS
REQUEST
PROCEDURES

The ~~District cumulative record~~ shall **make a student's records be made** available to the **student's parents, as permitted by law.** **The records custodian or designee shall use reasonable procedures to verify the requestor's identity before disclosing student records containing personally identifiable information.**

~~parent.~~ Records may be reviewed **in person** during regular school hours **without charge** upon written request to the ~~records record~~ custodian. **For in-person viewing, the records** ~~The record~~ custodian or designee shall be **available present** to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and ~~the records~~ **to be viewed** shall be restricted to use only in the Superintendent's, principal's, or counselor's office, or other restricted area designated by the ~~records record~~ custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Copies of records are available at a per copy cost, payable in advance. Copies of records must be requested in writing. Parents may be denied copies of records if they fail to follow proper procedures or pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are

**A PARENT MAY
CONTINUE TO HAVE
ACCESS TO HIS OR
HER CHILD'S
RECORDS UNDER
ACCESS BY SCHOOL
OFFICIALS
AFTER THE
STUDENT STUDENT
RIGHTS**

unable to view the records during regular school hours, upon written request of a parent, one copy of the record shall be provided at no charge.

~~Whenever a student~~ has attained 18 years of age or is attending an institution of postsecondary education. **[See FL(LEGAL)]**, ~~the rights accorded to, and consent required of, parents transfer from the parents to the student.~~

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records.

For the purposes of this policy, "school officials" shall **include**:

- 1. An employee, trustee** ~~mean any employees, trustees,~~ or **agent** ~~agents~~ of the District, **including an attorney, a consultant, a contractor, a volunteer, and any outside service provider used by the District to perform institutional services.**
- 2. An employee** of **a cooperative** ~~cooperatives~~ of which the District is a member; or of **a facility** ~~facilities~~ with which the District contracts for placement of students with disabilities.
- 3. A contractor** ~~The term also includes attorneys; consultants; independent contractors who are~~ retained by **a cooperative** ~~the District, by cooperatives~~ of which the District is a member; or by **a facility** ~~facilities~~ with which the District contracts for placement of students with disabilities.
- 4. A parent;** ~~and parents~~ or **student** ~~students~~ serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has ~~School officials have~~ a "legitimate educational interest" in a student's records when **he or she is**:

- 1. Working** ~~they are working~~ with the student;
- 2. Considering** ~~considering~~ disciplinary or academic actions, the student's case, or an individualized education program for a student with disabilities; ~~compiling statistical data; reviewing an education record to fulfill the official's professional responsibility; or investigating or evaluating programs.~~

3. **Compiling statistical data;**
4. **Reviewing an education record to fulfill the official's professional responsibility; or**
5. **Investigating or evaluating programs.**

~~ACCESS BY PARENTS~~ ~~Parents may be denied copies of records after the student reaches age 18 and is no longer a dependent for tax purposes, when the student is attending an institution of postsecondary education, or if they fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.~~

~~FEES FOR COPIES~~ ~~Copies of records are available at a per copy cost, payable in advance, as specified in the annual notice to parents of their privacy rights.~~

TRANSCRIPTS AND TRANSFERS OF RECORDS
The District may request transcripts from previously attended schools for students transferring into District schools; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the parent or student, if 18 or older.

For purposes of a student's enrollment or transfer, the ~~The~~ District shall promptly forward **in accordance with the time line provided in law** education records upon request to officials of other schools or school systems in which the student intends to enroll **or enrolls. [See FD(LEGAL), REQUIRED DOCUMENTATION]** ~~The~~ District may return an education record to the school identified as the source of the record.

RECORDS RESPONSIBILITY FOR STUDENTS IN SPECIAL EDUCATION
The Superintendent or designee shall be ~~The official~~ responsible for ensuring the confidentiality of any personally identifiable information in records of students in special education. ~~shall be Dr. Roger Rutherford.~~

A current listing of names and positions of persons who have access to records of students in special education is maintained at 1307 N. Locust Street, Denton, TX.

PROCEDURE TO AMEND RECORDS
Within 15 ~~District business~~ **school** days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten ~~District business~~ **school** days after the request is received.

STUDENT RECORDS

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(LOCAL)

Parents shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and, at their own expense, may be assisted or represented at the hearing.

The parents shall be notified of the decision in writing within ten **District business school** days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 **District business school** days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

DIRECTORY
INFORMATION

The District has designated the following categories of information as directory information: student name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; degrees, honors, and awards received; dates of attendance; grade level; most recent educational institution attended; participation in officially recognized activities and sports; and weight and height of members of athletic teams.

**CHILD ABUSE
INVESTIGATION**

When a representative of the Department of Family and Protective Services or another lawful authority desires to question or interview a student at school as part of a child abuse investigation, the principal shall cooperate fully with the official's requests regarding the conditions of the interview or questioning.

**OTHER QUESTIONING
OF STUDENTS**

~~The following guidelines shall apply when~~ law enforcement officers or other lawful authorities desire to question or interview a student at school **for any purpose other than a child abuse investigation, the following guidelines shall apply:**

1. The principal shall verify and record the identity of the officer or other authority and request an explanation of the need to question or interview the student at school.
2. The principal ordinarily shall make reasonable efforts to notify the student's parents or other person having lawful control of the student. If the interviewer raises what the principal considers to be a valid objection to the notification, parents shall not be notified.
3. The principal or a designee ordinarily shall be present during the questioning or interview. If the interviewer raises what the principal considers to be a valid objection to a third party's presence, the interview shall be conducted without that person's presence.

~~CHILD ABUSE
INVESTIGATION~~

~~When the event is part of child abuse investigations conducted by the Department of Protective and Regulatory Services or other lawful authority, the principal shall cooperate fully with the officers' requests regarding the conditions of the interview or questioning.~~

**STUDENTS TAKEN
INTO CUSTODY**

Before a student at school is arrested or taken into custody by a law enforcement officer or other legally authorized person, the principal shall verify the official's identity. To the best of his or her ability, the principal shall verify the official's authority to take custody of the student [see GRA], and then shall deliver over the student.

The principal shall immediately notify the Superintendent and ordinarily shall notify the parents or other person having lawful control of the student. If the officer or other authorized person raises what the principal considers to be a valid objection to notifying the parents at that time, the principal shall not notify the parents.