



# UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC Second Reading of LOCAL Polices in TASB Update 90

SUBMITTED BY: Gloria S. Rendon OF: Asst. Supt. for Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: \_\_\_\_\_

DATE ASSIGNED FOR BOARD CONSIDERATION: July 20, 2011

## RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve Second Reading of LOCAL Polices in TASB Update 90.

BBD(LOCAL) - BOARD MEMBERS - TRAINING AND ORIENTATION

BBI(LOCAL) - BOARD MEMBERS - TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

CQ(LOCAL) - TECHNOLOGY RESOURCES

CY(LOCAL) - INTELLECTUAL PROPERTY

DMD (LOCAL) – PROFESSIONAL DEVELOPMENT – PROFESSIONAL MEETINGS AND VISITATIONS - **DELETE**

EFE(LOCAL) - INSTRUCTIONAL RESOURCES - COPYRIGHTED MATERIAL - **DELETE**

EI(LOCAL) - ACADEMIC ACHIEVEMENT

FMH(LOCAL) - STUDENT ACTIVITIES – COMMENCEMENT

FNC(LOCAL) - STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT CONDUCT

FNCE(LOCAL) - STUDENT CONDUCT - PERSONAL TELECOMMUNICATIONS/ELECTRONIC DEVICES

## RATIONALE:

## BUDGETARY INFORMATION:

## BOARD POLICY REFERENCE AND COMPLIANCE:

## (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.

United ISD  
240903

BOARD MEMBERS  
TRAINING AND ORIENTATION

BBD  
(LOCAL)

PUBLIC INFORMATION  
COORDINATOR

The ~~director~~Director of ~~communications~~Communications shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012. [See GBAA]

BOARD MEMBERS  
TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

BBJ  
(LOCAL)

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**Note:** For employee and student use of District technology resources, see CQ.

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TECHNOLOGY RESOURCES	For purposes of this policy, "technology resources" means electronic communication systems and electronic equipment.
AVAILABILITY OF ACCESS	Access to the District's technology resources, including the Internet, shall be made available to Board members primarily for official duties and in accordance with administrative regulations.
LIMITED PERSONAL USE	Limited personal use of the District's technology resources shall be permitted if the use: <ol style="list-style-type: none"><li>1. Imposes no tangible cost on the District; and</li><li>2. Does not unduly burden the District's technology resources.</li></ol>
ACCEPTABLE USE	A Board member shall be required to acknowledge receipt and understanding of the user agreement governing use of the District's technology resources and shall agree in writing to allow monitoring of their use. Noncompliance may result in suspension of access or termination of privileges. Violations of law may result in criminal prosecution.
MONITORED USE	Electronic mail transmissions and other use of the District's technology resources by a Board member shall not be considered private. The Superintendent or designee shall be authorized to monitor the District's technology resources at any time to ensure appropriate use.
DISCLAIMER OF LIABILITY	The District shall not be liable for a Board member's inappropriate use of technology resources, violations of copyright restrictions or other laws, mistakes or negligence, and costs incurred. The District shall not be responsible for ensuring the availability of the District's technology resources or the accuracy, appropriateness, or usability of any information found on the Internet.
RECORDS RETENTION	A Board member shall retain electronic records, whether created or maintained using the District's technology resources or using personal technology resources, in accordance with the district's record management program. [See BBE, CPC]

**TECHNOLOGY RESOURCES**~~ELECTRONIC COMMUNICATION AND DATA MANAGEMENT~~

CQ  
(LOCAL)

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**Note:** For Board member use of District technology resources, see BBI. For student use of personal ~~The Superintendent or designee shall implement, monitor, and evaluate~~ electronic devices, see FNCE.

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~~For media resources for instructional and administrative purposes of this policy, "technology resources" means electronic communication systems and electronic equipment.~~

AVAILABILITY OF ACCESS

~~LIMITED PERSONAL USE~~

Access to the District's **technology resources**~~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~~

Limited personal use of the **District's technology resources**~~system~~ shall not be permitted if the use:

1. Imposes a tangible cost on the District;
2. Interferes with or unduly burdens the District's **technology-computer or network** resources;
3. Interferes with or has an adverse effect on an employee's job performance or duties, or on a student's academic performance; or
4. Does not comply with District policies and regulations, including GKA.

USE BY MEMBERS OF THE PUBLIC

Access to the District's **technology resources**~~electronic communications system~~, including the Internet, shall be made available to members of the public, in accordance with administrative regulations. Such use shall not be permitted if the use:

1. Imposes a tangible cost on the District;
2. Interferes with or unduly burdens the District's **technology-computer or network** resources; or
3. Does not comply with District policies and regulations, including GKA.

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 **technology resources**~~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 **District's technology**

**TECHNOLOGY RESOURCES**~~ELECTRONIC COMMUNICATION AND DATA MANAGEMENT~~

CQ

(LOCAL)

~~resources~~system and shall agree in writing to allow monitoring of their use and to comply with such regulations and guidelines. Noncompliance 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.

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 and security when using electronic communications;
3. Prevent unauthorized access, including hacking and other unlawful activities;
4. Restrict unauthorized disclosure, use, and dissemination 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**

~~FILTERING~~

Each District computer with Internet access **and the District's network systems** shall have ~~a~~filtering ~~devices~~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.

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 **District's technology resources**~~electronic communications system~~ by students, ~~and~~employees, **and members of the public** shall not be considered private. Designated District staff shall be authorized to monitor **the District's technology resources**~~such communication~~ at any time to ensure appropriate use.

~~INTELLECTUAL  
PROPERTY RIGHTS~~

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

**TECHNOLOGY RESOURCES**~~ELECTRONIC COMMUNICATION AND DATA MANAGEMENT~~

CQ

(LOCAL)

~~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 **the District's technology**~~electronic communication~~ resources, violations of copyright restrictions or other laws, users' mistakes or negligence, and costs incurred by users. The District shall not be responsible for ensuring the **availability of the District's technology resources or the** accuracy, age appropriateness, or usability of any information found on the Internet.

**RECORD RETENTION**

**A District employee shall retain electronic records, whether created or maintained using the District's technology resources or using personal technology resources, in accordance with the District's record management program. [See CPC]**

**SECURITY BREACH NOTIFICATION**

Upon discovering or receiving notification of a breach of system security, the District shall disclose the breach to affected persons or entities in accordance with the time frames established by law.

The District shall give notice by using one or more of the following methods:

1. Written notice.
2. Electronic mail, if the District has electronic mail addresses for the affected persons.
3. Conspicuous posting on the District's Web site.
4. Publication through broadcast media.

INTELLECTUAL PROPERTY

CY  
(LOCAL)

INTELLECTUAL PROPERTY	All copyrights, trademarks, and other intellectual property rights shall remain with the District at all times.
STUDENTS	A student shall retain all rights to work created as part of instruction or using District technology resources.
EMPLOYEES DISTRICT OWNERSHIP	As an agent of the District, an employee, including a student employee, shall not have rights to work he or she creates on District time or using District technology resources. The District shall own any work or work product created by a District employee in the course and scope of his or her employment, including the right to obtain copyrights.
EMPLOYEE OWNERSHIP	If the employee obtains a patent for such work, the employee shall grant a non-exclusive, non-transferable, perpetual, royalty-free, Districtwide license to the District for use of the patented work. A District employee shall own any work or work product produced on his or her own time, away from his or her job and with personal equipment and materials, including the right to obtain patents or copyrights.
PERMISSION	A District employee may apply to the Superintendent or designee to use District materials and equipment in his or her creative projects, provided the employee agrees either to grant to the District a non-exclusive, non-transferable, perpetual, royalty-free, District-wide license to use the work, or permits the District to be listed as co-author or co-inventor if the District contribution to the work is substantial. District materials do not include student work, all rights to which are retained by the student.
WORKS MADE FOR HIRE	The District may hire an independent contractor for specially commissioned work(s) under a written works-made-for-hire agreement that provides that the District shall own the work product created under the agreement, as permitted by copyright law. Independent contractors shall comply with copyright law in all works commissioned.
RETURN OF INTELLECTUAL PROPERTY	Upon the termination of any person's association with the District, all permission to possess, receive, or modify the District's intellectual property shall also immediately terminate. All such persons shall return to the District all intellectual property, including but not limited to any copies, no matter how kept or stored, and whether directly or indirectly possessed by such person.
COPYRIGHT	Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the Superintendent or designee, the District shall require an employee or student to obtain a license or permission from the copyright holder before copying, modifying, displaying, performing, distributing, or otherwise



INTELLECTUAL PROPERTY

CY  
(LOCAL)

employing the copyright holder's work for instructional, curricular, or extracurricular purposes. This policy does not apply to any work sufficiently documented to be in the public domain.

TECHNOLOGY USE

All persons are prohibited from using District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with District technology resources. No person shall use the District's technology resources to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the Superintendent or designee to employ all reasonable measures to prevent the use of District technology resources in violation of the law. All persons using District technology resources in violation of law shall lose user privileges in addition to other sanctions. [See BBI and CQ]

ELECTRONIC MEDIA

Unless a license or permission is obtained, electronic media in the classroom, including motion pictures and other audiovisual works, must be used in the course of face-to-face teaching activities as defined by law.

DESIGNATED  
AGENT

The District shall designate an agent to receive notification of alleged online copyright infringement and shall notify the U.S. Copyright Office of the designated agent's identity. The District shall include on its Web site information on how to contact the District's designated agent and a copy of the District's copyright policy. Upon notification, the District's designated agent shall take all actions necessary to remedy any violation. The District shall provide the designated agent appropriate training and resources necessary to protect the District.

If a content owner reasonably believes that the District's technology resources have been used to infringe upon a copyright, the owner may notify the designated agent.

TRADEMARK

The District protects all District and campus trademarks, including names, logos, mascots, and symbols, from unauthorized use.

SCHOOL-RELATED  
USE

The District grants permission to students, student organizations, parent organizations and other District affiliated school-support or booster organizations to use, without charge, District and campus trademarks to promote a group of students, an activity or event, a campus, or the District, if the use is in furtherance of school-related business or activity. The Superintendent or designee shall determine what constitutes use in furtherance of school-related business or activity and is authorized to revoke permission if the use is improper or does not conform to administrative regulations.

PUBLIC USE

Members of the general public, outside organizations, vendors, commercial manufacturers, wholesalers, and retailers shall not use

District trademarks without the written permission of the Superintendent or designee. Any production of merchandise with District trademarks for sale or distribution must be pursuant to a trademark licensing agreement and may be subject to the payment of royalties.

Any individual, organization, or business that uses District trademarks without appropriate authorization shall be subject to legal action.

PROFESSIONAL DEVELOPMENT  
PROFESSIONAL MEETINGS AND VISITATIONS

Delete

DMD  
(LOCAL)

MEETINGS,  
CONFERENCES, AND  
WORKSHOPS

Professional personnel may attend and participate in meetings, conferences, and workshops that will contribute to their professional growth and development. [See also DMA and DMC]

When attendance at such events is recommended or required by the administration, the Board, TEA, or UIL, personnel may attend with the Superintendent's approval. No salary deduction or loss of leave shall occur when attendance is recommended or required.

The Superintendent may grant additional absences to employees for attendance at meetings, conferences, and workshops that are of special interest to the employee.

RELEASE TIME

Requests for release time with pay to attend employee organization meetings, other than any such meetings approved for required staff development purposes, shall be considered on a case-by-case basis. The responsibility for justifying the school-related purpose to be accomplished by attendance shall rest with the employee. Approval shall be given only if the employee is on the program, has some official function, or can obtain specific information related to his or her job description that will assist the District in improving the instructional program.

*recommend  
to delete*

INSTRUCTIONAL RESOURCES  
COPYRIGHTED MATERIAL

EFE  
(LOCAL)

COPYRIGHT  
INFRINGEMENT

All persons are prohibited from using District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with District technology. No person shall use the District's technology to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the Superintendent or designee to employ all reasonable measures to prevent the use of District technology in violation of the law. All persons using District technology in violation of law shall lose user privileges in addition to other sanctions.

The District shall notify the U.S. Copyright Office of the designated agent's identity. The District's Web site shall include information on how to contact the District's designated agent and a copy of the District's copyright policy. Upon notification, the District's designated agent shall take all actions necessary to remedy any violation. The District shall provide the designated agent appropriate training and resources necessary to protect the District.

If a content owner reasonably believes that the District's technology has been used to infringe upon a copyright, the owner may notify the designated agent.

ELECTRONIC MEDIA

To comply with copyright law, electronic media used in the classroom shall be for educational purposes only.

COMPUTER  
SOFTWARE

Unless otherwise provided in the purchase agreement, a purchased computer program shall not be used to make copies. A computer program may be legally copied only if:

1. Making a copy is an essential step in using the program (such as automatic copying into memory when a program is loaded); or
2. The new copy is a backup; backups cannot be used simultaneously with the original and must be erased if the original is resold.

District employees shall not use the same program on more than one computer at a time unless the purchase agreement or written permission from the vendor allows the District to network the program or allows other specified multiple use of the single copy.

ACADEMIC ACHIEVEMENT

EI  
(LOCAL)

**CERTIFICATE**~~CERTIFIC~~  
~~ATES OF~~  
COURSEWORK  
COMPLETION  
**PARTIAL CREDIT**  
**WHEN A CREDIT**  
**AVERAGING**

The District shall not issue a **certificate**~~certificates~~ of coursework completion to a **student**~~students~~ who **fails** ~~fail~~ to meet all state and local requirements for graduation. [See EIF, FMH]

A student **earns a passing grade in only one**~~who fails the first semester of a two-semester course and the combined~~ **but earns a passing grade for in the two semesters is lower than 70, the District shall award the student credit for the second**~~semester high enough that when averaged with the passing grade. The student shall be required to retake only the first semester in which he~~ **grade, the overall average is 70 or she earned the fail-**~~ing grade above, shall earn credit for the entire course.~~

CREDIT  
CREDENTIALING

A student may complete a credentialing contract for languages other than English (LOTE) to receive credit for lower-level courses in LOTE when the student successfully completes the upper-level course in which the student is enrolled. The student shall earn at least a 70 in the advanced LOTE course in order to earn credit for the lower-level LOTE course(s). The unweighted grade earned in the advanced LOTE course shall be the grade recorded on the student's academic achievement record for the lower-level course, and shall be used in calculating the student's grade point average. [See EIC] The student shall adhere to all administrative procedures for credentialing LOTE courses.

CREDIT VALIDATION

A student transferring to a District high school from an accredited school who has successfully completed the second and/or third year of a foreign language course in a sequence of courses, but has no record of completion of the first and/or second course in the sequence, shall be awarded credit. However, no grade shall be posted for the first and/or second course based on the successful completion of the second and/or third course in the sequence.

**WITHDRAWAL OR**  
**LATE ENROLLMENT**  
**A MIGRANT OR**  
**HOMELESS**  
**STUDENT**~~AWARD OF~~  
**CREDIT**

~~Students who enrolls after the first day, through no fault of in-~~  
~~struction or who withdraws early their own, are not enrolled for~~  
~~an entire grading period, semester, or course, shall be provided~~  
opportunities to **achieve mastery of**~~earn credit for~~ the **essential**  
**knowledge and skills to meet**~~semester or course require-~~  
~~ments or a grade for the grading period.~~ Teachers and counselors  
shall **consider the**~~take into consideration each~~ student's particular  
circumstances, ~~including those of a migrant student or homeless~~  
~~student,~~ in determining appropriate opportunities, which may in-  
clude, but **are**~~shall not be~~ limited to:

1. Individualized work ~~for students who must withdraw early to ensure exposure to and mastery of the essential knowledge and skills.~~
2. **Tutorial sessions.**

ACADEMIC ACHIEVEMENT

EI  
(LOCAL)

- ~~2. Tutorial sessions for students who enroll late to provide instruction addressing essential knowledge and skills already covered in the class.~~
3. Testing to verify mastery of the essential knowledge and skills.
4. Early final examinations.
- 4.5. **Note:** For provisions addressing end-of-course assessments and course credit, see EIA.

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240903

STUDENT ACTIVITIES  
COMMENCEMENT

FMH  
(LOCAL)

COMMENCEMENT  
EXERCISES

To be eligible to participate in commencement activities and ceremonies, a student ~~Students~~ shall meet all state and local graduation requirements, including all applicable ~~state exit-level~~ testing. ~~, to be eligible to participate in commencement activities and ceremonies.~~ [See EI, EIF]

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UPDATE 9068  
FMH(LOCAL)-B

ADOPTED:

1 of 1 |

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT CONDUCT

FNC  
(LOCAL)

STUDENT HANDBOOK — STUDENT CODE OF CONDUCT	The District's rules of conduct and discipline, maintained in the student handbook and/or the Board-adopted Student Code of Conduct, are established to achieve and maintain order in the schools, and to teach respect toward others and responsible behavior. [See FO series]
EXTRACURRICULAR ACTIVITIES: STANDARDS OF BEHAVIOR	With the approval of the principal and Superintendent, a sponsor or a coach sponsors and coaches of an extracurricular activity activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. [See FO]
PROHIBITED HARASSMENT	<p>A student Students shall not engage in prohibited harassment, including sexual harassment, of:</p> <ol style="list-style-type: none"><li>1. Another student Other students, as defined at FFH.</li><li>2. A District employee employees, as defined at DIA.</li></ol> <p>While subject to the disciplinary control of the District, a student students shall not engage in prohibited harassment, including sexual harassment, of another person other persons, including a Board member, vendor, contractor, volunteer members, vendors, contractors, volunteers, or parent parents.</p> <p>A student Students who violates violate this prohibition shall be are subject to appropriate discipline in accordance with the Student Code of Conduct.</p>
BEHAVIORAL STANDARDS	<p>The following specific policies address student conduct in the areas of:</p> <ol style="list-style-type: none"><li>1. Use of District technology resources — CQ</li><li>1.2. Attendance — FEC</li><li>2.3. Bullying — FFI</li><li>3.4. School-sponsored publications — FMA</li><li>4.5. Appropriate attire and grooming — FNCA</li><li>5.6. Damage to school property — FNCB</li><li>6.7. Prohibited organizations and hazing — FNCC</li><li>7.8. Tobacco use — FNCD</li><li>8.9. Use of personal telecommunications devices and other electronic Telecommunications devices — FNCE</li><li>9.10. Drug and alcohol use — FNCF</li></ol>



United ISD  
240903

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT CONDUCT

FNC  
(LOCAL)

- 10.11. Weapons — FNCG
- 11.12. Assault — FNCH
- 12.13. Disruptions — FNCI, GKA

DATE ISSUED: 5/9/2011 ~~7/16/2008~~  
UPDATE 9083  
FNC(LOCAL)-A

ADOPTED:

2 of 2

STUDENT CONDUCT  
**PERSONAL** TELECOMMUNICATIONS/ELECTRONIC DEVICES

FNCE  
(LOCAL)

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**Note:** For searches of **personal** telecommunications devices or other **personal electronic devices**, see FNF.

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**TELECOMMUNICATIONS DEVICES**

An authorized District ~~employee~~ **employees** may confiscate a **personal** telecommunications ~~device~~ **devices**, including a mobile **telephone** ~~telephones~~, used in violation of applicable campus rules.

A confiscated **personal** telecommunications device shall be released for a fee determined by the Board. In accordance with the student handbook, the student or the student's parents may retrieve the device after paying the fee.

If a **personal** telecommunications device is not retrieved, the District shall dispose of the device after providing notice required by law.

OTHER ELECTRONIC DEVICES

Guidelines regarding other **personal** electronic devices shall be addressed in the student handbook.

INSTRUCTIONAL USE

**A student shall obtain prior approval before using personal telecommunications or other personal electronic devices for on-campus instructional purposes. The student shall also acknowledge receipt and understanding of applicable regulations and shall sign the appropriate user agreements. [See CQ].**