



UNITED INDEPENDENT SCHOOL DISTRICT INFORMATIONAL ITEM

TOPIC: Review of LEGAL Policies in TASB Update 108

SUBMITTED BY: Gloria S. Rendon **OF:** Assoc. Superintendent for Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: June 21, 2017

INFORMATIONAL REPORT:

Review of LEGAL Policies in TASB Update 108

See Attached List

Explanatory Notes

TASB Localized Policy Manual Update 108

District: United ISD

AIA (LEGAL) ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

This legally referenced policy on accreditation and performance standards has been reorganized and updated to include provisions from House Bill 2804 (84th Legislative Session) that are effective with the 2017–18 school year. These changes include additional material on the A–F PERFORMANCE RATINGS, PERFORMANCE INDICATORS, and the FIVE DOMAINS for student achievement, as well as deletion of provisions on student achievement indicators. Other changes are to delete material on dropout recovery programs, which is addressed at other policy codes, and to better match statutory wording.

AIB (LEGAL) ACCOUNTABILITY
PERFORMANCE REPORTING

This legally referenced policy on performance reporting has been revised to include statutory provisions that are effective with the 2017–18 school year.

AIC (LEGAL) ACCOUNTABILITY
INVESTIGATIONS AND SANCTIONS

Revisions to this legally referenced policy on accountability investigations and sanctions are based on amended commissioner's rules effective November 17, 2016. The rules add to the duties for a CAMPUS INTERVENTION TEAM and address stakeholder notification and review requirements and district submission and implementation of a CAMPUS TURNAROUND PLAN.

BBA (LEGAL) BOARD MEMBERS
ELIGIBILITY/QUALIFICATIONS

This legally referenced policy on qualifications for board members was revised at SINGLE-MEMBER DISTRICTS to better match statutory text. Citations have also been updated.

BBG (LEGAL) BOARD MEMBERS
COMPENSATION AND EXPENSES

This legally referenced policy on board member expenses has been updated to reference a new Administrative Code rule effective January 24, 2017, which duplicates the previous rule in allowing board members to participate in the comptroller's contract for travel services, and to better match statutory wording.

Explanatory Notes

TASB Localized Policy Manual Update 108

BED (LEGAL) BOARD MEETINGS
PUBLIC PARTICIPATION

This legally referenced policy on public participation has been revised to delete a note referencing other related policies as well as a provision about complaints that is duplicated in the complaint policies. Citations have also been updated.

BJCF (LEGAL) SUPERINTENDENT
NONRENEWAL

This legally referenced policy on superintendent nonrenewal has been revised to better match statutory wording.

BQ (LEGAL) PLANNING AND DECISION-MAKING PROCESS

Changes have been made throughout this legally referenced policy on the planning and decision-making process to better match statutory wording.

BQA (LEGAL) PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

This legally referenced policy on district-level planning and decision-making has been revised to add an existing provision on STAFF DEVELOPMENT, to better match statutory wording, and to update citations.

BQB (LEGAL) PLANNING AND DECISION-MAKING PROCESS
CAMPUS-LEVEL

This legally referenced policy on campus-level planning and decision-making has been revised to add an existing provision on STAFF DEVELOPMENT, to better match statutory wording, and to update citations.

CH (LEGAL) PURCHASING AND ACQUISITION

New Ethics Commission rules effective January 1, 2017, have been added at CONTRACT CHANGES on page 4 and explain the circumstances under which contract disclosure requirements apply to changes to an existing contract. Other revisions are to add an existing Administrative Code provision about submission of the REQUIRED FORM used for contract disclosures (see page 3) and to reorder provisions for better flow.

CJA (LEGAL) CONTRACTED SERVICES
CRIMINAL HISTORY

This legally referenced policy on criminal history checks for contracted services and decision-making has been reorganized for better flow and revised to better match statutory wording.

Explanatory Notes

TASB Localized Policy Manual Update 108

**COB (LEGAL) FOOD SERVICES MANAGEMENT
FREE AND REDUCED-PRICE FOOD PROGRAM**

Details from the Administrative Code have been added regarding submission of REQUIRED DOCUMENTATION on summer nutrition programs to the Texas Department of Agriculture by April 1 of each year. Other changes are to better match statutory wording.

**CQA (LEGAL) TECHNOLOGY RESOURCES
DISTRICT, CAMPUS, AND CLASSROOM WEBSITES**

The listing of REQUIRED INTERNET POSTINGS has been revised to include:

- Posting of the innovation plan for a district seeking designation as a district of innovation (item 1);
- Posting of the three programs or categories that will be used to evaluate district and campus performance in community and student engagement (items 3 and 4); and
- Posting of an opportunity to review a campus turnaround plan (item 10).

The listing of OPTIONAL INTERNET POSTINGS has been revised to include posting of a public meeting for input on a targeted improvement plan (item 1 on page 4).

**DBA (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CREDENTIALS AND RECORDS**

Provisions on EMERGENCY PERMITS have been moved from policy DK to this policy code. Extensive revisions to the material are based on Administrative Code changes effective December 27, 2016. The rules reflect that emergency permits are intended as a temporary credential to be used for true emergencies. Effective with the 2017–18 school year, emergency permits will be limited to one year of issuance, with limited exceptions for JROTC instructors and for teachers of students with visual impairments.

**DBAA (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS
CRIMINAL HISTORY AND CREDIT REPORTS**

New rules from the Administrative Code, effective November 6, 2016, have been added to this legally referenced policy on criminal history. Changes in the FBI subscription service required the Texas Department of Public Safety to issue rules that clarify the process for obtaining criminal history record information through the Clearinghouse. See PARTICIPATION IN THE CRIMINAL HISTORY CLEARINGHOUSE, beginning on page 1. Citations have been updated throughout.

**DFE (LEGAL) TERMINATION OF EMPLOYMENT
REDUCTION IN FORCE**

This legally referenced policy on reduction in force has been revised to add existing statutory provisions on reduction of personnel for CONTINUING CONTRACTS, including district notification to the affected teacher and teacher notification to the board if the teacher wishes to protest the proposed reduction of personnel.

Explanatory Notes

TASB Localized Policy Manual Update 108

DHB (LEGAL) EMPLOYEE STANDARDS OF CONDUCT REPORTS TO STATE BOARD FOR EDUCATOR CERTIFICATION

Amended State Board for Educator Certification (SBEC) rules, effective December 27, 2016, have been incorporated into this policy. The amendments align the rules on superintendent reports to SBEC with changes to the Education Code made in the 84th Legislative Session (2015) and clarify that reporting is required if there is evidence that an educator solicited or engaged in sexual conduct or a romantic relationship with a student or minor. See REPORTABLE MISCONDUCT.

The rules also address PERMISSIVE REPORTS when a superintendent believes in good faith that educator misconduct may be subject to disciplinary proceedings or sanctions.

DK (LEGAL) ASSIGNMENT AND SCHEDULES

Provisions on emergency permits were moved to DBA. Other changes are to provide appropriate references to information on credentials and permits at CREDENTIALS OR PERMIT REQUIRED.

E (LEGAL) INSTRUCTION

The E Section table of contents has been updated to:

- Delete EFAA, Instructional Materials Selection and Adoption (provisions relocated to EFA, Instructional Materials);
- Delete EFF, Instructional Television
- Delete EG, Curriculum Development (provisions relocated to EH, Curriculum Design);
- Delete EGA, Innovative and Magnet Programs (provisions relocated to EHB, a new code subtitled Innovative and Magnet Programs);
- Add EHB, subtitled Innovative and Magnet Programs; and
- Rename EL Campus Charters (previously Charter Campus or Program).

See the notes below for additional information on these changes.

EF (LEGAL) INSTRUCTIONAL RESOURCES

Legal guidance addressing library materials has been relocated from EFA to this policy code.

Explanatory Notes

TASB Localized Policy Manual Update 108

EFA (LEGAL) INSTRUCTIONAL RESOURCES
 INSTRUCTIONAL MATERIALS

Provisions addressing selection and adoption of instructional materials have been relocated from EFAA to this policy code.

EFAA (LEGAL) INSTRUCTIONAL MATERIALS
 SELECTION AND ADOPTION

Provisions addressing selection and adoption of instructional materials have been relocated to EFA. EFAA is no longer an active code.

EFAA (LOCAL) INSTRUCTIONAL MATERIALS
 SELECTION AND ADOPTION

This local policy is recommended for deletion. Changes to the Administrative Code effective May 5, 2016, deleted the requirement for a board to adopt a policy for selecting instructional materials. Instead, the rules require a board to select instructional materials in an open meeting with proper notice under the Open Meetings Act.

EGA (LEGAL) CURRICULUM DEVELOPMENT
 INNOVATIVE AND MAGNET PROGRAMS

Provisions addressing innovative and magnet programs have been relocated to EHB. EGA is no longer an active code.

Explanatory Notes

TASB Localized Policy Manual Update 108

**EHAC (LEGAL) BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (SECONDARY)**

Based on amended State Board of Education rules effective October 23, 2016, the list of courses that a district must offer at the high school level has been updated to include the newly adopted Personal Financial Literacy course (see item 4 on page 4).

**EHBJ (LEGAL) SPECIAL PROGRAMS
INNOVATIVE AND MAGNET PROGRAMS**

Provisions addressing innovative and magnet programs have been relocated from EGA to this policy code.

**EHBL (LEGAL) SPECIAL PROGRAMS
HIGH SCHOOL EQUIVALENCY**

This legally referenced policy on high school equivalency programs (HSEP) was revised to incorporate rule changes effective February 14, 2017. The changes simplified language regarding STATE ASSESSMENTS required for HSEP admission, added details on HIGH SCHOOL EQUIVALENCY TESTING, aligned text with statutory language, and removed obsolete language.

**EKBA (LEGAL) STATE ASSESSMENT
ENGLISH LANGUAGE LEARNERS/LEP STUDENTS**

Outdated provisions on exit-level testing exemptions for English language learners have been removed from this legally referenced policy.

Explanatory Notes

TASB Localized Policy Manual Update 108

FEA (LEGAL) ATTENDANCE
COMPULSORY ATTENDANCE

This legally referenced policy on compulsory attendance has been revised to better match statutory wording and to update citations.

FED (LEGAL) ATTENDANCE
ATTENDANCE ENFORCEMENT

The Education Code requires TEA to adopt rules to create MINIMUM STANDARDS for truancy prevention measures, establish a set of BEST PRACTICES, and provide for SANCTIONS against a school district found to be out of compliance with the statute. These new rules, effective January 1, 2017, have been added to this legally referenced policy, beginning on page 5.

TASB Policy Service believes that districts' current attendance policies, as recommended in the policy manual, and procedures, as recommended in the *TASB Model Student Handbook*, adequately address the best practice suggestion for an "attendance policy" that outlines truancy requirements and provisions (see item 1 on page 6). Therefore, no local policy changes are being recommended at this time.

FFEA (LEGAL) STUDENT ASSISTANCE PROGRAMS/COUNSELING
COMPREHENSIVE GUIDANCE PROGRAM

This legally referenced policy on guidance programs has been revised to better match statutory wording and to update citations.

FNCF (LEGAL) STUDENT CONDUCT
ALCOHOL AND DRUG USE

The text of the required notice regarding steroids has been moved to this legally referenced policy from FNCF(EXHIBIT). Other changes are to better match statutory wording and to update citations.

FOC (LEGAL) STUDENT DISCIPLINE
PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION
SETTING

The list of Penal Code TITLE 5 FELONIES has been updated and moved from FOC(EXHIBIT) to this legally referenced policy.

G (LEGAL) COMMUNITY AND GOVERNMENTAL RELATIONS

The G Section table of contents has been revised to change the subtitle of GKB to Advertising and Fund-raising.