



# UNITED INDEPENDENT SCHOOL DISTRICT INFORMATIONAL ITEM

**TOPIC:** Review of LEGAL Policies in TASB Update 120

**SUBMITTED BY:** Rebecca Coss-Morales **OF:** Assistant Superintendent for Administration & Policies

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

**DATE ASSIGNED FOR BOARD CONSIDERATION:** January 25, 2023

**INFORMATIONAL REPORT:**

**Review of LEGAL Policies in TASB Update 120**

**See attached list and explanatory notes**

# Instruction Sheet

## TASB Localized Policy Manual Update 120

### United ISD

Code	Type	Action To Be Taken	Note
AIC	(LEGAL)	Replace policy	Revised policy
AIE	(LEGAL)	Replace policy	Revised policy
BBD	(LEGAL)	Replace policy	Revised policy
BE	(LEGAL)	Replace policy	Revised policy
CCGA	(LEGAL)	Replace policy	Revised policy
CFA	(LEGAL)	Replace policy	Revised policy
CFC	(LEGAL)	Replace policy	Revised policy
CKB	(LEGAL)	Replace policy	Revised policy
CKC	(LOCAL)	Replace policy	Revised policy
CMD	(LEGAL)	Replace policy	Revised policy
CQA	(LEGAL)	Replace policy	Revised policy
CRD	(LEGAL)	Replace policy	Revised policy
EHAA	(LEGAL)	Replace policy	Revised policy
EHAB	(LEGAL)	Replace policy	Revised policy
EHAC	(LEGAL)	Replace policy	Revised policy
EHBAB	(LEGAL)	Replace policy	Revised policy
EHBAE	(LEGAL)	Replace policy	Revised policy
EHBC	(LEGAL)	Replace policy	Revised policy
EIE	(LEGAL)	Replace policy	Revised policy
EIF	(LEGAL)	Replace policy	Revised policy
EKB	(LEGAL)	Replace policy	Revised policy
EKBA	(LEGAL)	Replace policy	Revised policy
FB	(LEGAL)	Replace policy	Revised policy
FFA	(LEGAL)	Replace policy	Revised policy
FFAE	(LEGAL)	Replace policy	Revised policy
FFG	(LEGAL)	Replace policy	Revised policy
FFI	(LOCAL)	No policy enclosed	See explanatory note
FNG	(LOCAL)	Replace policy	Revised policy
FO	(LOCAL)	Replace policy	Revised policy
FOF	(LEGAL)	Replace policy	Revised policy

# Explanatory Notes

## TASB Localized Policy Manual Update 120

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#### **AIC(LEGAL) ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS**

Revised Administrative Code rules, effective June 7, 2022, and reflected on pages 7–8, address the requirements for local improvement plans by certain districts or campuses assigned a D rating. The rules also address modification of a campus turnaround plan due to a change in circumstances. (See page 15.)

Other revisions reflect changes to citations of Administrative Code rules.

#### **AIE(LEGAL) ACCOUNTABILITY: INVESTIGATIONS**

A new Note on page 3 references recently revised Administrative Code rules regarding an informal review or hearing following a TEA investigation.

An existing Administrative Code provision regarding compliance investigations has been added on page 5.

#### **BBD(LEGAL) BOARD MEMBERS: TRAINING AND ORIENTATION**

A new Administrative Code rule, effective May 31, 2022, requiring board members to complete training on school safety has been added on page 8.

#### **BE(LEGAL) BOARD MEETINGS**

Changes prompted by new and revised Administrative Code rules regarding board meetings by videoconference, effective September 15, 2022, are reflected on pages 9–10.

#### **CCGA(LEGAL) AD VALOREM TAXES: EXEMPTIONS AND PAYMENTS**

Citations to a new Administrative Code rule addressing installment payment of taxes on property not directly damaged in a disaster or emergency area are included on page 9.

#### **CFA(LEGAL) ACCOUNTING: FINANCIAL REPORTS AND STATEMENTS**

Revisions reflect the adoption of version 18.0 of the *Financial Accountability System Resource Guide*.

#### **CFC(LEGAL) ACCOUNTING: AUDITS**

Revisions reflect the adoption of version 18.0 of the *Financial Accountability System Resource Guide*.

#### **CKB(LEGAL) SAFETY PROGRAM/RISK MANAGEMENT: ACCIDENT PREVENTION AND REPORTS**

Changes reflect extensive revisions to Administrative Code rules regarding mandatory drills, effective June 26, 2022.

New Administrative Code provisions addressing optional active threat exercises are also incorporated.

#### **CKC(LOCAL) SAFETY PROGRAM/RISK MANAGEMENT: EMERGENCY PLANS**

Education Code 37.108(d) requires a district's multihazard emergency operations plan to include responding to a train derailment near a district school if a district facility is within 1,000 yards of a railroad track. New recommended local policy text incorporates this requirement into the list of procedures that must be addressed.

The *Legal Issues in Update 120* memo describes common legal concerns and best practices specific to [this policy's topic](#).

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#### **CMD(LLEGAL)**

#### **EQUIPMENT AND SUPPLIES MANAGEMENT: INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING**

Changes reflect revised Administrative Code provisions, effective June 7, 2022, regarding permitted uses of the instructional materials and technology allotment. Other revisions have been made to delete out-dated terminology.

A revised Administrative Code rule, effective October 16, 2022, requiring certification of compliance with the Children's Internet Protection Act has been added on page 9.

#### **CQA(LLEGAL)**

#### **TECHNOLOGY RESOURCES: DISTRICT, CAMPUS, AND CLASSROOM WEBSITES**

Based on revised Administrative Code rules, the following requirements have been added at Other Required Internet Postings:

- Certain districts or campuses assigned a D rating must notify the public of the meeting to gather input to develop a local improvement plan. (See item 8.)
- Districts conducting an active threat exercise must provide notice through multiple distribution networks, including the district's website. (See item 35.)

#### **CRD(LLEGAL)**

#### **INSURANCE AND ANNUITIES MANAGEMENT: HEALTH AND LIFE INSURANCE**

Revised Administrative Code rules, effective August 18, 2022, prompted revisions to the definitions of full- and part-time employees.

#### **EHAA(LLEGAL)**

#### **BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ALL LEVELS)**

Revisions at the bottom of page 2 reflect changes to the citations of Administrative Code rules addressing instruction related to positive character traits and personal skills.

#### **EHAB(LLEGAL)**

#### **BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (ELEMENTARY)**

Revisions include a new Administrative Code rule, effective April 28, 2022, regarding phonics curricula.

#### **EHAC(LLEGAL)**

#### **BASIC INSTRUCTIONAL PROGRAM: REQUIRED INSTRUCTION (SECONDARY)**

Revised Administrative Code rules, effective August 1, 2022, and reflected on pages 3–4, changed the required course offerings for grades 9–12 related to social studies and physical education.

#### **EHBAB(LLEGAL)**

#### **SPECIAL EDUCATION: ARD COMMITTEE AND INDIVIDUALIZED EDUCATION PROGRAM**

Changes on pages 8–9 include revised Administrative Code rules, effective June 7, 2022, regarding review of a student's behavior improvement plan or behavioral intervention plan.

#### **EHBAE(LLEGAL)**

#### **SPECIAL EDUCATION: PROCEDURAL REQUIREMENTS**

Revised Administrative Code rules, effective June 7, 2022, regarding the timeline for requesting a hearing on a due process complaint are included on pages 5–6.

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#### **EHBC(LLEGAL) SPECIAL PROGRAMS: COMPENSATORY/ACCELERATED SERVICES**

Changes reflect new Administrative Code provisions, effective June 9, 2022, regarding accelerated instruction and accelerated learning committees for students who fail to perform satisfactorily on certain assessment instruments. The new provisions derive from HB 4545, 87th Texas Legislature, Regular Session 2021.

#### **EIE(LLEGAL) ACADEMIC ACHIEVEMENT: RETENTION AND PROMOTION**

Changes are to better match legal sources and remove repealed Administrative Code rules.

#### **EIF(LLEGAL) ACADEMIC ACHIEVEMENT: GRADUATION**

New Administrative Code rules, effective August 21, 2022, regarding notice about the Texas First Early High School Completion Program and the Texas First Scholarship Program are included on pages 8–9. Other revisions have been made to update citations.

**Please note:** For the 2022–23 school year, each high school must provide a written notification to each student and the student's parent or guardian listing the eligibility criteria for the programs. After the 2022–23 school year, the school must provide the notice upon a student's initial enrollment in high school.

#### **EKB(LLEGAL) TESTING PROGRAMS: STATE ASSESSMENT**

Changes have been made to incorporate revised Administrative Code rules and to better reflect legal sources.

#### **EKBA(LLEGAL) STATE ASSESSMENT: ENGLISH LEARNERS/EMERGENT BILINGUAL STUDENTS**

Revisions have been made to include Administrative Code provisions, effective August 9, 2022, regarding emergent bilingual students and individual graduation committees. A repealed provision regarding the grade placement committee has been deleted.

#### **FB(LLEGAL) EQUAL EDUCATIONAL OPPORTUNITY**

Changes are to better reflect legal sources.

#### **FFA(LLEGAL) STUDENT WELFARE: WELLNESS AND HEALTH SERVICES**

For clarity, a reference to policy provisions regarding school-based health centers has been added on page 4.

#### **FFAE(LLEGAL) WELLNESS AND HEALTH SERVICES: SCHOOL-BASED HEALTH CENTERS**

For clarity, a reference to policy provisions regarding expanding or changing health-care services at a school has been added on page 3.

#### **FFG(LLEGAL) STUDENT WELFARE: CHILD ABUSE AND NEGLECT**

The Note on page 5 now references Administrative Code rules regarding investigations of abuse or neglect in a school setting.

#### **FFI(LOCAL) STUDENT WELFARE: FREEDOM FROM BULLYING**

District bullying policies must address prevention and mediation of bullying incidents and comply with minimum standards adopted by TEA. TEA recently issued updated [Proposed Minimum Standards for Bullying Prevention Policies and Procedures](#) for public comment from October 28 through November 28,



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2022. Policy Service will recommend local policy revisions following publication of the final TEA minimum standards.

#### FNG(LOCAL)

#### STUDENT RIGHTS AND RESPONSIBILITIES: STUDENT AND PARENT COMPLAINTS/GRIEVANCES

Revisions to this local policy are recommended at Other Complaint Processes to:

- Clarify how special education complaints are addressed.
- Encompass all instructional resources policies.
- Reference the required hearing procedure for eligibility disputes under school nutrition programs.

The *Legal Issues in Update 120* memo describes common legal concerns and best practices specific to [this policy's topic](#).

#### FO(LOCAL)

#### STUDENT DISCIPLINE

Recommended revisions to this local policy are to clarify circumstances when restraint may be used generally and to more prominently address restraint of a student who receives special education services.

#### FOF(LEGAL)

#### STUDENT DISCIPLINE: STUDENTS WITH DISABILITIES

Revised Administrative Code rules, effective June 7, 2022, regarding restraint and time-out are included beginning on page 10. A statement has been amended to refer to new documentation and notification requirements in 19 Administrative Code 89.1053(e). Other changes include citations to revised Administrative Code rules.