

Explanatory Notes

TASB Localized Policy Manual Update 110

District: Brownwood ISD

ATTN (NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

Update 110 focuses on updating and reorganizing several policies in the BB series of the policy manual addressing board member eligibility and qualifications, elections, and vacancies and removal from office. As reflected on the revised table of contents, the policy on elections has been divided into several codes for ease of use, and district choices about election processes are now located in BBB(LOCAL) rather than in the LEGAL policies, which is consistent with the structure of the other policies in the manual. Changes from the 85th Legislative Session have also been incorporated. References to legislative bills throughout these explanatory notes refer to Senate Bills (SB) or House Bills (HB) from the 85th Regular Legislative Session unless otherwise noted.

CCA, addressing bond elections, and CPAB, addressing political advertising, were also updated as part of the elections review.

In addition to these changes, Update 110 includes several other policies affected by legislation from the 85th Legislative Session that were not included in Update 109.

Policy Service has created a short [audiovisual overview](#) of the local policy recommendations included in Update 110. Feel free to share this link with other administrators or board members who want a quick tutorial on the update.

B (LEGAL) LOCAL GOVERNANCE

We have revised the B section table of contents to:

- Retitle BBBA to Conducting Elections;
- Retitle BBBB to Post-election Procedures;
- Add a new policy, BBBC, Campaign Finance, the content of which was previously addressed at BBBA; and
- Add a new policy, BBBD, Campaign Ethics, the content of which was previously at BBBB.

BBA (LEGAL) BOARD MEMBERS ELIGIBILITY/QUALIFICATIONS

This legally referenced policy on eligibility and qualifications of board members has been updated to better reflect the statutory structure. In addition, the text reflects provisions from HB 2552, which prohibits an individual convicted of soliciting prostitution under Penal Code section 43.02(b) from serving on a school board. See Ineligibility.

BBB (LEGAL) BOARD MEMBERS ELECTIONS

Update 110 includes a significant restructuring of the election policies to break up the lengthy content into multiple policy codes as described above, reorganize the provisions for better flow, and better match statutory text. BBB(LEGAL), addressing general election procedures, has been updated to reflect all election options available to the district based on the district's current election practices, now reflected at BBB(LOCAL).

Provisions on conducting elections and post-election procedures have been moved to BBBA and BBBB, respectively.

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BBB (LOCAL) BOARD MEMBERS ELECTIONS

This local policy has been revised based on the election information provided by your district and includes the district's election decisions as allowed by law, including the number of board members, length of board member terms, and election schedule; the general election date for the district; and the methods of election and voting.

Please contact your policy consultant if any of the information does not reflect your current election process.

BBBA (LEGAL) ELECTIONS CONDUCTING ELECTIONS

As mentioned above, provisions on conducting elections have been moved from BBB to BBBA and have been reorganized for better flow and to better match statutory text. In addition, several bills affected this policy:

- HB 2157 requires that an application for a place on the ballot be signed and sworn to before a person authorized to administer oaths;
- HB 2323 adds detail regarding filing information for special elections;
- HB 1661 addresses procedures for canceling elections after the untimely withdrawal of a candidate; and
- HB 1735 clarifies the definition of electioneering.

Provisions addressing campaign finance were moved with revisions to BBBC.

BBBB (LEGAL) ELECTIONS POST-ELECTION PROCEDURES

As mentioned above, provisions on post-election procedures have been moved from BBB to BBBB and have been reorganized for better flow and to better match statutory text. In addition, several bills affected this policy:

- HB 929 changes the earliest date election returns may be canvassed to the third day after the election for all elections;
- At Minutes, HB 1001 requires the presiding officer of the canvassing authority to note the completion of the canvass in the minutes or recording required under the OMA; and
- SB 5 from the 85th Legislature, First Called Session, revised the retention period for precinct election records from six months to 22 months after election day.

Provisions addressing election-related ethics were moved with revisions to BBBD.

BBBC (LEGAL) ELECTIONS CAMPAIGN FINANCE

Provisions addressing campaign finance were moved from BBBA. Detail from existing law has been added for more complete coverage of the topic and provisions were reorganized for better flow and to better match statutory text.

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BBBD (LEGAL) ELECTIONS
CAMPAIGN ETHICS

Provisions addressing election-related ethics were moved from BBBB and were reorganized for better flow and to better match statutory text. The definition of "political advertising" was moved to this policy from CPAB(LEGAL), below.

BBC (LEGAL) BOARD MEMBERS
VACANCIES AND REMOVAL FROM OFFICE

This legally referenced policy on board member vacancies and removal from office has been reorganized for better flow and to better align with legal authority.

CCA (LEGAL) LOCAL REVENUE SOURCES
BOND ISSUES

In addition to revisions to better reflect statutory wording, provisions on capital appreciation bonds were revised by SB 295, which exempts these bonds for financing transportation projects from certain legal requirements.

SB 957 requires:

- A district to assign a letter to each measure on the ballot that corresponds to its order on the ballot, and
- Each proposition on a ballot to reflect the name of the authority ordering the election on the measure.

CPAB (LEGAL) OFFICE COMMUNICATIONS
MAIL AND DELIVERY

The definition of "political advertising" has been removed from this policy in lieu of a cross-reference to BBBD(LEGAL). We have also deleted reference to an obsolete case regarding the delivery of unstamped letters over postal routes.