

AGENDA ITEM
BOARD OF TRUSTEES
AGENDA

<input type="checkbox"/> Workshop	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special
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- (A) Report Only Recognition

Presenter(s):

Briefly describe the subject of the report or recognition presentation.

- (B) Action Item

GILBERTO GONZALEZ, SUPERINTENDENT

Presenter(s): JESUS ARTURO COSTILLA, EXEC. DIRECTOR OF HUMAN RESOURCES

Briefly describe the action required.

CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE POLICY UPDATE 100 AS RECEIVED FROM THE TEXAS ASSOCIATION OF SCHOOL BOARDS (TASB).

- (C) Funding source: Identify the source of funds if any are required.

- (D) Clarification: Explain any questions or issues that might be raised regarding this item.

Update 100 contains (LOCAL) policies that require board action before we can incorporate Update 100 into your district's Policy On Line manual.

Please notify Loretta Jeschke of your policy adoption by **faxing this form to 512-467-3618**, or by **e-mailing your notification to pol-support@tasb.org**, or by **completing the form electronically through Policy On Line Administrator Tools (<https://www.tasb.org/apps/PolicyAdmin>)** using your myTASB login and clicking the "Notify TASB of Policy Adoption" link.

159901 Eagle Pass ISD

Your Name: _____

Your E-mail: _____

We will send a confirmation e-mail when your update is placed online.

Previous Updates

- I confirm that all updates prior to Update 100 have been adopted. (Visit <http://www.tasb.org/apps/policyUpdates/index.aspx> to see updates pending adoption. Your Local Manual Updates will remain available through myTASB until your district notifies us of adoption.)

Update 100 Adoption Date: _____

Status (please check one):

- Adopted as presented by TASB—place online immediately
- Adopted with further changes, described below*

* If you have changes to the listed policies that you have not already sent to your policy consultant, please attach the policies to this form or e-mail them to your consultant to ensure they are processed as a Local District Update. Your policy consultant, Tammy Jordan, may contact you about these policies, if necessary.

If you have any questions, please contact Loretta Jeschke by phone at 800-580-7529.

Update 100

Policy On Line®
Adoption Notification Form

TASB Policy Service

Fax: 512-467-3618



Localized Policy Manual

Update 100

Please remember: Log in to myTASB.tasb.org and open *Policy Service Resource Library: Local Manual Updates* to download a PDF of this update packet, annotated copies of the (LOCAL) policies, editable (LOCAL) text, and more.

Eagle Pass ISD

Update 100 addresses several recent amendments to the Texas Administrative Code. Major topics affected by the rule changes include performance reports, delayed payment options for instructional materials, and credit-by-examination with prior instruction. Other changes address legal options for security personnel, district- and campus-improvement plans, employee health and life insurance, staff development, and public information. Update 100 also includes several local policy topics, such as school security personnel, records management, employee health insurance, employment contracts, advertising, student records, and revocation of student transfers.

Please bear in mind that the (LEGAL) policies reflect the ever-changing legal context for governance and management of the district. They should NOT be adopted but, rather, should inform local decision making. The (LOCAL) policy recommendations in this update will need close attention by both the administration and the board to ensure that they reflect the practices of the district and the intentions of the board. Board action is needed to adopt, revise, or repeal (LOCAL) policy.

In addition to the updated policies, your Localized Update 100 packet contains:

- **INSTRUCTIONS** . . . providing specific, policy-by-policy directions on how this update, if accepted as prepared, should be incorporated into your Localized Policy Manual.
- **EXPLANATORY NOTES** . . . summarizing changes to the policies in each code. Please note that, where appropriate, the Explanatory Notes ask you to **verify that a particular policy reflects your current practice and to advise us of changes needed** so that our records and your manual accurately track the district's practice.

Vantage Points—A Board Member's Guide to Update 100 may be found in the separately wrapped package accompanying this packet. *Vantage Points* offers a highly summarized overview of the update and is intended to provide local officials a first glance at the scope of the update—as a prelude to studying the detailed Explanatory Notes and policy text within the packet. **Please distribute the enclosed copies of *Vantage Points* to your board members** at the earliest possible opportunity, preferably with their review copies of this update.

Update 100 policies are so identified in the lower left-hand corner of each policy page. If you have any questions concerning this update, please call your policy consultant, Tammy Jordan, at 800-580-7529 or 512-467-0222.

Regarding board action on Update 100 . . .

- Board action on Localized Update 100 must occur within a properly posted, open meeting of the board and may be addressed on the agenda posting as “Policy Update 100, affecting (LOCAL) policies (see attached list of codes).” Policy On Line districts have access to a list of the (LOCAL) policies included in the update through the Local Manual Updates application in myTASB. Other districts may generate a list of the (LOCAL) policy codes added, revised, or deleted (and the titles/subtitles of those policies) using the Instruction Sheet as a guide and attach that list to the posting. BoardBook compilers should use “Policy Update 100, affecting (LOCAL) policies” as the agenda item and, as agenda sub-items, the code and name of each of the (LOCAL) policies affected by the update.
- A suggested motion for board action on Localized Update 100 is as follows:
“I move that the board add, revise, or delete (LOCAL) policies as recommended by TASB Policy Service and according to the Instruction Sheet for TASB Localized Policy Manual Update 100 [with the following changes:]”
- The board's action on Localized Update 100 must be reflected in board minutes. The Instruction Sheet—annotated to reflect any changes made by the board—and the Explanatory Notes for the update should be filed with the minutes where they make up the authoritative record of your board's actions. Include a copy of new, replaced, or rescinded (LOCAL) policies.
- In constructing the separate historical record of the manual, the emphasis is on tracking the history of individual policies. For guidance on maintaining this record, please refer to the *Administrator's Guide to Policy Management* available in the myTASB Policy Service Resource Library at http://www.tasb.org/services/policy/mytasb/admin_guide/index.aspx.

Regarding manual maintenance and administrative regulations . . .

- **Notify your policy consultant of any changes made by the board so that Policy Service records—forming the basis for subsequent updating recommendations—exactly mirror your manual.**
- The update should be incorporated into each of the district's Localized Policy Manuals as soon as practicable. You will need to notify us of the board's action on Update 100 so that your district's Localized Policy Manual as it appears on TASB's Web server can be updated. Policy On Line staff may be reached by phone (800-580-7529 or 512-467-0222), by fax (512-467-3618, using the Update 100 Adoption Notification Form enclosed), by e-mail (pol-support@tasb.org), or through the Policy On Line Administrator Tools (<https://www.tasb.org/apps/PolicyAdmin>).
- Administrative procedures and documents—including formal (REGULATIONS), handbooks, and guides—that may be affected by Update 100 policy changes should be inspected and revised by the district as needed.

PLEASE NOTE: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

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Vantage Points

A Board Member's Guide to Update 100

Please note: *Vantage Points* is an executive summary, prepared specifically for board members, of the TASB Localized Update. The topic-by-topic outline and the thumbnail descriptions focus attention on key issues to assist local officials in understanding changes found in the policies. **The description of policy changes in *Vantage Points* is highly summarized and should not substitute for careful attention to the more detailed, district-specific Explanatory Notes and the policies within the localized update packet.**



This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

We welcome your comments or suggestions for improving *Vantage Points*. Please write to us at TASB Policy Service, P.O. Box 400, Austin, TX 78767-0400, e-mail us at policy.service@tasb.org, or call us at 800-580-7529 or 512-467-0222.

For further information about Policy Service, check out our website at <http://policy.tasb.org>.

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Among the topics addressed at Update 100 are performance reporting, district- and campus-improvement plans, security personnel, instructional materials allotments, records management, employee health insurance, district employment practices, staff development, credit-by-examination, revocation of student transfers, and public information.

Performance Reporting

Provisions at AIB(LEGAL) have been revised to reflect the new Texas Academic Performance Report (TAPR), which replaced the Academic Excellence Indicator System (AEIS) report. The policy also incorporates the amended Commissioner's rules outlining timelines for a public hearing on the TAPR and requiring the report to be published on the district's website and in other public places. Details from existing Commissioner's rules regarding school report cards (SRCs), including timelines for distributing the report to parents, and a new provision from the amended rules permitting the district to send the SRC to parents by e-mail, have also been added to this legally referenced policy.

District/Campus Improvement Plans

Changes from the 83rd Texas Legislature, Regular Session, require the Commissioner of Education to develop an online survey on teaching and learning conditions to be administered biennially to district professional staff. As noted at BQA(LEGAL) and BQB(LEGAL) and beginning with the 2014–15 school year, each district- and campus-level planning and decision-making committee must use the results of the survey to review and revise the district- and campus-level improvement plans and, as otherwise appropriate, to enhance the learning environment. Note that if your district committee functions as a single district/campus committee, only BQA(LEGAL) is included in the Update packet.

Security Personnel

CKE(LEGAL), addressing security personnel, has been reorganized and revised to better reflect statutory text and is recommended for inclusion in all districts' policy manuals to reflect common security options available to school districts. The policy is organized into four major sections and includes existing provisions on district peace officers and security personnel; new provisions on school marshals from the 83rd Texas Legislature, Regular Session; provisions regarding concealed handgun licensees, including a new attorney general decision on authorizing individuals to carry firearms on district property; and existing statutory provisions on school resource officers.

Not revised at Update 100 but also recommended for inclusion in all districts' localized policy manuals is DEB(LEGAL) addressing fringe benefits and including the legal requirements applicable upon the death of a peace officer employed by a district. This legally referenced policy is recommended as a reference since all districts have the option of commissioning peace officers.

CKE(LOCAL) POLICY CONSIDERATIONS

This local policy on security personnel may be recommended for inclusion or for revision in your district's policy manual based on the district's responses to a survey sent by TASB Policy Service in early June. Note, however, that if the board has not authorized the formation of a police department or if the district does not have an arrangement with a local law enforcement agency for the presence of school resource officers on district property, no local policy is recommended at this time. If the board has authorized certain individuals to carry concealed handguns on district premises, this information should be included at CKC(LOCAL).

FL(LOCAL) POLICY CONSIDERATIONS

Recommended revisions at FL(LOCAL) clarify that a district's school resource officers, if any, are considered "school officials" for purposes of FERPA and are allowed access to student records if they have a legitimate educational interest in the records. Even if the district does not currently have school resource officers, this revision is recommended to accommodate any future arrangements.

**Concealed
Handgun
License
Holders**

The recent attorney general opinion regarding concealed handgun licensees incorporated at CKE(LEGAL) is also reflected at GKA(LEGAL), addressing conduct on school premises. The opinion provides that a concealed handgun license holder does not commit a criminal offense by carrying a handgun at an interscholastic event or a board meeting if the holder is lawfully carrying a handgun pursuant to the board's written regulations and authorization.

**District
Operations

Instructional
Materials**

Revisions at CMD(LEGAL) were prompted by amended Commissioner's rules regarding the instructional materials allotment (IMA) and include additional detail regarding the option for a district to requisition and receive instructional materials before IMA funds are available, as well as other provisions concerning the mechanics of IMA funding and reimbursement.

**Records
Management**

At CPC(LEGAL), existing statutory provisions have been added explaining that a board must designate a records management officer (RMO) for the district and file the RMO's name, office, or position with the Texas State Library and Archives Commission within 30 days.

**Health
Insurance**

CRD(LEGAL) has been extensively reworked in light of the Affordable Care Act. Text has been streamlined throughout and adjusted to better match statutory authority, while definitions of full-time and part-time employees have been revised to help districts determine employee eligibility for participation in TRS-ActiveCare.

CRD(LOCAL) POLICY CONSIDERATIONS

Recommended deletions at this code provide flexibility for the district to determine contributions to health insurance premiums based on factors other than part-time or full-time status, as previously indicated in the policy. For example, the district could consider TRS membership in setting contributions. This change is more consistent with state law, which requires districts to contribute to the health insurance premiums of only those employees who are active, contributing TRS members.

**Employee
Issues**

**Employment
Practices**

DC(LOCAL) SERIES POLICY CONSIDERATIONS

A primary objective of Update 100 is to ensure districts' local policies align with their current employment practices. Local policy recommendations in this series of policies reflect the district's responses to the survey sent by TASB Policy Service in June and affect, as applicable, DCB(LOCAL) regarding term contracts, DCC(LOCAL) on continuing contracts, DCD(LOCAL) regarding at-will employment, and DCE(LOCAL) addressing non-Chapter 21 contracts. For specific changes to your district's policies, see the Update 100 Explanatory Notes.

**Staff
Development**

Statutory changes from the 2011 82nd Texas Legislature—which were delayed pending development of the new principal appraisal system that TEA will pilot in the 2014–15 school year—are now reflected at DMA(LEGAL), where provisions on staff development have been reorganized to better track statute and to include separate development requirements for educators and principals. As a result of the 2013 83rd Texas Legislature, Regular Session, provisions on required professional development for adult education staff have been deleted from the policy, since the administration and oversight of adult education and literacy programs has now transferred from TEA to the Texas Workforce Commission.

Instruction and Student Issues

Credit by Examination

As reflected at EHDB(LEGAL), amended State Board rules on credit by examination with prior instruction specify that tests given to students for the purpose of receiving credit for a subject in which a student has received prior instruction must be approved by the board.

Automatic Admissions

Changes at EIC(LEGAL) on class rank address how the new foundation graduation program will affect requirements for automatic admission to an institution of higher education.

Interdistrict Student Transfers

FDA(LOCAL) POLICY CONSIDERATIONS

For districts that approve interdistrict transfers, recommended revisions to this local policy are based on a recent Commissioner decision that determined that, under the Texas Education Code, interdistrict transfers must be for a period of one year. As a result, text permitting the district to revoke transfers mid-year for violations of the district's rules and regulations has been deleted, while new text provides that the district may take into account a transfer student's conduct in approving a transfer for the following school year.

Public Information

A new legally referenced policy at GB(LEGAL), containing provisions formerly at GBA(LEGAL), details the scope of public information and serves as an introduction to the series of policies addressing public information.

GBA(LEGAL), addressing access to public information, has been revised and reorganized. Several provisions addressing the scope of public information were moved to GB(LEGAL) and the remaining text, along with additional existing statutory provisions, was reorganized into three sections addressing right of access, confidential information under the Public Information Act (PIA), and information excepted from disclosure under the PIA.

GBAA(LOCAL) POLICY CONSIDERATIONS

With some exception, state law allows districts to charge requestors for district personnel time spent responding to the requestor's public information requests after the personnel time exceeds a specified amount established by the district, which may not be less than 36 hours. For districts that did not already have a local policy at this code, we recommend inclusion of this policy in your local policy manual to provide that the district will charge requestors for personnel time in accordance with this policy.

Advertising

GKB(LOCAL) POLICY CONSIDERATIONS

Recommended revisions to this local policy addressing advertising in schools expand the standards for accepting or rejecting advertising under district consideration and state that acceptance of advertising does not constitute district endorsement or approval. The policy explains that advertising is for the purpose of generating revenue, not establishing a forum for communication. Although requests for advertising must be considered in a manner consistent with the First Amendment, the district maintains control over the size and location of advertising and may reject advertising that is inconsistent with law, board policy, regulations, or curriculum or that has a reasonable likelihood of exposing the district to controversy, litigation, or disruption.

More Information

For further information on these and other policy changes, refer to the policy-by-policy Explanatory Notes—customized for each district's policies—and the policies themselves, found in your district's localized update packet.

Instruction Sheet

TASB Localized Policy Manual Update 100

District Eagle Pass ISD

Code	Action To Be Taken	Note
AIB (LEGAL)	Replace policy	Revised policy
BQA (LEGAL)	Replace policy	Revised policy
BQB (LEGAL)	Replace policy	Revised policy
CKE (LEGAL)	Replace policy	Revised policy
CKE (LOCAL)	Replace policy	Revised policy
CMD (LEGAL)	Replace policy	Revised policy
CPC (LEGAL)	Replace policy	Revised policy
CPC (LOCAL)	Replace policy	Revised policy
CRD (LEGAL)	Replace policy	Revised policy
CRD (LOCAL)	Replace policy	Revised policy
DCB (LOCAL)	Replace policy	Revised policy
DCC (LOCAL)	Replace policy	Revised policy
DCD (LOCAL)	Replace policy	Revised policy
DCE (LOCAL)	DELETE policy	See explanatory note
DECB (LEGAL)	Replace policy	Revised policy
DMA (LEGAL)	Replace policy	Revised policy
EHDB (LEGAL)	Replace policy	Revised policy
EIC (LEGAL)	Replace policy	Revised policy
FDA (LOCAL)	Replace policy	Revised policy
FEA (LEGAL)	Replace policy	Revised policy
FL (LOCAL)	Replace policy	Revised policy
GB (LEGAL)	ADD policy	See explanatory note
GBA (LEGAL)	Replace policy	Revised policy
GBAA (LEGAL)	Replace policy	Revised policy
GKA (LEGAL)	Replace policy	Revised policy
GKB (LOCAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 100

District: Eagle Pass ISD
AIB (LEGAL) ACCOUNTABILITY
PERFORMANCE REPORTING

Changes throughout this policy are prompted by revised Commissioner rules, effective March 13, 2014. At DISTRICT PERFORMANCE REPORT, we have added a reference to the Texas Academic Performance Report (TAPR), which replaced the previous Academic Excellence Indicator System (AEIS) report, and deleted the list of required data elements in the report, since TEA is responsible for creating the reports.

The amended rules clarify that the PUBLIC HEARING on the TAPR must occur within 90 days after the district receives the report and may occur at a regular or special board meeting. Within two weeks of the public hearing, the district must publish the TAPR on its website and in other public places, such as each school office, local businesses, and public libraries. (See PUBLICATION on page 2.)

At CAMPUS PERFORMANCE REPORT, we have added detail from existing Commissioner rules about the school report card (SRC), including timelines for distributing the report to parents, and a new provision from the amended rules permitting the district to send the SRC to parents by e-mail.

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

HB 2012 from the 83rd Texas Legislature, Regular Session, requires the Commissioner to develop an online survey regarding teaching and learning conditions to be administered biennially to district professional staff. As reflected at DISTRICT PLAN on page 2, each district must use the results to review and revise the district-level improvement plan and, as otherwise appropriate, to enhance the district learning environment. Please be aware that the requirement to review and revise the district-level improvement plan based on the survey results applies for the 2014–15 school year.

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

As described at BQA(LEGAL), above, HB 2012 requires each district to use the results of the TEA teaching and learning survey to review and revise the campus-level improvement plan and, as otherwise appropriate, to enhance the campus learning environment. See CAMPUS IMPROVEMENT PLAN on page 2. Please be aware that the requirement to review and revise the campus-level improvement plan based on the survey results applies for the 2014–15 school year.

CKE (LEGAL) SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL

In this legally referenced policy addressing security personnel, we have added a table of contents, re-ordered several provisions, and made revisions to better reflect statutory text. We have also added the following material:

- Existing statutory provisions addressing POWERS AND DUTIES of peace officers, on page 2;
- Beginning on page 8, provisions on school marshals from HB 1009 from the 83rd Texas Legislature, Regular Session;

Explanatory Notes

TASB Localized Policy Manual Update 100

- At CONCEALED HANDGUN LICENSEES on page 10, existing statutory provisions and a recent attorney general decision on authorizing employees to carry firearms on district property; and
- Existing statutory provisions addressing SCHOOL RESOURCE OFFICERS beginning on page 10, including a definition, licensing requirements, and provisions on firearms accident prevention training.

Please note: Because Update 100 addresses security personnel, it is a good time to confirm appropriate local policy provisions for those districts that authorize employees other than commissioned peace officers to possess firearms. If your district has adopted this practice, relevant policy should be at CKC(LOCAL). Please contact your policy consultant if you need adjustments to policy.

**CKE (LOCAL) SAFETY PROGRAM/RISK MANAGEMENT
SECURITY PERSONNEL**

Recommended changes to this local policy regarding the district's police officers are to update and simplify the policy:

- At DISTRICT POLICE DEPARTMENT, the policy clarifies that the district employs and commissions police officers.
- Changes at POLICE AUTHORITY address officers' authority within the jurisdiction of the district, whether on or off duty, and replace the lengthy list of police officer authority previously included in the policy with broader categories of authority to provide greater flexibility. As required by law, the board must determine the duties performed by the district's peace officers, and those duties must include protecting the safety and welfare of persons within the district's jurisdiction and protecting the property of the district.
- New provisions at VIDEO MONITORING require that, if available, video equipment shall be used on district police cars for safety purposes whenever the car's flashing lights are in use. A second new provision clarifies that police video recordings are considered law enforcement records under FERPA and that a parent or student who wishes to review the recordings must follow the procedures in policy FL.
- A new provision references the unique COMPLAINT process required by law for district police officers and requires complaints against an officer to be in writing, on a form provided by the district, signed by the complainant, and given to the officer. See CKE(LEGAL) for further information. Appeals regarding this specific complaint process that applies to officers will be filed in accordance with the standard grievance policies: DGBA, FNG, or GF, as appropriate.

**CMD (LEGAL) EQUIPMENT AND SUPPLIES MANAGEMENT
INSTRUCTIONAL MATERIALS CARE AND ACCOUNTING**

Amendments to Commissioner rules on the instructional materials allotment (IMA), effective May 12, 2014, resulted in several changes to this legally referenced policy:

- At DELAYED PUBLISHER PAYMENT OPTION beginning on page 1, additional detail has been added regarding the option for a district to requisition and receive materials before IMA funds are available. Publishers may not selectively decline to accept orders with delayed payments; a decision to decline an order will apply to all of the publisher's orders with delayed payments.
- The rules clarify that the amount of funding for HIGH-ENROLLMENT GROWTH will be allocated based on available IMA funds. See pages 2-3.

Explanatory Notes

TASB Localized Policy Manual Update 100

CRD (LOCAL) INSURANCE AND ANNUITIES MANAGEMENT
HEALTH AND LIFE INSURANCE

Recommended deletions provide flexibility for the district to determine contributions to health insurance premiums based on TRS membership, rather than part-time or full-time status. This change is more consistent with state law, which requires districts to contribute to the health insurance premiums of only those employees who are active, contributing TRS members.

DCB (LOCAL) EMPLOYMENT PRACTICES
TERM CONTRACTS

To ensure that the district provides term contracts as required by law, this local policy includes the comprehensive list of positions required by law to receive term contracts. Any district employee in one of the listed positions who has served the probationary contract period required by the district shall be given a term contract.

Any employees in positions for which the district requires current SBEC certification are also entitled to term contracts.

The district has chosen to give Chapter 21 term contracts to employees working in positions for which neither SBEC nor the district requires certification. In lieu of listing the numerous positions provided by the district, we have included language requiring the board to approve the list of positions given non-Chapter 21 contracts. See NO CERTIFICATION REQUIRED. **Please note that the district is not required to employ such positions under Chapter 21 contracts. TASB Legal Services has developed a sample non-Chapter 21 contract, titled "Model Noncertified Contract," for this purpose that does not incorporate the statutory protections available to employees on Chapter 21 contracts. If the district has questions about how to transition employees on Chapter 21 contracts under a previous policy to non-Chapter 21 contracts, we recommend that the district contact its school attorney for guidance.**

The details addressing employees hired under a continuing contract is recommended for deletion as this is addressed at DCC(LOCAL), the policy on continuing contracts.

DCC (LOCAL) EMPLOYMENT PRACTICES
CONTINUING CONTRACTS

We have revised this policy to provide that an employee currently employed under a continuing contract shall remain on a continuing contract "in accordance with law." The former language stated that an employee would remain on a continuing contract until the employee relinquished the contract, which failed to acknowledge the other ways in which a continuing contract can legally be terminated, as outlined in DCC(LEGAL).

DCD (LOCAL) EMPLOYMENT PRACTICES
AT-WILL EMPLOYMENT

We recommend replacing the list of categories of employees that the district hires on an at-will basis with a statement that personnel not hired under a contract shall be employed on an at-will basis. A cross-reference points to the policies outlining which employees are hired on a contractual basis.

Explanatory Notes

TASB Localized Policy Manual Update 100

Several other provisions are also recommended for deletion because the material is covered at other policy codes, including:

- The statement giving the superintendent or designee the authority to notify employees about assignments, compensation, and other conditions of employment, which is addressed at DK(LOCAL);
- The statement that the principal will evaluate at-will employees, which is addressed in the DN series; and
- The provision on reasonable assurance, which is addressed at CRF(LOCAL).

DCE (LOCAL) EMPLOYMENT PRACTICES
OTHER TYPES OF CONTRACTS

Because the district's response to the Policy Service survey sent in June 2014 indicated that the district does not consistently give non-Chapter 21 contracts to employees in any specific positions, we recommend deletion of this local policy on non-Chapter 21 contracts.

DECB (LEGAL) LEAVES AND ABSENCES
MILITARY LEAVE

A change in statute is reflected on page 2 at STATE LEAVE FOR MEMBER OF MILITARY OR RESCUE TEAM—SHORT TERM. The amended text limits this type of leave to 15 days in a fiscal year. Previously the statute referred to a "federal" fiscal year.

DMA (LEGAL) PROFESSIONAL DEVELOPMENT
REQUIRED STAFF DEVELOPMENT

Changes to this legally referenced policy on staff development are from SB 1383 from the 2011 82nd Texas Legislature. These changes were delayed pending development of the new principal appraisal system, which TEA will begin piloting in the 2014–15 school year. The policy was reorganized to better track statute and includes separate staff development requirements for EDUCATORS and PRINCIPALS. Staff development provided to a principal is governed by Education Code 21.3541 and rules for that section.

As a result of SB 307 from the 2013 83rd Texas Legislature, Regular Session, we have deleted provisions on required professional development for adult education staff. SB 307 transferred the administration and oversight of adult education and literacy programs from TEA to the Texas Workforce Commission (TWC), effective January 1, 2014, and mandates that TWC use a competitive procurement process to award contracts to service providers of local education programs.

Explanatory Notes

TASB Localized Policy Manual Update 100

EHDB (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT CREDIT BY EXAMINATION WITH PRIOR INSTRUCTION

Amended State Board rules on credit by examination with prior instruction, effective May 11, 2014, align the rules with changes from HB 2694 and SB 1365 from the 83rd Texas Legislature, Regular Session. The rules specify that tests given to students for the purpose of receiving credit for a subject in which the student has received prior instruction must be board approved.

EIC (LEGAL) ACADEMIC ACHIEVEMENT CLASS RANKING

Changes on page 1 clarify that students on the new foundation graduation program will need to complete the distinguished level of achievement to be eligible for AUTOMATIC ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION. If a student is unable to meet the CURRICULUM REQUIREMENTS for the distinguished level of achievement under the foundation program because the courses were unavailable or due to another cause outside of the student's control, the student will be considered to have satisfied the requirements.

Please note: In May 2014, Policy Service sent the *Policy Alert* on Class Rank and the foundation graduation program, about potential adjustments to the district's EIC(LOCAL). If you have not already contacted the district's policy consultant in response to the *Alert*, which is available in the Policy Service Resource Library on myTASB, please do so to discuss any possible changes that are needed to your local policy.

FDA (LOCAL) ADMISSIONS INTERDISTRICT TRANSFERS

The district's policy permits interdistrict transfers only on a case-by-case basis as determined by the board. We have retained your locally developed language at TRANSFER REQUESTS and EXCEPTION. Revisions recommended to this local policy are based on a recent Commissioner decision, *Child v. Skidmore-Tynan Independent School District*, in which the Commissioner determined that, under the Texas Education Code, interdistrict transfers must be for a period of one year. New text at TRANSFER AGREEMENTS explains that if a transfer student violates the district's rules and regulations, the district may take that conduct into account in approving a transfer for the following school year.

FEA (LEGAL) ATTENDANCE COMPULSORY ATTENDANCE

To better match statutory text, we have made changes to this policy on compulsory attendance at NO PENALTY on page 5. Newly added text explains that students with excused absences for compulsory attendance determinations may not be penalized for the absence and shall be counted as if the student were in attendance for purposes of calculating average daily attendance.

Explanatory Notes

TASB Localized Policy Manual Update 100

FL (LOCAL) STUDENT RECORDS

A change recommended on page 3 at ACCESS BY SCHOOL OFFICIALS, item 1, clarifies that a district's school resource officers, if any, are considered "school officials" for purposes of FERPA. School officials are allowed access to student records if they have a legitimate educational interest in the records.

We have retained your locally developed language at MEDICAID RECORDS. Please review this policy carefully, and contact your policy consultant with any questions.

GB (LEGAL) PUBLIC INFORMATION PROGRAM

This new legally referenced policy addressing the scope of public information includes provisions that were formerly at GBA, Access to Public Information, including provisions defining and listing the forms of public information and provisions addressing postings on an online message board as authorized by the Government Code.

GBA (LEGAL) PUBLIC INFORMATION PROGRAM ACCESS TO PUBLIC INFORMATION

This legally referenced policy addressing access to public information has been revised and reorganized into three sections, as reflected in the new table of contents page. Section I addresses the right of access to public information. Sections II and III clarify the distinction between categories of information that a school district may not disclose to the public versus information that a district may elect to withhold under Subchapter C of the Public Information Act. As mentioned above, several provisions addressing the scope of public information were moved to GB(LEGAL). Substantive changes to this policy include:

- Addition of an existing statutory provision explaining that expenditure of funds for a security system is public information (see SECURITY SYSTEM INFORMATION on page 3);
- Addition of existing statutory provisions on the SPECIAL RIGHTS OF ACCESS employees and board members have to information held by the district (see page 4);
- Relocation and addition of existing statutory provisions regarding commercial information and requests by incarcerated individuals, now grouped with other INFORMATION THE DISTRICT IS NOT REQUIRED TO RELEASE (see page 4); and
- Relocation of provisions regarding the personal information of peace officers/security officers, which used to be included with employee/board member information, to the section of the policy covering INFORMATION THAT MAY NOT BE DISCLOSED (see page 9 at PEACE/SECURITY OFFICER INFORMATION).

GBAA (LEGAL) INFORMATION ACCESS REQUESTS FOR INFORMATION

A revision at CATEGORIES OF INFORMATION on pages 8–9 clarifies that the attorney general, in Open Record Decision 684, determined that a district may withhold from public disclosure any of the categories of records listed in that decision, not just personnel records.

