

# Instruction Sheet

## TASB Localized Policy Manual Update 80

District      Brackett ISD

<b>Code</b>	<b>Action To Be Taken</b>	<b>Note</b>
A25 (INDEX)	Replace cross-index	Revised cross-index
BA (LEGAL)	Replace policy	Revised policy
BBFA (LEGAL)	Replace policy	Revised policy
BBFA (LOCAL)	ADD policy	See explanatory note
BBFB (LEGAL)	Replace policy	Revised policy
BQA (LEGAL)	Replace policy	Revised policy
BQB (LEGAL)	Replace policy	Revised policy
CMD (LEGAL)	Replace policy	Revised policy
CPC (LEGAL)	Replace policy	Revised policy
CPC (LOCAL)	Replace policy	Revised policy
CS (LEGAL)	Replace policy	Revised policy
D (LEGAL)	Replace table of contents	Revised table of contents
DBA (LEGAL)	Replace policy	Revised policy
DBA (LOCAL)	Replace policy	Revised policy
DBD (LEGAL)	Replace policy	Revised policy
DBD (LOCAL)	Replace policy	Revised policy
DBE (LEGAL)	Replace policy	Revised policy
DC (LOCAL)	Replace policy	Revised policy
DCD (LOCAL)	Replace policy	Revised policy
DEA (LEGAL)	Replace policy	Revised policy
DEAA (LEGAL)	ADD policy	See explanatory note
DEAA (LOCAL)	ADD policy	See explanatory note
DFBB (LOCAL)	Replace policy	Revised policy
DH (LOCAL)	Replace policy	Revised policy
DMA (LEGAL)	Replace policy	Revised policy
DN (LOCAL)	Replace policy	Revised policy
E (LEGAL)	Replace table of contents	Revised table of contents
EC (LEGAL)	Replace policy	Revised policy
EEJB (LOCAL)	Replace policy	Revised policy
EF (LEGAL)	Replace policy	Revised policy
EGA (LEGAL)	Replace policy	Revised policy
EHAC (LEGAL)	Replace policy	Revised policy

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EHBJ (LEGAL)	DELETE policy	See explanatory note
EHDD (LEGAL)	Replace policy	Revised policy
EIF (LEGAL)	Replace policy	Revised policy
EIF (LOCAL)	No policy enclosed	See explanatory note
F (LEGAL)	Replace table of contents	Revised table of contents
FL (LEGAL)	Replace policy	Revised policy
FNCA (LOCAL)	Replace policy	Revised policy
GA (LEGAL)	Replace policy	Revised policy

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A25 (INDEX) CROSS-INDEX

The cross-index shared by the **TASB Policy Reference Manual**, the **TASB Regulations Resource Manual**, and all Localized Policy Manuals in districts throughout Texas has been updated to reflect new terminology and topic relationships established by changes in law or regulation that have arisen since this document was last updated in 2004.

Please bear in mind that the cross-index is “generic” and presents a structure that serves all these manuals; your policy manual may not address some of the topics shown and may not include some of the policies indicated. This cross-index is also a key element of *Policy On Line* wherein topics or policy codes in a local district’s manual are highlighted.

BA (LEGAL) BOARD LEGAL STATUS

This language, establishing the basic statutory authority of the board, has been revised to more closely track the Education Code sections cited.

BBFA (LEGAL) ETHICS  
CONFLICT OF INTEREST DISCLOSURES

On page 4 appears a new section, ANNUAL FINANCIAL MANAGEMENT REPORT, briefly presenting reporting requirements appropriate to this policy but addressed in greater detail in BR(LEGAL), revised at Update 79.

In accordance with updated Commissioner’s rules, effective August 13, 2006, the district must report:

- Categorized reimbursements to board members (and the superintendent) including transactions resulting from the use of the district’s credit card.
- Itemized compensation and/or fees received by the superintendent for professional consulting and other personal services.
- Certain gifts—having a value of \$250 or more in the aggregate over the fiscal year—from district vendors to board members and the superintendent, or to their immediate families.
- Business transactions between the district and board members.

BBFA (LOCAL) ETHICS  
CONFLICT OF INTEREST DISCLOSURES

Recently amended Commissioner’s rules now require the Annual Financial Management Report to include “summary schedules” of:

- Total reimbursements received by the superintendent and each board member for the fiscal year.
- Compensation and fees received by the superintendent for consulting or personal services to another district or any other entity for the fiscal year.
- Gifts to a district’s “executive officers” and board members that have an aggregate value of \$250 or more in the fiscal year IF the gifts—to the individual or his or her immediate family—were from an outside entity that received payments from the district in the prior fiscal year or from a competing vendor that was not awarded contracts in the prior fiscal year.

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(This requirement does not apply to travel-related expense reimbursements by an outside entity when the travel is directly related to official duties or continuing education.)

- Business transactions between the district and board members.

The enclosed (LOCAL) policy affirms the obligation of board members to provide this information on a timely basis to the district.

**Please note:** *Financial Accountability for School Officials*, published by TASB Legal Services to provide guidance on financial reporting requirements, is available from the TASB Store online at [www.tasb.org/store](http://www.tasb.org/store).

#### BBFB      (LEGAL)      ETHICS PROHIBITED PRACTICES

For a more complete presentation of Penal Code provisions regarding ILLEGAL GIFTS to public servants, the seven EXCEPTIONS—found on page 2—have been added. They range from campaign contributions to gifts given independent of the recipient's status as a public servant.

**Please note:** While this policy focuses on legal restrictions on a public servant, Chapter 36 of the Penal Code also identifies offenses committed by anyone who attempts to coerce a public servant, tamper with a witness in an official proceeding, or obstruct or retaliate against a public servant.

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

New Commissioner's rules implementing a CAMPUS INCENTIVE PLAN—as directed by HB 1 from the third called session of the 79th Legislature—prompt the addition of that section on page 3. This new section provides an overview to address the necessary involvement of the district-level planning and decision-making committee in the application process. The rules are recited in full at BQB(LEGAL), in this update, and provide that:

- The plan should be designed to reward teachers who have a positive impact on improving student achievement, should meet all requirements of the Commissioner's rules, and should describe how grant funds will be distributed.
- The campus-level body developing the plan should reflect a "diverse and broad mix of teachers, including representation from different grade levels and subject areas."
- The district may provide guidance to the campus planning initiative.
- A campus implementing an approved plan may opt to renew its plan, contingent on available funding, for up to three additional years.
- In the absence of local policy delegating grant application responsibilities to the superintendent, the local board may either vote to submit a grant application or designate the superintendent to submit the application to TEA on its behalf, and the local board's decision may not be appealed to the Commissioner. [See policy DEAA(LEGAL)]

These rules became effective on January 9, 2007.

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

As explained at BQA (LEGAL), above, new Commissioner's rules regarding CAMPUS INCENTIVE PLANS have been added on pages 3 and 4.

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

Provisions regarding TEXTBOOKS, on page 1, have been refined to more closely track statute. Those changes include:

- The legal requirement that textbooks be furnished without cost to students.
- The addition of nonadopted materials to the requirement in the second paragraph at REQUISITION, USE, AND DISTRIBUTION.
- Added provisions regarding the disposition of SURPLUS instructional materials, on pages 2-3.

**Please note:** These provisions are drawn from new State Board of Education rules, effective October 12, 2006, implementing the Educational Materials and Textbooks (EMAT) inventory system and specifically requiring districts to report surplus materials to TEA by October 1 of each year.

**CPC            (LEGAL)            OFFICE MANAGEMENT  
RECORDS MANAGEMENT**

Provisions addressing the destruction and preservation of records, as well as exceptions to the destruction of records for purposes of litigation and Public Information Act requests, have been added to pages 3 and 4 of this code from GBAA(LEGAL). These provisions pertain to the records management program and anchor text added to CPC(LOCAL) at this update.

**CPC            (LOCAL)            OFFICE MANAGEMENT  
RECORDS MANAGEMENT**

Provisions on the destruction and preservation of documents and the maintenance of Web site postings have been added to this policy.

The rapidly growing number of electronic records—from e-mail to documents on an electronic desktop—present an extraordinarily difficult task for the district's records management officer and technology coordinator from two perspectives:

- Addressing within the district's records management plan, just as with hardcopy records, which electronic records should be retained for a specific period of time, which are archival in nature, and which should be deleted when.
- Devising as efficient a method as possible for combing through these records to retrieve all documents whose content is related to a topic.

Recent amendments to the Federal Rules of Civil Procedure underscore the need to have such systems in place, specifically to respond to the discovery phase of litigation.

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As with paper documents, it is particularly important that in advance of pending or contemplated litigation the district establish procedures to preserve all documents—electronic or hardcopy alike—that may be the subject of discovery. A model administrative procedure is available in the **TASB Regulations Resource Manual**, available through myTASB, pointing to the need for coordination with the state library when developing records retention schedules for the district.

#### CS (LEGAL) FACILITY STANDARDS

With Commissioner's rules governing pre-2004 construction increasingly less relevant, the focus of this policy has shifted somewhat to emphasize current standards. Recitation of provisions regarding the pre-2004 facilities standards has been scaled back to a single paragraph on page 3; recitation of provisions regarding post-2004 standards have been augmented to include the definitions, on pages 1 and 2, of "educational program," "educational specifications," and "major space renovation."

A significant difference between the old and new rules is certification requirement for architects, engineers, contractors, and the district itself. The full text of the post-2004 rules may be found at <http://www.tea.state.tx.us/rules/tac/chapter061/ch61cc.html>.

#### D (LEGAL) PERSONNEL

Policy code DEA has been retitled "Salaries and Wages," while DEAA—a new subordinate code created at this update—has been added to address "Incentives and Stipends."

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

This policy has been revised throughout for clarity and to more closely track statutory language. Key changes are as follows:

- Provisions applicable to Master Teacher Grants, previously at this code, have been moved to DEAA, a new policy code, also found in this update.
- Commissioner's rules regarding professional EMPLOYEE RECORDS have been added on page 7.
- ACCESS TO EMPLOYEE RECORDS, beginning on page 7, now includes the general privacy rule drawn from the Government Code.

#### DBA (LOCAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS CREDENTIALS AND RECORDS

Provisions regarding master teacher stipends have been moved to the new DEAA(LOCAL) in this update. The remainder of the policy is unchanged.

Please note that we have retained the district's locally developed language at CPR AND FIRST AID CERTIFICATION.

#### DBD (LEGAL) EMPLOYMENT REQUIREMENTS AND RESTRICTIONS CONFLICT OF INTEREST

As with BBFB(LEGAL), included in this update, Penal Code provisions regarding ILLEGAL GIFTS to public servants have been supplemented with the seven EXCEPTIONS found on page 2.

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These provisions focus on legal restrictions on a public servant. Chapter 36 of the Penal Code also identifies offenses committed by anyone who attempts to coerce a public servant, tamper with a witness in an official proceeding, or obstruct or retaliate against a public servant.

DBD            (LOCAL)            EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CONFLICT OF INTEREST

At ANNUAL FINANCIAL MANAGEMENT REPORT, we have added a new section requiring the superintendent, as the district's executive officer, to provide information necessary for the annual report in accordance with law.

**Please note:** *Financial Accountability for School Officials*, published by TASB Legal Services to provide guidance on financial reporting requirements, is available from the TASB Store online at [www.tasb.org/store](http://www.tasb.org/store).

DBE            (LEGAL)            EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
NEPOTISM

Pages 1 and 2 of this policy have been revised for clarity and to more closely track statute where appropriate. Substantively, however, the policy is unchanged.

DC            (LOCAL)            EMPLOYMENT PRACTICES

DC is the umbrella code under which the district's employment policies are found. At this update, we have adjusted—at EMPLOYMENT OF CONTRACTUAL PERSONNEL—the phrasing regarding the superintendent's authority to more closely echo that of Education Code 11.163, found in your DC(LEGAL) policy. At EMPLOYMENT OF NONCONTRACTUAL PERSONNEL, we have clarified that the authority delegated to the superintendent includes employment and dismissal of at-will employees.

**Please note:** At CRIMINAL HISTORY RECORD, your current policy provides that the district obtain criminal history record (CHR) information on job applicants. If it is the district's practice to also obtain CHR information subsequent to employment, TASB attorneys recommend that such practice be supported by policy. Please contact your policy consultant/analyst for appropriate language.

DCD            (LOCAL)            EMPLOYMENT PRACTICES  
AT-WILL EMPLOYMENT

The board's decision whether to delegate the authority to employ and dismiss at-will employees is reflected at DC(LOCAL), also issued in this update. To avoid redundancy and ensure consistency between these two codes, we have streamlined the lead-in to the list of at-will positions.

At REASONABLE ASSURANCE OF EMPLOYMENT, we have revised the language to clarify that all **at-will** employees who are expected to return to work at the beginning of the next school year are to receive such notification.

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### DEA (LEGAL) COMPENSATION AND BENEFITS SALARIES AND WAGES

With the refocusing of DEA (Salaries and Wages) and the creation of DEAA (Incentives and Stipends), two provisions previously on the final pages of this policy—RETIREMENT INCENTIVES and ATTENDANCE SUPPLEMENT—are now more appropriately found at DEAA(LEGAL), included in this update.

### DEAA (LEGAL) COMPENSATION AND BENEFITS INCENTIVES AND STIPENDS

This new policy was developed to gather together in a single code text regarding incentives and stipends and to encompass provisions for various incentive programs, as follows:

- TEXAS EDUCATOR EXCELLENCE GRANT on page 1. Established by HB 1 from the third called session of the 79th Legislature, the program provides an annual grant to a campus that has submitted an approved campus incentive plan for an incentive pay program to foster improved student achievement. Included are key provisions drawn from Commissioner's rules that became effective on January 9, 2007. Of particular note are provisions concerning:
  - local policy implications regarding application submission;
  - possible limitation to full-time teachers on a campus as of the program start date;
  - the size of the award (\$3,000 to \$10,000 per teacher, to the extent practicable);
  - the finality of the local board's determination regarding awards; and
  - the inclusion of appropriate language in teacher contracts with the caveat that the award is for performance and not a salary entitlement. (The TASB Model Contracts, available through myTASB under HR Services' Member Library, contain sample language in this regard.)

Further information about campus incentive plans underpinning the application may be found at BQA and BQB(LEGAL), included in this update.

- MENTOR TEACHERS, beginning on page 1. HB 1 also provides funding for stipends to mentoring teachers. Commissioner's rules implementing this incentive program have not yet been adopted, but the proposed rules may be found at <http://www.tea.state.tx.us/rules/commissioner/proposed/0207/153-1011-ltrprop.html>.
- MASTER TEACHER GRANT PROGRAMS. Previously found at DBA(LEGAL), this provision has been moved without change to pages 2 and 3 of this policy.

Concurrent with these changes, RETIREMENT INCENTIVES and ATTENDANCE SUPPLEMENT, both on page 3, have been recoded from DEA(LEGAL) in this update.

### DEAA (LOCAL) COMPENSATION AND BENEFITS INCENTIVES AND STIPENDS

Local policy provisions regarding the master grant programs, previously at DBA(LOCAL), have been moved, unchanged, to this new code.



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A new provision, at EDUCATOR INCENTIVE PROGRAMS, has been added to delegate to the superintendent the authority to submit incentive plans and grant applications to TEA. This policy requirement is imbedded in new Commissioner's rules governing campus incentive plans and recited at DEAA(LEGAL) in this update.

#### DFBB      (LOCAL)      TERM CONTRACTS NONRENEWAL

On pages 1 and 2 of the policy, those REASONS for nonrenewal of a term contract that pertain to certain violations of law have been revised as follows:

- Item 14 now includes the employee's failure to report an indictment, no contest or guilty plea, or any other adjudication (for any felony or crime involving moral turpitude) as well as any other offense listed at DH(LOCAL).
- Item 15 has been rephrased to include conviction or deferred adjudication of any other offense listed at DH(LOCAL).

#### DH            (LOCAL)      EMPLOYEE STANDARDS OF CONDUCT

At ARRESTS, INDICTMENTS, CONVICTIONS, AND OTHER ADJUDICATIONS, on page 2, the language of the introductory paragraph speaking to timely notification by the employee has been expanded to correspond to the range of offenses and the adjudication circumstances described at DFBB(LOCAL), above, and to include specific other offenses, as follows:

- Crimes involving school property or funds.
- Crimes involving an attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle a person to hold or obtain a position as an educator.
- Crimes that occur wholly or in part on school property or at a school-sponsored activity.

The list of offenses that constitute moral turpitude (item 4 on the new list of offenses) remains as before.

#### DMA          (LEGAL)      PROFESSIONAL DEVELOPMENT REQUIRED STAFF DEVELOPMENT

At EXCEPTIONS, on page 2, State Board of Education rules regarding waivers for exceptional circumstances have been revised to more fully express the rule.

Also on page 2 appears a new section addressing staff development requirements for VOLUNTEERS. State Board rules have long required volunteers who work with adult education program students to fulfill the same development requirements as program staff.

#### DN            (LOCAL)      PERFORMANCE APPRAISAL

At DOCUMENTATION AND RECORDS, language addressing the retention period has been deleted to avoid potential conflicts with the district's records management plan.

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### E (LEGAL) INSTRUCTION

With the merging of EHBJ ("Dual Language") into EGA ("Innovative and Magnet Programs"), EHBJ has become an inactive code and has been removed from the table of contents.

### EC (LEGAL) SCHOOL DAY

Material pertaining to prekindergarten programs has been deleted here in favor of EHBG, a policy code specific to prekindergarten provisions.

### EEJB (LOCAL) INDIVIDUALIZED LEARNING CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

Provisions regarding FEES for examinations for acceleration have been revised. Parents may not under any circumstances be charged for such exams given on a district-specified uniform examination date or on an alternate date requested by parents.

At the district's discretion, if the parent prefers another examination from a source approved by the State Board of Education, the parent may purchase—and the district may administer—the exam preferred by the parent.

### EF (LEGAL) INSTRUCTIONAL RESOURCES

As at CMD(LEGAL), the basic tenet of the state's textbook program—textbooks selected for use in the public schools shall be furnished to students without cost—has been added from the Education Code.

### EGA (LEGAL) CURRICULUM DEVELOPMENT INNOVATIVE AND MAGNET PROGRAMS

Provisions regarding DUAL LANGUAGE IMMERSION PROGRAMS, previously found at EHBJ(LEGAL), have been recoded to this policy.

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

At RESEARCH WRITING COMPONENT, on page 3, may be found the new State Board of Education requirement in that regard. Beginning with 2007–08 ninth graders, districts must ensure that at least one course required for the recommended and advanced high school programs includes a research writing component.

Prompted by HB 1 from the third called session of the 79<sup>th</sup> Legislature, this requirement became effective on January 9, 2007.

### EHBJ (LEGAL) SPECIAL PROGRAMS DUAL LANGUAGE

The EHB series of policies has been reserved for provisions pertaining to special populations. This policy on dual language immersion programs is more appropriately coded to EGA—Innovative and Magnet Programs.

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Please delete EHBJ(LEGAL) in favor of the revised EGA(LEGAL) included in this update.

#### EHDD (LEGAL) EXTENDED INSTRUCTIONAL PROGRAMS COLLEGE COURSE WORK/DUAL CREDIT

Changes are as follows:

- COLLEGE CREDIT PROGRAM, on page 1, has been added from HB 1 from the third called session of the 79<sup>th</sup> Legislature. Districts must implement, by fall 2008, a program permitting students to earn at least 12 college credit hours while in high school.
- DUAL CREDIT PROGRAMS, beginning of page 1, was extensively revised by the Higher Education Coordinating Board in 2003. The new rules simplified previous rules and eliminated the difference between concurrent credit (high school and junior college) and dual credit (high school and public university). The rules—and the PEIMS manual—require the college and district boards to have a written partnership agreement addressing dual credit.
- At CERTAIN ACADEMIES, on page 2, may be found a more precise list of universities fulfilling up to two years' of high school course credit through their offerings. Added as a result of the regular session of the 79<sup>th</sup> Legislature was the Texas Academy of International Studies, at Laredo.

#### EIF (LEGAL) ACADEMIC ACHIEVEMENT GRADUATION

At RECOMMENDED HIGH SCHOOL PROGRAM, on page 4, may be found updated State Board of Education rules phasing in increased requirements for students graduating under the Recommended and Advanced/Distinguish Achievement programs. Beginning with 2007–08 ninth graders, students must earn at least 26 credits—up from 24 credits—to graduate in either program.

The new rules, prompted by HB 1 from the third called session of the 79<sup>th</sup> Legislature, became effective on January 9, 2007.

Also added to the policy, at PHYSICAL EDUCATION SUBSTITUTIONS on page 5, is a longstanding State Board rule authorizing districts to award students physical education credit for certain alternative courses.

#### EIF (LOCAL) ACADEMIC ACHIEVEMENT GRADUATION

Thank you again for responding to our electronic survey regarding local graduation requirements. Because your responses exactly matched your current policy provisions, we are not reissuing the policy in this update.

#### F (LEGAL) STUDENTS

Policy code FFFF—previously titled “Conduct on School Buses”—has been retitled “School Buses” to reflect a change of scope.

Conduct-related issues are more appropriately addressed within the context of other student behavior/discipline policies (FO) and the student code of conduct; issues regarding school bus services, generally, are found in the CN series. FFFF will now be reserved for policies having to do specifically with student safety issues pertaining to school transportation.

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#### FL (LEGAL) STUDENT RECORDS

Provisions of this policy have been rearranged for better flow and improved readability. Changes have been incorporated as follows:

- On page 1, a table of contents has been added to aid in navigation of the policy text.
- At TRANSFER NOT PERMITTED, on pages 6–7, language has been added detailing the district's affirmative duty to notify certain parties of the limitations on use and disclosure of information released under FERPA.
- The section on VIDEOTAPES AND RECORDINGS, on page 12, has been expanded to consolidate from other codes EXCEPTIONS for making a videotape or recording of a student without parental consent.
- Citations have been updated throughout the policy.

#### FNCA (LOCAL) STUDENT CONDUCT DRESS CODE

Provisions regarding violations, previously found in this policy, have been deleted. Violations of the dress code—or any other student misbehavior—are more appropriately addressed in the district's Student Code of Conduct. Defining consequences in policy presents the possibility of inconsistencies between policy and the more frequently updated Student Code of Conduct, also adopted by the board.

#### GA (LEGAL) ACCESS TO PROGRAMS, SERVICES, AND ACTIVITIES

Subject to certain narrow exceptions, federal law prohibits adverse action against a person who refuses to disclose his or her Social Security number. While that law has long been recited at DC(LEGAL)—EMPLOYMENT PRACTICES—the prohibition applies more broadly.

For that reason, the federal prohibition has been added to this policy, on page 1.

ETHICS  
CONFLICT OF INTEREST DISCLOSURES

BBFA  
(LOCAL)

Each Board member shall provide in a timely manner to the District information necessary for the District's annual financial management report. [See BR]



OFFICE MANAGEMENT  
RECORDS MANAGEMENT

CPC  
(LOCAL)

The Superintendent shall oversee the performance of records management functions prescribed by state and federal law:

- Records Management Officer, as prescribed by Local Government Code 203.023
- Records Administrator, as prescribed by Local Government Code 176.001 and 176.007 [See BBFA and CHE]
- Officer for Public Information, as prescribed by Government Code 552.201–.204 [See GBAA]
- Public Information Coordinator, as prescribed by Government Code 552.012 [See BBD]

DOCUMENT  
DESTRUCTION  
PRACTICES

The District shall follow its records management program regarding document destruction. However, the District shall preserve documents, including electronically stored information, and suspend routine record destruction practices as applicable according to procedures developed by the records management officer:

1. In the event of pending or reasonably anticipated litigation;
2. In the event of an investigation by a federal agency or department or any bankruptcy case; or
3. In the event of a public information request.

Notification shall be given to appropriate staff of any applicable obligations to suspend routine record destruction practices.

WEB SITE POSTINGS

The District's records management program shall address the length of time documents will be posted on the District's Web site when the law does not specify a posting period.





EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CREDENTIALS AND RECORDS

DBA  
(LOCAL)

PARENT  
NOTIFICATION

The District shall notify parents of students in classrooms in which the regular teacher is not "highly qualified," as required by law.

Notification shall not be required, however, when:

1. The home campus teacher of a secondary school student assigned to a DAEP is considered the teacher-of-record; and
2. The home campus teacher:
  - a. Is highly qualified,
  - b. Assigns and evaluates the student's coursework,
  - c. Provides substantially the same coursework and uses the same grading standards as in the regular classroom,
  - d. Has final authority on the coursework grades and the final grade for the course, and
  - e. Is regularly available for face-to-face consultation with the student and the DAEP teacher; and
3. The DAEP teacher meets all applicable SBEC certification requirements.

UPDATING  
CREDENTIALS

All employees who have earned certificates, endorsements, or degrees of higher rank since the previous school year must file with the Superintendent:

1. An official college transcript showing the highest degree earned and date conferred.
2. Proof of the certificate or endorsement.

CONTRACT  
PERSONNEL

The Superintendent or designee shall ensure that contract personnel possess valid credentials before issuing contracts.

CPR AND FIRST AID  
CERTIFICATION

In addition to employees required by law [see DBA(LEGAL)] to maintain and submit to the District proof of current certification in first aid and cardiopulmonary resuscitation, the District includes the following:

1. District bus drivers; and
2. District employees who are responsible for students while away from campus for an activity that is sponsored by the District or UIL.

Proof of current certification shall be submitted to the District at the start of each new school year. Certification shall be issued by the American Red Cross, the American Heart Association, or another organization that provides equivalent training and certification.



EMPLOYMENT REQUIREMENTS AND RESTRICTIONS  
CONFLICT OF INTEREST

DBD  
(LOCAL)

DISCLOSURE —  
GENERAL STANDARD

An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or that creates a potential conflict of interest with the best interest of the District.

SPECIFIC  
DISCLOSURES  
SUBSTANTIAL  
INTEREST

The Superintendent shall file an affidavit with the Board President disclosing a substantial interest, as defined by Local Government Code 171.002, in any business or real property that the Superintendent or any of his or her relatives in the first degree may have.

Any other employee who is in a position to affect a financial decision involving any business entity or real property in which the employee has a substantial interest as defined by Local Government Code 171.002 shall file an affidavit with the Superintendent; however, the employee shall not be required to file an affidavit for the substantial interest of a relative.

INTEREST IN  
PROPERTY

The Superintendent shall be required to file an affidavit disclosing interest in property in accordance with Government Code 553.002.

CONFLICTS  
DISCLOSURE  
STATEMENT

No employee other than the Superintendent shall be required to file the conflicts disclosure statement, as promulgated by the Texas Ethics Commission and as specified by Local Government Code 176.003—.004.

ANNUAL FINANCIAL  
MANAGEMENT  
REPORT

The Superintendent, as the executive officer of the District, shall provide in a timely manner to the District information necessary for the District's annual financial management report. [See BF]

[See BBFA]

GIFTS

An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities. [See CAA]

ENDORSEMENTS

An employee shall not recommend, endorse, or require students to purchase any product, material, or service in which the employee has a financial interest or that is sold by a company that employs or retains the District employee during nonschool hours. No employee shall require students to purchase a specific brand of school supplies if other brands are equal and suitable for the intended instructional purpose.

SALES

An employee shall not use his or her position with the District to attempt to sell products or services.



EMPLOYMENT PRACTICES

DC  
(LOCAL)

PERSONNEL DUTIES	The Superintendent shall define the qualifications, duties, and responsibilities of all positions and shall ensure that job descriptions are current and accessible to employees and supervisors.
POSTING VACANCIES	The Superintendent or designee shall establish guidelines for advertising employment opportunities and posting notices of vacancies. These guidelines shall advance the Board's commitment to equal opportunity employment and to recruiting well-qualified candidates. Current District employees may apply for any vacancy for which they have appropriate qualifications.
APPLICATIONS	All applicants shall complete the application form supplied by the District. Information on applications shall be confirmed before a contract is offered for a contractual position and before hiring or as soon as possible thereafter for a noncontractual position.
CRIMINAL HISTORY RECORD	The District shall obtain criminal history record information on a person the District intends to employ.
EMPLOYMENT OF CONTRACTUAL PERSONNEL	<p>The Superintendent has sole authority to make recommendations to the Board regarding the selection of contractual personnel.</p> <p>The Board retains final authority for employment of contractual personnel. [See DCA, DCB, DCC, and DCE as appropriate]</p>
EMPLOYMENT OF NONCONTRACTUAL PERSONNEL	<p>The Board delegates to the Superintendent final authority to employ and dismiss noncontractual employees on an at-will basis. [See DCD]</p>
EXIT INTERVIEWS AND EXIT REPORTS	An exit interview shall be conducted, if possible, and an exit report shall be prepared for every employee who leaves employment with the District.



EMPLOYMENT PRACTICES  
AT-WILL EMPLOYMENT

DCD  
(LOCAL)

	Personnel employed on an at-will basis include but are not limited to employees in the following categories: business manager, technology specialist, paraprofessionals, and auxiliary personnel.
ASSIGNMENT AND EVALUATION	<p>The Superintendent or designee has sole authority to notify employees of assignments, compensation rates, and conditions of employment.</p> <p>Evaluation of at-will employees shall be conducted by the principal or supervisor in accordance with administrative procedures. [See DN]</p>
REASONABLE ASSURANCE OF EMPLOYMENT	At-will employees in positions normally requiring less than 12 months of service annually and who are expected to report to work at the beginning of the following school session shall be provided a letter of reasonable assurance of employment. [See CRF]
DISMISSAL	At-will employees may be dismissed at any time for any reason not prohibited by law or for no reason, as determined by the needs of the District. At-will employees who are dismissed shall receive pay through the end of the last day worked.
APPEAL TO BOARD	A dismissed employee may request to be heard by the Board in accordance with DGBA(LOCAL).





COMPENSATION AND BENEFITS  
INCENTIVES AND STIPENDS

DEAA  
(LOCAL)

MASTER TEACHER  
STIPENDS

At the end of the school year, a master teacher shall be paid the stipend for any month in which the teacher performed the prescribed duties for more than ten days. [See DBA]

If the number of master teachers exceeds the grants allocated, the District shall first fund the stipends for master teachers in their second or third year in the master program, as required by law. The District shall distribute the remaining funds among newly assigned master teachers based on:

LOCAL CRITERIA

1. Length of time teaching in the subject area.
2. Seniority in the District, as measured from the employee's most recent date of hire.

EDUCATOR  
INCENTIVE  
PROGRAMS

The Superintendent shall have authority to submit incentive plans and grant applications for incentive programs to TEA, on behalf of the Board. The incentive plans shall address teacher eligibility, including any exclusions.

[See also DEA regarding stipends for noncontractual supplemental duties.]



TERM CONTRACTS  
NONRENEWAL

DFBB  
(LOCAL)

REASONS

The recommendation to the Board and its decision not to renew a contract under this policy shall not be based on an employee's exercise of Constitutional rights or based unlawfully on an employee's race, color, religion, sex, national origin, disability, or age. Reasons for proposed nonrenewal of an employee's term contract shall be:

1. Deficiencies pointed out in observation reports, appraisals or evaluations, supplemental memoranda, or other communications.
2. Failure to fulfill duties or responsibilities.
3. Incompetency or inefficiency in the performance of duties.
4. Inability to maintain discipline in any situation in which the employee is responsible for the oversight and supervision of students.
5. Insubordination or failure to comply with official directives.
6. Failure to comply with Board policies or administrative regulations.
7. Excessive absences.
8. Conducting personal business during school hours when it results in neglect of duties.
9. Reduction in force because of financial exigency or program change. [See DFF]
10. A decision by a campus intervention team under Education Code 39.1324 that the employee not be retained at a reconstituted campus.
11. Drunkenness or excessive use of alcoholic beverages; or possession, use, or being under the influence of alcohol or alcoholic beverages while on school property, while working in the scope of the employee's duties, or while attending any school- or District-sponsored activity.
12. The illegal possession, use, manufacture, or distribution of a controlled substance, a drug, a dangerous drug, hallucinogens, or other substances regulated by state statutes.
13. Failure to meet the District's standards of professional conduct.
14. Failure to report any arrest, indictment, conviction, no contest or guilty plea, or other adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL). [See DH]

TERM CONTRACTS  
NONRENEWAL

DFBB  
(LOCAL)

15. Conviction of or deferred adjudication for any felony, any crime involving moral turpitude, or other offense listed at DH(LOCAL); and conviction of a lesser included offense pursuant to a plea when the original charged offense is a felony. [See DH]
16. Failure to comply with reasonable District requirements regarding advanced coursework or professional improvement and growth.
17. Disability, not otherwise protected by law, that prevents the employee from performing the essential functions of the job.
18. Any activity, school-connected or otherwise, that, because of publicity given it, or knowledge of it among students, faculty, and community, impairs or diminishes the employee's effectiveness in the District.
19. Any breach by the employee of an employment contract or any reason specified in the employee's employment contract.
20. Failure to maintain an effective working relationship, or maintain good rapport, with parents, the community, or colleagues.
21. A significant lack of student progress attributable to the educator.
22. Behavior that presents a danger of physical harm to a student or to other individuals.
23. Assault on a person on school property or at a school-related function, or on an employee, student, or student's parent regardless of time or place.
24. Use of profanity in the course of performing any duties of employment, whether on or off school premises, in the presence of students, staff, or members of the public, if reasonably characterized as unprofessional.
25. Falsification of records or other documents related to the District's activities.
26. Falsification or omission of required information on an employment application.
27. Misrepresentation of facts to a supervisor or other District official in the conduct of District business.
28. Failure to fulfill requirements for certification, including passing certification examinations required by state law for the employee's assignment.

TERM CONTRACTS  
NONRENEWAL

DFBB  
(LOCAL)

29. Failure to achieve or maintain "highly qualified" status as required for the employee's assignment.
30. Failure to fulfill the requirements of a deficiency plan under an Emergency Permit, a Special Assignment Permit, or a Temporary Classroom Assignment Permit.
31. Any attempt to encourage or coerce a child to withhold information from the child's parent or from other District personnel.
32. Any reason that makes the employment relationship void or voidable, such as a violation of federal, state, or local law.
33. Any reason constituting good cause for terminating the contract during its term.

RECOMMENDATIONS  
FROM  
ADMINISTRATION

Administrative recommendations for renewal or proposed nonrenewal of professional employee contracts shall be submitted to the Superintendent. The Superintendent shall require that each administrator's recommendation for nonrenewal be accompanied by copies of all pertinent information necessary to a decision to recommend proposed nonrenewal. The final decision on the administrative recommendation to the Board on each employee's contract rests with the Superintendent.

SUPERINTENDENT'S  
RECOMMENDATION

The Superintendent shall prepare lists of employees whose contracts are recommended for renewal or proposed nonrenewal by the Board. Copies of written evaluations, other supporting documentation, if any, and reasons for the recommendation shall be submitted for each employee recommended for proposed nonrenewal. The Board shall consider such information, as appropriate, in support of recommendations for proposed nonrenewal and shall then act on all recommendations.

NOTICE OF  
PROPOSED  
RENEWAL OR  
NONRENEWAL

The Superintendent shall deliver to the employee by hand or certified mail, return receipt requested, written notice of proposed renewal or nonrenewal not later than the 45th day before the last day of instruction required in the contract. If the notice of proposed nonrenewal does not contain a statement of the reason or all of the reasons for the proposed action, and the employee requests a hearing, the District shall give the employee notice of all reasons for the proposed nonrenewal a reasonable time before the hearing. The initial notice or any subsequent notice shall contain the hearing procedures.

REQUEST FOR  
HEARING

If the employee desires a hearing after receiving the notice of proposed nonrenewal, the employee shall notify the Board in writing not later than the 15th day after the date the employee received the notice of proposed nonrenewal. When a timely request for a hearing on a proposed nonrenewal is received by the Board Presi-

TERM CONTRACTS  
NONRENEWAL

DFBB  
(LOCAL)

dent, the hearing shall be held not later than the 15th day after receipt of the request, unless the parties mutually agree to a delay. The employee shall be given notice of the hearing date as soon as it is set.

HEARING  
PROCEDURE

The hearing shall be conducted in closed meeting unless the employee requests that it be open, with only the members of the Board, the employee, the Superintendent, their representatives, and such witnesses as may be called in attendance. Witnesses may be excluded from the hearing until it is their turn to present evidence. The employee and the administration may each be represented by a representative of each party's choice. Notice, at least five days in advance of the hearing, shall be given by each party intending to be represented, including the name of the representative. Failure to give such notice may result in postponement of the hearing.

The conduct of the hearing shall be under the Board President's control and in general shall follow the steps listed below:

1. After consultation with the parties, the Board President shall impose reasonable time limits for presentation of evidence and closing arguments.
2. The hearing shall begin with the administration's presentation, supported by such proof as it desires to offer.
3. The employee may cross-examine any witnesses for the administration.
4. The employee may then present such testimonial or documentary proof, as desired, to offer in rebuttal or general support of the contention that the contract be renewed.
5. The administration may cross-examine any witnesses for the employee and offer rebuttal to the testimony of the employee's witnesses.
6. Closing arguments may be made by each party.

A record of the hearing shall be made so that a certified transcript can be prepared, if required.

BOARD DECISION

The Board may consider only such evidence as is presented at the hearing. After all the evidence has been presented, if the Board determines that the reasons given in support of the recommendation to not renew the employee's contract are lawful, supported by the evidence, and not arbitrary or capricious, it shall so notify the employee by a written notice not later than the 15th day after the date on which the hearing is concluded. This notice shall also include the Board's decision on renewal, which decision shall be final.

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

All District employees shall perform their duties in accordance with state and federal law, District policy, and ethical standards. [See DH(EXHIBIT)]

All District employees shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**VIOLATIONS OF  
STANDARDS OF  
CONDUCT**

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCD and DF series]

**SAFETY  
REQUIREMENTS**

All employees shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

**HARASSMENT OR  
ABUSE**

Employees shall not engage in prohibited harassment, including sexual harassment, of:

1. Other employees. [See DIA]
2. Students. [See FFH; see FFG regarding child abuse and neglect]

While acting in the course of their employment, employees shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

**RELATIONSHIPS WITH  
STUDENTS**

Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

**TOBACCO USE**

Employees shall not use tobacco products on District premises, in District vehicles, or at school or school-related activities. [See also GKA]

**ALCOHOL AND DRUGS**

Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while at school or at school-related activities during or outside of usual working hours:

EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

EXCEPTIONS

An employee who manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities, or who uses a drug authorized by a licensed physician prescribed for the employee's personal use shall not be considered to have violated this policy.

NOTICE

Each employee shall be given a copy of the District's notice regarding drug-free schools. [See DI(EXHIBIT)]

A copy of this policy, a purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

ARRESTS,  
INDICTMENTS,  
CONVICTIONS, AND  
OTHER  
ADJUDICATIONS

An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

1. Crimes involving school property or funds;
2. Crimes involving attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
3. Crimes that occur wholly or in part on school property or at a school-sponsored activity; or
4. Crimes involving moral turpitude, which include:
  - Dishonesty; fraud; deceit; theft; misrepresentation;
  - Deliberate violence;
  - Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;



EMPLOYEE STANDARDS OF CONDUCT

DH  
(LOCAL)

- Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
- Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
- Acts constituting abuse under the Texas Family Code.

DRESS AND  
GROOMING

The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments, and in accordance with any additional standards established by their supervisors and approved by the Superintendent.



PERFORMANCE APPRAISAL

DN  
(LOCAL)

GENERAL PRINCIPLES	All District employees shall be periodically appraised in the performance of their duties. The District's employee evaluation and appraisal system shall be administered consistent with the general principles set out below.
CRITERIA	The employee's performance of assigned duties and other job-related criteria shall provide the basis for the employee's evaluation and appraisal. Employees shall be informed of the criteria on which they will be evaluated.
PERFORMANCE REVIEW	Evaluation and appraisal ratings shall be based on the evaluation instrument and cumulative performance data gathered by supervisors throughout the year. Each employee shall have at least one evaluative conference annually, except as otherwise provided by policy, to discuss the written evaluation and may have as many conferences about performance of duties as the supervisor deems necessary. [See also DNA and DNB]
DOCUMENTATION AND RECORDS	Appraisal records and forms, reports, correspondence, and memoranda may be placed in each employee's personnel records to document performance.
EMPLOYEE COPY	All employees shall receive a copy of their annual written evaluation.
COMPLAINTS	Employees may present complaints regarding the evaluation and appraisal process in accordance with the District's complaint policy for employees. [See DGBA]



INDIVIDUALIZED LEARNING  
CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

EEJB  
(LOCAL)

TEST SELECTION	The Superintendent or designee shall be responsible for development or selection of tests to be used to grant credit to students without prior instruction in a subject area or grade level. Whether tests are developed by the District or purchased from a source approved by the State Board of Education, each examination shall thoroughly test the essential knowledge and skills in the applicable grade level or subject area.
TEST DATES	The Superintendent or designee shall establish a schedule of dates when examinations for acceleration shall be administered and shall ensure that such dates are published in the student handbook and in other District publications, as appropriate.
REGISTRATION	A student planning to take an examination for acceleration shall be required to register with the principal or designee at least 30 days prior to the scheduled testing date on which the student wishes to take the test.
FEES	The District shall not charge for an examination for acceleration on the published dates or alternate dates. The District may deny a parent's or student's request for an alternate examination or alternate date. If the District grants a request for an alternate exam, it may use a test purchased by the parent or student from a source approved by the State Board of Education.
CREDIT APPROVAL	Approval of credit or advancement on the basis of an examination for acceleration shall be by the Superintendent or designee, in accordance with State Board rules.
KINDERGARTEN ACCELERATION	<p>The Superintendent or designee shall develop procedures to allow a student not six years old at the beginning of the school year to be placed initially in first grade. Criteria for acceleration may include:</p> <ol style="list-style-type: none"><li>1. Scores on readiness test(s) and/or achievement test(s) that may be administered by appropriate District personnel.</li><li>2. Recommendation of the kindergarten or preschool the student has attended.</li><li>3. Chronological age and observed social and emotional development of the student.</li><li>4. Other criteria deemed appropriate by the principal and Superintendent.</li></ol>



STUDENT CONDUCT  
DRESS CODE

FNCA  
(LOCAL)

PURPOSE

The District's dress code is established to teach grooming and hygiene, instill discipline, prevent disruption, avoid safety hazards, and teach respect for authority.

GENERAL  
GUIDELINES

Students shall be dressed and groomed in a manner that is clean and neat and that will not be a health or safety hazard to themselves or others. The District prohibits any clothing or grooming that in the principal's judgment may reasonably be expected to cause disruption of or interference with normal school operations.

The District prohibits pictures, emblems, or writings on clothing that:

1. Are lewd, offensive, vulgar, or obscene.
2. Advertise or depict tobacco products, alcoholic beverages, drugs, or any other substance prohibited under FNCF(LEGAL).

The student and parent may determine the student's personal dress and grooming standards, provided that they comply with the general guidelines set out above and with the student dress code outlined in the student handbook.

EXTRACURRICULAR  
ACTIVITIES

The principal, in cooperation with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity. Students who violate dress and grooming standards established for such an activity may be removed or excluded from the activity for a period determined by the principal or sponsor and may be subject to other disciplinary action, as specified in the Student Code of Conduct. [See FO series]

