

Vantage Points

A Board Member's Guide to Update 108

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 brief 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.

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 more information about Policy Service, visit our website at <http://policy.tasb.org>.

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 adviser. Consult with your attorney or professional adviser to apply these principles to specific fact situations.

© 2017 Texas Association of School Boards, Inc. All rights reserved.



Update 108 contains recommended changes to local policies on topics including instructional resources and materials, credit by examination with prior instruction, graduation, campus charters, and community relations in regard to advertising and fundraising. Revisions to legal policies incorporate various administrative rules and include some updating and recoding of provisions in anticipation of changes from the 85th Legislative Session, which will be included in Update 109, scheduled for early fall 2017.

Instruction Issues

Section E of the manual has been updated to reorganize, rename, and delete certain codes. The most significant changes to this section are in the EF series of policies addressing instructional resources and materials. Changes to the (LEGAL) policies have also been made to incorporate current TEA rules related to required course offerings [see EHAC(LEGAL)] and high school equivalency programs [see EHBL(LEGAL)] and to delete outdated exit-level testing exemptions for English language learners [see EKBA(LEGAL)]. Local policy recommendations related to instruction issues are described below.

EF, EFA, AND EFAA(LOCAL) POLICY CONSIDERATIONS

State Board of Education (SBOE) rules no longer require the adoption of a board policy for selecting instructional materials. Instead, the rules require a board to select instructional materials in a properly called meeting. Policy EFAA(LOCAL), which addressed the former SBOE rule, is therefore recommended for deletion at Update 108. With this change, we have also reorganized this series of policies and have moved, with changes, provisions on challenges to instructional resources from EFA to EF to better reflect the content of the assigned code. The recommended changes incorporated in the new EF(LOCAL) include replacing the term “instructional materials” with “instructional resources” to clarify the scope of the policy and aligning the policy more closely with the American Library Association guidelines for responding to challenges to instructional resources.

The reorganization in the EF series also allowed us to review and make recommendations for other existing codes that now appear outdated. Districts with local policies at codes EFF (Instructional Television), EG (Curriculum Development), and EGA (Innovative and Magnet Programs) will see recommendations at this Update to move or delete those provisions.

EL(LOCAL) POLICY CONSIDERATIONS

Revisions are recommended to this policy along with a title change to the code to address campus charter programs. The revisions recommended at this update are to better align with statutory provisions and TEA recommendations.

EHDB(LOCAL) POLICY CONSIDERATIONS

This local policy on credit by examination with prior instruction is recommended for revision at Update 108 to clarify the SBOE rule requirement that these examinations be approved by the board and to match statutory wording regarding the use of these examinations with students who fail to earn credit or are not awarded a final grade due to absences.

EIF(LOCAL) POLICY CONSIDERATIONS

Because the 2017–18 school year is the first school year for which the foundation graduation program will be fully transitioned, revisions are recommended at EIF(LOCAL) to remove references to the high school graduation credit requirements for the minimum, recommended, and advanced/distinguished achievement programs. Note that any students under the former programs who are continuing in school during the 2017–18 school year have the option to move to the foundation program.

Student Issues

Attendance rules, particularly commissioner of education rules related to truancy, prompted most of the changes to the F Section of the manual. FED(LEGAL) has been adjusted to include newly adopted rules related to the minimum standards for truancy prevention measures, as well as best practices and sanctions when a district is found to be out of compliance with the application of truancy prevention measures.

Other legally referenced policy codes modified in this update to more closely track statutory wording include FEA(LEGAL) on compulsory attendance and FFEA(LEGAL) on school counseling programs. Finally, certain statutorily driven material formerly housed at FNCF(EXHIBIT) and FOC(EXHIBIT) has been moved to the corresponding (LEGAL) policies at those codes.

**District
Operations**

Accountability

AIA(LEGAL) and AIB(LEGAL) have been updated to include statutory provisions on accountability and performance reporting effective with the 2017–18 school year. AIC(LEGAL) has been updated to include commissioner rules associated with the process of submitting campus turnaround plans.

**Elections and
Trustees**

Several legally referenced policies on district governance—including BBA(LEGAL), BBG(LEGAL), and BJCF(LEGAL)—have been modified to more closely align with current statutory text and citations. Because the board officer’s statement and oath of office is readily available in other locations, BBB(EXHIBIT) is recommended for deletion, as is BJCF(EXHIBIT), which repeats hearing officer procedures already described at DFD(LEGAL).

**Site-Based
Planning and
Decision-Making
Processes**

Appropriate adjustments have been made to the BQ series of (LEGAL) policies to better match statutory wording associated with the requirements for district- and campus-level planning and decision-making committees.

**Procurement
and Business-
Related Items**

Rules adopted by the Ethics Commission related to contract disclosure requirements have been incorporated into CH(LEGAL). Administrative Code rules have also been added at COB(LEGAL) to address a district’s requirement to inform the Texas Department of Agriculture by April 1 of each year of the availability of summer meal programs. CJA(LEGAL), regarding criminal history record checks of contractors, has been reorganized and rewritten to more closely track current statute. Finally, CQA(LEGAL), which addresses required website postings, has been modified to include several additional website notices prescribed by statute and TEA rules.

Advertising

GKB(LOCAL) POLICY CONSIDERATIONS

Based on numerous requests from our members, new text is recommended stating that the district will NOT accept paid political advertising. This practice allows the district to avoid the appearance of taking sides in election matters. However, if the district does allow this type of advertising, it will be necessary to adjust the text.

Personnel Issues

Provisions on the activation, eligibility, issuance, and renewal of emergency teaching permits have been moved, with changes, from DK(LEGAL) to DBA(LEGAL) to accommodate new Administrative Code rules. New Administrative Code rules also prompted revisions to DBAA(LEGAL) addressing criminal history record checks of employees. Existing statutory provisions on reduction of personnel for continuing contracts have been added to DFF(LEGAL). DHB(LEGAL) has been updated to include recent State Board for Educator Certification (SBEC) rules related to required reports to SBEC of inappropriate employee conduct.

Instruction Sheet

TASB Localized Policy Manual Update 108

District San Diego ISD

Code	Action To Be Taken	Note
AIA (LEGAL)	Replace policy	Revised policy
AIB (LEGAL)	Replace policy	Revised policy
AIC (LEGAL)	Replace policy	Revised policy
BBB (EXHIBIT)	DELETE exhibit	See explanatory note
BBG (LEGAL)	Replace policy	Revised policy
BED (LEGAL)	Replace policy	Revised policy
BJCF (LEGAL)	Replace policy	Revised policy
BJCF (EXHIBIT)	DELETE exhibit	See explanatory note
BQ (LEGAL)	Replace policy	Revised policy
BQA (LEGAL)	Replace policy	Revised policy
BQB (LEGAL)	Replace policy	Revised policy
CH (LEGAL)	Replace policy	Revised policy
CJA (LEGAL)	Replace policy	Revised policy
COB (LEGAL)	Replace policy	Revised policy
CQA (LEGAL)	Replace policy	Revised policy
DBA (LEGAL)	Replace policy	Revised policy
DBAA (LEGAL)	Replace policy	Revised policy
DFE (LEGAL)	Replace policy	Revised policy
DHB (LEGAL)	Replace policy	Revised policy
DK (LEGAL)	Replace policy	Revised policy
DK (EXHIBIT)	Replace exhibit	Revised exhibit
E (LEGAL)	Replace table of contents	Revised table of contents
EF (LEGAL)	Replace policy	Revised policy
EF (LOCAL)	ADD policy	See explanatory note
EFA (LEGAL)	Replace policy	Revised policy
EFA (LOCAL)	DELETE policy	See explanatory note
EFAA (LEGAL)	DELETE policy	See explanatory note
EFAA (LOCAL)	DELETE policy	See explanatory note
EGA (LEGAL)	DELETE policy	See explanatory note
EHAC (LEGAL)	Replace policy	Revised policy
EHBJ (LEGAL)	ADD policy	See explanatory note
EHBL (LEGAL)	Replace policy	Revised policy

Instruction Sheet
TASB Localized Policy Manual Update 108

EHDB (LOCAL)	Replace policy	Revised policy
EIF (LOCAL)	Replace policy	Revised policy
EKBA (LEGAL)	Replace policy	Revised policy
EL (LOCAL)	Replace policy	Revised policy
FEA (LEGAL)	Replace policy	Revised policy
FED (LEGAL)	Replace policy	Revised policy
FFEA (LEGAL)	Replace policy	Revised policy
FNCF (LEGAL)	Replace policy	Revised policy
FNCF (EXHIBIT)	DELETE exhibit	See explanatory note
FOC (LEGAL)	Replace policy	Revised policy
FOC (EXHIBIT)	DELETE exhibit	See explanatory note
G (LEGAL)	Replace table of contents	Revised table of contents
GKB (LOCAL)	Replace policy	Revised policy

Explanatory Notes

TASB Localized Policy Manual Update 108

District: San Diego ISD

AIA (LEGAL) ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

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

AIB (LEGAL) ACCOUNTABILITY
PERFORMANCE REPORTING

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

AIC (LEGAL) ACCOUNTABILITY
INVESTIGATIONS AND SANCTIONS

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

BBB (EXHIBIT) BOARD MEMBERS
ELECTIONS

This exhibit containing the officer's statement and the oath of office from the Texas Constitution is recommended for deletion from the district's policy manual, as this material is now readily available on the Texas Secretary of State website and in the TASB Legal Services eSource document *After the School Board Election: Frequently Asked Questions Regarding Post-Election Procedures*, available at https://www.tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/after_bd_election.pdf.

BBG (LEGAL) BOARD MEMBERS
COMPENSATION AND EXPENSES

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

BED (LEGAL) BOARD MEETINGS
PUBLIC PARTICIPATION

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

Explanatory Notes

TASB Localized Policy Manual Update 108

BJCF (LEGAL) SUPERINTENDENT
NONRENEWAL

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

BJCF (EXHIBIT) SUPERINTENDENT
NONRENEWAL

This exhibit on superintendent nonrenewal is recommended for deletion from the district's policy manual, as the content is duplicated at DFD(LEGAL), addressing the independent hearing examiner process.

BQ (LEGAL) PLANNING AND DECISION-MAKING PROCESS

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

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

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

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

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

CH (LEGAL) PURCHASING AND ACQUISITION

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

CJA (LEGAL) CONTRACTED SERVICES
CRIMINAL HISTORY

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

Explanatory Notes

TASB Localized Policy Manual Update 108

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

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

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

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

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

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

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

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

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

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

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

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

Explanatory Notes

TASB Localized Policy Manual Update 108

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

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

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

DK (LEGAL) ASSIGNMENT AND SCHEDULES

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

DK (EXHIBIT) ASSIGNMENT AND SCHEDULES

This exhibit has been reformatted and updated to better match wording from the applicable state rules.

E (LEGAL) INSTRUCTION

The E Section table of contents has been updated to:

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

See the notes below for additional information on these changes.

EF (LEGAL) INSTRUCTIONAL RESOURCES

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

EF (LOCAL) INSTRUCTIONAL RESOURCES

Local policy provisions addressing challenges to instructional resources have been relocated from EFA to this policy code. The policy is based heavily on materials from the American Library Association (ALA) and has been updated to reflect current ALA recommendations.

Explanatory Notes

TASB Localized Policy Manual Update 108

Other recommended changes include:

- Replacing the term "instructional materials" throughout the policy with the broader term "instructional resources" to clarify the scope of the policy;
- Deleting detail about APPEAL documents that is addressed in the grievance policies; and
- Clarifying at GUIDING PRINCIPLES that a parent may request that his or her child not be permitted access to challenged resources.

At FORMAL RECONSIDERATION, please confirm that the policy correctly lists the position of the individual who is responsible for accepting formal objections and appointing a reconsideration committee.

See <http://www.ala.org/tools/challengesupport/> for more information.

EFA (LEGAL) INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

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

EFA (LOCAL) INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

Local policy provisions addressing challenges to instructional resources have been relocated to EF.

EFAA (LEGAL) INSTRUCTIONAL MATERIALS
SELECTION AND ADOPTION

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

EFAA (LOCAL) INSTRUCTIONAL MATERIALS
SELECTION AND ADOPTION

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

EGA (LEGAL) CURRICULUM DEVELOPMENT
INNOVATIVE AND MAGNET PROGRAMS

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

Explanatory Notes

TASB Localized Policy Manual Update 108

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

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

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

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

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

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

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

Recommended revisions to this local policy on credit by examination with prior instruction are to clarify that the examinations used must be board approved and to reflect current statutory wording about failing to earn credit "or a final grade" because of excessive absences.

**EIF (LOCAL) ACADEMIC ACHIEVEMENT
GRADUATION**

This local policy on graduation has been revised to delete references to the minimum, recommended, and advanced/distinguished achievement graduation programs.

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

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

EL (LOCAL) CAMPUS CHARTERS

Recommended revisions to this local policy on campus charters are intended to better align with the statutory provisions and current TEA expectations and include:

- Clarification at the beginning of the policy that the term "campus charter" includes program charters;

Explanatory Notes

TASB Localized Policy Manual Update 108

- To provide more flexibility at APPLICATION PROCESS, a change stating that application and petition forms will be available in the central administration office or other places accessible to parents and teachers, rather than in the superintendent's office;
- Addition of a reference to the legally required CONTENT OF A CHARTER;
- Addition of a statement explaining the process that the district will use when REVISING THE CHARTER;
- Clarification regarding the PROVISIONS FOR PROBATION OR REVOCATION to explain that the board may take appropriate action against the campus charter if the charter fails to meet academic or financial accountability requirements.

FEA (LEGAL) ATTENDANCE
COMPULSORY ATTENDANCE

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

FED (LEGAL) ATTENDANCE
ATTENDANCE ENFORCEMENT

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

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

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

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

FNCF (LEGAL) STUDENT CONDUCT
ALCOHOL AND DRUG USE

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

FNCF (EXHIBIT) STUDENT CONDUCT
ALCOHOL AND DRUG USE

The text of the required notice regarding steroids has been moved to FNCF(LEGAL). This exhibit is recommended for deletion.

Explanatory Notes

TASB Localized Policy Manual Update 108

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

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

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

The list of Penal Code, Title 5, felony offenses in this exhibit has been moved to FOC(LEGAL). This exhibit is recommended for deletion.

G (LEGAL) COMMUNITY AND GOVERNMENTAL RELATIONS

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

GKB (LOCAL) COMMUNITY RELATIONS
ADVERTISING AND FUNDRAISING

Based on numerous district requests, Policy Service recommends a revision to this local policy on advertising and fundraising to add an affirmative statement that the district shall not accept paid political advertising. This common district practice allows the district to avoid the appearance of taking sides in election matters.

Contact the district's policy consultant for a revision to your policy if the district accepts paid political advertising.

For information on political advertising, campaign communications, and electioneering involving nonschool use of school facilities [policy GKD(LOCAL)], see the First Amendment *Starting Points* available in the Policy Service Resource Library on myTASB (<https://www.tasb.org/Services/Policy-Service/myTASB/Starting-Points/First-Amendment-Resources/Community/Gkd-Facilities.aspx#pitfall4>).

For general information on campaigning and political advocacy, see the TASB School Law eSource (<https://www.tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/Elections.aspx#Campaigns and Candidates>).

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

Note: For information related to the selection process and accounting of instructional materials, as this term is defined by state law and rule, see CMD and EFA.

OBJECTIVES

The District shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although professional staff members may select instructional resources for their use in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

In this policy, "instructional resources" may include textbooks, library acquisitions, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional resources are to implement, enrich, and support the District's educational program.

The Board shall rely on District professional staff to select and acquire instructional resources that:

1. Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, and maturity levels.
2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.
4. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
5. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.

SELECTION CRITERIA

In the selection of instructional resources, professional staff shall ensure that the resources:

1. Support and are consistent with the general educational goals of the state and District and the aims and objectives of individual schools and specific courses consistent with the District and campus improvement plans.

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

2. Meet high standards for artistic quality and/or literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
3. Are appropriate for the subject area and for the age, ability level, learning styles, and social and emotional development of the students for whom they are selected.
4. Are designed to help students gain an awareness of our pluralistic society.
5. Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.
6. For library selections, are integral to the instructional program, are appropriate for the reading levels and understanding of students, reflect the interests and needs of the students and faculty, are included because of their literary or artistic value and merit, and present information with the greatest degree of accuracy and clarity.

Administrators, teachers, library media specialists, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).

Selection of resources is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of resources that still have educational value.

CONTROVERSIAL
ISSUES

District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction.]

CHALLENGED
RESOURCES

A parent of a District student, any employee, or any District resident may formally challenge an instructional resource used in the District's educational program on the basis of appropriateness.

INFORMAL
RECONSIDERATION

The school receiving a complaint about the appropriateness of an instructional resource shall try to resolve the matter informally using the following procedure:

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned resource.
2. The principal or designee shall explain the intended educational purpose of the resource and any additional information regarding its use.
3. If appropriate, the principal or designee may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource.
4. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the resource.

FORMAL
RECONSIDERATION

A complainant shall make any formal objection to an instructional resource on the form provided by the District and shall submit the completed and signed form to the principal. Upon receipt of the form, the principal shall appoint a reconsideration committee.

The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged resource with students or is familiar with the challenged resource's content. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and any other appropriate individuals.

All members of the committee shall review the challenged resource in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged resource conforms to the principles of selection set out in this policy. The committee shall prepare a written report of its findings and provide copies to the principal, the Superintendent or designee, and the complainant.

APPEAL

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting with the appropriate administrator. [See DGBA, FNG, and GF]

GUIDING PRINCIPLES

The following principles shall guide the Board and staff in responding to challenges of instructional resources:

1. A complainant may raise an objection to an instructional resource used in a school's educational program, despite the fact that the professional staff selecting the resources were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for instructional resources set out in this policy.

INSTRUCTIONAL RESOURCES

EF
(LOCAL)

2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own child.
3. Access to a challenged resource shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

The major criterion for the final decision on challenged resources is the appropriateness of the resource for its intended educational use. No challenged instructional resource shall be removed solely because of the ideas expressed therein.

ALTERNATIVE METHODS FOR EARNING CREDIT
CREDIT BY EXAMINATION WITH PRIOR INSTRUCTION

EHDB
(LOCAL)

The principal or designee or the attendance committee, as applicable, shall have authority to offer a student the opportunity to demonstrate mastery in a subject or to earn course credit by examination when the student has had prior instruction in a subject and when:

1. The student is enrolling in the District from a nonaccredited school [see FD];
2. The student has failed a subject or course; or
3. The student has earned a passing grade in a subject or course but has failed to earn credit or a final grade because of excessive absences [see FEC].

The Board-approved examinations shall assess the student's mastery of the essential knowledge and skills and shall be administered according to established District procedures.

Prior to offering a student an opportunity to demonstrate mastery or earn credit by this method, an appropriate District employee shall review the student's educational records to determine whether the student has had prior instruction in the subject or course.

ACADEMIC ACHIEVEMENT
GRADUATION

EIF
(LOCAL)

COURSE REQUIREMENTS	To graduate, a student must complete the courses required by the District in addition to those mandated by the state.
FOUNDATION PROGRAM	The courses that satisfy District requirements under the foundation program, including courses for the distinguished level of achievement and courses for endorsements offered by the District, shall be listed in appropriate District publications.
WITHOUT AN ENDORSEMENT	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program without an endorsement. Graduation under the foundation program without an endorsement shall be permitted only as authorized under state law and rules.
WITH AN ENDORSEMENT	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with an endorsement.
DISTINGUISHED LEVEL OF ACHIEVEMENT	The District requires no additional credits beyond the number mandated by the state to graduate under the foundation program with the distinguished level of achievement.
NO FINE ARTS SUBSTITUTIONS	The District shall not award state graduation credit in fine arts for participation in a community-based fine arts program.
PHYSICAL EDUCATION SUBSTITUTIONS ACTIVITIES AND COURSES	To the extent permitted by state rules, the District shall award state graduation credit in physical education for participation in approved activities and elective courses.
NO PRIVATE OR COMMERCIAL PROGRAMS	The District shall not award state graduation credit in physical education for private or commercially sponsored physical activity programs conducted either on or off campus. [See also EHAC]

Note: For purposes of this policy, the term campus charter includes a program charter.

CAMPUS CHARTERS

The Board shall consider an application for a campus charter if the applicant:

1. Complies with the statutory requirements for a campus charter;
2. Follows the application process established by the District; and
3. Supplies evidence to the Board that the applicant will comply with the statutory and District requirements for a campus charter.

COMPLIANCE WITH
LAW

Campus charters shall comply with all federal law and with state law governing such charters and shall be nonsectarian.

APPLICATION
PROCESS

The Superintendent or designee shall schedule an informational meeting for anyone expressing interest in establishing a campus charter. Applications and petition forms for a campus charter shall be available in the central administration office or in a designated place that is accessible to parents and teachers in the District.

Applicants shall present a draft of the application to the Superintendent or designee in accordance with a timeline established in administrative regulations. The Superintendent or designee shall work with the applicants in completing the application process.

A public forum shall be held to allow the applicants an opportunity to present their proposal to the Board and to the community prior to formal consideration by the Board.

Final applications and any applicable petitions for campus charters shall be submitted to the District prior to January 1 for Board consideration of a charter to begin the following school year.

CONTENT OF FINAL
APPLICATION

A final application for a campus charter shall include the following:

1. The purpose and need for such a campus or program;
2. The unique distinction between the proposed campus or program and the District's current campuses and programs;
3. A mission and goals statement;
4. The curriculum to be offered;
5. A plan for measuring student achievement;

6. A governance and decision-making plan, including a list of local Board policies that shall apply, as well as a list of any local policies the applicant is requesting the Board to waive;
7. An enrollment and withdrawal process;
8. A plan for maintaining and reporting PEIMS data in accordance with state requirements;
9. Discipline procedures;
10. A safety and security plan;
11. A plan for providing facilities and student transportation;
12. A facility and maintenance plan that includes routine maintenance as well as emergency procedures for managing potential danger to the health and safety of students and employees;
13. An employment plan consistent with federal and applicable state guidelines, due process requirements, and contract non-renewal and termination procedures; and
14. The role of the chief operating officer responsible for personnel, the budget, purchasing, program funds, and other areas of management.

Applicants shall submit with the application any required petitions indicating evidence of support for the approval of a campus charter.

CONTENT OF
CHARTER

A charter shall be a written contract signed by the Board President, the Superintendent, and the chief operating officer of the campus charter.

Each charter shall satisfy the requirements of the law governing campus charters and include the items listed in the application, with any modifications required by the Board.

In addition to the legally required contents of a charter, each charter contract shall:

1. Stipulate a term length for the charter; and
2. Establish a date for review or renewal of the charter.

REVISING THE
CHARTER

Revisions or amendments to a charter shall follow the same process outlined at APPLICATION PROCESS, as applicable.

PROVISIONS FOR
PROBATION OR
REVOCAION

The Board may place on probation or revoke a campus charter in accordance with the charter contract if it finds that the campus charter:

CAMPUS CHARTERS

EL
(LOCAL)

1. Violates a provision of applicable state or federal law;
2. Violates a provision of the charter, which may include failure to meet academic or financial accountability requirements; or
3. Fails to meet generally accepted accounting standards for fiscal management.

PROCEDURE

The Superintendent shall investigate any allegation that a campus charter has violated federal or applicable state law or provisions of the charter or fails to meet generally accepted accounting standards for fiscal management. The Superintendent shall hold a conference with the chief operating officer and governing body of the charter campus or program to discuss any such allegation.

If the Superintendent determines that a violation or mismanagement has occurred, the chief operating officer of the campus charter shall respond to the allegation at the next regularly scheduled Board meeting. The Superintendent shall ensure that the issue is on the agenda.

The Board shall hear the presentation and take action, if necessary, to place the campus charter on probation.

If the Board decides to consider revocation of the campus charter, it shall schedule a public hearing to be held on the respective campus.

COMMUNITY RELATIONS
ADVERTISING AND FUNDRAISING

GKB
(LOCAL)

PROMOTIONAL
ACTIVITIES

District facilities shall not be used to advertise, promote, sell tickets, or collect funds for any nonschool-related purpose without prior approval of the Superintendent or designee.

[For information relating to nonschool use of facilities, see GKD.]

ADVERTISING

For purposes of this policy, "advertising" shall mean a communication designed to attract attention or patronage by the public or school community and communicated through means under the control of the District in exchange for consideration to the District. "Advertising" does not include public recognition of donors or sponsors who have made contributions, financial or otherwise, to the District or school support organizations.

Advertising shall be accepted solely for the purpose of generating revenue for the District and not for the purpose of establishing a forum for communication. The District shall retain final editorial authority to accept or reject submitted advertisements in a manner consistent with the First Amendment. The District shall retain the authority to determine the size and location of any advertising. The District shall also reserve the right to reject advertising that is inconsistent with federal or state law, Board policy, District or campus regulations, or curriculum, as well as any content the District determines has a reasonable likelihood of exposing the District to controversy, litigation, or disruption.

The District shall not accept paid political advertising.

Acceptance of advertising shall not constitute District approval or endorsement of any product, service, organization, or issue referenced in the advertising, nor shall acceptance of advertising from a vendor determine whether the District will purchase goods or services from the vendor through the District's formal procurement process.

[For information relating to school-sponsored publications, see FMA.]