

**AGENDA ITEM**  
**BOARD OF TRUSTEES**  
**AGENDA**

<input type="checkbox"/> <b>Workshop</b>	<input checked="" type="checkbox"/> <b>Regular</b>	<input type="checkbox"/> <b>Special</b>
--	--	---

- (A) ☐ **Report Only** ☐ **Recognition**

**Presenter(s):**

**Briefly describe the subject of the report or recognition presentation.**

- (B) ☒ **Action Item**

**GILBERTO GONZALEZ, SUPERINTENDENT**

**Presenter(s):** JESUS ARTURO COSTILLA, EXECUTIVE DIRECTOR FOR HUMAN RESOURCES

**Briefly describe the action required.**

CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE  
 POLICY UPDATE 110 AS RECEIVED FROM THE TEXAS ASSOCIATION OF SCHOOL  
 BOARDS (TASB).

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

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

# Vantage Points

## A Board Member's Guide to Update 110

**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](mailto: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.



© 2018 Texas Association of School Boards, Inc. All rights reserved.

Update 110 focuses on updating and reorganizing several policies addressing board member eligibility and qualifications, elections, and vacancies and removal from office. The policy on elections has been divided into several codes for ease of use, and district choices about election processes are now located in local policy to better match the structure of other policies in the manual. Changes from the 85th Legislative Session that were not included in Update 109 have also been incorporated. References to legislative bills below refer to Senate Bills (SB) or House Bills (HB) from the 85th Regular Legislative Session unless otherwise noted.

## **Board Members**

BBB(LOCAL) is the only LOCAL policy recommendation being made in Update 110 and was revised based on election information provided by your district.

## **Elections**

### ***BBB(LOCAL) POLICY RECOMMENDATION***

Recommended revisions at BBB(LOCAL) reflect the election information provided by your district in the Policy Service survey and include the district's election decisions as allowed by law, including the number of board members, the length of board member terms, and election schedules; the general election date for the district; and the methods of election and voting.

## **Procedures**

In order to reorganize content on elections for a better flow, several provisions were moved from BBB(LEGAL) to BBBA (retitled Conducting Elections) and BBBB (retitled Post-election Procedures). BBBA was affected by HBs 2157, 2323, 1661, and 1735. HBs 2157 and 2323 deal with applications for a place on the ballot and filing requirements for special elections. HB 1661 addresses canceling elections, and HB 1735 clarifies the definition of electioneering.

BBBBB addresses changes from HBs 929 and 1001 and SB 5. HBs 929 and 1001 modify canvassing requirements. SB 5, from the 85th Legislature, First Called Session, revises the retention period for precinct election records.

## **Ethics**

Provisions addressing election-related ethics were moved from BBBB(LEGAL) to new code BBBD(LEGAL). The text has also been reorganized for better flow and to better match statutory wording. In addition, the definition of "political advertising" was moved from CPAB(LEGAL) and placed at BBBD.

**Eligibility,  
Vacancies, and  
Removal from  
Office**

BBA(LEGAL) was revised to better reflect statutory language regarding the eligibility and qualifications of board members. It was also updated in accordance with HB 2552, which prohibits an individual convicted of soliciting prostitution under Penal Code 43.02(b) from serving on a school board.

BBC(LEGAL), the policy regarding board member vacancies and removal from office, has been reorganized to better align with legal authority.

**Local Revenue  
Sources**

Provisions at CCA(LEGAL), on bond issues, were revised by SB 295, which exempts capital appreciation bonds for financing transportation projects from certain legal requirements. Legislative changes from SB 957 regarding details of measures and propositions listed on an election ballot were also incorporated at that code.

# Instruction Sheet

## TASB Localized Policy Manual Update 110

District      Eagle Pass ISD

Code	Action To Be Taken	Note
ATTN (NOTE)	No policy enclosed	See explanatory note
B (LEGAL)	Replace table of contents	Revised table of contents
BBA (LEGAL)	Replace policy	Revised policy
BBB (LEGAL)	Replace policy	Revised policy
BBB (LOCAL)	Replace policy	Revised policy
BBBA (LEGAL)	Replace policy	Revised policy
BBBB (LEGAL)	Replace policy	Revised policy
BBBC (LEGAL)	ADD policy	See explanatory note
BBBD (LEGAL)	ADD policy	See explanatory note
BBC (LEGAL)	Replace policy	Revised policy
CCA (LEGAL)	Replace policy	Revised policy
CPAB (LEGAL)	Replace policy	Revised policy

# Explanatory Notes

## TASB Localized Policy Manual Update 110

District: Eagle Pass ISD

### ATTN (NOTE) GENERAL INFORMATION ABOUT THIS UPDATE

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

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

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

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

### B (LEGAL) LOCAL GOVERNANCE

We have revised the B section table of contents to:

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

### BBA (LEGAL) BOARD MEMBERS ELIGIBILITY/QUALIFICATIONS

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

### BBB (LEGAL) BOARD MEMBERS ELECTIONS

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

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

## Explanatory Notes

### TASB Localized Policy Manual Update 110

#### BBB            (LOCAL)            BOARD MEMBERS ELECTIONS

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

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

#### BBBA          (LEGAL)            ELECTIONS CONDUCTING ELECTIONS

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

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

Provisions addressing campaign finance were moved with revisions to BBBC.

#### BBBB          (LEGAL)            ELECTIONS POST-ELECTION PROCEDURES

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

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

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

#### BBBC          (LEGAL)            ELECTIONS CAMPAIGN FINANCE

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

## Explanatory Notes

### TASB Localized Policy Manual Update 110

**BBBD      (LEGAL)      ELECTIONS  
CAMPAIGN ETHICS**

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

**BBC          (LEGAL)          BOARD MEMBERS  
VACANCIES AND REMOVAL FROM OFFICE**

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

**CCA          (LEGAL)          LOCAL REVENUE SOURCES  
BOND ISSUES**

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

SB 957 requires:

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

**CPAB      (LEGAL)      OFFICE COMMUNICATIONS  
MAIL AND DELIVERY**

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