

Update 119 Local Policy Overview

Introduction

Hello, and welcome to a brief overview of the local policy recommendations included in Update 119, presented by TASB Policy Service.

Update 119 covers recommended (LOCAL) policy revisions to address new laws from the 87th Legislature, Regular Session and the First, Second, and Third Called Sessions. Other revisions included in this update are in response to revisions to the Administrative Code.

While not covered in this publication, many of the (LEGAL) policies included in this update were also affected by legislative and regulatory changes.

TASB Numbered Update Reminders

You should also review your district's customized Update 119 materials for your specific policy recommendations. Please remember that (LEGAL) policies provide the legal framework for key areas of district operations; they are not adopted by the board.

CPC: Office Management, Records Management

Policy CPC(LOCAL) governs the district's records management program. Revisions to this policy are recommended to address new rules that the Texas State Library and Archives Commission, or TSLAC, adopted to address the management of electronic records. The recommended language delegates to the records management officer the responsibility to develop procedures for the management of these electronic records. These procedures must comply with the district's records control schedules and meet the minimum requirements established in the Administrative Code rules.

We have included in the [Regulations Resource Manual](#)¹ updated sample procedures on this topic.

DMA: Professional Development, Required Staff Development

The new text in DMA(LOCAL) is recommended to comply with [Senate Bill 1267](#)² from the Regular Session. That legislation requires the board to annually review the State Board for Educator Certification, or SBEC, clearinghouse. The SBEC clearinghouse is a collection of best practices and industry recommendations for professional development. The bill also

requires the board to adopt a professional development policy based on the training recommendations in the clearinghouse.

To avoid including the extensive professional development training details in board policy, the recommended DMA(LOCAL) text requires the creation of a professional development plan where all of these details will be found. The board must annually approve the professional development plan, which must meet three requirements.

First, the plan must be guided by the clearinghouse recommendations. Second, the plan must note any differences from the clearinghouse recommendations; and third, the plan must include a schedule of required professional development.

The bill requires SBEC to publish the clearinghouse by June 1, 2022, and districts to adopt a professional development policy by August 1, 2022. TASB Policy and Legal Services recommend that the board adopt DMA(LOCAL) and approve the district professional development plan by August 1, or as soon as possible thereafter, to ensure compliance with the law.

EHAA: Basic Instructional Program, Required Instruction (All Levels)

Included in policy EHAA(LOCAL) are new provisions that are recommended based on [Senate Bill 9](#)³ from the Second Called Session. The legislation imposes several requirements related to instruction on the prevention of child abuse, family violence, dating violence, and sex trafficking. The bill requires a board policy on adopting curriculum materials related to these topics.

The recommended policy provisions follow the required steps, including board adoption of a resolution to convene the school health advisory council, or SHAC, to hold meetings and make recommendations to the board at a public meeting. The board must then confirm that the SHAC recommendations meet the requirements in law before taking action by a record vote. This is similar to language provided in this policy at Update 118 to address the approval of human sexuality instruction and parental consent.

The [Regulations Resource Manual](#)⁴ includes a sample board resolution for convening the SHAC and a sample parental consent form.

EHB: Curriculum Design, Special Programs

EHBAA: Special Education, Identification, Evaluation, and Eligibility

In response to TEA policy requirements associated with the TEA special education [cyclical monitoring reviews](#),⁵ two new (LOCAL) policies are recommended for inclusion in the policy manual, EHB and EHBAA.

Policy EHB(LOCAL) requires the district to provide regular training opportunities for teachers of students with dyslexia. Policy EHBAA(LOCAL) ensures that a student who is transitioning from early childhood intervention has an individualized education program developed and implemented by the child's third birthday.

TASB Policy Service recommends that the board adopt these policies in advance of the scheduled special education monitoring review.

EHBB: Special Programs, Gifted and Talented Students

The recommended revision to policy EHBB(LOCAL) is prompted by [House Bill 1525](#)⁶ from the Regular Session. This bill removed the statutory requirement for a district to annually certify to the commissioner of education that the district's gifted and talented program is consistent with the Texas State Plan for the Education of Gifted and Talented Students. The corresponding provision in EHBB(LOCAL) is recommended for deletion.

EIF: Academic Achievement, Graduation

Policy EIF(LOCAL) includes new text recommended to comply with amended Administrative Code rules. The new rules require a board policy to address the methods by which a student can confirm completion and submission of a financial aid application. Completion and submission of this application is a requirement to graduate.

The recommended text aligns with TEA guidance and addresses methods for both the free application for federal financial aid, or FAFSA, and the Texas application for state financial aid, or TASFA. Additional guidance on this topic can be found on the [TEA website](#).⁷

The [Regulations Resource Manual](#)⁸ has been updated to include sample procedures regarding these financial aid applications.

FFBA: Crisis Intervention, Trauma-Informed Care

In policy FFBA(LOCAL), a reference to the district's board-approved professional development plan is recommended. The proposed revision addresses [Senate Bill 1267](#)⁹ from the Regular Session, which requires

training in trauma-informed care to be provided in accordance with the board's professional development policy.

The same bill also repealed the requirement for a district to annually report to TEA the number of employees who participated in trauma-informed care training; therefore, we recommend deleting that provision from the policy.

FFH: Student Welfare, Freedom from Discrimination, Harrassment, and Retaliation

The recommendations in policy FFH(LOCAL) address a new board policy requirement from [Senate Bill 9](#),¹⁰ which was enacted during the Second Called Session.

Upon receiving a report of dating violence that involves its students, the district is required to immediately notify the parent of the student identified as the alleged victim or perpetrator. The recommended text at Notice to Parents meets this requirement.

The new law also requires that the district's policy include reporting procedures and guidelines for students who are victims of dating violence and a clear statement that dating violence is not tolerated at school. No further changes are recommended regarding these elements based on the district's existing FFH(LOCAL) policy provisions, which include reporting procedures and a statement of nondiscrimination that specifically prohibits dating violence.

The remaining revisions are recommended to clarify the definition of prohibited conduct and the district's response to such conduct.

Thank You!

That covers the local policies in Update 119. We hope you find this overview helpful. Should you have any questions or want further clarification, please feel free to contact your assigned policy consultant at the [TASB Policy Service website](#).¹¹

¹ TASB Regulations Resource Manual: <https://pol.tasb.org/Home/Index/105>

² Senate Bill 1267: <https://capitol.texas.gov/tlodocs/87R/billtext/pdf/SB01267F.pdf>

³ Senate Bill 9: <https://capitol.texas.gov/tlodocs/872/billtext/pdf/SB00009F.pdf>

⁴ TASB Regulations Resource Manual: <https://pol.tasb.org/Home/Index/105>

⁵ TEA Differentiated Monitoring and Support web page: <https://tea.texas.gov/academics/special-student-populations/review-and-support/differentiated-monitoring-and-support-dms>

⁶ Senate Bill 1525: <https://capitol.texas.gov/tlodocs/87R/billtext/pdf/HB01525F.pdf>

⁷ TEA Financial Aid Requirement web page: <https://tea.texas.gov/academics/college-career-and-military-prep/financial-aid-requirement>

⁸ TASB *Regulations Resource Manual*: <https://pol.tasb.org/Home/Index/105>

⁹ Senate Bill 1267: <https://capitol.texas.gov/tlodocs/87R/billtext/pdf/SB01267F.pdf>

¹⁰ Senate Bill 9: <https://capitol.texas.gov/tlodocs/872/billtext/pdf/SB00009F.pdf>

¹¹ TASB Policy Service: <https://www.tasb.org/services/policy-service/consultant-contact-information.aspx>