

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.



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to required course offerings [see EHAC(LEGAL)] and high school equivalency programs [see EHBL(LEGAL)] and to delete outdated exit-level testing exemptions for English language learners [see EKBA(LEGAL)].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	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.
Accountability	
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	<i>GKB(LOCAL) POLICY CONSIDERATIONS</i> 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.