



Policy Reference Manual

Update 89

TASB Policy Reference Manual Update 89 includes a variety of issues, with a key focus on the reorganization of the E Section of the manual, addressing instruction. The E Section changes are prompted by a reexamination of the instruction policies in light of new options available to students to earn credit, such as through distance learning and, more specifically, the Texas Virtual School Network (TxVSN). As a result, we have created a new policy series addressing alternative methods for earning credit, where we have moved policies addressing credit by examination, correspondence courses, and distance learning.

In addition, Update 89 includes material on academic assessments administered to students in DAEPs, permissible physical education substitutions, adult education programs, the school board's rights and responsibilities regarding the appraisal district, and board member vacancies.

To maintain your ***Policy Reference Manual*** as an up-to-date resource on governance and management of public school districts throughout Texas, please incorporate Update 89 into the manual as soon as possible. Remember that the ***Policy Reference Manual*** is a comprehensive collection of federal and state statutes and regulations, case law, attorney general opinions, and commissioner's decisions affecting Texas school districts. As such, it is an excellent reference document that recites a broad array of legal requirements, many of which apply to all districts, others to only a certain few. For this reason, these (LEGAL) policies are not suitable for incorporation in localized policy manuals.

PLEASE NOTE: This Update 89 packet may not be considered as legal advice and is not intended as a substitute for the advice of a district's legal counsel.

If you have any questions concerning this update or the ***TASB Policy Reference Manual***, please call 800-580-7529 or 512-467-0222.

Instruction Sheet

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District Policy Reference Manual

Code	Action To Be Taken	Note
A25 (INDEX)	Replace cross-index	Revised cross-index
AA (LEGAL)	Replace policy	Revised policy
AC (LEGAL)	Replace policy	Revised policy
AIA (LEGAL)	Replace policy	Revised policy
AIB (LEGAL)	Replace policy	Revised policy
AID (LEGAL)	Replace policy	Revised policy
B (LEGAL)	Replace table of contents	Revised table of contents
BBC (LEGAL)	Replace policy	Revised policy
BDAF (LEGAL)	Replace policy	Revised policy
BDF (LEGAL)	Replace policy	Revised policy
BJB (LEGAL)	Replace policy	Revised policy
BJCE (LEGAL)	Replace policy	Revised policy
CCH (LEGAL)	Replace policy	Revised policy
CKA (LEGAL)	Replace policy	Revised policy
CKB (LEGAL)	Replace policy	Revised policy
CL (LEGAL)	Replace policy	Revised policy
CPC (LEGAL)	Replace policy	Revised policy
CRD (LEGAL)	Replace policy	Revised policy
DC (LEGAL)	Replace policy	Revised policy
DI (LEGAL)	Replace policy	Revised policy
DK (LEGAL)	Replace policy	Revised policy
DMA (LEGAL)	Replace policy	Revised policy
E (LEGAL)	Replace table of contents	Revised table of contents
EEJA (LEGAL)	DELETE policy	See explanatory note
EEJB (LEGAL)	DELETE policy	See explanatory note
EEJC (LEGAL)	DELETE policy	See explanatory note
EHAA (LEGAL)	Replace policy	Revised policy
EHB (LEGAL)	Replace policy	Revised policy
EHBA (LEGAL)	Replace policy	Revised policy
EHBC (LEGAL)	Replace policy	Revised policy
EHBI (LEGAL)	Replace policy	Revised policy
EHDB (LEGAL)	ADD policy	See explanatory note

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EHDC (LEGAL)	ADD policy	See explanatory note
EHDD (LEGAL)	Replace policy	Revised policy
EHDE (LEGAL)	Replace policy	Revised policy
EIF (LEGAL)	Replace policy	Revised policy
FFAB (LEGAL)	Replace policy	Revised policy
FFAE (LEGAL)	Replace policy	Revised policy
FO (LEGAL)	Replace policy	Revised policy
FOCA (LEGAL)	Replace policy	Revised policy
FP (LEGAL)	Replace policy	Revised policy

Explanatory Notes

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District: Policy Reference Manual
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 2007.

The cross-index is a key element used in searching Policy On Line. Please bear in mind that the cross-index is “generic” and presents a structure that serves all manuals; not every manual will address all of the topics shown or include all of the policies indicated.

AA (LEGAL) DISTRICT LEGAL STATUS

At APPLICATION OF FORMER LAW, we have added parenthetical information about the content of the former Education Code Chapters cited in the policy.

We have also added an existing statutory provision authorizing MUNICIPAL SCHOOL DISTRICTS to continue to operate under former Education Code Chapter 24.

A citation was updated at COMMON SCHOOL DISTRICTS.

AC (LEGAL) GEOGRAPHIC BOUNDARIES

We have reformatted the provisions at CHANGES IN BOUNDARIES into a list to emphasize when board approval is required. The list incorporates a provision on consolidation, previously addressed at a separate margin note.

An existing statutory provision was added to provide more detail about agreements between two contiguous districts to make MINOR BOUNDARY ADJUSTMENTS. We have also added an existing statutory provision requiring a district to notify the appraisal office of any boundary changes.

We have adjusted margin notes throughout the policy for clarity.

AIA (LEGAL) ACCOUNTABILITY
ACCREDITATION AND PERFORMANCE INDICATORS

In the **Note** at the beginning of this policy, we have corrected the effective date of the new accreditation and performance indicator provisions, which are effective beginning with the 2011–12 school year.

AIB (LEGAL) ACCOUNTABILITY
PERFORMANCE REPORTING

We have added a **Note** to the beginning of this policy to provide information about the effective dates of the performance reporting provisions. The **Note** clarifies that, although the provisions were effective with the 2009–10 school year, TEA is not required to prepare all of the data elements referred to in this policy until the 2012–13 school year.

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AID (LEGAL) ACCOUNTABILITY FEDERAL ACCOUNTABILITY STANDARDS

At “AYP” DEFINED, we have replaced text from the No Child Left Behind Act with language from the state plan defining what constitutes adequate yearly progress.

B (LEGAL) LOCAL GOVERNANCE

The B section table of contents has been revised to reflect the renaming of policy code BJCE, now titled Suspension/Termination During Contract.

BBC (LEGAL) BOARD MEMBERS VACANCIES AND REMOVAL FROM OFFICE

This policy has been reorganized to reflect three types of board vacancies that may occur: vacancies created by board member resignation, vacancies created by operation of law because a board member no longer resides in a district, and vacancies created by involuntary removal from office. Text throughout the policy has been revised for clarity and to better match statutory language. We have also changed the term “trustee” to “board member” throughout for consistency within the policy. Specific changes include:

- Rewording of the provision at RESIGNATION to better reflect statutory language;
- Revision of the text at HOLDOVER DOCTRINE to clarify that a board member who resigns continues to be subject to the nepotism provisions until the vacancy created by the board member’s resignation is filled by a successor;
- Revision of the text at RESIDENCE DEFINED to match the phrasing of this same text as it appears at BBA(LEGAL);
- Addition of several existing statutory provisions to provide more detail about quo warranto proceedings, which are court actions filed by the attorney general or county district attorney to remove a board member from office, and the procedure to file a written petition for removal in district court; and
- Revision of the list of items for which a board member may be removed from office to list purchasing violations separately.

The material on FILLING A VACANCY has also been reorganized: we have created new margin notes to outline the process and have added detail on how to conduct a SPECIAL ELECTION to fill a vacancy, including how to determine the DATE OF ELECTION and procedures for ORDERING ELECTIONS.

BDAF (LEGAL) OFFICERS AND OFFICIALS SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

Text throughout this policy on selection and duties of chief tax officials has been revised for clarity and to better match statutory language, and provisions have been reordered for better flow.

Major revisions include the following:

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- We have simplified the DUTIES of the ASSESSOR and COLLECTOR, listed on pages 2 and 3, to provide a broader overview.
- On page 3, we have added existing statutory text clarifying that a district may require a new COLLECTOR'S BOND at any time from a tax collector who is also a district employee.

BDF (LEGAL) BOARD INTERNAL ORGANIZATION CITIZEN ADVISORY COMMITTEES

Revisions to this policy include the following:

- An existing statutory provision requiring the SCHOOL HEALTH ADVISORY COUNCIL to meet at least four times per year has been added.
- A provision requiring a district to consider the recommendations of the SHAC before changing the district's health education curriculum or instruction was moved up to group it with the other material applicable to SHACs. See CHANGES IN CURRICULUM.
- An existing statutory provision requiring a district to notify parents that they may request their child's physical fitness assessment results has been added as item 5 at PUBLIC STATEMENT.
- Several cross-references to other relevant policies have been added, and text throughout this policy has been revised to better match statutory language.

BJB (LEGAL) SUPERINTENDENT RECRUITMENT AND APPOINTMENT

The statutory provisions requiring a district to post an employment vacancy, including a vacancy in the superintendent's position, have been added to this code. These provisions are also included in the policy manual at DC(LEGAL).

To simplify the provision addressing confidentiality of the NAMES OF APPLICANTS for the superintendency, we have added a reference to the Public Information Act and incorporated the exception into the main paragraph.

BJCE (LEGAL) SUPERINTENDENT SUSPENSION/TERMINATION DURING CONTRACT

We have renamed this policy to reflect that it addresses both suspension and termination during a superintendent's contract term. At SUSPENSION WITHOUT PAY, we have added existing statutory text explaining that if a superintendent requests a hearing after receiving notice of a proposed decision to suspend without pay, the applicable hearing procedures are those that apply in hearings before a hearing examiner. In addition, we have moved the provision addressing SUSPENSION WITH PAY to the first page of the policy to group it with other suspension provisions. At CONTRACT TERMINATION and HEARING, we have revised the text to better match statutory language. Also at CONTRACT TERMINATION, we have deleted a provision indicating that it is grounds for discharge or suspension if a superintendent attempts to encourage or coerce a child to withhold information from the child's parent. This deleted provision is included at DF(LEGAL).

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Significant detail from the Administrative Code has been added at SEVERANCE PAYMENTS, including information on the DUTY TO REPORT the severance payment, the resulting REDUCTION OF STATE FUNDS, and the DEFINITION OF SEVERANCE PAYMENT. A provision addressing severance payments entered into prior to September 1, 2001, has been deleted.

CCH (LEGAL) LOCAL REVENUE SOURCES APPRAISAL DISTRICT

More detail has been added to this policy on a school board's rights and responsibilities regarding the appraisal district, including the school board's authority, along with the other taxing units that participate in the appraisal district, to:

- Approve proposals of the appraisal district to acquire or convey real property and the method of allocating proceeds from a conveyance of real property;
- Approve the budget and the method used to allocate the costs of operating the appraisal district; and
- Disapprove actions of the appraisal district board of directors by adopting a resolution.

Several existing statutory provisions have been added at APPRAISAL REVIEW BOARD to provide information about board member appointment to the review board and eligibility to serve on the review board. We have also added a provision prohibiting a school district from contracting with an appraisal review board member or certain relatives of a member of an appraisal review board. See PROHIBITION ON CONTRACTS on page 4.

CKA (LEGAL) SAFETY PROGRAM/RISK MANAGEMENT INSPECTIONS

At ASBESTOS HAZARD EMERGENCY RESPONSE ACT, DUTIES, items 5 through 7, we have added citations for easier reference to the federal requirements.

Existing statutory text added at WARNING LABELS, on page 4, provides the exact language that must be included on labels placed adjacent to any asbestos-containing building materials and the display requirements for the labels.

CKB (LEGAL) SAFETY PROGRAM/RISK MANAGEMENT ACCIDENT PREVENTION AND REPORTS

The scope of this policy has been expanded to address face protection in addition to eye protection. References to recommended guidelines on protective eye and face equipment in schools from Texas Department of State Health Services rules have been added to this policy addressing accident prevention. We have also included the existing Administrative Code provisions listing when the guidelines are applicable.

CL (LEGAL) BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT

Existing language from the Administrative Code added on page 5 clarifies that a district must provide a buyer of district property any CERTIFICATE OF MOLD REMEDIATION issued during the five years preceding the date the district sells the property.

We have also added a citation to the Administrative Code at POOLS.

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CPC (LEGAL) OFFICE MANAGEMENT RECORDS MANAGEMENT

We have added a link to the records retention schedules published by the State Library and Archives Commission that apply to school districts. One of these schedules, Local Schedule SD-Records for Public School Districts, was updated in September 2010. See RETENTION SCHEDULES on page 3.

CRD (LEGAL) INSURANCE AND ANNUITIES MANAGEMENT HEALTH AND LIFE INSURANCE

Existing statutory text added at ELECTION TO BE EXEMPTED, beginning on page 8, lists the HIPAA provisions from which the plan sponsor of a nonfederal governmental group health plan, in this case a school district, may elect to be exempted.

DC (LEGAL) EMPLOYMENT PRACTICES

Revisions to this policy are as follows:

- At DELEGATION OF AUTHORITY, we have replaced text with cross-references to BBFB and DBE for detailed information about the nepotism implications of delegating employment authority to the superintendent.
- We have moved the details about the GRIEVANCE policy requirements from page 1 to a separate margin note on page 2.
- We have repeated from BBC(LEGAL) a provision prohibiting a board member from accepting employment with the district for a year after his or her board membership ends. See FORMER BOARD MEMBER EMPLOYMENT on page 4.
- An existing statutory provision referencing the PENALTIES for violating the new hire reporting requirement has been added on page 5.

DI (LEGAL) EMPLOYEE WELFARE

We have revised this policy to update references to the “Texas Department of Health” to “Texas Department of State Health Services.”

DK (LEGAL) ASSIGNMENT AND SCHEDULES

On page 1, we have added a link to an Administrative Code chart showing the certification requirements for various positions.

On page 3, text at INAPPROPRIATELY CERTIFIED OR UNCERTIFIED TEACHER, item 1, has been revised to better match statutory language. The citation has also been updated.

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DMA (LEGAL) PROFESSIONAL DEVELOPMENT REQUIRED STAFF DEVELOPMENT

We have revised the text at TITLE I STAFF DEVELOPMENT to better reflect statutory language. Citations have also been updated.

E (LEGAL) INSTRUCTION

Update 89 includes significant reorganization of the E section addressing Instruction. These changes are prompted by a reexamination of the instruction policies in light of new options available to students to earn credit, such as through the Texas Virtual School Network (TxVSN). As a result, policies previously under the heading of Individualized Learning (EEJ), such as those addressing credit by examination and correspondence courses, have been revised and moved to the new heading, Alternative Methods for Earning Credit. As explained in more detail below, text on correspondence courses has been incorporated into EHDE addressing distance learning. This reorganization results in the following specific changes to the E section table of contents:

- Credit by Examination With Prior Instruction, previously at EEJA, has been moved to EHDB.
- Credit by Examination Without Prior Instruction, previously at EEJB, has been moved to EHDC.
- Text previously at EEJC addressing correspondence courses has been moved to EHDE, which now addresses all types of distance learning.
- EEJA, EEJB, and EEJC are no longer active codes.
- The EHD series has been renamed Alternative Methods for Earning Credit.
- Travel Study, previously at EHDB, has been moved to EHBM.
- Honors, previously at EHDC, has been moved to EHBN.

EEJA (LEGAL) INDIVIDUALIZED LEARNING CREDIT BY EXAMINATION WITH PRIOR INSTRUCTION

As indicated above, we have moved material addressing credit by examination with prior instruction to EHDB. EEJA is no longer an active code.

EEJB (LEGAL) INDIVIDUALIZED LEARNING CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

As indicated above, we have moved material addressing credit by examination without prior instruction to EHDC. EEJB is no longer an active code.

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EEJC (LEGAL) INDIVIDUALIZED LEARNING
CORRESPONDENCE COURSES

As indicated above, we have moved material addressing correspondence courses to EHDE addressing distance learning. EEJC is no longer an active code.

EHAA (LEGAL) BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)

On pages 4 and 5, we have added existing statutory text addressing the School Health Advisory Council's DUTIES, which include making policy recommendations about recess. Existing statutory text has also been included to address a board's responsibility to determine the specific CONTENT OF HUMAN SEXUALITY INSTRUCTION in the district.

EHB (LEGAL) CURRICULUM DESIGN
SPECIAL PROGRAMS

Administrative Code revisions effective August 24, 2010, resulted in several amendments to this policy on dyslexia and related disorders. Most of the Administrative Code changes were to clarify existing language. However, the State Board's handbook on dyslexia was officially renamed to the *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders*.

EHBA (LEGAL) SPECIAL PROGRAMS
SPECIAL EDUCATION

On page 2, we have updated the terminology at PLACEMENT OPTIONS, item 11, to replace "state school" with "state supported living center" consistent with recent amendments to the Administrative Code, effective August 24, 2010.

EHBC (LEGAL) SPECIAL PROGRAMS
COMPENSATORY/ACCELERATED SERVICES

Existing statutory text added on page 9 includes requirements for intensive programs of instruction offered to STUDENTS RECEIVING SPECIAL EDUCATION SERVICES, including that the admission, review, and dismissal committee must design each program to meet certain standards.

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EHBI (LEGAL) SPECIAL PROGRAMS ADULT AND COMMUNITY EDUCATION

A new Administrative Code provision, effective July 1, 2010, is cited at ESSENTIAL PROGRAM COMPONENTS, item 6. The new text requires a district's adult education program to include collaboration with multiple partners in the community to expand the services available to adult learners and to prevent duplication of services.

At DIPLOMA REQUIREMENTS, the reference to 19 Administrative Code Chapter 75 has been corrected to Chapter 74.

We have moved the provisions addressing REIMBURSEMENT FOR COMMUNITY EDUCATION to the end of the policy for better flow.

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

The legally referenced text on credit by examination with prior instruction, previously at EEJA, has been moved unaltered to this new code.

EHDC (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION

The text on credit by examination without prior instruction, previously at EEJB, has been moved unaltered to this new code.

EHDD (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT COLLEGE COURSE WORK/DUAL CREDIT

With our focus in this update on distance learning and the Texas Virtual School Network (TxVSN), we have added a **Note** referring to EHDE, Distance Learning, and the TxVSN Web site for information on dual credit courses available through the TxVSN.

An existing statutory provision requiring a public institution of higher education to assist a district in developing and implementing the district's COLLEGE CREDIT PROGRAM has been added on page 1.

At DUAL CREDIT PROGRAMS on page 2, we have moved relevant definitions to the beginning of the section, and we have added an existing statutory provision authorizing a school district to offer a dual credit course through agreement with a community college, regardless of whether the high school is located within the service area of the college district, if the college district that serves the area where the relevant high school is located is unable to provide the requested course to the satisfaction of the school district.

Extensive information from existing Administrative Code rules has been added at INSTRUCTIONAL PARTNERSHIPS WITH COMMUNITY COLLEGE DISTRICTS beginning on page 3, including a list of the types of partnerships, detailed information about the types of partnerships, and required elements of partnership agreements.

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EHDE (LEGAL) ALTERNATIVE METHODS FOR EARNING CREDIT DISTANCE LEARNING

As mentioned above, we have moved material addressing correspondence courses from EEJC to this policy so that the various types of distance learning are in one location in the manual. In addition, the text at DISTANCE LEARNING AND CORRESPONDENCE COURSES was revised as a result of amendments to the Administrative Code, effective September 2010, to add to the list of distance learning technologies references to “online courses” and “the Texas Virtual School Network (TxVSN).”

Significant detail on the TxVSN has been added to this policy, including provisions on student eligibility, a prohibition on requiring a student to enroll in a TxVSN course, a provision allowing a transfer student to remain enrolled in a TxVSN course, requirements for students enrolled in a TxVSN to take required state assessments, provisions addressing allowable fees, and information about applicability of the TxVSN provisions.

EIF (LEGAL) ACADEMIC ACHIEVEMENT GRADUATION

Language at DIPLOMA/TRANSCRIPT/CERTIFICATE OF COURSEWORK COMPLETION, on page 1, has been updated as a result of amendments to the Administrative Code, effective August 23, 2010, to indicate that the academic achievement record or transcript, rather than the diploma, records individual accomplishments, achievements, and courses completed and displays appropriate graduation seals. Also based on the Administrative Code revisions, we have:

- Added text, on page 3, requiring STUDENTS WITH DISABILITIES who are on a modified curriculum to be automatically placed in the minimum high school program;
- Added text, also on page 3, that a student who took courses under the minimum high school program prior to the 2009–10 school year may remain in the minimum program (see APPLICABILITY);
- Updated the statutory references to the minimum high school program REQUIREMENTS based on the year in which the student entered grade 9;
- Updated and added detail on PHYSICAL EDUCATION SUBSTITUTIONS, on page 5; and
- Added text, at PRIOR COURSES on page 6, clarifying whether certain courses taken in prior years apply toward graduation requirements.

For clarification, we have:

- Added detail about personal graduation plans for STUDENTS RECEIVING SPECIAL EDUCATION SERVICES, on page 2, including the requirement that the admission, review, and dismissal committee and the district be responsible for developing the plan; and
- Added references to the program requirements for the RECOMMENDED HIGH SCHOOL PROGRAM and the ADVANCED/DISTINGUISHED ACHIEVEMENT HIGH SCHOOL PROGRAM, on page 4, for students who entered grade 9 before the 2007–08 school year.

Citations have been updated throughout the policy.

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FFAB (LEGAL) WELLNESS AND HEALTH SERVICES
IMMUNIZATIONS

At REASONS OF CONSCIENCE, on page 2, we have updated the title of the commissioner to the “commissioner of state health services.”

FFAE (LEGAL) WELLNESS AND HEALTH SERVICES
SCHOOL-BASED HEALTH CENTERS

At FUNDING, on page 3, we have updated the title of the commissioner to the “commissioner of state health services.”

FO (LEGAL) STUDENT DISCIPLINE

Because the provisions prohibiting SECLUSION apply to all students, not just students with disabilities, we have added the text to this policy on student discipline. See page 4. The seclusion provisions are also included at FOF(LEGAL), addressing discipline of students with disabilities. “Seclusion” is defined as a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that is smaller than 50 square feet in size.

FOCA (LEGAL) PLACEMENT IN A DISCIPLINARY ALTERNATIVE EDUCATION
SETTING
DISCIPLINARY ALTERNATIVE EDUCATION PROGRAM
OPERATIONS

From amended Administrative Code rules on DAEPs, effective August 18, 2010, we have added beginning on page 3 text addressing ACADEMIC ASSESSMENTS administered to a student in a DAEP. The new provisions include information on which assessments may be administered, factors to determine the appropriate grade level assessment, and reporting requirements to the student’s locally assigned campus. The new provisions require a district to develop procedures for administering the assessments that must be given when a student is placed in a DAEP and when the student departs from the DAEP. Appropriate text will be included in the next release of the *Model Student Code of Conduct*, scheduled to be issued in summer 2011.

FP (LEGAL) STUDENT FEES, FINES, AND CHARGES

At AUTHORIZED FEES, item 16, we have included the statutory authority for a district to charge a fee for enrollment in a course through the Texas Virtual School Network (TxVSN).

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

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absences, personnel DEC, DED, DMD
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~~Academic Excellence Indicator System (AEIS) BQ, BQB, GND~~
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zones FC

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at-will employment DC, DCD

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board members BBG
employees DJ
students FG

AYP (See Adequate Yearly Progress)

band program EHAD, FM, FMF

bank depository BBFB, BDAE

basic instructional program EHAA

before/after-school activities FM, FNAB

benefits, employment CRD, CRE, DEA, DEB, DEC, DED, DEE

bicycle use FFFD

bidding
bus leases CH
competitive CH, CV, CVA
emergency repairs CH, CV
maintenance CH, CV
personal property CH
professional services CH, CV

bids, school depository BDAE

bilingual instruction EHBE

birth certificate DBA, FD

block schedules EEC, EED, FM

bloodborne pathogen exposure DBB

board of trustees
agenda for meetings BE
authority, exercise of BBE
campaigning on school grounds BBB
candidate qualifications BBA
committees BDB
conflict of interest BBFA, BBFB
conventions, conferences, workshops BBD, BBG, BE
duties, general and specific BAA, BDAA
election campaign funds BBBA
election date BBB
election filing information BBB
election of officers BDAA
employment, former board member BBC, DC
ethics **BBD**BBB, BBF
evaluation of superintendent BJCD
financial statement BBFA
goals BBD
immunity from liability BBE
internal organization BDAA
legal status BA
liability insurance CRB
meetings (See school board meetings)
memberships BC
oaths BBB
policies, development/amendment of BF
powers, general and specific BAA, BDAA
public information program GB, GBA, GBB, GBBA
quorum for board meetings BE
quorum for canvassing election results BBB
reimbursement of expenses BBG
reorganization of officers BDAA
resignation, removal from office BBC
self-evaluation BG
term of office BBB
training and orientation BBD
travel BBG
vacancy BBC

bomb threats CKK

bonded employees CG, CKE

bonds
bonds and bond taxes CCA
campaigns CCA
for insured loss CV
payment and performance CV

proceeds CDA
 recreational facilities CCD, CCE
 referenda CCA
 refunding CCA
 revenue CDBA
 booster organizations GE
 borrowing funds CCF
 Boy Scouts of America GKD
~~BPC (see Building and Procurement Commission)~~
 breakfast program (See food service)
 bribery BBFB
 broadcasting and taping
 school board meetings BE
 sports and special events GBB, GBBA
 budget (See annual operating budget)
 budget and finance
 accounting system CF
 data management CPC
 depository, bank BDAE
 payroll procedures CFE
~~Building and Procurement Commission CH, CNB, GBA~~
 buildings, equipment, grounds
 ADA compliance GA
 evaluation CS
 insurance program CR, CRA, CRB
 leasing and renting CX, GKD
 maintenance CLB
 operations CL, ~~CLC~~, CMA
 playgrounds GRA
 records CLD
 responsibility of principal DP
 safety CK, CKA, CKB, CKC, CKE, **CLC**
 security program CKE, CLA
 structural pest control CLB, DI, FD
 bullying (~~see HARASSMENT~~) **CQ, FFI**
 burglary and vandalism CLA, FNCB
 burglary damage report CLD
 buses (See also transportation)
 accident reports CNB
 conduct, student FO
 drivers, commercial driver's license DBA, DHE
 drug/alcohol testing of drivers DHE
 emergency evacuation of CNC
 leases CH, CNB
 maintenance CNBA
 routes CNA
 special use CNB
 seat belts, use of CNB
 video cameras FO
 businesses, relations with GKE
 bylaws (See policy system)

- C -

cafeteria plan deductions/reductions CFEA
 cafeteria, school CO, COA, COB
 cafeteria workers (See support staff)
 calendar
 annual, school year EB
 appraisal/evaluation of employees BJCD, DN, DNA,
 DNB
 budget CE
 payroll CFE
 campaign funds BBBA
 campaigning on district premises BBB, CPAB, DGA, GKD

campus improvement plans and objectives BQ, BQA, BQB
 campus incentive plan BQA, BQB (See also educator excel-
 lence awards)
 Campus Intervention Team (CIT) ~~BR~~, DFBB
 campus, open or closed FEE
**campus planning and decision-making process BQ,
 BQB**
 campus program charter EL
 campus ratings ~~BR~~, ~~GND~~AIA, AIB
 capital equipment purchasing CHD
 capitalization planning CFB
**cardiopulmonary resuscitation
 certification DBA
 instruction EHBK**
 career and ~~Technology~~ technical education CNA, EEL,
 EHB, EIF
 career ladder DEA
 care of school property ~~CL~~A**CLB**, FNCB
 cash in school buildings CFG
 cellular phones CPAC, FNCE
 censorship (See First Amendment)
 ceremonies and observances CLE, EMD
 certificate of coursework completion EI, EIF
 certificate of indebtedness CCC, CDA
 certification
 educator, failure to maintain DFBB
 lack of DBA, DK, DPB
 paraprofessional DBA
 professional DBA
 certified agenda BEC, GBA
 certified personnel (See educator certification)
 chain of command BKB
 change orders CV
 channel one EFA
 character education EHBK
 character plus schools GND
 charter schools AG, AH, EL
 checking accounts CFF
 check-writing procedures CFF, CHF
 cheerleaders FM, FMF
 chemicals, hazardous CKA, CLB, DI, GB
 child abuse **BQ**, DH, DIA, FFG, FFH, GRA
 child care, public school FFC
Children's Internet Protection Act (CIPA) CQ
 child support CFEA
 chronic health conditions FFAF
 choral and music program EHAD, EMI, FM, FMF
 church, use of school facilities GKD
CIPA (See Children's Internet Protection Act)
 city tax assessor-collector BDAF
 city tax office BDAF
 civic organizations GKE
 civil defense agency relations CKC, GKA, GKD, GRA
 civil defense and fire drills CKC
 civil rights DAA, **DIA**, FB, **FFH**, GA
 civil rights of minors FB, **FFH**, FN, GRA
 class gifts CDC, FJ
 classification of students by grade EIE
 class interruptions EC
 class rankings EIC
 class size EEB
 cleanup procedures, bodily fluids FFAC
 closed board meetings BE, BEC
 closed campus FEE
 closed-circuit television EFF
 closing of school, emergencies CKC, GKD
 clubs FM, FNAB, FNCC

COBRA (Consolidated Omnibus Budget Reconciliation Act)
(See insurance)

code of ethics
board members BBD, BBF
financial CAA
personnel DBD, DH

collateral BDAE, CDA

collections, contributions, and membership fees ~~DHA~~, FJ, FP

college-bound students EJ

college course work
personnel DMC
student EHDD

college preparatory program EIF, ~~EJ~~**EK**

colleges and universities, relations with GNC

college visits FEA

commencement FMH

commercial sponsorship GKB

commissioner, appeals to DFD, DGBA, FNG, GF

committees
administrative councils, cabinets, committees BM
admission, review, dismissal (ARD) EHBA series
attendance FEC
board BDB
board advisory BDF
~~councils, cabinets, committees BM~~
curriculum development EG
faculty advisory council BQA, BQB
food service advisory CO
for selection of architects and engineers CV
grade placement EIE
language proficiency assessment EHBE
local adoption of textbooks EFAA
local **school** health advisory council BDF, EHAA, FFA
official textbook selection EFAA
parent advisory BDF, EHAA, FFA, GE
placement review FOC
planning and decision-making BQ, BQA, BQB
special education advisory EHBA series

communicable diseases DAA, DBB, FFAD

community
organizations, relations with GKE, GKF
press, relations with GBB, GBBA
resource persons EFC, ~~GKC~~
school-community cooperation GE, GK series
school-community guidance FFC
use of school facilities GKD
welfare organizations GRA

community instructional resources EFC

community involvement
in board meetings BED
budget planning CE
business and industry BQA, BQB, GKE
facility **expansionplanning** CT
guidance program FFC
health education advisory council BDF, EHAA, FFA
instructional resources EFC
parent-teacher organizations GE
planning and decision-making BQ, BQA, BQB
policy development BF
site-based decision making BQ, BQA, BQB
staff participation in community activities DGA
volunteers in public schools GKG

comparability assurances EHBD

compensation and benefits
board members BBG
employees DEA, ~~DEAA~~, DEB, DEC, **DECA**, **DECB**, DED, DEE

Superintendent BJCA
compensation for extra duties DEA, DK
compensatory instruction EHBC, EIE
compensatory time/pay, nonexempt employees DEA
competency testing, student EIF, EK series
competition, student FG, FM, FMF
competitive bidding CH, CV, CVA
competitive sealed proposals CVB
complaints/grievances
against peace officers CKE
by personnel DAA, DGBA, DIA
by public EFA, GA, GF
by student/parent FB, FFH, FNAA, FNG
whistleblower complaints DG, DGBA
comprehensive guidance program FFEA
compulsory attendance FEA, FED
computer purchasing CH
computer use CQ
concessions CDG

Concurrent College Enrollment EHDD
conditions of employment
credentials and records DBA
medical examination DAA, DBB, DEC
residence requirements DB
restrictions on employing/assigning relatives of personnel DBE, DC, DK
restrictions on employing relatives of board members DBE
restrictions on moonlighting DBD, ~~DBF~~**DEC**, **DECA**

conduct
on buses FO
personnel DH
on school premises, public GKA
students FNC series, FO

conferences
board meeting videoconference calls BE
board member attendance BBH
parent EHBB, EIA, FFC, FOA
confinement (See restraint of students)

conflict of interest
board members BBFA, BBFB
personnel DBD, DGA, DH
conflict resolution DGBA, ~~DMA~~

construction plans and specifications CS, CV series

consultants
board, external BDE
facility **expansionplanning** CT
outside consulting by staff ~~DBF~~**DBD**
special education EHBA

consultation agreements DGB

consumer credit reports DBAA

contagious diseases (See communicable diseases)

contests for students FG, FM, FMF

continuing contracts
employment practices DC, DCC
hearings before hearing examiner DFD
reduction in force DFCA
resignation DFE
return to probationary status DFAC
suspension/termination DFCA

contracted bus service CNA

contracting for instruction with outside agencies EEL, FFC, **GN series**

contracts
administrators DC, DCA, DCB, DCC, DCE
bidding, construction CH, CV, CVA, CVE, CVF
career and ~~technology~~**technical** EEL, FFC, GN
continuing DC, DCC, DFCA

depository BDAE
 dual DCB, DK
 educator
 continuing DCC
 probationary DCA
 term (Chapter 21) DCB
 noncertified professional employees DC, DCE
 not under Chapter 21 DCE
 probationary DC, DCA, DFAA, DFAB, DFAC
 professionals (lawyer, engineer, auditor) CH
 superintendent BJC
 teacher (See educator, *above*)
 term contracts DC, DCB, DFBA, DFBB
 controlled substances DH, DHE, DI, FNCF, FNF, FOC, FOD,
 FOF
 controversial issues EFA, EFC, EMB
 controversial speakers EFC, EMB
 conventions, conferences, and workshops
 board members BBH
 personnel DMA, DMD
 cooperative purchasing agreements CH
 coordinated health program EHAC
 coordination of paid benefits CRE, DEC
 copyrighted material EFE
 corporal punishment FO
 correspondence courses ~~EEJC~~EHDE
~~Councils, Cabinets, Committees~~ BM
 counseling and guidance programs EJ, FFE
 county government GRB
 county juvenile board FODA
 countywide appraisal district BDAF, CCH
 course credit requirements EHA series, EI, EIF, ~~FEC~~
 course offerings
 electives EHAD
 elementary EHAB
 secondary EHAC
 graduation requirements EIF
~~Course Outlines~~ ~~EER~~, EG
 court-related students
 admission FD
 liaison officer FFC
 placement FODA
CPR
 certification DBA
 instruction EHBK
CPR (See cardiopulmonary resuscitation)
 credit, award of EI, FEC
 credit by exam
 with prior instruction EHDB
 without prior instruction ~~EEJB~~EHDC
 with prior instruction ~~EEJA~~
credit recovery EHDB, ~~FEC~~
 criminal activity, reports of DH, DI, FL, FOD, GRA
 criminal history record ~~CH, CNA, CV, DC,~~
 contractors CJA
 employees DBAA
 volunteers GKJ
 crisis management/intervention CKC, FFB, FFE
 crossing guards ~~GR~~AGRBR
 crowd control GKA
 cultural institutions relations GKJ
~~Curfew, Students~~ FFE
 curriculum
 design EHA series
 development EG
 elective instruction EHAD
 enrichment EHAA
 essential knowledge and skills EHAA

experimental courses EGA
 extended instructional programs EHDD, EHDE
 college course work EHDD
 distance learning EHDE
 honors program ~~EHDCE~~HBN
 summer school EHDA
 travel study ~~EHD~~EBHM
 foundation EHAA
 guides and course outlines EG
 magnet schools and programs EGA
 pilot projects EGA
 planning EG
 required instructional program
 all levels EHAA
 elementary EHAB
 secondary EHAC
 research EG
 sex education EHAA
 special programs
 adult education EHBI
 at-risk students EHBC
 bilingual education EHBE
 career and ~~technology~~technical education EHBK
 character education EHBK
 community education EHBI
 compensatory education EHBC, EIE
 deaf or hearing-impaired EHBH
 dual language program EGA
 English as a second language EHBE
 gifted and talented students EHBB
 high school equivalency EHBL
 homebound instruction EHBA
 life skills EHAA
 prekindergarten EHBG
 remedial instruction/tutorials EHBC
 special education EHBA series
 Title I EHBD
 custodial services CLB, GKD
 custodian of records CPC, FL, GBA
cyberbullying CQ, FFI

- D -

dairy products, purchase of COA
 damage reporting CLD
 data management CPC, CQ, GBA
dating violence FFH
 days of service DC
 deaf or hearing-impaired BE, EHBA, EHBA, EHBAB, EH-
 BAC, EHBH
 debt limitation CCA
 debt service
 bonds CCA
 certificates CCC
 revenue bonds CCD
 tax rate CCG
 warrants CCB
 deductions/reductions, salary CFEA
 deferred compensation CFEA, CRG
 defibrillators, ~~Public Access~~ CKC CKD, DMA
 delinquent taxes CCG
 demonstrations and strikes DGA, FNCl, GKA
 depository
 of funds BDAE
 student activity funds CFD

~~Trustee~~board member conflict BBFB
 deputy voter registrar DP
 design and construction of school facilities CS, CVC
 destruction of records CPC, FL, GBAA
 detention FO
 diabetes management treatment plan FFAF
 dietary supplements DH, FFAC
 diplomas EIF, FMH
 directory information FL
 disabilities
~~ADA (see AMERICANS WITH DISABILITIES ACT)~~
ADAAA (See Americans with Disabilities Act Amendments Act of 2008)
 IDEA (Individuals with Disabilities Education Act) EHB, EHBA series
 Section 504 (for students) EHBH, FB
 temporary (of employees) **DBB**, DEC
 disaster drills CKC
 disciplinary action, employees
 continuing contract DFCA
 noncontract DCD
 probationary contract DFAA
 suspension with or without pay DCD, DFAA, DFBA, DFCA
 term contract DFBA
 disciplinary alternative education program (DAEP) FO series
 shared services arrangement BQ, FOCA
 discipline of students
 code of conduct FN, FNC, FO
 corporal punishment FO
 detention FO
 disciplinary alternative education program, placement in FOC
 discipline management program FNC, FO, FOC, FOD, FOE
 discipline management techniques FO
 disruptions and interference with the education process FNCI, FOA, GKA
 emergency placement FOE
 excessive absence or tardiness FEC
 expulsion FOD
 extracurricular standards of behavior FO
 fraternities, gangs, sororities, and other secret organizations FNCC
 juvenile justice system FODA
 juvenile residential facilities EEM
 notice to parents FO, FOA, FOD
 placement review committee FOA
 possession and use of narcotics, dangerous drugs, and alcohol FNCF, FOCA, FOD, FOF
 records FL, FO
 removal by teacher FOA
 suspension FOB
 unauthorized student assembly on school premises FNCI
 unexcused absences FEA, FEC
 videotaping FNG, FO
 disclosure, conflict of interest BBFA, DBD
 discretionary personal leave DEC
 discrimination
 employment DAA, DAB, **DIA**
 programs and services CS, DAA, **DIA**, GA
 student EHBA, FB, FD, FDA, **FFH**
 dismissal, early (of school day) EC
 dismissal, employees
 continuing contract DFCA
 noncontract DCD
 probationary contract DFAA
 term contract BJCE, DFBA
 disorderly student conduct FNCH, FNCI, FOA
 disposal
 of **unnecessary** personal property/surplus CI
 of real property CDB
 dispute resolution, homeless students FDC
 disruptions
 of board meetings BED
 of classes by outsiders GKA
 of instruction EC
 student FNCI, FOA
 distance learning EHDE
 distinguished achievement program EIC, EIF
 distribution of equipment CM **series**
 distribution of printed material CPAB, FMA, FNAA, GKDA
 district-~~Level Decision~~ **award for teacher excellence (DATE) DEAA**
district-level planning and decision-making process BQ, BQA
 district teaching permit DBA
 dogs, searches by trained DHE, FNF
 donations
 by district CE
 to district CDC
 of leave DEC
 DOT (U.S. Department of Transportation) DHE
 dress and personal grooming
 personnel DH
 student FNCA
 uniforms FNCA
 drill squads FMF
 driver education EHAD
 dropout prevention/reduction BQA, BQB, EHBC, EHBD
 drug-free schools act DH, DI, FNCF
 drug-free workplace act DH, DI
 drug screening/testing
 athletes/students FNF
 bus drivers DHE
 employees DHE
 drug searches by trained dogs DHE, FNF
 drug use DH, DHE, DI, FFAC, FNCF, FOC, FOD, FOF
 dual contracts DCB, DK
 dual language **Program immersion program (DLIP)** EGA
 due process
 regarding complaints alleging violation of constitutional rights DGBA, FNG, GF
 under continuing contracts DFCA
 hearings by hearing examiner DFD
 under probationary contracts DFAA
 for students FOA, FOD, FOE, FOF
 under term contracts BJCE, BJCF, DFBA, DFBB
 dues, membership for professional organizations CFEA
 duplicating and printing CPAA, FL, GBA
 duty-free lunch DL
 duty schedule DK
 dyslexia BQ, EHB, EHBC, EKB, EKC, EL

- E -

early graduation **EI**, EIC, EIF, FMH
 education agency relations
 regional service center GNB
 state agency GND
 voluntary accreditation agency GNE
 education media and service centers GNB

educational philosophy AE
 educational program access EHA
 educational specifications, facilities CS
 educational television EFF
 educator certification/credentials DBA, ~~DC~~, DCB, DFBB, DK, DPB
 educator excellence awards DEAA (See also campus incentive plan)
election clerks FEB, FEC
 election of board members BBB
 elective instruction EHAD
electronic bids and proposals CH, CV, CVA, CVB
 electronic communication CQ, FNCE
 security breach of CQ
 electronic courses, defined EHDE
 electronic **devices, possession of FNCE**
electronic media DH, EFE
electronic textbook CMD, ~~CQ~~, EFAA
 elementary instruction, required EHAB
 EMAT (Educational Materials and Textbooks) CMD
 emergency
 board meetings BE
 first aid care **CKD**, FFAC
 placement **FOGFOE**
 plans and procedures, drills CKC
 repairs CH, CLB, CV
 school closings CKC
 suicide attempts/threats FFB, FFE
 emotionally disturbed students **FFB**, FFE, ~~FFB~~ (See also students: with disabilities)
 employees
 organizations CFEA, CPAB, DGA, DGB, GKD
 qualifications BJA, DBA, DP
 relations with students DH, DIA, FFH
 employment
 application DC
 annualized salary DEA
 architects and engineers CV, ~~CVB~~, ~~CVC~~, ~~CVD~~, ~~CVE~~, ~~CVF~~ series
 board members, former BBC, DC
 conflict of interest DBD
 criminal history record ~~DC~~DBAA
 early separation DEA
 medical examinations, screenings DBB, DEC
 nepotism restrictions DBE, **DC**, **DCD**, DK
 outside consultants BDE
 practices DC series
 requirements
 bus driver annual physical DBA, **DBB**
 residency DB
 restrictions on moonlighting ~~DB~~FDBD, **DEC**, **DECA**
 after retirement DC, DPB
 status
 at-will **DC**, DCD
 continuing contract DC, DCC
 leave **DEC**, **DECA**, **DECB**
 non-Chapter 21 contract **DC**, DCE
 noncontract DC, DCD
 probationary DC, DCA
 reasonable assurance CRF, DCD, DCE
 return to probationary status DFAC
 temporary teacher contract DC, DCB, DPB
 term contract (educator) DC, DCB
 energy conservation CH, CL
 engineers and architects selection CV series
 English as a second language EHBE
 enrichment curriculum EHAA
 enrollment
 age requirements FD, FDA
 by attendance zone FC
 exemptions from health requirements FFAA, FFAB
 expelled transfer students FD, FOD
 health requirements FD, FFAA, FFAB
 immunizations FFAB
 projections CT
 residence requirements FD
 transfers from other districts FDA
 tuition FDA
 environmental authorities GRA
 equal access FNAB, GKD
 equal educational opportunities EHBA, FB
 equal employment opportunities DAA, DAB
 equalization allotment, state CBA
 equipment and supplies
 borrowing/loaning CMB, ~~DH~~
 distribution CMB, CMD
 equipment maintenance CLB
 insurance program CRA, CRB
 inventory CFB, CMA
 loan of CMB
 receiving/warehousing CMA
 repair CLB
Essential Knowledge and Skills (TEKS) EHAA, EIE
 ethics
 board members **BBBB**, BBF, BBFA, BBFB, CAA
 personnel CAA, DBD, DH
 evacuation diagrams CKC
 evaluation
 administrative goals and objectives **BIABI**
 board self-evaluation BG
 campus charter and program charter schools EL
 existing facilities CS
 fiscal management CA
 personnel DN, DNA, DNB
 programs BQ
 superintendent BJCD
 evening sessions EC, EHBI, FP
 examinations
 for acceleration **EEJB**EHDC
 credit by ~~exam~~examination
 with prior instruction **EEJA**EHDB
 without prior instruction **EEJB**EHDC
 final EIAA
 state-mandated EKB
 exceptional students (See students: with disabilities)
 exchange students FD
 executive session (See closed board meetings)
 exempt/nonexempt personnel DEA
 exit interviews DC, DCD, DF
 exit-level test EI, EIF, EKB, FMH
 expenditures of funds CE, CFD, CHD
 expense reimbursement
 board members BBG
 personnel DEE
 superintendent BJCA
 experimental courses EGA
 expulsion of students **FOD**, **FODA**, **FOE**
 disciplinary FOD, FOE
 immediate/emergency FOC
 extended instructional programs EHD
 extended instructional year (See year-round schools)
 extended year program EHBC, EIE
 extended year services EHBA, EHBAB
 extracurricular activities
 eligibility FM, FOA, FOC
 limits ~~per semester~~on absences FM

related absences FEB, FM
safety training of employees DMA
standards of behavior FNC, FO
students not enrolled FD
suspension and reinstatement FM
transportation to CNB, FMG
eye-protective devices CKB

- F -

facilities
climate control CL, ~~CLB~~
community use of GKD
conduct on school premises GKA, GKC
naming CW
planning and construction CS, CT, CV, CVA, CVB, CVC,
CVD, CVE
portable buildings CS
faculty advisory council BQA, BQB, DGB
fair employment CV, DAA, DAB
falsification of records DFBB, FD
FAPE (Free Appropriate Public Education) EHBA, ~~EHBAC~~,
FB series
federal funds CBB, EHBD
fees, fines, and dues
cap and gown rental FP
copies of records FL, GBAGBAA
driver education laboratory EHAD
extracurricular activities FM, FP
instrument rental FP
library FP
required/prohibited/waiver FP
science laboratory FP
senior class activities FMD
student FP
transcript FL
tuition FDA
felony offenses BBC, BJA, CH, CNA, CV, DBA, DC, DF, DH,
FL, FOC, FOD, GRA
FERPA (Family Educational Rights and Privacy Act) FL
~~Festival, School FJ~~
field trips EFD
filling employment vacancies DC
final examinations EIAA
finality of grades DGBA, FNG
financial ethics BBFA, BBFB, CAA, DBD
financial reports and statements BR, CFA
firearms ~~DH~~CNC, EHAD, FNCG, FOD, GKA
fire authorities GRA
fire drills and civil defense CKC, GKD
fire escapes CKC
fire insurance CRA
fireworks FNCG, GKA
first aid CKD, FFAC
First Amendment BED, CPAB, DG, EFA, EMB, EMI, FMA,
FNA, FNAA, GKDA
FIRST (Financial Integrity Rating System of Texas) Reports
BBFA, DBD
fiscal management CA
fiscal year CE
fixed assets CFB
flag regulations CLE
FLSA (Fair Labor Standards Act) DEA
FMLA (Family and Medical Leave Act) CRD, DEC, DECA,
DECB

food service
breakfast program COB
free and reduced-price meals program COB
"junk food," sale restricted CO, FFA
purchasing COA
Summer Food Service Program COB
surplus commodities CO
vending/food dispensing machines COC, FFA
foreign exchange students EKB, FD
foreign language EHAB, EHAC
foster care FD
foundation curriculum EHAA
foundation school program CBA, ~~CNB, CQ~~
four-year-olds EHBG, FD
fraud CAA, CHE, DBD, DH
free and reduced-price meals program (See food service)
freedom of association DGA
Free Materials Distribution in Schools FMA, FNAA, GKB
free speech (See First Amendment)
fringe benefits DEB, DEC
fund balance CE
fund-raising activities DHA, FJ, GKB
funds
and accounts CFA
activity, management of CFD
depository BDAE
investment, liquidity/diversification CDA

- G -

gangs, gang-related activities FNCC
gate receipts CDG
GED (General Equivalency Diploma) DPB, EHBL, FD
GED (See general equivalency diploma)
general educational development EHBC, EHBL
General Services Commission (see Building and Procurement Commission)
general equivalency diploma (GED) EHBL, FD, FEA
geographic boundaries AC
gifted and talented student programs EHBB
gifts
bequests to the district BAA, CDC
board members BAA, BBFA, BBFB, BBG
employees CAA, DBD, DHA
instructional materials CDC, CMD, ~~EFA~~EFAA
public CDC
student CFD, FJ
goals and objectives
administration BI
board BG
district AFAE
facility standards CS
fiscal management CA
employment DAADA, DAB
programs BQ, BQA, BQB
government, student FMB
grade advancement testing EIE
GPA (Grade Point Average) EIC See grades: grade point
average)
grade placement committee (GPC) EIE
grades
average required for credit EI
computation of averages EIA, EIC
dyslexic students EHB, EIE
finality of DGBA, FNG

guidelines EIA
 grade point average (GPA) EIC
 penalties EIAB
 recording/reporting to parents EIA
 graduation
 early EIF, FMH
 exercises FMH
 honor graduates EIC
 prayer FMH
 ranking of graduates EIC
 requirements EIF
 special education students EIF
 grandparent (resident caretaker) CNA, FD
 grants CDC, DEAA
 classroom supply reimbursement DEE
 master teacher DEAA
 public education (PEG) FDAA
 grievance procedures (See complaints/grievances)
 grooming standards DH, FNCA
 grounds management CLB
 group health and life insurance CRD
 grouping for instruction EEA
 guest speakers EFC, GKC
 guidance program
 academic EJ
 student assistance/counseling FFE, FFEA
 guns DH, EHAD, FNCG, FOD, GKA

challenging content of student records FL
 due process
 employees DFAA, DFBB, DFCA, DFD, DGBA
 students FOD, FOF
 expulsion of students FOD
financial management report CFA
 independent hearing examiner DFBB, DFD
 nonrenewal BJCF, DFBB
 hepatitis DBB, FFAB
higher education visits FEA
 highly qualified DBA, DK, EHBD
 High School Equivalency Program EHBL
 HIPAA (Health Information Portability Accountability Act)
 CRD
 hiring
 at-will (noncontractual) DC, DCD
 authority BJA, DC
 contractual DC, DCA, DCB, DCC, DCE
 practices DC
 superintendent BJB
 HIV (See AIDS/HIV)
 holidays
 personnel DED
 school EB
 religious DEC, FEA, FEB
 holdover doctrine BBC, DBE
 homebound instruction EEH
 homeland security BEC, **CKC, GRC**
 homeless students EHBC, EHBD, **EI, FB, FD, FDC, FFAB,**
 FFC
 home-rule school district AG
 home-school instruction FDA, FEA
 homework EIB
 honor graduates EIC
 honor rolls EID
 honors courses **EHDCEHBN, EIF**
 hospitalization insurance CRD
 hours of school day EC
 housing authorities relations GRA
 HSEP (High School Equivalency Program) EHBL
 human sexuality education EFAA, EHAA
 hunter safety education EHAD
 hurricane warnings CKC

- H -

handbooks
 administrative regulations BP
 student FN, FNC
 handicapped employees (See Americans with Disabilities
 Act **Amendments Act of 2008**)
 handicapped students (See students: with disabilities)
 harassment
 employees DAA, DH, DIA
 students DIA, FB, FFH, **FFI, FNC**
 Hatch Amendment EF
 hate literature FNAA, GKDA
 Hazard **Communications Communication** Act DI
 hazardous routes CNA
 hazing DH, **FFI, FNCC**
 head lice FFAD
 health
 examinations/screenings
diabetes FFAA
 drug/alcohol DHE, FNF
 dyslexia EHB
 hearing and vision, scoliosis FFAA
 personnel DBB, DHE
 students FFAA
 tuberculosis DBB, FFAA
 immunizations FFAB
 insurance CRD, FFD
 relations with health authorities GRA
 requirements for enrollment FFAB
 services DBB, FFA, FFAA, FFAC
 hearing examiners BJCE, BJCF, DFAA, DFBA, DFBB, **DFC,**
 DFCA, DFD, **DFF**
 hearing impaired BE, EHBH
 hearings
 board BE, DFBB, DGBA, FNG, GF
 budget CE

- I -

IDEA (Individuals with Disabilities Education Act) EHBA
 series
 identification (~~students~~)-**FD**
~~identification~~-card CLA
 illness
 personnel DBB, DEC
 student FEC, FFAC, FFAD
 immunity (See liability)
 immunizations FD, FFAB
 incentives DEAA, DEC
 inclement weather procedures CKC
 income tax, salary deductions for CFEA
 increments, salary DEA
 independent auditors BAA, CFC
 independent hearing examiners **DF, DFABJCE, BJCF,**
 DFAA, **DFAB, DFAC, DFB,** DFBA, DFBB, DFC,
 DFCA, DFD, DFF
 individualized learning
 correspondence course **EEJCEHDE**

credit by examination **EEJA, EEJBEHDB, EHDC**
 distance learning EHDE
 exams for acceleration **EEJBEHDC**
 remedial instruction EHBC
 special education EHBA series
 tutorial program EHBC
 individualized education program EHBA series
 individualized health plan FFAF
individualized services plan EHBAC
 industrial development authorities GRA
 information
 access to district records BBE, GBAA
 access to employee records BBE, DBA, DN, GBAA
 access to student records FL
 demographic data CQ, GBA, GND
Informed Choice Report (Distance Learning) EHDE
 innovative programs EGA
 inoculations FFAB
 inspections
 facility CS, CV
 purchasing CHD
 safety CKA
 instructional arrangements EE series
 instructional contracts with outside agencies EEL, EHBAC
 instructional day EC, EED
 instructional facilities allotment CCA
 instructional goals and objectives BQ series, EA
 instructional materials
 advertising materials, use of FMA
 complaints concerning EFA
 control of CMD
 copyrighted material EFE
 curriculum guides EG
 library, media center EFB
 selection of EFA, **EFAA, EHAA**
 ~~selection of library materials EFA~~
 teaching plans EEP
 ~~textbook selection process EFAA~~
 instructional program (See also special programs)
 disciplinary alternative education program FOCA
 distance learning EHDE
 elective instruction EHAD
 evaluation of BQ, BQA, BQB, EHBD, GND
 extended instructional program EHDD, EHDE
 college course work EHDD
 honors courses EIC, EIF
 summer school EHDA
 travel study **EHDBEHBM**
 innovative and magnet programs EGA
 organization of instruction ED
 required instructional program
 all levels EHAA
 elementary EHAB
 secondary EHAC
 instructional resources
 community EFC, GKE, GKF
 field trips EFD, FMG
 interactive television EFF
 libraries/media centers EFB
 instructional support services
 guidance program EJ, FFE
 health services FFA
 library, audio-visual center EFB
 school-community guidance program FFC
 special education programs EHBA series
 instructional television EFF
 insurance
 adjustor and carrier CR

change of coverage CR
 Consolidated Omnibus Budget Reconciliation Act (COBRA) CRD
 deductions/reductions from salary CFEA
 enrollment information CRD
 fire CRA
 Health Insurance Portability and Accountability Act (HIPAA) CRD
 health, life, disability CRD
 liability CRB
 school property CRA
 student FFD
 tax-sheltered annuities CFEA, CRG
~~Texas School Employees Uniform Group Health Coverage Act CRD~~
TRS-Active Care CRD
 unemployment CRF
 workers' compensation CRE, CV
 integrated planning process BQ, BQA, BQB
 intellectual property rights **CQ**, DGC, EFE
 intensive math and science program EHBC
 interdistrict relations EHBA, FDA
 interlocal agreements CH, GR, **GRB**
 interlocal cooperation contracts GR, **GRB**
 internal auditor BAA, CFC
 international baccalaureate program EIC, EIF
 Internet
 broadcast board meetings BE
 posting BBFA, BE, CHE, DBD, **DC**
 use of, by employees/students CQ
 intern program GNC
 interrogations and searches DHE, FNF, GRA
 interruption of classes EC
 interscholastic activities/athletics FM, FMF
Interstate Compact on Educational Opportunity for Military Children EHBAB, EIF, EKB, FB, FDD, FEA, FFAB, FL, FM
 intoxicants BBC, BJCF, DFBA, DFBB, DFCA, DH, DI, FNCF, FNF, FOC, FOD, FOF, GKA
 intramural sports FMF
 inventories CFB
 investments, bond sales CDA
 investments of school funds CDA
 intrastate pipeline emergency response plan CS

- J -

job order contracts CVF
 JROTC program CG, EHAD, EIF
 junior colleges, high school credit program EHDD
 jurisdiction
 district, over students FO, FNC
 peace officers CKE
 jury duty DEC
 juvenile authorities GRA
 juvenile justice system FODA
 juvenile case manager, compulsory attendance FED
juvenile residential facilities EEM

- K -

key control CLA
kindergarten
acceleration ~~EEJB~~EHDC
eligibility FD
instructional requirements EHAB
progress reports EIA
retention EIE
school day EC
knives FNCG, FOD, GKA

- L -

labor organizations DGA, DGB
land, sale of BAA, CDB, CDBA
LANGUAGE
~~bilingual instruction~~EHBE
~~foreign other than English~~EHAB, EHAC,~~EIF~~
law enforcement
agencies GRA
district peace officers CKE
officers on district property GKA
reports from FL, GRA
reports to/refer to DH, FFG,~~FFH~~, FNF, GRA
lawful assembly, disruption of GKA
lay-offs (RIF) ~~DEF~~,DFCA, **DF**
learning disabilities EHB, EHBA, EHBAA, EHBAB, EHBAC,
~~EIA~~,EIE
lease of real property by the district CX
leasing and renting
authority BAA, GKD
buildings and grounds ~~GL~~CDB, GKD
buses CNA, CNB
equipment and supplies CMB
payments CDD, CX
leaves and absences, employees
assault (recuperative leave) DEC
concurrent use of DEC
continuation of health benefits CRD
discretionary use of DEC
extended DEC
family and medical leave CRD, DEC, **DECA, DECB**
funeral (bereavement) leave DEC
infant care/child adoption DEC, **DECA**
intermittent leave DEC, **DECA**
mandatory court appearances/jury duty DEC
maternity leave DEC, **DECA**
military leave/reserve duty DEC, **DECB**
nondiscretionary use of DEC
on-the-job injury CRE, DEC
paid/unpaid leave DEC
payment for unused leave DEC
personal illness DEC, **DECA**
personal leave DEC
professional development leave DEC
professional meetings and visitations DMD
qualifying exigency DECA
sabbatical study/leave DEC
state personal leave DEC
state sick leave DEC
temporary disability DEC
leaving campus, students

employment FEF
illness FEC, FFAC
lunch FEE
medical appointment FEB
parental permission FEB
private lessons FEF
legal services BDD
LEP (See Limited English Proficiency)
lesson plans EEP
liability
board members BBE, CRB
for damage to school property FNCB
insurance CRB
school personnel CRB, DG, DH, FFAC, FFG, FOE
volunteers GKG
liaison
court-related FFC
homeless FFC
libel FNAA, GKDA
library-media center
materials, complaints EFA
professional resources EFB
records and reports EFB
selection of materials EFA
lice FFAD
life insurance CRD
life skills programs ~~EHA~~A**EHAD**
Limited English Proficiency (LEP) EHBC, EHBE, EIE, EKB,
EKBA
limited open forum FNAB
line and staff relations BKB
line item transfers CE
litigation expenses CRB
lobbying (restrictions) CH, BBFB
Local Government Records Act CPC, GBA, GBAA
local government relations GRA
local tax revenues CCG
locker searches DHE, FNF
loitering GKA
loss control CK, CKA, CKB, CKC
loyalty oath BBB
LPAC (Language Proficiency Assessment Committee)
EHBE, EIE, **EKBA**
lunchroom maintenance CLB

- M -

McKinney-Vento Homeless Education Assistance Improve-
ments Act of 2001 **CNA, EHBD**, FD, FDC, FFC
mail service CPAB
maintenance
bus maintenance CNBA
changes and alterations CLB
~~Make-Up~~**makeup** work for students EIAB
manifestation determination (IDEA) EHBAD
married students FND
master teacher grants DEAA
maternity leave DEC, **DECA**, FNE
meal service CO, COB
media and service centers (regional) GNB
mediation (See complaints/grievances)
Medicaid FEB, FLA
medical examinations DBB, FFAA
medical insurance CRD, FFD
medical treatment FFAC

Medicare CFEA
 medication FFAC
 meeting notice
 board of trustees BE
 budget CE
 closed (board) BEC
 tax rate hearing CCG
 meetings
 board (See school board meetings)
 budget CE
 campus-level committee BQB
 closed (board) BEC
 community use of school facilities GKD
 district-level committee BQA
 emergency/regular/special (board) BE
 faculty/staff DLA
 juvenile justice board FODA
 ~~local health advisory council EHAA~~
 media coverage BE, **BEE**, GBBA
 public complaints GF
 special education (ARD/IEP) EHBA, ~~EHBAA, EHBAB,~~
 EHBAC, EHBAD series
 memorials CDC, CW
 mentoring EHBC, GKG
 metal detectors FNF, GKA
~~Microfilming Records~~ microfilm CPC, **GBAA**
 migrant student EHBD, EI
 migratory child EEB, **FD**
 mileage reimbursement BBG, BJCA, DEE
 military
 dependents FD, **FDD**
 discharge records GBA
 instruction (JROTC) CG, EEL, EHAD, EIF
 leave CRD, DAA, DEC, **DECA, DECB**
 recruiters FL, GKC
 minerals, sale of BAA, CDB
 minimal nutritional value CO, FFA
 Minimum Foundation Program (See Foundation School
 Program)
 minimum high school program EIF
 minimum teaching duties DL
 minutes of board meetings BDAA, BE, BEC
 mission statement, district AE
mobile telephones FNCE
 modified duty DK
 mold remediation CL, CRB
 moment of silence EC
 moonlighting ~~DBFDBD, DEC, DECA~~
 moral turpitude BJCF, DFBB, DH
 moving costs reimbursement DEB
 multihazard emergency operations plan CKC
 municipal government GRA
 music program EHAD

- N -

Naming Facilities CW

National Honor Society FG
 National School Boards Association BC
 National School Lunch Program COB
 NCLBA (See No Child Left Behind)
 neighborhood associations GKE
 neighborhood schools FC
 nepotism BBFB, CCH, DBE
 new facilities, naming/dedication CW

new hire reporting DC
 news conferences and interviews GBBA
 news coverage
 board meetings BE, BEE, GBBA
 broadcasting and taping board meetings BE, BEC
 news media relations/news releases GBBA
 sports and special events GBBA
 newspaper, school distribution of FMA
 night school EHBI, FP
 No Child Left Behind (**NCLBA**)
 adequate yearly progress (AYP) EHBD
 highly qualified DK, EHBD
 migratory child EEB
 parent involvement BQ
 recruiters FL, GKC
 school restructuring **AIC**, EHBD
 student/parent rights EF
 technology CQ
 noncertified personnel DBA, DC, DCD, DCE
 noncontract employment DC, DCD
 nondiscretionary personal leave DEC
 nondiscrimination CS, DAA, **DIA**, FB, **FFH**, GA
 noninstructional school activities FNAB
 nonprinted materials and services EFB
 nonprofit organizations GE, GKD
 nonpublic information GBA
 nonrenewal, term contract BJCF, DFBB, DFD
 nonresident students FD, FDA
 nonschool employment ~~DBD, DBF~~
 nonschool literature FNAA, GKDA
 No Pass, No Play FM
 note and bond payments CCA, CCF
 notice of position openings DC
 notice to parents re uncertified substitutes DK, DPB, EHBD
 notice to SBEC BJCE, DF, DFAA, DFBA

- O -

oath of office BBB
 objective criteria for personnel decisions DAB
 obscenity DH, FMA, FNCA
 observation days EHBK
 office management
 communications CPA
 computer technology CQ, EFE
 mail delivery CPAB
 printing CPAA
 records and reports CPC
 telephone CPAC
 officer
 attendance FED
 board of trustees BDAA
 budget BJA, CE
 peace officer CKE
 death while on duty DEB
 public information (records) CPC, GBA
 records management CPC
 offsetting paid leave benefits CRE, DEC
 open campus FEE
 open enrollment FDB
 open-enrollment charter school AH
 open meetings BDB, BE, BED
 open records (See Public Information Chapter of Govern-
 ment Code)
 operations, maintenance CLB

organization
 administrative BJA
 board of trustees BDAA
 line and staff relations BKB
 organization charts BKA
 organization of grade levels ED
 organizations
 booster clubs GE
 parent organizations GE
 personnel DGA, DGB
 relations with community GKE, GKF
 relations with educational entities GNA, GNB, GNC,
 GND
 relations with governmental entities GR, GRA
 student FM, FNAB, FNCC
 orientation/training
 board members BBD
 employees DMA
 substitutes DPB
 other schools and/or districts, relations with FD, FDA, GNA
 outside agencies, instructional contracts with EEL
outside employment BDB, DEC, DECA
 overtime DEA

- P -

paging devices FNCE
 paperwork reduction BAA, DLB, GND
 paraprofessional personnel
 certification, highly qualified DBA, EHBD
 dismissal DCD
 hiring DC, DCD
 reasonable assurance of re-employment CRF
 parent advisory committee BDF, BQA, BQB, EHAA, GE
 parent involvement
 campus-level planning committee BQB
 conferences EIA
 discipline management FNC, FO, FOC, FOCA, FOD,
 FODA, FOE
 district-level planning committee BQA
 No Child Left Behind EHBD
 school-parent compact EHBD
 special education EHBA series
 wellness EHAA, FFA
 parent notification DBA, DK, DPB, EHBD
 parental rights (See also students: rights and responsibili-
 ties)
 access to board meetings BE, FNG
 access to instructional materials EF, **EHAA**, FNG
 access to student records FL
 consent to counseling of student FFE
 exempt student from instruction EHA, EHAA, FNG
 student placement FDB, FNG
parenting and paternity awareness program EHAC
 parking controls CLC, FFFD
 parliamentary BE
 parochial schools FD
 partnership, school/community GKE
 part-time employees CRD, DC, DCD, DEC, DPB
 pass/fail courses EHAD
 patriotic societies GKD
 payment procedures CHF
 payroll procedures
 salary deductions/reductions CFEA
 schedule CFE

peace officers CKE, DEB
 pediculosis FFAD
PEG (See public education grants)
 PEIMS (See Public Education Information Management
 System)
 performance bonds CV
 performance report **AIB**, BR, **BRB**, GND (~~see also Academ-
 ic Excellence Indicator System~~)
 performances, student FME
 permits
 lunch FEE
 student work FEF
 teaching, issued by school district DBA
 visitors GKC
 persistently dangerous **FDDFDE**
personal graduation plan EIF
 personal leave DEC
 personal property
 disposal CI
 purchases CH
 personnel
 complaints DGBA
 conduct DH, DHE, DIA
 gifts and solicitations DBD, DHA
 involvement in decision making BQ, BQA, BQB
~~merit pay DEF~~
 records
 confidential, access to BBE, DBA, GBAA
 credentials DBA
 custodian of DBA, GBA, GBAA
 requests for copies GBAA
 welfare DI
 personnel-student relations DH, DIA, FFH
 pest control program CLB, DI, FD, GB
 petition for student transfer FDA, FDAA, FDB, **FDDFDE**
 (See also No Child Left Behind)
 petitions DG, FNAA, GKDA
 petty cash accounts CHB
 phones, cellular CPAC, FNCE
 physical education
 exemptions EHAC, EIF
 requirements EHAB, EHAC, EHAD, EIF
student-to-teacher ratios EEB
 substitute courses EIF
 physical examination DBB, FFAA
physical fitness assessment FFAA
 physical restraint, student FO, FOF
 pilot projects EGA
 placement
 in alternative setting FOC
 of home-school students FD
 of transferred expelled students FDA
 of transfer students FDA
 placement review committee FOA, FOD
 plagiarism EIA
 planning and preparation time DL
 planning process BQ, BQA, BQB
 playgrounds CS, ~~GRA~~
 pledge of allegiance EC
 police on school premises CKE, GKA, GRA
 policy system
 attorney involvement BDD
 community involvement BF
 development, adoption, amendment, distribution, review
 BF
 implementation through regulation BP
 staff involvement BQA, BQB
 student involvement FNB

political activities BBB, **BBBB**, DGA, GKD
 political advertising **BBBB**, CCA, CPAB, GKB
 political organizations GR
 politics, participation in DGA, DH
pool drains CL
portable buildings CS
 possession/use, alcohol and drugs DH, DHE, DI, FNCF,
 FOA, FOCA, FOD, FOE, FOF, GKA
 postsecondary instructional program FP
 power of attorney FD
 practice teaching GNC
 prayer DMA, EC, EMI, FMH, FN, FNA, FNAB
 pregnant employees DEC
 pregnant students EHBC, FB, FNE
 prekindergarten EC, EHBC, EHBC
 preparation, teachers DMA
 press services
 board meetings BEE, GBBA
 sports and special events GBBA
 prevailing wage law CV
 prevention, dropout EHBC
 principal's performance incentive BQB
 principal's qualifications DP
 printed materials and services
 charges for copies FL, GBAA
 copyrighted materials EFE
 printing and duplicating CFAA
 prior review FNA, GKDA
 private lessons FEF
 private schools, relations with FD, FEA
 private tutoring **DBFDBD**
 private vehicles, use of CNA, EFD, FFD, FMG
 probationary contracts
 employment practices DC, DCA
 resignation DFE
 suspension DFAA
 termination at end of year DFAB
 termination during contract DFAA
 probationary status, return to DFAC
 professional conduct/ethics DH
 professional growth/development
 board member BBD
 personnel DM, DMA, DMC, DMD
 superintendent BJA, BJCB
 professional leaves and absences DEC
 professional meetings DLA, DMD
 professional organizations
 dues CFEA
 participation in DGA, DGB
 professional personnel
 academic freedom EMA
 accountability (See appraisal)
 appointment DC series
 assignment DK
 compensation DEA
 conferences and visitations DMD
 consulting BJCC
 continuing contracts DCC, DFCA
 contract nonrenewal BJCF, DFBB
 contracts BJC, DCA, DCB, DCC, DCE
 dismissal BJCE, DCD, DCE, DF, DFAA, DFBA, DFCA
 employment practices DC series
 ethics DBD, DH
 evaluation/appraisal BJCD, DN, DNA, DNB
 expense reimbursement BJCA, DEE
 filling vacancies DC
 financial ethics CAA, DBD
 growth and development DM, DMA, DMC, DMD

hearings before hearing examiner BJCE, DFBB, DFD
 hiring BJB, DC series
 leaves and absences DEC, **DECA**, **DECB**, DED
 medical examinations DAA, DBA, DBB
merit pay-DEF
 noncertified personnel DCD, DCE
 non-Chapter 21 term contract DCE
 nonrenewal BJCF, DFBB
 nonschool employment **DBFDBD**
 orientation DC, DMA, DPB
 part-time DPB
 principals, qualifications and duties DP
 probationary contract DC, DCA, DFAA, DFAB, DFAC
 probationary status, return to DFAC
 professional organizations DGA, DGB
 publishing DME
 qualifications/credentials DBA, DPB, EHBD
 reassignment DK
 recruitment DC
 reduction in force DFCA, DFF
 resignation BJCG, DCD, DFE
 retirement BJCG, DEG
 rights and privileges DG, DGA, DGB, DGBA
 sabbaticals DEC
 searches DHE
 staff development DMA, DMC, DMD
 staff meetings DLA
 standards of conduct DH
 superintendent BJA series
 supplemental duty DEA, DK
 suspension DFAA, DFBA, DFCA
 term contract DC, DCB, DFBA, DFBB
 termination DF series
 transfer DK
 vacation DED
 welfare DI
 work load/schedules DEA, DK, DL
 professional services/outside sources CH, CV
 professional visitors and observers GKC
 programs, special EHB series
 prohibited weapons FNCG
 projections
 enrollment CT
 facilities cost CV
 facilities design CT
 promotion and retention, students EIE
 property
 acquisition of sites CHG, CV
 board authority BAA
 care of school CLA, CLB, FNCF
 equipment CMA, CMB, CMD
 insurance CRA
 personal, sale of CI
 real, sale of CDB
 revenue bonds from proceeds CDBA
 sales CDB
 surplus, disposal of CI
 title policy-land purchases CHG
 protected health information (PHI) CRD, FL
 psychological services/testing EHBA, FFB, FFE, FFG
 psychotropics FFAC, FFG
 public access defibrillators CKC
 public access to school records BE, DBA, FL, GBAA
 publications
 distribution CPAB, FMA, FNA, GKDA
 news releases GBBA
 prior review/nonschool-sponsored FNA, GKDA
 publishing and research DME

school bulletins and newsletters GBB
public complaints GF
public education grant (PEG) program FDAA
Public Education Information Management System (PEIMS)
CQ
Public Funds Investment Act CDA
public gifts CDC
public hearings BE, BQA, BQB, CCG, CE, FFC
public information GB, GBA, GBAA, GBB, GBBA
Public Information Chapter of Government Code GBA,
GBAA
public official defined BBFB, DBE
public participation at board meetings BE, BED, CE
Public Property Finance Act (PPFA) CCA, CHG
public records GBA, GBAA
public relations GB
public school child care FFC
public servant BBFB, DBE
publishing DME
purchase orders CHD
purchasing
authority CH, CV
best value method CH, CV
bids and quotations CH, CVA, CVB
bill payment authorization CHF
board approval CH, CV
competitive bidding CH, CVA
computers CH
construction CV series
cooperative purchasing agreements CH
cost control CHD
food CH, COA
fuel CH
inspections, quality control CHD
payment procedures CHF
purchase orders and contracts CH, CHD
requests for proposals CH, CV
requisitions CHD
sales calls and demonstrations CHE, GKC
specifications CHD, CVA, CVB
surplus commodities CO
vendor relations CHE
warranties CHD

- Q -

qualifications
board members BBA
principal DP
superintendent BJA
teachers, highly qualified EHBD
qualifying exigency for FMLA DEC, DECA, DECB
quantity purchasing
consumable supplies CH, CHD
food COA
quorum, board meetings BBB, BE

- R -

racial discrimination, prohibition on DAA, DIA, FB, FFH
raffles FJ, GE

reading academies DMA
reading credits EIF
real property
appraiser CH
authority of board BAA
broker BAA, CDB
disposal of CI
lease of CDB, CX
sale or exchange CDB
site acquisition CV
reasonable absence control CRE, DEC
reasonable assurance of employment CRF, DCD, DCE
receiving equipment and supplies CMA
recognition and awards
board members BBG
employees DJ
students FG
recommended high school program EIF
records, access to
confidential information BBE, DBB, DHE, FFAD, FL,
GBAA
cost of copies FL, GBAA
custodian of records CPC, FL, GBA
personnel files DBA
public information
personnel records CPC, DBA, GBAA
students FL
request for AG opinion GBAA
request for copies FL, GBAA
special education EHBA series, FL
records administrator defined BBFA
records and reports
attendance, student FE series
budget CE, CFA
burglary and damage report CLD
certificate of coursework completion EI, EIF
discipline FO series
financial BBFA, CAA, DBD
health appraisal FFAA
immunizations FD, FFAB
inventories CFB
law enforcement BJA, DH, FL, GRA
leaves and absences DEC
library, media center EFB
microfilming CPC
permanent record card FL
progress reports to parents EIA
quarterly investment CDA
releasing student information BBE, FL, GBAA
retention and destruction CPC, FL, GBAA
special education students EHBA series, FL, FOE
transcripts and permanent record EI, EIA, EIF, FL
transfer of cumulative records FL
records management functions
officer for public information GBAA
public information coordinator BBD
records administrator BBFA, CHE
records management officer CPC
records management plan CPC
recreational facilities bonds CCD
recreation department relations GRA
recruitment of personnel BJB, DC
recycling CH, CL
redistricting BBB
reduction in force
under continuing contract DFCA
not under contract DCD
under term contract DFF

referenda, bond CCA
 regional service centers
 board member training BBD
 media contracts EFB
 participation in GNB
 regulations, administrative BP, BQ, BQA, BQB
 reimbursement for expenses BBG, BJCA, DEE
 reinvestment zones CCG
 release time, personnel DMD
 releasing students from school FEF, FFFA
 religion, study of EMI
 Religious Freedom Restoration Act (RFRA) DAA, EMI, FB,
 GA
 religious holy days, absence for DEC, FEA, FEB
 religious matters, neutrality in EMI, **FNA**
Religious Viewpoint Antidiscrimination Act FNA
 remedial instruction EHBC, EIE
 removal
 board members, from office BBC
 individuals, from school premises BED, GKA
 students
 to disciplinary alternative education programs FOC
 emergency FOE
 by parents from class EF, EHA, EHAA
 special education students EHBA, FOF
 by teacher FOA
 out-of-school suspension FOB
 renewal of contracts BJCF, DFBB
 rental
 charges by district CDD, GKD
 leasing by district CX
 use of facilities by community GKD
 repairs
 buildings, grounds, and equipment CH, CLB, CV
 bus CNB
 renovations (See facilities)
 report cards
 campus BQB, BR
 district BQA, GND
 student EIA
 reports
 accidents/hazards CKB
 annual financial management BR
 annual performance BAA, BJCD, BQA, BQB, BR
 audit CFC
 buildings, grounds, and equipment CLD
 compensatory education EHBC
 disciplinary alternative education program FO
 financial CAA, CDA, CFA
 inventories CFB
 law enforcement BJA, DH, GRA
 leave DEC
 lesson plans EEP
 office management CPC
 on-the-job injuries CRE
 parent conference EIA
 PEIMS CQ
 press and news GBB, GBBA
 special education students (See ARD committee)
 student discipline FO series
 student progress EIA, EIE
 required instruction
 all levels EHAA
 elementary EHAB
 secondary EHAC
 requisitions CHD
 research
 curriculum EG

staff publishing DME
 reserve funds
 depository BDAE
 investments CDA
 residence requirements
 board members BBA
 personnel DB
 student enrollment FD
 superintendent BJC
 resignations
 board members BBC, DBE
 contract personnel DFE
 personnel not under contract DCD
 superintendent BJCG
 restraint of students FO, FOF
 retaliation CRE, DG, DGBA
 retention of records CPC, FL, GBA
 retention of students EIE
 retirement
 payment for unused leave DEC
 personnel DEG, DPB
 reemployment DC, DCA
 superintendent BJCG
 TRS withholding CFEA
 return to work CRE, **DEC, DECA, DECB, DK**
 revenue sources
 ad valorem taxes CCG
 athletic stadium authorities CCE
 bonds and bond taxes CCA, CCD
 bonds from proceeds of sale CDBA
 certificates of indebtedness CCC
 federal CBB
 gate receipts CDG
 grants from private sources CDC
 investments CDA
 rentals and service charges CDD
 royalties CDF
 school-owned property CDB
 shop sales CDE
 short-term notes CCF
 state CBA
 time warrants CCB
 risk management CK series
rodeo safety training FM
 routine repairs CLB
 rules
 administrative BP
 discipline management FNC, FO
 employee conduct/code of ethics DH
 Robert's Rules of Order BE
 student code of conduct FNC, FO
 suspension of rules BE

- S -

sabbaticals DEC
 safe harbor (See FLSA)
 safe schools FDD
 safety program
 accident prevention CKB
 buildings and grounds CLB, CLC
 crowd control GKA
 emergency plans CKC
 employee participation DH
 inspections CKA

student FFF
 student patrols FFFB
 student transportation CNA
 training CK, CKA, CKC
 salary deductions/reductions CFEA
 salary incentives DEAA
 salary schedules
 personnel DEA
 superintendent BJCA
 sales
 buses CNB
 equipment and supplies CI
 personal property CI
 real property CDB
 textbooks EFAA
 sales calls and demonstrations CHE, GKC
~~Sanitary Cleanup Procedures FFAC~~
 Sarbanes-Oxley (See financial ethics)
 SBEC (See State Board for Educator Certification)
 schedules
 annual calendar EB
 before/after-school activities FM, FNAB
 block EEC, EED, EIA, FM
 budget planning CE
 daily school program EC
 employee duty DEA, DK, DL
 faculty meetings DLA
 field trips EFD
 salary DEA
 student EED
 transportation, student CNA
 year-round schools EB
 scholarships CDC, EIC, FG
 school assemblies EC
 school attendance areas FC
 school attorney BDD
 school-based health centers FFAE
 school board
 advisory committees BDF
 annual reports BAA, BBFA, BR
 attorney BDD
 authority BA, BAA, BBE
 committees BDB
 consultants BDE
 elections BBB
 facility expansion responsibilities CT
 legal status BA
 meetings BE
 memberships BC
 officers/internal organization BDAA
 orientation BBD
 policy development/amendment BF
 powers and duties BAA
 reorganization BDAA
 self-evaluation BG
 training/team building BBD
 school board meetings
 agenda BE
 broadcasting and taping BE
 certified agenda BEC
 closed meeting BE, BEC
 emergency BE
 minutes BE
 news coverage BEE, GBBA
 organizational meeting after election BDAA
 posting notice BE
 press services BEE, GBBA

public hearing/participation **AIB, AIC, BDF, BE, BEC, BED, BQA, BQB, CCG, CE, CFA, CQ, DCE, DFD, DGBA, EHBL, FFA, FFC**
 quorum BBB, BE
 regular/special BE
 rules of order BE
 suspension of rules BE
 time and place BE
 transacting business BBE, BE
 by video/conference call/Internet BE
 voting method BE
 school board officers BDAA
 school-community alternative education EHBC, **EHBL**
 school-community guidance program FFC
 school-community relations GK series
 school day DL, EC
 school directories FL, GBAA
 school facility planning and construction
 planning and construction **CS, CT, CV** series
 selection of architects and engineers CV, CVB
 school fairs FJ
~~School FIRST BR~~
 school health advisory council BDF, **BQ, EFAA, EHAA, EHAC, FFA**
 school holidays DED, EB
 school newspapers FMA, GBB
 school property, student care of FNCB
 school report card **AIB, BR**
 school safety center **BR, CK, CKC, CS**
 school safety transfers **FDDFDE**
 school-sponsored media GBB
 school supplies CMD
 school volunteers FH, GKG
 school year EB
 screening
 communications disorders FFAA
 drug and alcohol DHE, FNF
 dyslexia EHB
 hearing, vision, scoliosis FFAA
 tuberculosis DBB, FFAA, GKG
 type 2 diabetes FFAA
 searches
 employees DHE
 metal ~~detectors DH, FNF~~ **detectors FNF**, GKA
 police GRA
 students FNF
 trained dogs FNF
 seclusion (See restraint of students)
 secondary instruction, electives EHAD
 secondary instruction, required EHAC
 secret societies FNCC
 Section 504 DAA, **DIA, EHB, FB, FFH, FOF**
 security and safety
 audit, safety and security BEC, BR, CK, CKC
 bomb threat procedures CKC
 breach in electronic communication system CQ
 campus security CKE, CLA
 civil defense CKC, GKD, GRA
 closing of schools CKC
 criteria for building CS
 disturbances, disorders, or demonstrations CKC, FNCI, GKA
 employee identification cards CLA
 eye-protective devices CKB
 fire drills and safety precautions CKC
 motor vehicle rules CLC, FFFD
 multihazard operations plan CKC

narcotics, dangerous drugs, or alcohol DH, DHE, DI, FNCF, GKA
 peace officers CG, CKE, DEB
 playgrounds CS, ~~GRA~~
 safety inspection for hazards CKA, CKB, CLB
 safety program CK, CKA, CKC, CKE
 safety-sensitive positions DHE
 school grounds supervision ~~CLBCLA~~, FFFA
 trespassers GKA, GKC
 vandalism and burglary CLA, FNCF
 semester system/schedules EB, EEC, EED
 senior class activities FMD, FMG, FMH, FNCC
 service awards ~~BBC~~, DJ
 service center, regional education GNB
 severance pay BJCE
 sex discrimination
 complaint procedures DGBA, DH, DIA, FFH, FNG, GF
 personnel DAA, DGBA, DH, DIA
 students FB, FFH, FNC, **FNG**
 Title IX DAA, **DIA**, FB, **FFH**
 sex education ~~EFA~~, ~~EHA~~~~EFAA~~, EHAA
 sex offender registration ~~DBACJA~~, ~~DBAA~~, DF, **GKC**, GRA
 sexual abuse **BQ**, DIA, FFG, FFH, FOC
 sexual harassment DAA, DIA, FB, FFH, FNC
 shared services arrangements **BQ**, **DBAA**, **EHAC**, EHBA, **EHBAC**, **EHBB**, **FFEA**, **FOCA**, **GNB**
 shop sales CDE
 short-term notes CCF
 sick leave DEC
 site-based decision making BQ, BQA, BQB
 sites
 acquisition procedures CHG, CT
 plans and specifications CS, CT
 smoking DH, FNCF, GKA
 social events, students FMD
social media CQ, DH
social networking CQ, DH
 social security deductions CFEA
 social services, student FFC, FFE
 software CQ, EFE
 solicitation of funds DHA, FJ
 sororities FNCC
 Southern Association of Colleges and Schools GNE
 special board meetings BE
 special education
 academic assessment EKB
 ARD committee EHBAB
 assistive technology EHBA
 certificate of attendance FMH
 contracting for EEL
 diplomas EIF, FMH
 discipline FOF
 ~~personnel training DMB~~
 program requirements EHBA series
 procedural requirements EHBAE
 staff development related to DMA
 transition plan EHBA, **EHBAD**, EIF
 transportation for CNA, CNB
 special populations, student EHB series
 special programs
 adult education/community education EHBI
 at-risk EHBC, FDAA
 bilingual education/English as a second language EHBE
 career/~~technology~~**technical** education EHBF
 deaf or hearing-impaired EHBH
 disciplinary alternative education programs FOA, FOCA, FODA
 driver education EHAD

dropout EHBC
 dyslexia EHB
 equivalency EHBL
 firearm safety EHAD
 gifted and talented students EHBB
 homebound instruction **EEH**, EHBA, ~~EEH~~
 hunter education EHAD
 prekindergarten EHBG
 remedial/compensatory instruction EHBC, EIE
 special education EHBA series
 Title I EHBD
 tutorials EHBC
 specifications
 bids, proposals CH, CV, CVA, CVB
 construction plans and specifications CV, CVC
 educational facility specifications CS
 sports **FFAA**, FM, FMF (See also athletics)
 sports and special events news coverage GBBA
 SRC (School Report Card) (See report cards)
 SSI (See Student Success Initiative)
 staff
 development DM, DMA, DMC, DMD
 involvement
 budget planning BQ, BQA, BQB, CE
 campus-level planning and decision process BQB
 discipline management program BQ, FO
 district-level planning and decision process BQA
 participation at board meetings BED
 policy development BF
 wellness program FFA
 orientation DMA, DPB
 participation in community activities DGA, GE
 political activities DGA
 state aid
 eligibility determination CBA
 revenues CB, CBA
 special programs GND
 state education agency relations GND
 State Board for Educator Certification (SBEC) ~~BDAA~~, ~~BJCE~~, ~~BJCGCJA~~, DBA, **DBAA**, DC, DF, DFE, DH, DK, ~~GRA~~
 State School Boards Association BC
state virtual school network EHDE
 "stay put" IDEA students ~~EHBAD~~**EHBAE**
 steroids EHAA, FFAC, FNCF, **FNF**
 stipends DEAA
 strikes, employee DGA
 structural pest control CLB, DI, FD, GB
 students
 absences and excuses FEA, FEB, FEC
 academic freedom EMA, EMB, **FNA**
 accidents CK, CKB, FFAC
 activities FM, FMA, FMD, FME, FMG, FMH
 community-sponsored activities/contests FJ, FMF
 eligibility for honors and awards EIC, FG
 equal access FM, **FNAB**
 extracurricular activities FM
 funds management CFD
 interscholastic activities/contests FMF
 organizations ~~FMC~~, FNAB
 participation eligibility FM
 performances FME
 social FMD
 student government FMB
 admission requirements FD
 alcohol/drug use or possession FNCF, **FNF**, FOC, FOD, FOF
 arrests FL, GRA
 assaults on others FNCH, FOD

assemblies EC, FM
 assessment EIE, EK, EKB, **EKBA, EKC, EKD**, FD
 assignment to classes EHBA, EIE, FD, FDB
 assignment to schools FDA, FDB
 assistance and counseling programs FFB, FFE, FFEA
 attendance FEA, FEB, FEC, FEE, FEF
 automobile use CLC, FFFD
 awards and scholarships FG
 bicycle use FFFD
 care of school property FNCB
 child abuse/neglect FFG, FFH, **GRA**
 clubs, gangs FNCC
 competency testing EIE, EKB, **EKBA, EKC, EKD**
 complaints FNG
 conduct FO
 code of conduct FNC, FO
 extracurricular standards of behavior FM, FO
 on school buses FFFF
 violation ~~FOA, FOB, FOC, FOD, FODA, FOFFO~~ **series**
 conferences, student/parent EIA
 consent to treatment FFAC
 contests and competitions FMF
 corporal punishment FO
 demonstrations or strikes FNCI
 detention FO
 discipline FO series
 dress code FNCA
 drug testing, ~~athletes~~ **extracurricular activities** FNF
 due process FNG
 dyslexic EHB, EHBC, EKC, EL
 early graduation EI, EIC, EIF, FMH
 elections ~~BBB~~, FMB
 emergency placement FOE
 employment **EED**, FEF
 equal educational opportunity FB
 exchange students FD
 expelled from another district FDA
 expulsion FO, FOD, FODA, FOF
 fees, fines, and charges FP
 foster care FD
 gifts to schools FJ
 gifts to staff members **DBD**, DHA, FJ
 government FMB
 graduation EIF, FMH
 handbook FN
 hazing FNCC
 health requirements/services FFA series
 homeless EHBC, FD, FDC, FFC
 immunizations FD, **FDD**, FFAB
 injury or sudden illness FFAC
 in residential facilities EHBA, EHBAC
 insurance programs FFD
 interrogations FNF, GRA
 involvement in decision making FNB
 juvenile justice system **EEM**, FODA
 leaving campus during day FEA, **FEB**, FEE, FEF
 married students FND
Medicaid FLA
 nonresident FD, FDA
 organizations FM, FNAB, FNCC
 performances FME
 physical examinations FFAA
 placement in alternative settings FOA, FOC, FOE
 placement/withdrawal EIE, FD, **FDD**, FEA
 prayer EC, EMI, FMH, FN, FNA, FNAB
 pregnancy EHBC, FNE
 progress reports EIA

promotion and retention EIE
 psychological services FFB, FFC, FFE, FFG
 publications FMA, FNAA
 records
 access to FL
 challenging content of (hearing and appeal) FL
 custodian of FL
 directory information FL
 immunization FFAB
 notice to parents of records maintained FL
 release for health or safety emergencies FFAC, FL
 release of information on more than one student FL
 review and destruction of CPC, FL, GBAA
 right to information and privacy BBE, EF, FL, GBAA
 transcripts EIA, EIF, FD, FDA, FL
 transfer of EIF, FD, FFAB, FL
 relations with staff DH, DIA, FFH
 released time FEF
 removal from class FOA, FOB, FOC, FOD, FOE, FOF
 removal to disciplinary alternative programs FOC, FODA
 rights and responsibilities FN
 alcohol/drug use, possession FNCF, FNF, FOC,
 FOD, FOF
 code of conduct FO
 complaints FFH, **FFI**, FNAA, FNG
 demonstrations, disruptions, and strikes FNCI
 dress and grooming FNCA
 due process FNG, FOC, FOD, FOE, FOF
 freedom of speech/written expression **FNA**, FNAA
 hazing FNCC
 interrogations and searches FNF
 involvement in decision making FNB
 married students FND
 ~~moment~~ **minute** of silence EC
 possession of telecommunications devices FNCE
 pregnant students EHBC, FNE
 publications, school- and nonschool-sponsored FMA,
 FNAA
 responsibility for school property FNCB
 right to information and privacy of records BBE, EF,
 FL, GBAA
 right to pray EC, FNA
 special education EHBA series
 student government FMB
 tobacco use/smoking FNCD
 weapons FNCG, FOD
 safety ~~FDD~~ **FDE**, FFF, FFFD
 safety patrols FFFB
 searches FNF
 by trained dogs FNF
 schedules EED
 school-age parents EHBC
 sexual abuse **BQ**, DIA, FFG, FFH
 sexual harassment DIA, FB, **FFH**, FNC, ~~FFH~~
 smoking/tobacco use or possession FNCD
 social events FMD
social media CQ
 social services FFB, FFC, FFE
 surveys EF
 suspension FM, FO, FOB
 transfer petition procedures FDA, FDB
 transfers and withdrawals FD, FDA, FEA
 transportation services
 authorized/nonschool use CNB
 buses, advertising CNB
 contracted services CNA
 eligibility CNA
 hazardous routes CNA

insurance program CRB
 maintenance and safety inspections **CNBCNC**
 scheduling and routing CNA
 students with disabilities CNA
 walkers, riders, and standees CNA
 tuition **EHBG**, FDA
 uniforms FNCA
 volunteers FH
 weapons FNCG, FNCH, FOD, FOF
 welfare FF series
 with disabilities (See *also* special education)
 confidentiality of records FL
 contracts for instruction EEL
 discipline FOF
 educational program EHBA, EHBA, EHBAB, EH-
 BAC
 extended year services EHBA, EHBAB
 facilities CS, GA
 graduation EIF, **FMH**
 homebound EEH, **EHBAB**
 withdrawals FD, FEA
 Student Success Initiative (SSI) EIE
 student-teacher ratios EEB
 student teachers GNC
 subpoenas, personnel DEC
 substance abuse DH, DHE, DI, FNCF
 substitute teaching DPB
 substitutes, parent notification DBA, DK, DPB
 suicide attempts/threats FFB, FFE
~~Summer Lunch Program COB~~
 summer school program EHBA, EHBE, EHDA
 superintendent (See *also* professional personnel)
 appointment BJB
 compensation and benefits **BJ**, BJCA
 consulting BJCC
 contract BJC
 development opportunities BJCB
 evaluation BJCD
 expense reimbursement BJCA
 nonrenewal BJCF
 qualifications and duties BJA
 recruitment BJB
 resignation/retirement BJCG
 severance BJCE
 termination BJCE, BJCF
 supervision
 facility expansion project CV, CVC
 of students FFFA
 supplemental duties DEA, DK
 supplementary materials selection and adoption EFA, EFAA
 supplies CM, CMB, CMD
 support staff
 assignment DK
 compensation DEA
 complaints DGBA
 development opportunities DMA
 dismissal DCD, DCE
 employee organizations DGA, DGB
 evaluation DN
 exempt/nonexempt DEA
 expense reimbursement DEE
 filling vacancies DC
 fringe benefits DEB
 health examinations DBB
 hiring DC, DCD, DCE
 in-service training DMA
 insurance CRD
 jury duty DEC

leaves and absences DEC
 meetings DLA
 noncontractual DC, DCD
 nonschool employment **DBFDBD**
 orientation DC, DMA, DPB
 overtime pay (nonexempt) DEA
 paid holidays DED
 part-time and temporary employment DPB
 recruitment DC
 resignation DCD, **DFE**
 retirement DEG
 rights and privileges DG, DGA, DGB, DGBA
 salary deductions/reductions CFEA
 salary schedule DEA
 standards of conduct DH
 staff development/orientation DMA
 suspension DCD
 termination of employment DCD, DCE
 transfer DK
 vacations DED
 work schedules DEA, DK
 surety bonds CG
 surplus property
 personal CI
 real CDB
 surrogate parents EHBAD
 surveys of students EF
 suspension
 of employees
 back pay DFBA
 under continuing contract DFCA
 not under contract DCD
 under probationary contract DFAA
 under term contract DFBA
 with or without pay DFAA, DFBA, DFCA
 of policies BF
 of students
 from bus riding FFFF
 from extracurricular activities FM, FO
 from school FOB

- T -

taping of board meetings BE, BEC
 tardiness FEC
 TAKS (Texas Assessment of Knowledge and Skills) EIE, EIF,
 EKB, FMH
 task forces, community GK
 tax
 abatement CCG
 ad valorem CCG
 anticipation notes CCF
 assessor/collector
 bonding of CG
 duties and requirements BDAF
 collection BDAF, CCG
 deposit BDAF
 exemption CCG
 funds revenue source CCG
 hearings CCG
 increment CCG
 rolls BDAF, CCG
 taxation authorities relations GRA
 tax-sheltered annuities CRG

TB screening **DBB, FFAA, GKG**(See tuberculosis screening)

TEA (Texas Education Agency), relations with GNE

Teach for Texas Grant EJ

teacher aides (paraprofessionals) DBA, EHBD

teacher appraisal DNA

teacher associations DGA, DGB

teacher contracts DC, DCA, DCB, DCC, DCE

teacher education program GNC

Teacher Protection Act of 2001 BBE, DH

Teacher Retirement System (TRS) CFEA, CRD, CRG, DC, DEA

teacher-student ratios EEB

teaching

- academic freedom EMA
- controversial issues EMB
- student teaching and internship GNC

teaching day, length of DL, EC

teaching permit, district-issued DBA

team building BBD, BJCB

technology CQ, **DH**, EFB, EFE, EHB

TEKS (Texas Essential Knowledge and Skills) EHAA, EIE

telecommunications devices CPAC, **DH**, FNCE

telephone use CPAC, **DH**

television, instructional EFF

temporary disability leave DEC

temporary personnel DC, DPB

term contracts

- employment practices DC, DCB
- nonrenewal DFBB
- reduction in force DFF
- resignation DFE
- suspension DFBA
- termination during year DFBA

termination, personnel DCD, DCE, DF, DFAA, DFAB, DFBA, DFBB, DFCA, DFD, DFE

tests

- administration of EIE, EK, EKB, **EKBA, EKC**
- competency, student EIE, EIF, EKB
- credit by examination **EEJA, EEJB, EHDB, EHDC**
- dyslexia EHB
- exams for acceleration **EEJB, EHDC**
- parental review EF, FNG
- selection and adoption EK
- testing program EK, EKB, **EKBA, EKC, EKD**
- use and dissemination of test results **Al series**, BR, EKB, GBA

Texas Economic Development Act CCG

Texas Open Meetings Act (TOMA) (See open meetings)

Texas School Safety Center **BR, CK, CS**

Texas Virtual School Network (TxVSN) EHDE

Texas Youth Commission FD

textbooks

- adoption of EFAA
- annual inventory CFB, CMD
- book identification CMD
- Braille EFAA
- committee EFAA
- conflict of interest BBFB, CMD, DBD
- conforming and nonconforming list EFAA
- custodian CMD
- destroyed CMD
- distribution or donation of CMD
- district-owned CMD
- electronic BBFB, CMD, EFAA**
- local selection DBD, EFAA
- open source textbooks EFAA**
- period of use EFAA

rebates/commissions, accepting DBD, EFAA

reports, forms to be completed for inventory CMD

requisitioning and responsibility for CMD

sale of CMD

samples and publisher contracts EFAA

selection challenge EFA

selection process EFAA

state textbooks CMD

surplus CMD

ticket sales CDG, **CFD**

time warrants CCB

Title I EHBD

Title V FOC

Title VII DAA, DIA

Title IX

- employees
 - coordinator **DAADIA**
 - grievance procedures DGBA, **DIA**
 - rights and responsibilities DAA, DH, DIA
- students
 - coordinator FB, **FFH**
 - grievance procedures FB, FFH, **FNG**
 - rights and responsibilities FB, FFH

tobacco use/prohibition DH, FNCD, GKA

TOMA (Texas Open Meetings Act) (See open meetings)

top ten percent EIC

tornado warnings CKC

tournaments FMF

traffic and parking controls CLC

training

- administrator appraisal BJCD, DNB
- board member BBD
- investment officer CDA
- safety CK, DH
- staff development DMA

transcripts and permanent records, fees for copies FL

transfer

- at-risk students FDA, FDA
- criteria FDA, FDA, FDB
- expelled students FD, FOD
- factors FDA
- interdistrict FDA
- intradistrict FDB
- of leave DEC
- from low-performing schools FDA
- personnel DK
- petition, students FDA, FDB
- revocation of transfer FDA
- school safety **FDD, FDE**
- students EHBB, FD, FDA
- tuition **EHBG, FDA**

transportation

- bus driver credentials DBA
- bus maintenance CNB, **CNC**
- contract with public companies CNA
- cost of special/field trips CNB, EFD
- designation of hazardous routes CNA**
- eligible students CNA
- monitoring behavior on buses FO
- safety of students **CNA, CNC**
- special use of school buses CNB
- state reimbursement **CNBCNA**
- student conduct on buses FO
- students with disabilities CNA

travel

- expense reimbursement BBG, BJCA, DEE
- in-district expenses DEE
- mileage reimbursement BBG, DEE

for professional development DMC
 student FMG
 UIL travel FMF
 travel study program **EHDBEHBM**
 trespassing
 assistance of local law enforcement agencies GKA
 prohibited GKA, GKC
 trips
 extracurricular FMG
 field EFD
 professional DMC, DMD
 reimbursement for BBG, BJCA, DEE
 student FMG
 use of **school buses** district vehicles CNB
 UIL FMF, FMG
 truancy FEA
 tuberculosis screening DBB, FFAA, GKG
 tuition
 attendance reporting FDA, FDAA
 exemption for employees' children FDA
 exemption for foreign students FD
 nonresident students FDA
prekindergarten students EHBG
 summer school FDA
 waiver FDA, FP
 tutorial program EHBC
 tutoring for pay **DBFDBD**
TxVSN (See Texas Virtual School Network)

- U -

UDCA (Unlicensed Diabetes Care Assistant) FFAF
 UIL (University Interscholastic League) FFAA, FM, FMF
 unauthorized person on school property CLA, GKA, GKC
 uncertified teachers DBA, DK, DPB
underage students FD
 underground newspapers FNAA
 unemployment insurance CRF
 unexpired term, board members BBC
 uniforms FNCA
 unions, staff membership in DGA, DGB
 universities GNC
 unsafe schools **FDDFDE**

- V -

vacancies
 board member BBC
 school personnel DC
 vacations
 personnel DED
 school vacations EB
 vaccinations FFAB
 valedictorian/salutatorian awards EIC, **FG**
 vandalism
 emergency measures CLA
 prohibited FNCB
 reporting incidents CLA
 vehicle identification insignia CLC, CNB
 vehicle parking control CLC, FFFD
 vehicles owned by district CNB

vending machines **CFD, COC, FFA**
 vendor list CH, CV
 vendor relations CHE, GKC
 veterans DAA, DEC
 videoconference call (board meetings) BE
 videotaping/monitoring
 board meetings BE, GBBA
 conduct on school buses, in buildings FO
 students, with parental consent FNG
 students, without parental consent EHA, FM, FO
Virginia Graeme Baker Pool and Spa Safety Act CL
virtual school network (See Texas Virtual School Net-
work)
vision statement, district AE
 visitations DMD
 visitors
 campus security CLA
 law enforcement agencies GRA
 permits GKC
 professional GKC, GNC
 students leaving with FFFA
 vocational education contracts EEL
 vocational program EEL, EHAC, EIF
 volunteers
 criminal history record check DC, GKG
 immunity from liability GKG
 school volunteer program GKG
 student volunteers FH
 TB screening GKG
 voting
 at board meetings BE
 election of board officers BDAA

- W -

wages CV, DEA
 waivers
 fees FP
 insurance FFD
 planning BQA, BQB
 policy BF
 walkers and riders, bus CNA
 warehousing CMA
 warning systems CKC
 warrants, money CCB
 warrants for student arrest GRA
 weapons DH, EHAD, FNCG, FOD, FOF, GKA
web site postings BRB
 weighted grades EIC
 welfare authorities relations GRA
 welfare, employee DI
 welfare, student **FFA**, FFB, FFC, FFD, FFE, FFF, FFG
 wellness BDF, EHAA, FFA
 whistleblower complaints DG, DGBA
 withdrawal, student FD, FEA
 witnesses in expulsion hearings FOD
 work calendars DEA, DK
 workers' compensation
 coordination with paid leave benefits CRE, DEC
 indefinite absence CRE
 required for construction contractor CV
 work load DL
 work schedules DK
 workshops, board members BBH
 work strikes/stoppages DGA

work-study employment EHAD
written expression, student FMA, **FNA**, FNAA

- X - Y - Z -

yearbooks FMA
year-round schools EB
zoning authorities relations GRA

DISTRICT LEGAL STATUS

AA
(LEGAL)

A district derives its legal status from the Constitution of the state of Texas and from the Texas Education Code as passed and amended by the Legislature of Texas. *Texas Const., Art. VII*

APPLICATION OF
FORMER LAW

A school district or county system operating under former Education Code Chapter 17, **(county school districts)**, Chapter 18, **(countywide equalization fund or county unit system of equalization taxation)**, Chapter 22, ~~Chapter 24~~, **(common school districts)**, Chapter 25, **(rural high school districts)**, Chapter 26, **(rehabilitation districts)**, Chapter 27, **(county industrial training school districts)**, or Chapter 28 **(countywide vocational school districts)** on May 1, 1995, may continue to operate under the applicable chapter as that chapter existed on that date and under state law generally applicable to school districts that does not conflict with that chapter.

The governing body of a school district or county system shall make available to the public for inspection and copying during regular operating hours a copy of the provisions under which the district or system operates that are specific to that type of district or county system.

COMMON SCHOOL
DISTRICTS

A common school district operating under former **Education Code** Chapter 22 may incorporate and become an independent school district in the manner provided by former Subchapter F, Chapter 19, as that subchapter existed on May 1, 1995.

Education Code 11.301–~~11.303.302~~

**MUNICIPAL SCHOOL
DISTRICTS**

A school district operating under former Education Code Chapter 24 on May 1, 1995, may continue to operate under that chapter as it existed on that date and under state law generally applicable to school districts that does not conflict with former Chapter 24 or Section 11.303 of the Education Code. *Education Code 11.303*

BOUNDARY
DESCRIPTIONS AND
MAPS

A district shall file with TEA:

1. A complete and legally sufficient description of the boundaries of the district.
2. A map of the district that is:
 - a. Drawn to the county general highway maps produced by the Texas Department of Transportation or a similar map of sufficient detail to display the names of visible features that the boundaries follow or to which the boundaries are in close proximity; and
 - b. An accurate and legible representation of the boundaries in relationship to other features on the map.
3. A list of voting precincts within the district, separately listing those precincts wholly within the district and those precincts only partly within the district.

A district shall amend the information and maps on file with TEA if the boundaries of the district change or if any other change makes the information on file incomplete or inaccurate.

Education Code 13.010

CHANGES AND
ADJUSTMENTS IN
BOUNDARIES

Any change in ~~district~~the boundaries ~~because of detachment or annexation shall be a~~ **district is not effective unless** approved by a majority of the board ~~and other affected boards in order for the change to become effective.~~**if the board's approval is required under Education Code Chapter 13. Education Code 13.008;** ~~13.051,~~

Chapter 13.052, of the Education Code requires board approval when:

1. **A district detaches or annexes territory under Education Code Chapter 13, Subchapter B.**
2. **Two or more districts consolidate into a single district under Education Code Chapter 13, Subchapter D.**
3. **Minor boundary adjustments are made by agreement under Education Code 13.231 (see below).**

MINOR BOUNDARY
ADJUSTMENTS

Two contiguous districts may adjust their common boundary by agreement if, at the time the agreement is executed:

1. **No child who resides in the territory that is transferred from one jurisdiction to the other is enrolled in a school of the district from which the territory is transferred; and**

2. **The taxable value of the territory that is transferred from one jurisdiction to the other does not exceed one-tenth of one percent of the total taxable value of all property in the district from which the territory is transferred. "Taxable value" is defined at Government Code 403.302.**

Education Code 13.231

**NOTICE OF
BOUNDARY
CHANGE**

TO VOTER
REGISTRAR

A district that changes its boundaries or the boundaries of districts used to elect members to the board shall not later than the 30th day after the date the change is adopted:

1. Notify the voter registrar of the county in which the area subject to the boundary change is located of the adopted boundary change; and
2. Provide the voter registrar with a map of an adopted boundary change in a format that is compatible with the mapping format used by the registrar's office.

Election Code 42.0615

CONSOLIDATION

TO COUNTY
APPRAISER

~~Two or more districts may consolidate into a single school district using the procedures found in Education Code Chapter 13, Subchapter D. Education Code 13.151(a)~~

A district shall notify the appraisal office of any boundary changes within 30 days after the date of the change. Tax Code 6.07

Note: The following provisions apply beginning with the ~~2010–11~~2011–12 school year. For transition provisions relating to the accreditation and accountability system adopted by the 81st Legislature, see Education Code 39.116.

ACCREDITATION

Each district must be accredited by TEA. A district that is not accredited may not receive funds from TEA or hold itself out as operating a public school of this state. *Education Code 11.001*; *39.052(f)*

ACCREDITATION
STATUSES

The Commissioner shall determine criteria for the following accreditation statuses:

1. Accredited
2. Accredited-warned
3. Accredited-probation

Education Code 39.051

ACCREDITATION
CRITERIA

In determining the accreditation status of a district, the Commissioner shall consider performance on student achievement indicators [see below] and financial accountability [see CFA].

The Commissioner may also consider:

1. The district's compliance with statutory requirements and requirements imposed by rule of the Commissioner or State Board of Education that relate to:
 - a. Reports required by state or federal law or court order;
 - b. High school graduation requirements; or
 - c. Extracurricular activities, student health and safety, purchasing, elementary class size limits, removal of a disruptive student from the classroom, at-risk programs, and prekindergarten programs.
2. The effectiveness of the district's programs for special populations; and
3. The effectiveness of the district's career and technology program.

A district's accreditation status may be raised or lowered based on the district's performance. The district's accreditation status may be lowered based on the performance of one or more campuses in the district that is below a standard required by Education Code Chapter 39, Subchapter F.

STUDENT ACHIEVEMENT INDICATORS	<p><i>Education Code 39.052(b)</i></p> <p>The Commissioner shall adopt a set of indicators of student achievement. The student achievement indicators shall include:</p> <ol style="list-style-type: none">1. The results of state assessments, including the results of assessments required for graduation and retaken by students;2. Dropout rates; and3. High school graduation rates.
NOTICE OF STATUS	<p><i>Education Code 39.053</i></p> <p>Performance on the state assessment and dropout rate indicators shall be compared to state standards and required improvement. State standards shall be adopted by the Commissioner.</p> <p>“Required improvement” is the progress necessary for the campus or district to meet state standards and, for the state assessment indicator, the progress necessary for the students to meet each of the performance standards under Education Code 39.0241 (state assessment standards).</p> <p><u><i>Education Code 39.053</i></u></p> <p>The Commissioner shall notify a district if the district has received an accreditation status of accredited-warned or accredited-probation, or a campus’s performance is below standard. The district must notify the parents of students enrolled in the district and property owners in the district of the accreditation status and its implications. <i>Education Code 39.052(e)</i></p>
QUALITY OF LEARNING INDICATORS	<p>In addition to the student achievement indicators, the Commissioner shall adopt indicators of the quality of learning for the purpose of preparing performance reports [see AIB]. The quality of learning indicators must include:</p> <ol style="list-style-type: none">1. The percentage of graduating students who meet the course requirements for the Minimum High School Program, the Recommended High School Program, and the Advanced/Distinguished Achievement High School Program;2. The results of the SAT, ACT, articulated postsecondary degree programs, and certified workforce training programs;3. For students who have failed to satisfy the state standard on an assessment, the performance of those students on subsequent assessments, aggregated by grade level and subject area;

4. For each campus, the number of students, disaggregated by major student subpopulations, who agree to take courses under the Minimum High School Program;
5. The percentage of students provided accelerated instruction after unsatisfactory performance on a state assessment, the subject of the assessment on which each student failed to perform satisfactorily, the results of second and third administrations of the assessment, the percentage of such students promoted through the grade placement committee process, and the performance of those students in the following school year on the state assessments;
6. The percentage of students of limited English proficiency exempted from the administration of an assessment;
7. The percentage of students in a special education program assessed through alternative assessment instruments;
8. The percentage of students who satisfy the college readiness measure;
9. The measure of progress toward dual language proficiency for students of limited English proficiency;
10. The percentage of students who are not educationally disadvantaged;
11. The percentage of students who enroll and begin instruction at an institution of higher education in the school year following high school graduation; and
12. The percentage of students who successfully complete the first year of instruction at an institution of higher education without needing a developmental education course.

Education Code 39.301

PERFORMANCE
RATINGS

Each year, the Commissioner shall assign each district and campus a performance rating of either acceptable or unacceptable performance. The Commissioner shall evaluate against state standards and consider the performance of each campus in a district on the basis of the campus's performance on the student achievement indicators.

Acceptable performance shall be defined as meeting the state standard established by the Commissioner, based on:

1. Student performance in the current school year; or
2. Student performance as averaged over the current school year and the preceding two school years.

The Commissioner may assign an acceptable performance rating if the campus or district:

1. Performs satisfactorily on 85 percent of the measures the Commissioner determines appropriate with respect to the student achievement indicators. The Commissioner may grant an exception from this criterion only in special circumstances; and
2. Does not fail to perform satisfactorily on the same measure for two consecutive school years.

The Commissioner may grant an exception to a district or campus if the performance is within a certain percentage, determined by the Commissioner, of the minimum performance standard for the measure of evaluation, or if the district or campus satisfies alternative performance criteria established by the Commissioner.

Education Code 39.054

A student ordered by a juvenile court into a residential program or facility operated by or under contract with the Texas Youth Commission or another governmental entity is not considered to be a student of the district in which the program or facility is physically located. *Education Code 39.055*

ACADEMIC
EXCELLENCE
DISTINCTION
DESIGNATIONS

The Commissioner shall award distinction designations. A district or campus may not be awarded a distinction designation unless the district or campus has acceptable performance on the student achievement indicators. *Education Code 39.201*

The Commissioner shall establish a recognized and exemplary rating for districts and campuses. *Education Code 39.202*

CAMPUS
DESIGNATIONS

The Commissioner shall award distinction designations to campuses that meet one or more of the following criteria:

1. The campus is ranked in the top 25 percent of campuses in the state in annual improvement in student achievement.
2. The campus demonstrates an ability to significantly diminish or eliminate performance differentials between student subpopulations and the campus is ranked in the top 25 percent of campuses in this state under performance criteria adopted by the Commissioner.
3. The campus satisfies the criteria developed by the Commissioner for the following programs or the following specific categories of performance:
 - a. Academic achievement in English language arts, mathematics, science, or social studies;

- b. Fine arts;
- c. Physical education;
- d. 21st Century Workforce Development program; and
- e. Second language acquisition program.

Education Code 39.203

EXCELLENCE
EXEMPTIONS

Except as listed below, a school or district that is rated exemplary is exempt from requirements and prohibitions imposed under the Education Code, including regulations adopted under the Education Code.

An exemplary campus or district is not exempt from:

1. A prohibition on conduct that constitutes a criminal offense;
2. Requirements imposed by federal law or rule, including requirements for special education or bilingual education programs;
3. A requirement, restriction, or prohibition relating to:
 - a. Curriculum essential knowledge and skills or high school graduation requirements;
 - b. Public school accountability;
 - c. Extracurricular activities;
 - d. Health and safety;
 - e. Purchasing;
 - f. Elementary class size limits;
 - g. Removal of a disruptive student from the classroom;
 - h. At-risk programs;
 - i. Prekindergarten programs;
 - j. Rights and benefits of school employees;
 - k. Special education programs; or
 - l. Bilingual education programs.

The Commissioner may exempt an exemplary campus from class size limits if the campus submits a written plan showing steps that will be taken to ensure that the exemption will not be harmful to the academic achievement of the students on the school campus. If granted, the exemption remains in effect until the Commissioner determines that achievement levels of the campus have declined.

Education Code 39.232

Note: The following provisions took effect beginning with the 2009–10 school year. However, TEA is not required to prepare certain data elements until the 2012–13 school year.

DISTRICT
PERFORMANCE
REPORT
REQUIRED
CONTENTS

A board shall publish an annual report describing the educational performance of the district and of each campus in the district. The report shall include uniform student performance and descriptive information as determined under rules adopted by the Commissioner. The annual performance report must also include:

1. Campus performance objectives and the progress of each campus toward those objectives, which shall be available to the public;
2. The district's accreditation status and each campus awarded a distinction designation or considered an unacceptable campus;
3. The district's current special education compliance status with TEA;
4. The number, rate, and type of violent or criminal incidents that occurred on each district campus, to the extent permitted under the Family Educational Rights and Privacy Act [see FL];
5. Information concerning school violence prevention and violence intervention policies and procedures that the district is using to protect students;
6. The findings that result from evaluations conducted under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. Section 7101 et seq.); and
7. Information received under Education Code 51.403(e) (student performance reports from institutions of higher education) for each high school campus in the district, presented in a form determined by the Commissioner.

The report must include a statement of the amount, if any, of the district's unencumbered surplus fund balance as of the last day of the preceding fiscal year and the percentage of the preceding year's budget that the surplus represents.

The annual performance report must also include a comparison provided by TEA of:

1. The performance of each campus to its previous performance and to state-established standards; and

2. The performance of each district to its previous performance and to state-established standards.

Performance information on the student achievement and quality of learning indicators and descriptive information shall be provided by TEA.

OPTIONAL
CONTENTS

The report may include the following information:

1. Student information, including total enrollment, enrollment by ethnicity, socioeconomic status, and grade groupings and retention rates;
2. Financial information, including revenues and expenditures;
3. Staff information, including number and type of staff by sex, ethnicity, years of experience, and highest degree held, teacher and administrator salaries, and teacher turnover;
4. Program information, including student enrollment by program, teachers by program, and instructional operating expenditures by program; and
5. The number of students placed in a disciplinary alternative education program under Education Code Chapter 37.

Supplemental information to be included in the reports shall be determined by the board.

Education Code 39.306(a)–(b), (d)–(e), (g)

PUBLIC HEARING

A board shall hold a hearing for public discussion of the annual performance report. The board shall give notice of the hearing to property owners in the district and parents of and other persons standing in parental relation to a district student. The notice of hearing must include notice to a newspaper of general circulation in the district and notice to electronic media serving the district.

After the hearing the report shall be widely disseminated within the district in a manner to be determined under Commissioner rules.

Education Code 39.306(c)

REPORT USES

The information in the annual performance report shall be a primary consideration in district and campus planning. It shall also be a primary consideration of the board in the evaluation of the performance of the superintendent and of the superintendent in the evaluation of the performance of campus principals. *Education Code 39.307*

WEB SITE NOTICES Not later than the tenth day after the first day of instruction of each school year, a district that maintains an Internet Web site shall make the following information available:

1. The information in the most recent campus report card for each campus in the district;
2. The information contained in the most recent performance report for the district;
3. The most recent accreditation status and performance rating of the district; and
4. A definition and explanation of each accreditation status, based on Commissioner rule.

Education Code 39.362

CAMPUS PERFORMANCE REPORT Each school year, TEA shall distribute to each district a report card for each campus. Annually, a district shall distribute the following information from each campus report card to the parent, guardian, conservator, or other person having lawful control of each student at the campus:

1. The district's instructional expenditures ratio and instructional employees ratio, and the statewide average of those ratios;
2. Appropriate class size information; and
3. Appropriate student performance information.

On written request, a district shall provide a copy of a campus report card to any other party.

Education Code 39.305

STUDENT PERFORMANCE REPORT Each year, TEA shall report to a district whether each student fell below, met, or exceeded the necessary target for improvement necessary to be prepared to perform satisfactorily on, as applicable, the grade five assessments, the grade eight assessments, and the end-of-course assessments required for graduation. *Education Code 39.034, 39.302*

NOTICE TO PARENTS The district a student attends shall provide a record of the annual improvement information from TEA in a written notice to the student's parent or other person standing in parental relationship. If a student failed to perform satisfactorily on a state assessment, the district shall include specific information relating to access to online educational resources at the appropriate assessment instrument content level, including educational resources and assessment instrument questions and released answers. *Education Code 39.303*

NOTICE TO
TEACHERS AND
STUDENTS

A district shall prepare a report of the annual improvement information and provide the report at the beginning of the school year to:

1. Each teacher for all students, including incoming students, who took a state assessment; and
2. All students who were provided instruction by that teacher in the subject for which the assessment instrument was administered.

The report shall indicate whether the student performed satisfactorily or, if the student did not perform satisfactorily, whether the student met the standard for annual improvement.

Education Code 39.304

Note: The following contains basic requirements under the No Child Left Behind Act (NCLB) for districts and schools receiving Title I, Part A funds, but does not represent a complete list of legal obligations of such districts and schools. Those districts and schools that receive Title I, Part A funds should carefully review federal and state requirements concerning use of those funds.

DISTRICT PLAN

A district may receive a subgrant under Title I, Part A for any fiscal year only if the district has on file a plan approved by TEA. The plan shall include the items listed at 20 U.S.C. 6312(b) and the required assurances under 20 U.S.C. 6312(c). The plan may be submitted as part of a consolidated application. *20 U.S.C 6312(a)–(c)*

A district shall develop its plan in consultation with teachers, principals, administrators, and other appropriate school personnel, and with parents of children in schools served under Title I, Part A. The plan shall remain in effect for the duration of a district’s participation under Title I, Part A. A district shall periodically review and, as necessary, revise its plan. *20 U.S.C. 6312(d)(3)*

ANNUAL REVIEW

A district receiving federal funds under Title I, Part A shall:

1. Use the state academic assessments and other academic indicators described in the state plan to review annually the progress of each school served under Title I, Part A to determine whether the school is making adequate yearly progress (AYP).
2. At the district’s discretion, use any assessments or any other academic indicators described in the district plan to review annually the progress of each school served under Title I, Part A to determine whether the school is making AYP.
3. Publicize and disseminate the results of the local annual review to parents, teachers, principals, schools, and the community.
4. Review the effectiveness of the actions and activities with respect to parental involvement, professional development, and other activities assisted under Title I, Part A.

20 U.S.C. 6316(a)

“AYP” DEFINED

~~The state shall define, based on academic assessments, what constitutes AYP for all public elementary schools, secondary schools, and districts toward enabling all public elementary school and secondary school students to meet the state’s student aca-~~

~~ademic achievement standards while working toward the goal of narrowing the achievement gaps in the state, districts, and schools. 20 U.S.C. 6311(b)(2)(B)~~

All public school campuses and districts are required to meet AYP criteria on three measures: reading/English language arts, mathematics, and either graduation rate (for high schools and districts) or attendance rate (for elementary and middle/junior high schools). The performance of a school district or campus is reported through indicators of AYP status established by the Commissioner. The specific criteria and calculations used in AYP are established annually by the Commissioner and communicated to all school districts. 19 TAC 97.1004

TRANSFER OF
DISCIPLINARY
RECORDS

The state shall provide an assurance to the United States Secretary of Education that the state has a procedure in place to facilitate the transfer by districts of disciplinary records, with respect to a suspension or expulsion, to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full- or part-time basis, in the school. 20 U.S.C. 7165(b)

CAMPUS-LEVEL
INTERVENTIONS AND
SANCTIONS

A school that fails to make AYP is subject to identification by a district for school improvement, corrective action, or alternative governance, as described below. 20 U.S.C. 6316(b)(1), (b)(5), (b)(7), (b)(8)

PRE-
IDENTIFICATION
REVIEW

Before identifying a school for improvement, corrective action, or restructuring, a district shall provide the school with an opportunity to review the school-level data, including academic assessment data, on which the proposed identification is based.

If the principal of a school proposed for identification believes, or a majority of the parents of the students enrolled in such school believe, that the proposed identification is in error for statistical or other substantive reasons, the principal may provide supporting evidence to the district, which shall consider that evidence before making a final determination.

Not later than 30 days after a district provides the school with the opportunity to review such school-level data, the district shall make public a final determination on the status of the school with respect to the identification.

20 U.S.C. 6316(b)(2)

DURATION

If a school identified for improvement, corrective action, or restructuring makes AYP for two consecutive school years, the district shall no longer subject the school to the requirements of improve-

ment, corrective action, or restructuring, or identify the school for improvement for the succeeding school year. *20 U.S.C. 6316(b)(12)*

GENERAL
REQUIREMENTS

If a school is identified for school improvement, corrective action, or restructuring, the district shall:

1. Provide notice to parents, as described below;
2. Provide eligible students with supplemental services; and
3. Provide students enrolled in the school with an option to transfer to a higher performing school [see OPTION TO TRANSFER, below].

NOTICE TO
PARENTS

A district shall promptly provide notice of identification to the parent or parents of each student enrolled in the school. The notice shall be in an understandable and uniform format and, to the extent practicable, in a language the parents can understand. The notice shall provide:

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools served by the district and TEA.
2. The reasons for the identification.
3. An explanation of what the school identified for school improvement is doing to address the problem of low achievement.
4. An explanation of what the district or TEA is doing to help the school address the achievement problem.
5. An explanation of how parents can become involved in addressing the academic issues that caused the school to be identified for school improvement.
6. An explanation of the parents' option to transfer their child to another public school or to obtain supplemental educational services for the child.

20 U.S.C. 6316(b)(6), (b)(7)(E)

SUPPLEMENTAL
SERVICES

A district shall arrange for the provision of supplemental educational services to eligible children from a provider with a demonstrated record of effectiveness. The provider shall be selected by the parents and approved for that purpose by TEA. Nothing contained in this provision shall permit the making of any payment for religious worship or instruction.

An “eligible child” means a child from a low-income family, as determined by a district for purposes of allocating funds to schools under 20 U.S.C. 6313(c).

“Supplemental educational services” means tutoring and other supplemental academic enrichment services that are:

1. In addition to instruction provided during the school day; and
2. High quality, research-based, and specifically designed to increase the academic achievement of eligible children on academic assessments and attain proficiency in meeting the state’s academic achievement standards.

A district shall continue to provide supplemental educational services to a child receiving such services until the end of the school year in which such services were first received.

A district may request that TEA waive, in whole or in part, the requirement to provide supplemental educational services.

20 U.S.C. 6316(e)

OPTION TO
TRANSFER

Not later than the first day of the school year following identification, a district shall provide all students enrolled in the school with the option to transfer to another public school in the district that has not been identified for school improvement. *20 U.S.C. 6316(b)(1)(E)* [See CNA and FDB]

FAILURE TO MAKE
AYP FOR TWO
YEARS

A district shall identify for school improvement any elementary or secondary school served under Title I, Part A that fails, for two consecutive years, to make AYP. The identification shall take place before the beginning of the school year following such failure to make AYP. *20 U.S.C. 6316(b)(1)(A)–(B)*

SCHOOL PLAN

After the resolution of any pre-identification review, the school shall, not later than three months after being identified for improvement, develop or revise a school plan in consultation with parents, school staff, the district, and outside experts. The school plan shall cover a two-year period and address the items at 20 U.S.C. 6316(b)(3)(A).

The school shall implement the school plan (including a revised plan) expeditiously, but not later than the beginning of the next full school year following the identification for improvement. If a plan is not approved before the beginning of a school year, such plan shall be implemented immediately upon approval.

Within 45 days of receiving a school plan, a district shall:

1. Establish a peer review process to assist with review of the school plan; and
2. Promptly review the school plan, work with the school as necessary, and approve the plan if it meets requirements.

20 U.S.C. 6316(b)(3)(E)

TECHNICAL
ASSISTANCE

For each school identified for school improvement, a district shall ensure the provision of technical assistance as the school develops and implements the school plan. Such technical assistance shall include the items listed at 20 U.S.C. 6316(b)(4)(B) and shall be based on scientifically based research. *20 U.S.C. 6316(b)(4)*

FAILURE TO MAKE
AYP FOR THREE
YEARS

If the school fails to make AYP by the end of the first full school year after identification, the district shall:

1. Continue to provide students with the option to transfer to another school served by the district;
2. Make supplemental educational services available; and
3. Continue to provide technical assistance.

20 U.S.C. 6316(b)(5)

FAILURE TO MAKE
AYP FOR FOUR
YEARS

If the school fails to make AYP by the end of the second full school year after identification, the district shall identify the school for corrective action and take at least one of the following corrective actions:

1. Replace the school staff relevant to the failure to make AYP.
2. Institute and fully implement a new curriculum, including appropriate professional development, for all relevant staff, that is based on scientifically based research and offers substantial promise of improving educational achievement for low-achieving students and enabling the school to make AYP.
3. Significantly decrease management authority at the school level.
4. Appoint an outside expert to advise the school on its progress toward making AYP.
5. Extend the school year or school day for the school.
6. Restructure the internal organizational structure of the school.

20 U.S.C. 6316(b)(7)(C)

FAILURE TO MAKE
AYP FOR FIVE
YEARS

If, after one full school year of corrective action, a school continues to fail to make AYP, a district shall prepare a plan and make necessary arrangements to carry out alternative governance.

Not later than the beginning of the school year following the year in which a district implements restructuring, the district shall implement one of the following alternative governance arrangements for the school consistent with state law:

1. Reopen the school as a public charter school.
2. Replace all or most of the school staff (which may include the principal) who are relevant to the failure to make AYP.
3. Enter into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school.
4. Turn the operation of the school over to the TEA, if permitted under state law and agreed to by the state.
5. Execute any other major restructuring of the school's governance arrangement that makes fundamental reforms, such as significant changes in the school's staffing and governance, to improve student academic achievement in the school and that has substantial promise of enabling the school to make AYP.

20 U.S.C. 6316(b)(8)(B)

NOTICE TO
TEACHERS AND
PARENTS

A district shall provide prompt notice to teachers and parents of the identification for restructuring. The district shall provide the teachers and parents with an adequate opportunity to comment before the district takes action and to participate in developing any restructuring plan.

DISTRICT-LEVEL
INTERVENTIONS AND
SANCTIONS

A district that fails to make AYP is subject to identification by TEA for district improvement or corrective action. *20 U.S.C. 6316(c)*

PRE-
IDENTIFICATION
REVIEW

Before identifying a district for improvement or corrective action, TEA shall provide the district with an opportunity to review the data, including academic assessment data, on which the proposed identification is based. If the district believes that the proposed identification is in error for statistical or other substantive reasons, the district may provide supporting evidence to TEA, which shall consider the evidence before making a final determination not later than 30 days after any pre-identification review.

TEA shall promptly provide to the parents of each student enrolled in a school served by a district identified for improvement, the results of any pre-identification review and, if the district is identified

	<p>for improvement, the reasons for that identification and how parents can participate in upgrading the quality of the district.</p> <p><i>20 U.S.C. 6316(c)(5)</i></p>
DURATION	<p>If a district makes AYP for two consecutive school years beginning after the date of identification for improvement, TEA need no longer identify the district for improvement or subject the district to corrective action for the succeeding school year. <i>20 U.S.C. 6316(c)(11)</i></p>
IDENTIFICATION FOR IMPROVEMENT	<p>TEA shall identify for improvement a district that, for two consecutive years, fails to make AYP. <i>20 U.S.C. 6316(c)(3)</i></p>
DISTRICT PLAN	<p>A district identified for improvement shall, not later than three months after being so identified, develop or revise a district plan, in consultation with parents, school staff, and others. The plan shall address the items at 20 U.S.C. 6316(b)(7)(A). The district shall implement the plan (including a revised plan) expeditiously, but not later than the beginning of the next school year after the school year in which the district was identified for improvement. <i>20 U.S.C. 6316(c)(7)</i></p> <p>TEA shall provide technical or other assistance if requested to better enable a district to develop and implement its plan and work with schools needing improvement. The technical assistance shall be supported by effective methods and instructional strategies based on scientifically based research. Such technical assistance shall address problems, if any, in implementing parental involvement and professional development activities. <i>20 U.S.C. 6316(c)(9)</i></p>
IDENTIFICATION FOR CORRECTIVE ACTION	<p>After providing technical assistance, TEA may take corrective action at any time with respect to a district that has been identified for improvement.</p> <p>TEA shall take corrective action with respect to a district that fails to make AYP by the end of the second full school year after the identification for improvement. TEA shall continue to provide technical assistance while instituting any corrective action.</p> <p>If a district is identified for corrective action, TEA shall take at least one of the following actions:</p> <ol style="list-style-type: none">1. Defer programmatic funds or reduce administrative funds.2. Institute and fully implement a new curriculum.3. Replace district personnel relevant to the failure to make AYP.

4. Remove particular schools from the jurisdiction of the district and establish alternative arrangements for public governance and supervision of such schools.
5. Appoint a receiver or trustee to administer the affairs of the district in place of the superintendent and board.
6. Abolish or restructure the district.
7. In conjunction with at least one of the actions listed above, authorize students to transfer to a higher-performing public school operated by another district.

20 U.S.C. 6316(c)(10)

TEA may delay, for a period not to exceed one year, implementation of corrective action if a district makes AYP for one year or its failure to make AYP is due to exceptional or uncontrollable circumstances, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the district. No such period shall be taken into account in determining the number of consecutive years of failure to make AYP.

HEARING

Before implementing any corrective action, TEA shall provide notice and a hearing to the affected district, if state law provides for such notice and hearing. The hearing shall take place not later than 45 days following the decision to implement corrective action. *20 U.S.C. 6316(c)(10)(D)*

NOTICE TO
PARENTS

TEA shall publish, and disseminate to parents and the public, information on any corrective action TEA takes, through such means as the Internet, the media, and public agencies. *20 U.S.C. 6316(c)(10)(E)*

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION B: LOCAL GOVERNANCE

BA	BOARD LEGAL STATUS
BAA	Powers and Duties
BB	BOARD MEMBERS
BBA	Eligibility/Qualifications
BBB	Elections
BBBA	Reporting Campaign Funds
BBBB	Ethics
BBC	Vacancies and Removal From Office
BBD	Training and Orientation
BBE	Authority
BBF	Ethics
BBFA	Conflict of Interest Disclosures
BBFB	Prohibited Practices
BBG	Compensation and Expenses
BBH	Conventions, Conferences, and Workshops
BC	BOARD MEMBERSHIPS
BD	BOARD INTERNAL ORGANIZATION
BDA	Officers and Officials
BDAA	Duties and Requirements of Board Officers
BDAE	Duties and Requirements of Depository
BDAF	Selection and Duties of Chief Tax Officials
BDB	Internal Committees
BDD	Attorney
BDE	Consultants
BDF	Citizen Advisory Committees
BE	BOARD MEETINGS
BEC	Closed Meetings
BED	Public Participation
BEE	News Coverage
BEF	Staff Participation
BF	BOARD POLICIES
BG	BOARD SELF-EVALUATION
BI	ADMINISTRATIVE GOALS AND OBJECTIVES

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION B: LOCAL GOVERNANCE

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VACANCY	Any vacancy or vacancies occurring on a board, whether by death, resignation, forfeiture, lack of qualifications, or removal, shall be filled with citizens having the same qualifications as candidates for election. If a vacancy occurs on a board, the remaining members of the board may fill the vacancy by appointment until the next regular board election or may order a special election to fill the vacancy for the unexpired term. If more than one year remains in the term of the position vacated, the vacancy shall be filled not later than the 180th day after the vacancy occurs. <i>Tex. Const. Art. XVI, Sec. 27; Education Code 11.060; Atty. Gen. Ops. WW-1387 (1962), M-402 (1969)</i>
OPTIONAL APPOINTMENT CONSIDERATION	An appointment to a board shall be made as required by applicable law and may be made with the intent to ensure that the board is representative of the constituency served by the board. A board that chooses this optional appointment consideration shall adopt procedures for its implementation. <i>Local Gov't Code 180.005(b), (c)</i>
SPECIAL ELECTION	A special election shall be conducted in the same manner as the general election on the next uniform election date that will afford enough time to hold the election in the manner required by law. <i>Education Code 11.060(c); Election Code 41.001(a), 41.004(a)</i> [See BBB]
PRECLEARANCE REQUIRED	A special election is subject to federal preclearance requirements to the extent that the school district makes changes in the practices or procedures to be followed. Any discretionary setting of the date for a special election or scheduling of events leading up to or following a special election is subject to the preclearance requirement. <i>28 CFR 51.17</i> [See BBB]
RESIGNATION	To be effective, a board member's resignation must be in writing and A board member may resign by delivering written notice, signed by the board member, to the presiding officer and must be delivered to the board for action on of the resignation board. A board may not refuse to accept a resignation. <i>Election Code 201.001</i>
EFFECTIVE DATE	If a trusteeboard member submits a resignation, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the board or on the eighth day after the date of its receipt by the board, whichever is earlier. <i>Election Code 201.001(a), 201.023</i>
HOLDOVER DOCTRINE	All public officers shall continue to perform the duties of their offices until their successors shall be duly qualified, i.e., sworn in. Until the vacancy created by a trustee'sboard member's resignation is filled by a successor, the trusteeboard member continues to serve

and have the duties and powers of office, ~~except that a trustee and continues to be subject to the nepotism provisions.~~ A **holder board member** may not vote on the appointment of ~~the trustee's~~**his or her** successor. *Tex. Const., Art. XVI, Sec. 17; Atty. Gen. Ops. JM-636 (1987), DM-2 (1991), O-6259 (1945)* [See DBE]

~~FORMER TRUSTEE
EMPLOYMENT~~

~~A trustee is prohibited from accepting employment with a district until the first anniversary of the date the trustee's membership on a board ends. Education Code 11.063~~

~~NONRESIDENCE
RESIDENCY~~

A person elected to serve as a board member must remain a resident of a district throughout the term of office. A board member who ceases to reside in a district vacates his or her office. *Tex. Const., Art. XVI, Sec. 14; Prince v. Inman, 280 S.W.2d 779 (Tex. Civ. App.—Beaumont 1955, no writ); Whitmarsh v. Buckley, 324 S.W.2d 298 (Tex. Civ. App.—Houston 1959, no writ)*

A ~~trustee~~**board member** elected from a single-member district vacates the office if he or she ceases to reside in the ~~trustee~~**board member** district he or she represents. *Education Code 11.052(g)*

RESIDENCE
DEFINED

“Residence” ~~shall mean~~**means** domicile, one’s home and fixed place of habitation to which one intends to return after any temporary absence; ~~one.~~ **A person** does not lose one’s residence status by leaving to go to another place for temporary purposes only. ~~Election Code 1.015~~ **A person does not acquire a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person’s home. Residence shall be determined in accordance with the common-law rules, as enunciated by the courts of this state, except as otherwise provided by the Election Code. Election Code 1.015**

Note: The issue of whether a candidate has satisfied residency requirements should be judicially determined. *State v. Fischer, 769 S.W.2d 619 (Tex. App.—Corpus Christi 1989, writ dismissed w.o.j)*

INVOLUNTARY
REMOVAL FROM
OFFICE

~~BOARD
MEMBERS~~QUO
WARRANTO

On his or her own motion, or at the request of an individual, the attorney general or the county district attorney may petition the district court for leave to file an action in quo warranto to remove a board member. An action in quo warranto is available if:

1. **A person usurps, intrudes into, or unlawfully holds or executes a public office; or**

2. A public officer does an act or allows an act that by law causes forfeiture of office.

Civ. Prac. & Rem. Code 66.001–.002

REMOVAL BY
PETITION AND
TRIAL

A resident of the state who has lived for at least six months in the county in which the petition is to be filed and who is not currently under indictment in the county may file a petition to remove a public officer from office for one of the reasons listed below. A proceeding for removal is begun by filing a written petition for removal in a district court of the county in which the officer resides. *Local Gov't Code 87.015*

REASONS FOR
REMOVAL

A public officer may be removed from office for:

1. "Incompetency," which means:
 - a. Gross ignorance of official duties;
 - b. Gross carelessness in the discharge of those duties; or
 - c. Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election.
2. "Official misconduct," which means intentional, unlawful behavior relating to official duties by a ~~trustee~~ **board member** entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of a ~~trustee~~ **board member** to perform a duty imposed on the ~~trustee~~ **board member** by law ~~and conviction of an offense relating to violation of purchase procedures.~~ ~~[See CH].~~
3. Intoxication on or off duty caused by drinking an alcoholic beverage, but not if it was caused by drinking an alcoholic beverage on the direction and prescription of a licensed physician.
~~— Conviction of a trustee~~ **board member** by a jury for any felony or for misdemeanor official misconduct.
4. ~~Actions for removal~~ **The conviction** of ~~board members must be brought before the judge of the district court holding jurisdiction, except that a public officer by a petit jury for any court convicting a trustee of a~~ felony or ~~for a misdemeanor involving~~ official misconduct ~~shall order~~ **operates as an immediate removal from office of that officer.**

Tex. Const., Art. V, Sec. 24; Local Gov't Code 87.011, ~~87.012, 87.013, 87.031; Education Code 44.032(e); Hendricks v. State,~~

49 S.W. 705 (1899), *Tovar v. Somerset* ~~ISD~~ Indep. Sch. Dist., 994 S.W.2d 756 (Tex. App.—Corpus Christi 1999, *pet. denied*)

REMOVAL FOR PURCHASING VIOLATIONS	A board member who is convicted of a purchasing offense [see CH(LEGAL), IMPERMISSIBLE PRACTICES] is considered to have committed official misconduct and is subject to removal under Local Government Code Chapter 87. <i>Education Code 44.032</i>
FORMER BOARD MEMBER EMPLOYMENT	A board member is prohibited from accepting employment with the district until the first anniversary of the date the board member's membership on a board ends. <i>Education Code 11.063</i>
FILLING A VACANCY	<p>If a vacancy occurs on the board, whether by death, resignation, lack of residency or other qualification, or involuntary removal, the remaining board members may fill the vacancy by appointment until the next board member election, or may order a special election to fill the vacancy. If more than one year remains in the term of the position vacated, the vacancy shall be filled not later than the 180th day after the date the vacancy occurs. <i>Education Code 11.060</i></p> <p>An election to fill a vacancy shall be to fill the unexpired term only. <i>Tex. Const. Art. XVI, Sec. 27</i></p>
APPOINTMENT	<p>To be eligible to be appointed to a board, a person must have the qualifications set forth at Election Code 141.001(a). <i>Election Code 141.001(a)</i> [See BBA]</p> <p>An appointment to a board may be made with the intent to ensure that the board is representative of the constituency served by the board. A board that chooses this option shall adopt procedures for its implementation. <u><i>Local Gov't Code 180.005(b), (c)</i></u></p>
<u>SPECIAL ELECTION</u>	A special election to fill a vacancy shall be conducted in the same manner as the district's general election, except as provided in the Election Code. <i>Education Code 11.060(c)</i>
DATE OF ELECTION	If a law requires a special election to be held within a particular period after the occurrence of a certain event, the election shall be held on an authorized uniform election date occurring within the period. If no uniform election date affords enough time to hold the election in the manner required by law, the election shall be held on the first authorized uniform election date occurring after the expiration of the period. <i>Election Code 41.001(a), .004(a)</i> [See BBB]

**ORDERING
ELECTION**

If a vacancy is to be filled by special election, the election shall be ordered as soon as practicable after the vacancy occurs. The special election shall be held on the first authorized uniform election date occurring on or after the 30th day after the date the election is ordered. If the special election is to be held on the date of the general election for state and county officers, the election shall be ordered not later than the 70th day before election day. *Election Code 201.051-.052*

PRECLEARANCE
REQUIRED

A special election is subject to federal preclearance requirements to the extent that a district makes changes in the practices or procedures to be followed. Any discretionary setting of the date for a special election or scheduling of events leading up to or following a special election is subject to the preclearance requirement. 28 CFR 51.17 [See BBB]

TEMPORARY
REPLACEMENT OF
BOARD MEMBER ON
MILITARY ACTIVE
DUTY

A board member who enters active duty in the armed forces of the United States as a result of being called to duty, drafted, or activated does not vacate the office held, but the board may appoint a replacement to serve as a temporary board member if the elected or appointed board member will be on active duty for longer than 30 days.

The board member who is temporarily replaced may recommend to the board the name of a person to temporarily fill the office. The board shall appoint the temporary board member to begin service on the date specified in writing by the board member being temporarily replaced as the date the board member will enter active military service.

A temporary board member has all the powers, privileges, and duties of the office as the board member who is temporarily replaced. A temporary board member shall perform the duties of office for the shorter period of:

1. The term of the active military service of the board member who is temporarily replaced; or
2. The term of office of the board member who is temporarily replaced.

“Armed forces of the United States” means the United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, any reserve or auxiliary component of any of those services, or the National Guard.

Tex. Const., Art. XVI, Sec. 72

OFFICERS AND OFFICIALS
SELECTION AND DUTIES OF CHIEF TAX OFFICIALS

BDAF
(LEGAL)

APPRAISAL FUNCTION ~~Appraisal of taxable property in a district shall be conducted by the countywide appraisal district(s).~~ **The county appraisal district shall be responsible for appraising school district property in the appraisal district for ad valorem tax purposes.** *Tax Code 6.01(b)*

REGISTRATION REQUIREMENTS In accordance with the Property Taxation Professional Certification Act, the following **school** district tax officials shall be registered with the Board of Tax Professional Examiners:

~~— Tax.~~

~~— Tax.~~

~~3.1. Chief administrator, as~~ **An** assessor-collector, collector, or **other person** designated by the ~~board,~~ **district as the chief administrator** of ~~the~~ district's assessment ~~and/or collecting~~ functions, **collection functions, or both;**

~~4.2.~~ All persons engaged in appraisals of real or personal property for ad valorem tax purposes; **and**

~~5.3. Other persons, as required by the chief administrator,~~ **A person** who ~~perform~~ **performs** assessment or collection functions for a district **and who is required to register by the chief administrator of the district's tax office.**

Occupations Code 1151.151

SELECTION OF ASSESSOR AND COLLECTOR

A board may employ a person to assess or collect the district's taxes and may compensate the person as the board considers appropriate. *Education Code 45.231*

A district may also provide for the assessment or collection of the district's taxes under one of the following methods: ~~A board may, for a tax assessor or collector:~~

1. Require the county to assess and collect taxes for the school district. **The board may revoke the requirement at any time by official action.** *Tax Code 6.22(c)*

2. Contract with another taxing unit or the ~~countywide~~ **county** appraisal district(s) to ~~assess and/or collect~~ **perform duties relating to the assessment or collection of taxes.** *Tax Code 6.24(a)*

~~— Employ a person to assess or collect taxes.~~ *Education Code 45.231*

3. **~~Use one of the following methods, which were specified in former Education Code Chapter 23, subchapter F, if the district used one of those methods for the 1994 tax year. The district may continue to use that method of selection until the district uses one of the methods above. Education Code 45.232~~**
- 4.a. Appoint an assessor and provide by resolution that taxes be collected by the county or city tax collector. *Former Education Code 23.95*
- 5.b. ~~By ordinance or resolution, authorize the city tax assessor-collector to assess and collect taxes. Former Education Code 23.96~~
- 6.c. ~~By a two-thirds vote of each board, consolidate assessing and collecting taxes with other independent school districts by appointing the same assessor-collector. Former Education Code 23.97~~

~~*These options are no longer authorized by the Education Code. A district that used one of these methods for the 1994 tax year, however, may continue to use that method until the district decides to use another method authorized by Education Code 45.231 or Tax Code Chapter 6, Subchapter B.~~

~~Education Code 45.232~~

*** (Optional provision)**

DUTIES

The assessor and collector shall assess, collect, or assess and collect taxes, as applicable. *Tax Code 6.23(b)*

ASSESSOR

~~The~~ **In addition to any other duties that may be required by law, the assessor or designated officer or employee shall calculate the effective tax rate and:**

1. **On receipt of the rollback tax rate and submit these rates to a board appraisal roll, determine the total appraised value, total assessed value, and total taxable value of property taxable by the district. Tax Code 26.04(e), (ea)**

~~The assessor shall:~~

2. ~~Calculate the~~ **By August 1 or as soon thereafter as practicable, submit to the board the appraisal roll showing the total appraised, assessed, and taxable values. Tax Code 26.04(b)**
3. **On receipt of notice of the tax rate for the current tax year, calculate the tax imposed on each property by ap-**

~~plying on the adopted rates to~~ appraisal roll for the appraised
~~value~~ district. *Tax Code 26.09*

~~2.4. Prepare~~ **By October 1 or as soon thereafter as practicable, prepare** and mail a tax bill, ~~including school-specific requirements found in Tax Code 31.01(d-1), to each person, and authorized agent,~~ in whose name **the** property is listed on the tax roll. ~~If the assessor mails a tax bill and to a mortgagee of a property, the assessor is not required to mail a copy of the bill to any mortgagor under the mortgage or to the mortgagor's~~ **the person's** authorized agent. *Tax Code 31.01*

~~— Perform other legal duties. Tax Code 6.23, 26.15~~

COLLECTOR

~~The~~ **In addition to any other duties that may be required by law, he** collector shall:

1. ~~Certify~~ **By August 1 or as soon thereafter as practicable, certify** to a board an estimate of the collection rate for the current year. ~~If the collector certified an anticipated collection rate in the preceding year that was lower than the actual collection rate, the collector shall also certify the amount collected in excess of debt taxes, if applicable, and other required information~~ **the anticipated amount in the preceding year.** *Tax Code 26.04(b)*

~~— At the request of any person, issue a certificate showing the amount of delinquent taxes, penalties, and interest due a district on a property according to the district's current tax records. If the collector collects taxes for more than one taxing unit, the certificate must show the amount of delinquent taxes, penalties, and interest due to each of those taxing units. Tax Code 31.08(a)~~

~~— At the request of a property owner, or his or her agent, issue a receipt showing the amount of taxes imposed by a district in the year(s) for which information is requested and the amount of taxes paid. Tax Code 31.075~~

~~4.2. Prepare~~ **Each month, prepare** and submit to a board ~~each month~~ a written report made under oath accounting for all taxes collected ~~for a district~~ during the preceding month. **Reports of collections made in the months of October through January are due on the 25th day of the month following the month that is the subject of the report. Reports of collections made in all other months are due on the 15th day of the month following the month that is the subject of the report.** *Tax Code 31.10(a)*

~~5.3. Prepare~~ **Each year, prepare** and submit to a board ~~by the 60th day following the last day of the fiscal year~~ an annual report made under oath accounting for all taxes collected or delinquent on property *taxed by a district* during the preceding 12-month period. **Annual reports are due on the 60th day following the last day of the fiscal year.** *Tax Code 31.10(b)*

4. At least monthly, deposit in a district's depository ~~(ies)~~ all taxes collected for the district. **The board may require deposits to be made more frequently.** *Tax Code 31.10(c)*

If a **district's** taxes are collected by ~~the collector or officer of~~ another taxing unit or the appraisal district, ~~deposits the collector~~ shall **be made deposit taxes in the district's depository** daily, unless a board, by official action, provides that deposits may be made less often than daily. *Tax Code 31.10(e), (d)*

~~Refund overpayments or erroneous payments of taxes as provided by law. Tax Code 31.11~~

~~Refund duplicate payments of taxes as provided by law and inform a district's auditor monthly of refunds made during the preceding month. Tax Code 31.111~~

~~9.5. Prepare~~ **Each year, prepare** a current and cumulative delinquent tax roll ~~each year~~ **for the district.** *Tax Code 33.03*

~~10.6.~~ At least once each year, deliver a delinquent tax notice to each person whose name appears on the delinquent tax rolls, ~~unless the person's address is undetermined or a tax bill was not mailed because the collector did not send a tax bill for an amount less than \$15. Tax Code 31.01(f), 33.~~ **Tax Code 33.04**

~~Perform other legal duties. Tax Code 6.23, 33.21-33.25~~

COLLECTOR'S
BOND

~~A tax collector who is~~ **If a district's taxes are collected by** a district employee, **a board shall require the tax collector to** give bond conditioned on the faithful performance of duties. The bond shall be made payable to and be approved by a board in an amount determined by the board. **The board may require a new bond at any time, and failure to give new bond within a reasonable time after demand is a ground for removal from office. The board may prescribe additional requirements for the bond.**

If a district's taxes are collected by ~~the collector of another taxing unit, by~~ **a person who is not** an officer or employee of ~~another taxing unit or of an appraisal the~~ district, ~~or by any other person,~~ a

board may require the person to give bond conditioned on the faithful performance of duties. The bond shall be payable to, approved by, and paid for by the board in an amount determined by the board. **The board may prescribe additional requirements for the bond.**

A district shall pay the premium for the required bond from its general fund or as provided by intergovernmental contract.

Tax Code 6.29

LIMIT ON
CONTRACTING

A district may not enter into a contract relating to the performance of an activity governed by Title 1 of the Tax Code (i.e., the Property Tax Code) with a member of the board of directors of ~~the~~**an** appraisal district ~~or districts~~ in which the district participates or with a business entity in which a member of the appraisal board has a substantial interest.

~~An~~**For purposes of the above paragraph, an** individual has a substantial interest in a business entity if ~~the~~:

- 1. The** combined ownership of the individual and the individual's spouse is at least ten percent of the voting stock or share of the business entity or the individual; ~~or the~~
- 2. The** individual's spouse is a partner, limited partner, or officer of the business entity.

"Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

Tax Code 6.036(c), (d)

SCHOOL HEALTH
ADVISORY COUNCIL

A board shall establish a local school health advisory council (**SHAC**) to assist a district in ensuring that local community values ~~and health issues~~ are reflected in the district's health education instruction.— *Education Code 28.004(a)* [See EHAA regarding duties of the SHAC]

The SHAC shall meet at least four times each year. *Education Code 28.004(d-1)*

COMPOSITION

A board shall appoint at least five members to the council—~~a.~~ **A** majority of ~~whom~~**the members** must be parents of students enrolled in the district and must not be employed by the district. One of those members shall serve as chair or co-chair of the council.

A board may also appoint one or more public school teachers, public school administrators, district students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, or representatives of another group.—[See EHAA]

Education Code 28.004(d)

ANNUAL REPORT

In addition to its other duties, the council shall submit to the board, at least annually, a written report that includes:

1. Any council recommendation concerning a district's health education curriculum and instruction or related matters that the council has not previously submitted to the board;
2. Any suggested modification to a council recommendation previously submitted to the board; and
3. A detailed explanation of the council's activities during the period between the date of the current report and the date of the last prior written report.

Education Code 28.004(m)

**CHANGES IN
CURRICULUM**

A district must consider the recommendations of the local SHAC before changing the district's health education curriculum or instruction. *Education Code 28.004(b)*

**PUBLIC STATEMENT
FOR PUBLIC
INSPECTION**

A district shall publish in the student handbook and post on the district's Internet Web site, if the district has an Internet Web site, a statement of:

1. District policies adopted to ensure that elementary school, middle school, and junior high school students engage in **at least the amount and level of** physical activity; **required by Education Code 28.002(l)** [see EHAB and EHAC];

2. The number of times during the preceding year the ~~council-~~**SHAC** has met;
3. ~~District~~**Whether the district has adopted and enforces** policies to ensure compliance with ~~applicable~~**TEA's** vending machine and food service guidelines for restricting student access to vending machines;~~-and~~
4. ~~District~~**Whether the district has adopted and enforces** policies and procedures that prescribe penalties for the use of tobacco products by students and others on school campuses or at school-sponsored or school-related activities~~;~~ **and**

**CHANGES IN
CURRICULUM**

~~A district must consider the recommendations of the local school health advisory council before changing the district's health education curriculum or instruction.~~

5. **Notice to parents that they can request in writing their child's physical fitness assessment results at the end of the school year [see FFAA].**

Education Code 28.004(k)

~~NAMES OF
APPLICANTS~~

VACANCY POSTING

A district's employment policy must provide for notice to each current district employee of a vacant position for which a certificate is required. Notice must be provided not later than the tenth school day before the date on which a district fills the position. Notice shall be posted on:

1. A bulletin board at:
 - a. A place convenient to the public in the district's central administrative office, and
 - b. The central administrative office of each campus during any time the office is open; or
2. The district's Internet Web site, if the district has a Web site.

A district shall provide each current district employee a reasonable opportunity to apply for the position.

Education Code 11.1513(d)

NAMES OF
APPLICANTS

The name of an applicant for ~~Superintendent~~superintendent is excepted from disclosure under Chapter 552, Government Code-

~~EXCEPTION~~

~~The Board~~ (Public Information Act). However, a board must give public notice of the name or names of the finalists being considered for ~~Superintendent~~superintendent at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of the person.

Gov't Code 552.126

SUPERINTENDENT
~~DISMISSAL~~SUSPENSION/TERMINATION DURING CONTRACT

BJCE
(LEGAL)

SUSPENSION
WITHOUT PAY

A board may, for good cause as determined by the board, suspend a superintendent without pay pending discharge or in lieu of termination. The suspension may not extend beyond the end of the school year. *Education Code 21.211(b)*

The procedures for hearings before a hearing examiner apply if a superintendent requests a hearing after receiving notice of a proposed decision to suspend the superintendent without pay. *Education Code 21.251(a)*

BACK PAY

If no discharge occurs ~~subsequent to~~**after** a suspension without pay, a superintendent is entitled to back pay for the period of suspension. *Education Code 21.211(c)*

~~GROUNDS FOR
DISMISSAL~~
SUSPENSION WITH
PAY

A superintendent may be ~~dismissed for good cause before~~**suspended with pay pending the completion**outcome of ~~the a~~ dismissal hearing. *Moore v. Knowles, 482 F.2d 1069 (5th Cir. 1973)*

CONTRACT
TERMINATION

A board may terminate a superintendent's term ~~fixed in the~~ contract **and discharge the superintendent at any time for good cause as determined by the board.** *Education Code 21.211(a), .212(d)*

~~An attempt by a superintendent to encourage or coerce a child to withhold information from the child's parent is grounds for discharge or suspension without pay. *Education Code 26.008(b)* [See FNG]~~

NOTICE

Before dismissal for good cause, a superintendent shall be given reasonable notice in writing of the charges against him or her and an explanation of a district's evidence, set out in sufficient detail to fairly enable the superintendent to show any error that may exist. *Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532, 105 S.Ct. 1487 (1985)*

HEARING

If a superintendent desires a hearing before an independent hearing examiner **on a proposed decision to terminate the superintendent's term contract**, the superintendent shall file a written request with the Commissioner not later than the 15th day after receiving the written notice of the ~~board's~~**proposed** action. The superintendent shall provide a copy of the request to the district. **The parties may agree in writing to extend by not more than ten days the deadline for requesting a hearing.** *Education Code 21.251, .253* [See DFD]

SEVERANCE
PAYMENTS

A board ~~shall report the terms of any~~ that makes a severance payment ~~made~~ to a superintendent **shall report the terms of the payment** to the Commissioner.

DUTY TO REPORT

The interim superintendent, new superintendent, or board president is responsible for timely filing a Superintendent Payment Disclosure Form with TEA. A district must file the Superintendent Payment Disclosure Form not later than 60 days after execution of ~~Education~~—an agreement to make payments of any kind to a departing superintendent or any payment under such an agreement, whichever is sooner. No report is required for payments already earned and payable under the terms of a terminated employment contract, such as accrued vacation. Compliance with the reporting requirement is part of the district’s compliance with required financial account practices. Failure to comply may result in sanctions.

REDUCTION OF STATE FUNDS

The Commissioner shall reduce a district’s Foundation School Program (FSP) funds by any amount that the severance payment exceeds one year’s salary and benefits under a superintendent’s terminated contract. **The reduction shall be made for the school year following the school year in which the payment is made subject to an FSP reduction amount. The Commissioner shall also reduce the district’s FSP funds in the school year following each school year that any additional payments are made to the former superintendent requiring an FSP reduction. A district will be subject to reductions to FSP state funding for one or more school years until the liability amount has been liquidated in full, if the liability to the state exceeds the total flow of estimated earned revenue to a district under the FSP.**

DEFINITION OF SEVERANCE PAYMENT

“Severance payment” means any amount paid by a board to or in behalf of a superintendent on early termination of the superintendent’s contract that exceeds the amount earned by the superintendent under the contract as of the date of termination, including any amount that exceeds the amount of earned standard salary and benefits, that is paid as a condition of early termination of the contract.

EXCEPTION

~~Severance agreements entered into prior to September 1, 2001, are governed by the law in effect at the time the agreement was made and Commissioner’s rules.~~

~~Stats. 2001, 77th Leg. Sess., Ch. 955;~~ **Payments to a former superintendent who remains employed by a district in another capacity or contracts with a district for services may be severance payments in whole or in part, if the payments are compensation for the early termination of a prior employment agreement.**

Damages for early termination of an employment contract, including loss of benefits, are severance payments regardless

SUPERINTENDENT
~~DISMISSAL~~SUSPENSION/TERMINATION DURING CONTRACT

BJCE
(LEGAL)

of whether litigation has commenced or the form of any settlement.

Education Code 11.201(c); 19 TAC 105.~~1022(b)(3)(a)~~

SUSPENSION WITH
PAY

~~A superintendent may be suspended with pay pending the outcome of the dismissal hearing. Moore v. Knowles, 482 F.2d 1069 (1973)~~ **1021-1023**

PARTICIPATION

A district shall participate in the appropriate countywide appraisal district or districts. *Tex. Const., Art. VIII, Sec. 18(b)*

~~ELECTION~~
~~OF APPRAISAL~~
DISTRICT BOARD OF
DIRECTORS
ELIGIBILITY

A board shall participate in the election of the board of directors of the appraisal district or districts as provided by law.

To be eligible to serve on the appraisal district board of directors, an individual other than a county assessor-collector serving as a nonvoting director must be a resident of the **appraisal** district and must have resided in the **appraisal** district for at least two years immediately preceding the date the individual takes office. An individual who is otherwise eligible to serve on the **appraisal district** board is not ineligible because of membership on the governing body of a taxing unit.

A district employee is not eligible to serve on the board of directors unless the employee is also a member of another governing body or an elected official of a taxing unit that also participates in the appraisal district.

Tax Code 6.03(a)

RESTRICTIONS
NEPOTISM

An individual is ineligible to serve on an appraisal district board of directors if the individual is related within the second degree by consanguinity or affinity, as determined under Government Code, Chapter 573, Subchapter B [see DBE], to an individual who is engaged in the business of appraising property for compensation for use in proceedings relating to property taxes or of representing property owners for compensation in proceedings relating to property taxes in the appraisal district.

DELINQUENT
TAXES

An individual is ineligible to serve on an appraisal district board of directors if the individual owns property on which delinquent taxes have been owed to a taxing unit for more than 60 days after the date the individual knew or should have known of the delinquency unless the delinquent taxes and any penalties and interest are being paid under an installment payment agreement, or a suit to collect the delinquent taxes is deferred or abated.

Tax Code 6.035(a)

CONFLICT OF
INTEREST

An individual is not eligible to be appointed to or to serve on the board of directors of an appraisal district if the individual or a business entity in which the individual has a substantial interest is a party to a contract with:

1. The appraisal district; or

2. A taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity relating to property taxes.

An individual has a substantial interest in a business entity if the combined ownership of the individual and the individual's spouse is at least ten percent of the voting stock or shares of the business entity or the individual or the individual's spouse is a partner, limited partner, or officer of the business entity.

"Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

Tax Code 6.036

RECALL

A **school** board, by resolution submitted to the county clerk, may call for the recall of a member of the board of directors of an appraisal district for whom the **school** board cast any of its votes in the appointment of the appraisal district board. **in accordance with Tax Code 6.033. Tax Code 6.033(a)**

TERMS

The taxing units participating in an appraisal district may provide that the terms of the appointed members of the appraisal district board of directors be staggered in accordance with Tax Code 6.034. Tax Code 6.034(a)

APPRAISAL OFFICE

The board of directors of an appraisal district may contract with a taxing unit in the appraisal district to perform the duties of the appraisal office for the appraisal district. Tax Code 6.05(b)

OWNERSHIP OR
LEASE OF REAL
PROPERTY

The acquisition or conveyance of real property or the construction or renovation of a building or other improvement by an appraisal district must be approved by the governing bodies of three-fourths of the taxing units entitled to vote on the appointment of appraisal district board members.

The appraisal district board of directors by resolution may propose a property transaction or other action for approval of the taxing units. The chief appraiser shall notify the school board president by delivering a copy of the appraisal district board's resolution, together with information showing the costs of other available alternatives to the proposal.

On or before the 30th day after the date the school board president receives notice of the proposal, the school board by resolution may approve or disapprove the proposal. If the school board fails to act on or before that 30th day or fails to file its resolution with the chief appraiser on or before the 10th

	<p>day after that 30th day, the proposal is treated as if it were disapproved by the school board.</p>
PROCEEDS	<p>The proceeds of a conveyance of appraisal district property shall be credited to each taxing unit that participates in the appraisal district in proportion to the unit's allocation of the appraisal district budget in the year in which the transaction occurs.</p> <p><i>Tax Code 6.051(b)–(c)</i></p>
BUDGET AND FINANCING	<p>Each year the chief appraiser shall prepare a proposed budget for the operations of the appraisal district for the following tax year as described in Tax Code 6.06(a) and shall submit a copy to the school district before June 15.</p>
PUBLIC POSTING	<p>Each taxing unit entitled to vote on the appointment of appraisal district board members shall maintain a copy of the proposed budget for public inspection at its principal administrative office.</p>
BUDGET ADOPTION	<p>The appraisal district board of directors shall hold a public hearing to consider the budget. The secretary of the appraisal district board shall deliver to the school board president not later than the tenth day before the date of the hearing a written notice of the date, time, and place fixed for the hearing. The appraisal district board of directors shall complete its hearings, make any amendments to the proposed budget it desires, and finally approve a budget before September 15.</p> <p>If governing bodies of a majority of the taxing units entitled to vote on the appointment of appraisal district board members adopt resolutions disapproving a budget and file them with the secretary of the appraisal district board within 30 days after its adoption, the budget does not take effect, and the appraisal district board shall adopt a new budget within 30 days of the disapproval.</p>
AMENDMENTS	<p>The appraisal district board may amend the approved budget at any time, but the secretary of the appraisal district board must deliver a written copy of a proposed amendment to the presiding officer of the governing body of each taxing unit participating in the district not later than the 30th day before the date the board acts on it.</p>
ALLOCATION	<p>Each taxing unit participating in the appraisal district is allocated a portion of the amount of the budget and must pay its allocation as provided by Tax Code 6.06.</p> <p><i>Tax Code 6.06(a)–(d)</i></p>

**CHANGES IN
METHOD OF
FINANCING**

The board of directors of an appraisal district, by resolution adopted and delivered to each taxing unit participating in the appraisal district after June 15 and before August 15, may prescribe a different method of allocating the costs of operating the appraisal district unless the governing body of any taxing unit that participates in the appraisal district adopts a resolution opposing the different method, and files it with the appraisal district board of directors before September 1. If an appraisal district board proposal is rejected, the appraisal district board shall notify, in writing, each taxing unit participating in the appraisal district before September 15.

The taxing units participating in an appraisal district may adopt a different method of allocating the costs of operating the district in accordance with Tax Code 6.061.

Tax Code 6.061(a)–(b)

**DISAPPROVAL OF
APPRAISAL DISTRICT
BOARD ACTIONS**

If the governing bodies of a majority of the taxing units entitled to vote on the appointment of appraisal district board members adopt resolutions disapproving an action, other than adoption of the budget, by the appraisal district board of directors and file them with the secretary of the appraisal district board within 15 days after the action is taken, the action is revoked effective the day after the day on which the required number of resolutions is filed. *Tax Code 6.10*

**APPRAISAL REVIEW
BOARD**

An appraisal review board is established for each appraisal district, unless the boards of directors of two or more adjoining appraisal districts provide for the operation of a consolidated appraisal review board by interlocal contract. Members of the appraisal review board are appointed by the appraisal district board of directors.

~~*Tax Code 6.41, 6.412*~~

Members of the appraisal review board are subject to the eligibility restrictions described in Tax Code 6.412, including prohibitions on service by school district board members, officers, and employees, and Tax Code 6.413, including prohibitions on service by individuals who are parties to certain contracts. *Tax Code 6.41, .412–.413*

EXCEPTION

In a county with a population of 3.3 million or more or a county with a population of 350,000 or more that is adjacent to a county with a population of 3.3 million or more, the members of the **appraisal review** board are appointed in accordance with Tax Code 6.41 by the local administrative district judge in the county in which the appraisal district is established. *Tax Code 6.41*

**PROHIBITION ON
CONTRACTS**

A school district may not enter into a contract with a member of the appraisal review board established for an appraisal district in which the school district participates or with a business entity in which a member of the appraisal review board has a substantial interest as defined in Tax Code 6.413. *Tax Code 6.413*

SAFETY PROGRAM/RISK MANAGEMENT
INSPECTIONS

CKA
(LEGAL)

ASBESTOS HAZARD
EMERGENCY
RESPONSE ACT

Under the Asbestos Hazard Emergency Response Act (AHERA) ~~Under AHERA,~~ a district shall identify asbestos-containing materials and implement an appropriate management plan in a timely manner. *40 CFR 763.80*

DUTIES

A district shall ensure that:

1. All persons who perform inspections, reinspections, and periodic surveillance, who develop and update management plans, and who develop and implement response actions comply with federal and state law.
2. All custodial and maintenance employees are ~~properly~~ trained as required by law.
3. Workers and building occupants, or their legal guardians, are informed annually about inspections, response actions, and post-response action activities.
4. Short-term workers who may come in contact with asbestos in a school are informed of the locations of "asbestos-containing building material" (ACBM) and suspected ACBM assumed to be "asbestos-containing material" (ACM).
5. ~~Proper warning~~ **Warning** labels are posted ~~in accordance with 40 CFR 763.95 (see WARNING LABELS, below).~~
6. Management plans are available for inspection, and notice of their availability has been ~~properly~~ provided ~~as specified in the management plan under 40 CFR 763.93(g).~~
7. ~~A properly trained~~ **An** asbestos coordinator, **trained in accordance with 40 CFR 763.84(g)(2)** is designated to ensure that legal requirements are met.
8. Any conflict of interest that may arise among accredited asbestos personnel is considered, especially when selecting accredited personnel.

40 CFR 763.84

MANAGEMENT
PLAN

An asbestos management plan shall be developed for each school and submitted to the Texas Department of State Health Services (~~DSHS~~**TDSHS**) for approval. This plan shall be developed by an accredited management planner who may be required to sign a statement that the plan is in compliance with federal asbestos regulations. The plan shall include:

1. A list of the name and address of each school building and whether it contains friable ACBM, nonfriable ACBM, and friable and nonfriable suspected ACBM assumed to be ACM.

2. ~~Specified~~**Specific** information about inspections conducted before December 14, 1987.
3. ~~Specified~~**Specific** information about required inspections and reinspections.
4. The name, address, and telephone number of the designated asbestos coordinator and details of his or her required training. The plan must also contain a true and correct statement signed by the coordinator certifying that the general district responsibilities have been met.
5. The written recommendations on response actions from a district's accredited asbestos management planner(s), including the name, signature, state of accreditation, and accreditation number, if applicable, of each planner.
6. A detailed description of preventive measures and response actions to be taken.
7. In regard to asbestos inspectors and persons who design or carry out response actions, a statement that a district uses or will use person(s) who have been accredited by an Environmental Protection Agency (EPA)-approved course.
8. A detailed description of any material described in item 1 of this list that remains after the response actions are taken. The description shall be updated when response actions are completed.
9. A reinspection plan for operations and maintenance activities, a plan for periodic surveillance, a description of the management planner's recommendation regarding additional cleaning, and a district's response.
10. A description of steps taken to inform workers and building occupants or their legal guardians about inspections, reinspections, response actions, post-response action activities, and the availability of management plans.
11. An evaluation of resources needed to complete the response actions successfully and carry out reinspection, operations and maintenance activities, periodic surveillance, and training.
12. The name of each consultant contributing to the plan and a statement that the consultant is accredited under another state's accreditation plan or accredited by an EPA-approved course.

PLAN AVAILABILITY

A copy of the plan submitted to ~~DSHS~~**TDSHS** shall be kept in a district's administrative office and be available for inspection by the

EPA, the state, and the public, including teachers, school personnel, employee representatives, and parents.

Updated management plans for each school shall also be available for inspection during normal business hours in the administrative office and at the school itself. Individual school plans shall be made available for inspection within at least five working days after a request is received.

NOTICE

Annually, a district shall notify in writing parent, teacher, and employee organizations of the availability of the management plans.

40 CFR 763.93

INSPECTIONS

Each building leased, owned, or used as a school building shall be inspected to determine the locations of friable and nonfriable ACBM. At least once every three years after a management plan is in effect, a district shall conduct reinspections. Inspectors shall collect samples of suspected ACBM material for analysis. The inspector shall provide a written assessment of all friable known or assumed ACBM in the school building for each inspection or reinspection. The assessment shall meet all legal requirements and shall be signed and dated, with the inspector's accreditation information. A copy shall be sent to the coordinator for inclusion in the management plan within 30 days. *40 CFR 763.85, ~~763.88~~*

PERIODIC
SURVEILLANCE

At least once every six months after the management plan is in effect, a district shall conduct and document periodic surveillance on any school building containing ACBM or assumed to contain ACBM. A record of this surveillance shall be submitted to the coordinator for inclusion in the management plan. *40 CFR 763.92(b)*

RESPONSE
ACTIONS

A district shall select and implement, consistent with the assessment, the least burdensome method of appropriate response actions from those that protect human health and the environment. *40 CFR 763.90*

ASBESTOS-
RELATED ACTIVITY

An "asbestos-related activity" means the removal, encapsulation, or enclosure of asbestos; the performance of asbestos surveys; the development of management plans or response actions; the collection or analysis of asbestos samples; sponsorship of training courses necessary for asbestos licensure or registration; the transportation of ACMs from any facility for purposes of disposal; and any other activity required to be licensed under the Texas Asbestos Health Protection Act. *Occupations Code 1954.002, ~~1954.101~~*

An asbestos-related activity shall be performed by a person (an individual, organization, or other legal entity recognized by law as the subject of rights and duties) licensed by ~~DSHS. DSHS~~**TDSHS**.

	<p>TDSHS shall be notified not less than ten working days before an asbestos-related activity is initiated. <i>Occupations Code 1954.252, 1954.101; 25 TAC 295.61</i></p>
RECORDS	<p>A district licensed to perform asbestos-related activities shall keep an appropriate record or records of each activity it performs in public buildings and shall make the record(s) available to DSHSTDSHS at any reasonable time. It shall also keep a copy of any violations issued against a district by the EPA or DSHSTDSHS. Records shall be maintained for at least 30 years, or as long as required by federal law or regulation. <i>Occupations Code 1954.251; 25 TAC 295.58(d)</i></p> <p>For each area where all ACM has been removed, the required records shall be maintained for at least three years after each required reinspection or its equivalent in both the school and the central administration office. <i>40 CFR 763.94</i></p>
WARNING LABELS	<p>ProperA warning label shall be attached adjacent to any friable and nonfriable ACM and suspected ACM assumed to be ACM located in routine maintenance areas until itat each school building. The warning label shall read, in print which is readily visible because of large size or bright color, as follows: CAUTION: ASBESTOS. HAZARDOUS. DO NOT DISTURB WITHOUT PROPER TRAINING AND EQUIPMENT. All labels shall be prominently displayed in readily visible locations and shall remain posted until the ACM that is labeled is removed. <i>40 CFR 763.95</i></p>
OPERATIONS / MAINTENANCE TRAINING	<p>Members of the maintenance and custodial staff in buildings containing ACM shall receive required training, including at least two hours of awareness training and an additional 14 hours of required training if their work activities may result in the incidental disturbance of ACM. <i>40 CFR 763.92</i></p>

~~EYE-PROTECTIVE
DEVICES~~ EYE AND
FACE PROTECTION

Each teacher and student shall wear industrial-quality eye-protective devices in appropriate situations as determined by ~~District~~ district policy. *Education Code 38.005* ~~[See CKB (LOCAL)]~~

REQUIRED
DEVICES

RECOMMENDED
GUIDELINES

For selection and use of face and eye protection in public schools, the Texas Department of State Health Services (TDSHS) recommends the guidelines entitled "Eye and Face Protection," available at 29 CFR 1910.133.

For hazard assessment and face and eye protective equipment selection in public schools TDSHS recommends the guidelines entitled, "Non-mandatory Compliance Guidelines for Hazard Assessment and Personal Protective Equipment Selection," available at 29 CFR part 1210, subpart I, appendix B.

APPLICATION

The guidelines are applicable to all staff members, students, and visitors within Texas public schools participating in educational activities and programs that involve:

1. The use of hazardous chemicals;
2. The use of hot liquids or solids;
3. The use of molten materials;
4. Performing grinding, chipping, or other hazardous activities where there is danger of flying particles;
5. Milling, sawing, turning, shaping, cutting, or stamping of any solid materials;
6. Heat treatment, tempering, or kiln firing of any metal or other materials;
7. Cutting, welding, or brazing operations;
8. The use of hazardous radiation, including the use of infrared and ultraviolet light or lasers;
9. Repair or servicing of any vehicle; or
10. Any process or activity in a vocational, art, industrial arts or science course or laboratory that might have a tendency to cause damage to the eyes.

25 TAC 295.141–.142

REDUCTION OF
ENERGY
CONSUMPTION

A board shall establish a long-range energy plan to reduce a district's annual electric consumption by five percent beginning with the 2008 state fiscal year and consume electricity in subsequent fiscal years in accordance with the district's energy plan. The plan must include:

1. Strategies for achieving energy efficiency that:
 - a. Result in net savings for the district; or
 - b. Can be achieved without financial cost to the district; and
2. For each strategy identified above, the initial, short-term capital costs and lifetime costs and savings that may result from implementation of the strategy.

In determining whether a strategy may result in financial cost to the district, the board shall consider the total net costs and savings that may occur over the seven-year period following implementation of the strategy.

The board may submit the plan required to the State Energy Conservation Office for the purposes of determining whether funds available through loan programs administered by the office are available to the district.

*Education Code 44.902*ENERGY OR WATER
CONSERVATION
MEASURES

A board may enter into an energy savings performance contract for energy or water conservation measures to reduce energy or water consumption or operating costs of school facilities.

An energy savings performance contract includes a contract for the installation or implementation of:

1. Insulation of a building structure and systems within the building;
2. Storm windows or doors, caulking or weatherstripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, or other window or door system modifications that reduce energy consumption;
3. Automatic energy control systems, including computer software and technical data licenses;
4. Heating, ventilating, or air-conditioning system modifications or replacements that reduce energy or water consumption;
5. Lighting fixtures that increase energy efficiency;
6. Energy recovery systems;

7. Electric systems improvements;
8. Water-conserving fixtures, appliances, and equipment or the substitution of nonwater-using fixtures, appliances, and equipment;
9. Water-conserving landscape irrigation equipment;
10. Landscaping measures that reduce watering demands and capture and hold applied water and rainfall, including:
 - a. Landscape contouring, including the use of berms, swales, and terraces; and
 - b. The use of soil amendments that increase the water-holding capacity of the soil, including compost;
11. Rainwater harvesting equipment and equipment to make use of water collected as part of a storm-water system installed for water quality control;
12. Equipment for recycling or reuse of water originating on the premises or from other sources, including treated municipal effluent;
13. Equipment needed to capture water from nonconventional, alternate sources, including air conditioning condensate or graywater, for nonpotable uses;
14. Metering equipment needed to segregate water use in order to identify water conservation opportunities or verify water savings; or
15. Other energy or water conservation-related improvements or equipment, including improvements or equipment relating to renewable energy or nonconventional water sources or water reuse.

Each energy or water conservation measure shall comply with current local, state, and federal construction, plumbing, and environmental codes and regulations. Notwithstanding the list above, an energy savings performance contract may not include improvements or equipment that allow or cause water from any condensing, cooling, or industrial process or any system of nonpotable usage over which the public water supply system officials do not have sanitary control, to be returned to the potable water supply.

A board may enter into energy savings performance contracts only with persons who are experienced in the design, implementation, and installation of the energy or water conservation measures addressed by the contract.

PERFORMANCE BOND	<p>Before entering an energy savings performance contract, a board shall require the provider of the energy or water conservation measures to file a payment and performance bond relating to the installation of the measures in accordance with Government Code Chapter 2253. A board may also require a separate bond to cover the value of the guaranteed savings on the contract.</p>
FINANCING	<p>An energy savings performance contract may be financed:</p> <ol style="list-style-type: none"> 1. Under a lease/purchase contract that has a term not to exceed 20 years from the final date of installation and that meets federal tax requirements for tax-free municipal leasing or long-term financing. 2. With the proceeds of bonds. 3. Under a contract with the provider of the energy or water conservation measures that has a term not to exceed the lesser of 20 years from the final date of installation or the average useful life of the energy or water conservation or usage measures. <p>An energy savings performance contract for energy or water conservation measures shall contain provisions requiring the provider of the energy or water conservation measures to guarantee the amount of the savings to be realized by a district under the contract. If the term of an energy savings performance contract exceeds one year, a district's contractual obligations in any one year during the term of the contract beginning after the final date of installation may not exceed the total energy, water, wastewater, and operating cost savings, including electrical, gas, water, wastewater, or other utility cost savings and operating cost savings resulting from the measures as determined by the district, divided by the number of years in the contract term.</p>
CONTRACT PROCUREMENT	<p>An energy savings performance contract for energy or water conservation measures shall be let according to the procedures established for professional services by Government Code 2254.004. Notice of the request for qualifications shall be published in the manner provided for competitive bidding.</p>
COST SAVINGS REVIEW	<p>Before entering an energy savings performance contract, a board must require that the cost savings projected by an offeror be reviewed by a licensed professional engineer who has a minimum of three years of experience in energy calculation and review, is not an officer or employee of an offeror for the contract under review, and is not otherwise associated with the contract. In conducting the review, the engineer shall focus primarily on the proposed improvements from an engineering perspective, the methodology and</p>

calculations related to cost savings, increases in revenue, and, if applicable, efficiency or accuracy of metering equipment. An engineer who reviews a contract shall maintain the confidentiality of any proprietary information the engineer acquires while reviewing the contract.

Education Code 44.901

ENERGY USAGE
REPORT

A district shall record in an electronic repository the district's metered amount of electricity, water, or natural gas consumed for which it is responsible to pay and the aggregate costs for those utility services. A district shall report the recorded information on a publicly accessible Internet Web site with an interface designed for ease of navigation if available, or at another publicly accessible location. *Gov't Code 2265.001*

LIGHT BULBS

A district shall purchase for use in each type of light fixture in an instructional facility the commercially available model of light bulb that:

1. Uses the fewest watts for the necessary luminous flux or light output;
2. Is compatible with the light fixture; and
3. Is the most cost-effective, considering the factors described above.

Education Code 44.903

[See CS for energy conservation measures related to outdoor lighting fixtures]

RECYCLING
PROGRAM

In cooperation with the comptroller or the Texas Commission on Environmental Quality (TCEQ), a district shall establish a program for the separation and collection of all recyclable materials generated by the district's operations, including at a minimum, aluminum, steel containers, aseptic packaging, polycoated paperboard cartons, high-grade office paper, and corrugated cardboard. "Recyclable materials" includes materials in a district's possession that have been abandoned or disposed of by the district's officers or employees or by any other person.

A district shall also:

1. Provide procedures for collecting and storing recyclable materials, provide containers for recyclable materials, and provide procedures for making contractual or other arrangements with buyers of recyclable materials.

2. Evaluate the amount of recyclable material recycled and modify the recycling program as necessary to ensure that all recyclable materials are effectively and practicably recycled.
3. Establish educational and incentive programs to encourage maximum employee participation.

A district may seek an exemption from compliance if it has a population of less than 5,000 within its geographic boundaries and demonstrates to the TCEQ that compliance would work a hardship on the district.

Health and Safety Code 361.425

CERTIFICATE OF
MOLD REMEDIATION

When a district sells property, the district shall provide to the buyer a copy of any certificate of mold remediation that has been issued for the property- **during the five years preceding the date the district sells the property.** *Occupations Code 1958.154(b); 25 TAC 295.327(d)*

POOLS
GENERALLY

An owner, manager, operator, or other attendant in charge of a public swimming pool, wading pool, baby pool, hot tub, in-ground spa, spray fountain, or other artificial body of water typically used for recreational swimming, bathing, or play shall comply with pool safety standards necessary to prevent drowning adopted by the executive commissioner of the Health and Human Services Commission. *Health and Safety Code 341.0645; 25 TAC 265.181-.208*

DRAINS

Each public pool and spa shall comply with the drain cover standards found at 15 U.S.C. Section 8003. "Public pool and spa" means a swimming pool or spa that is open to the public generally, whether for a fee or free of charge. *15 U.S.C. 8003*

DEFINITION

A "local government record" means any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information-recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a district or any of its officers or employees, pursuant to law or in the transaction of public business. The term does not include:

1. Extra identical copies of documents created only for convenience of reference or research by district officers or employees.
2. Notes, journals, diaries, and similar documents created by a district officer or employee for his or her own personal convenience.
3. Blank forms, stocks or publications, and library and museum materials acquired solely for the purposes of reference or display.
4. Copies of documents in any media furnished to the public under the Open Records Act or other state law.

Local Gov't Code 201.003(8)

BOARD'S
RESPONSIBILITIES

In implementing the Local Government Records Act, a board shall:

1. Establish, promote, and support an active and continuing program for the efficient and economical management of all district records.
2. Cause policies and procedures to be developed for the administration of the program under the direction of the records management officer.
3. Facilitate the creation and maintenance of district records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the district and designed to furnish the information necessary to protect the district's legal and financial rights, the state, and persons affected by the district's activities.
4. Facilitate the identification and preservation of district records that are of permanent value.
5. Facilitate the identification and protection of essential district records.

6. Cooperate with the State Library and Archives Commission in its conduct of statewide records management surveys.

Local Gov't: Code 203.021

CUSTODIANS OF
RECORDS

In implementing the Local Government Records Act, school personnel who are custodians of records shall:

1. Cooperate with the records management officer in carrying out the policies and procedures established by a district for the efficient and economical management of records and in carrying out the requirements of the Act.
2. Adequately document the transaction of district business and the services, programs, and duties for which they and their staff are responsible.
3. Maintain the records in their care and carry out the preservation, microfilming, destruction, or other disposition of the records in accordance with the policies and procedures of the district's records management program.

Local Gov't: Code 203.022

RECORDS
MANAGEMENT
OFFICER

In implementing the Local Government Records Act, the records management officer shall:

1. Assist in establishing and developing policies and procedures for a district's records management program.
2. Administer the records management program and provide assistance to the custodians in order to reduce costs and improve record-keeping efficiency.
3. In cooperation with the custodians of records, prepare and file records control schedules, amended schedules, and lists of obsolete records, as required by the Local Government Records Act.
4. In cooperation with the custodians of records, prepare or direct the preparation of requests for authorization to destroy records, when such requests are required under the Local Government Records Act.
5. In cooperation with the custodians of records, identify and take adequate steps to preserve district records of permanent value.
6. In cooperation with the custodians of records, identify and take adequate steps to protect essential district records.

7. In cooperation with the custodians of records, ensure that the maintenance, preservation, microfilming, destruction, or other disposition of records is carried out in accordance with a district's records management program and legal requirements.
8. Disseminate to the board and custodians of records information concerning state laws, administrative rules, and government policies relating to a district's records.
9. In cooperation with the custodians of records, establish procedures to ensure that the handling of records is carried out with due regard for the duties and responsibilities of custodians that may be imposed by law and the confidentiality of information in records to which access is restricted by law.

Local Gov't Code 203.023

RETENTION
SCHEDULES

In developing a district's records retention schedule, the records management officer shall ensure it is consistent with the applicable minimum retention schedules adopted by the State Library and Archives Commission, i.e., Local Schedule GR—Records Common to All Governments, Local Schedule EL—Records of Elections and Voter Registration, Local Schedule TX—Records of Property Taxation, and Local Schedule SD—Records for Public School Districts.
13 TAC 7.125

Note: The State Library and Archives Commission records retention schedules are available at www.tsl.state.tx.us/slr/recordspubs/localretention.html.

DESTRUCTION OF
RECORDS

A district record may be intentionally destroyed under any of the following conditions:

1. The record is listed on a records control schedule filed with the State Library and Archives Commission and either its retention period has expired or it has been microfilmed or electronically stored in accordance with legal standards.
2. The record appears on a list of obsolete records approved by the State Library and Archives Commission.
3. A destruction request is filed with and approved by the State Library and Archives Commission for a record not listed on an approved control schedule.
4. The district court issues an expunction order for the destruction or obliteration of the records, pursuant to state law.

5. The records are defined as exempt from scheduling or filing requirements or listed as exempt in a records retention schedule issued by the State Library and Archives Commission.

Local Gov't Code 202.001

EXCEPTIONS	A district record the subject matter of which is known by the custodian to be the subject of litigation shall not be destroyed until the litigation is settled. A district record that is subject to a request under Chapter 552, Government Code, shall not be destroyed until the request is resolved. <i>Local Gov't Code 202.002</i>
PRESERVATION OF RECORDS	<p>A board shall determine a time for which information that is not currently in use will be preserved, subject to any applicable rule or law governing the destruction and other disposition of local government records or public information. <i>Gov't Code 552.004</i></p> <p>A board shall preserve the certified agenda or tape recording of a closed meeting for at least two years after the date of the meeting. If an action involving the meeting is brought within that period, the certified agenda or tape recording shall be preserved while the action is pending. <i>Gov't Code 551.104(a)</i></p>
MICROFILMING	District records may be maintained on microfilm in addition to or instead of paper or other media, subject to the requirements of Chapter 204 of the Local Government Code and rules adopted by the State Library and Archives Commission. <i>Local Gov't Code 204.002</i>
ELECTRONIC STORAGE	District records may be stored electronically in addition to or instead of source documents in paper or other media, subject to the requirements of Chapter 205 of the Local Government Code and rules adopted by the State Library and Archives Commission. <i>Local Gov't Code 205.002</i>
FEDERAL INVESTIGATIONS AND BANKRUPTCY	Anyone who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any bankruptcy case, or in relation to or contemplation of any such matter or case, shall be fined, imprisoned not more than 20 years, or both. <i>18 U.S.C. 1519</i>

INSURANCE AND ANNUITIES MANAGEMENT
HEALTH AND LIFE INSURANCE

CRD
(LEGAL)

COVERAGE
REQUIREMENTS

UNIFORM
PROGRAM (TRS-
ACTIVE CARE)

Unless an exemption applies, a district with 500 or fewer employees is required to participate in the uniform group coverage program established under Insurance Code 1579 (TRS-Active Care). A district with more than 500 employees may elect to participate in the program. *Insurance Code 1579.151–.152; Education Code 22.004(a)*

The Teacher Retirement System (TRS) shall implement and administer the uniform group coverage program. TRS shall establish plans of group coverages for employees participating in the program and their dependents. *Insurance Code 1579.051, 1579.101*

EMPLOYEE
ELIGIBILITY

Participation in the program is limited to employees of participating districts who are full-time employees and to part-time employees who are participating members in TRS.

A part-time employee who is not a participating member in TRS is eligible to participate in the program only if the employee pays all of the premiums and other costs associated with the health coverage plan selected by the employee.

A participating employee may select coverage in any coverage plan offered by TRS. If the combined state and district contributions [see COST OF COVERAGE, below] exceed the cost of a coverage plan selected by the employee, the employee may use the excess contributions to obtain coverage under a higher tier coverage plan, or to pay all or part of the cost of coverage for the employee's dependents. A married couple, both of whom are eligible for coverage under the program, may pool the amount of contributions to which the couple are entitled under the program to obtain coverage for themselves and dependent coverage.

Insurance Code 1579, Subch. E

OPTIONAL
COVERAGES

Districts participating in the uniform group coverage program may enter contracts to provide optional insurance coverages for district employees. *Education Code 22.004(j)*

OTHER PROGRAMS

Districts that do not participate in the uniform group coverage program shall make available to their employees group health coverage provided by a risk pool established by one or more districts under Local Government Code Chapter 172, or under a policy of group insurance or group contract issued by an insurer, a company subject to Insurance Code Chapter 842, or a health maintenance organization under Insurance Code Chapter 843.

FINANCIAL
STATEMENT

A district may not contract with an insurer, company, or health maintenance organization to issue a policy or contract for group health insurance, or with any person to assist the district in obtaining or managing the policy or contract unless the insurer, company,

organization, or person provides the district with an audited financial statement.

Education Code 22.004(b), (c)

SMALL
EMPLOYER
MARKET
ELECTION

A district that does not participate in the uniform group coverage program may elect to participate in the small employer market without regard to the number of eligible employees in the district. If a district makes this election, it will be treated as a small employer for the purposes of Article 1501 of the Texas Insurance Code.

A district that is participating in the uniform group coverage program may not renew a health insurance contract obtained in accordance with Article 1501 after the date on which the program of coverages provided under the uniform group coverage program is implemented. This provision does not affect a contract for the provision of optional coverages.

Insurance Code 1501.009

EMPLOYEE
ELECTION —
SPOUSES

A district employee who is eligible for coverage under a large or small employer health benefit plan providing coverage to the district's employees and who is the spouse of another district employee covered under the plan may elect whether to be treated under the plan as an employee or as the dependent of the other employee. *Insurance Code 1501.0095*

SELF-FUNDED
HEALTH CARE PLAN

Except as otherwise provided above, a board may establish a self-funded health care plan for district employees and their dependents. In implementing the plan, a board shall establish a fund to pay all or part of plan-authorized costs for health care incurred by program participants. The fund consists of money contributed by the district and money deducted from the employee's salary for coverage, upon the employee's written authorization. *Education Code 22.005*

COMPARABILITY

If a district does not participate in the uniform group coverage plan, the coverage it provides must be comparable to the basic health coverage provided under Insurance Code Chapter 1551 (Texas Employees Group Benefits Act) and must meet the substantive coverage requirements set forth in Education Code 22.004(b).

COMPLIANCE
REPORT

A district shall report its compliance with the comparability requirements to TRS by March 1 of each even-numbered year. The report must be based on the district group health coverage plan in effect during the current plan year and must include:

1. Appropriate documentation of:
 - a. The district's contract for group health coverage, or

- b. A board resolution authorizing a self-insurance plan.
2. The schedule of benefits.
3. The premium rate sheet, including the amount paid by the district and the employee.
4. The number of employees covered by each health coverage plan offered by the district.
5. Information concerning the ease of completing the report, as required by TRS.
6. Any other information considered appropriate by TRS.

The report must be available for review, together with the policy or contract for the group health coverage plan, at the central administrative office of each campus in a district and must be posted on a district's Internet Web site if the district maintains a Web site.

Education Code 22.004(d); 34 TAC 41.91(d)

COST OF COVERAGE TRS-ACTIVE CARE	The cost of coverage under the uniform group coverage program shall be shared by the state, the district, and the employees, as set forth below.
STATE CONTRIBUTION	The state shall provide for each covered employee the amount of \$900 each state fiscal year or a greater amount as provided by the General Appropriations Act. The state contribution shall be distributed through the school finance formulas under Education Code Chapters 41 and 42 and used by districts as provided by Education Code 42.2514 and 42.260. <i>Insurance Code 1579, Subch. F</i>
EMPLOYEE CONTRIBUTION	An employee covered by the program shall pay that portion of the cost of coverage selected by the employee that exceeds the amount of the state contribution and a district's contribution. A district may pay any portion of what otherwise would be the employee share of premiums and other costs associated with the coverage selected by the employee. <i>Insurance Code 1579.253</i>
OTHER PROGRAMS	If a district does not participate in the uniform group coverage program, the cost of coverage shall be shared by the employees and the district, using the contributions by the state described at Insurance Code Chapter 1579, Subchapter F. [See STATE CONTRIBUTION, above] <i>Education Code 22.004(c)</i>

DISTRICT CONTRIBUTION	A district shall, for each fiscal year, pay an amount equal to the number of participating employees multiplied by \$1,800.
MINIMUM EFFORT	
MAXIMUM EFFORT	<p>Subject to the minimum effort requirement, a district that paid amounts for the 2000–01 school year for employees' health coverage shall, for each fiscal year, continue to pay at least the same amounts for each participating employee, computed as follows: a district shall divide the amount the district paid during the 2000–01 school year for the prior group health coverage plan by the total number of full-time employees in the 2000–01 school year and multiply the result by the number of full-time employees in the fiscal year for which the computation is made.</p> <p>If, for the 2000–01 school year, a district provided group health coverage to its employees through a self-funded insurance plan, the amount the district paid during that school year for the plan includes only the amount of regular contributions made by the district.</p> <p><i>Insurance Code 1581.052</i></p>
EXCESS FUNDS	<p>If the amount a district is required to pay for maintenance of effort exceeds \$1,800 per participating employee, the district may use the excess only to provide employee compensation at a rate greater than the rate of compensation that the district paid an employee in the 2000–01 school year, benefits, or both.</p> <p><i>Insurance Code 1581, Subch. B</i></p>
HEALTH INSURANCE CONTRIBUTIONS FOR REHIRED RETIREES	Each payroll period and for each rehired retiree who is enrolled in TRS Care (retiree group health insurance), a district shall contribute to the TRS Care trust fund any difference between the amount the retiree is required to pay for the retiree and any enrolled dependents to participate in the group program and the full cost of the retiree's and enrolled dependents' participation in the group program, as determined by TRS. [See DEA]
EXCEPTION	<p>A district is not required to contribute these amounts for a retiree who retired from TRS before September 1, 2005.</p> <p><i>Gov't Code 825.4092; Insurance Code 1575.204</i></p>
DESIGNATION OF COMPENSATION FOR BENEFITS	An employee who is covered by a cafeteria plan or who is eligible to pay health care premiums through a premium conversion plan may elect to designate a portion of the employee's compensation to be used as health care supplementation. [See DEA]

USE An employee may use the compensation designated for health care supplementation for any employee benefit, including depositing the designated amount into a cafeteria plan in which the employee is enrolled or using the designated amount for health care premiums through a premium conversion plan.

Education Code 22.103, ~~22.106~~

CONTINUATION
COVERAGE
AFTER
RESIGNATION Notwithstanding any other law, an employee whose resignation is effective after the last day of an instructional year is entitled to participate or be enrolled in the uniform group coverage plan or the group health coverage through the first anniversary of the date participation in or coverage under the uniform group coverage plan or the group health coverage was first made available to district employees for the last instructional year in which the employee was employed by the district. A district may not diminish or eliminate its contribution [see DISTRICT CONTRIBUTION, above] before the last date on which the employee is entitled to participation or enrollment. *Education Code 22.004(k), (l)*

DURING MILITARY
LEAVE An employee who is absent from a position of employment by reason of service in the uniformed services may elect to continue coverage under a health plan. The maximum period of coverage of such a person and the person's dependents shall be the lesser of:

1. The 24-month period beginning on the date on which the person's absence begins; or
2. The day after the date on which the person fails to apply for or return to a position of employment. [See ~~DEGDECB~~]

38 U.S.C. 4317

DURING FMLA
LEAVE During any period of leave under the Family and Medical Leave Act (FMLA), a district shall allow the employee to maintain coverage under any group health plan for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of the leave. *29 U.S.C. 2614(c); 29 CFR 825.209, ~~825.210, 825.213~~* [See also ~~DEGDECA~~]

UPON
TERMINATION OR
OTHER QUALIFYING
EVENT (COBRA) In accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), a district shall offer continuation coverage under any group health insurance plan established after July 1, 1986, to the following qualified beneficiaries for the stated period of time:

1. To the employee for 18 months after a termination (other than for gross misconduct) or reduction in hours. An employee providing notice of being disabled under Title II or XVI of the

Social Security Act before the end of the initial 18 months of coverage shall be offered up to 29 months of continuation coverage.

2. To dependents of the covered employee for 36 months after the employee becomes eligible for Medicare benefits.
3. To dependents of the covered employee for 36 months after the employee's death or the divorce or legal separation of the employee from a spouse.
4. To a dependent child for 36 months after the child ceases to be a dependent under the terms of the plan.

42 U.S.C. 300bb-1, 300bb-2, 300bb-3

PREMIUM

A district may require premium payments not to exceed 102 percent of the usual cost of the plan for continuation coverage. Individuals entitled to 29 months of continuation coverage may be required to pay premiums not to exceed 150 percent of the usual cost for any month after the 18th month. The qualified beneficiary may choose to pay the premiums in monthly installments. In no event may payment be required before the day that is 45 days after the day on which the qualified beneficiary made the initial election for continuation coverage. *42 U.S.C. 300bb-2(3)*

NOTICE

A district shall notify its group health plan administrator within 30 days of an employee's death, termination or reduction of hours, or becoming eligible for Medicare payments.

The qualified beneficiary is responsible for notifying the plan administrator of a divorce or legal separation from a spouse or of a dependent child's ceasing to be a dependent. A qualified beneficiary who is determined to have been disabled at the time of termination is responsible for notifying the plan administrator of that determination within 60 days of the determination and within 30 days after a subsequent determination that he is no longer disabled.

42 U.S.C. 300bb-6

TERMINATION OF
COVERAGE

Coverage of qualified beneficiaries shall end on the earliest of the following dates:

1. The required period of coverage expires.
2. A district ceases to provide any group health plan to any employee.
3. Coverage ceases for failure to pay the premium.
4. The qualified beneficiary becomes covered under any other group plan.

5. The qualified beneficiary becomes entitled to Medicare benefits.

42 U.S.C. 300bb-2(2)

Note: See also DEB for continuation benefits that are available to survivors of district peace officers under certain conditions.

COVERAGE OF PRE-EXISTING CONDITIONS

Notwithstanding any other law, group health benefit coverage provided by or offered through a district to its employees under any law other than the uniform group coverage program is subject to the requirements of Sections 1501.102–1501.105, Insurance Code, which limit exclusion for preexisting conditions. This requirement applies to all group health benefit coverage provided by or offered through a district to its employees, including a standard health benefit plan issued under the Insurance Code and health and accident coverage provided through a risk pool established under Chapter 172, Local Government Code. *Education Code 22.004(m)*

TRS-ACTIVE CARE

Coverage provided under the uniform group coverage program may not be made subject to a pre-existing condition limitation during the initial period of eligibility. *Insurance Code 1579.105*

FEDERAL LAW

In addition, a group health plan may not impose a preexisting condition exclusion unless:

1. The exclusion relates to a condition (whether physical or mental), regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was recommended or received within the six-month period ending on the enrollment date;
2. The exclusion extends for a period of not more than 12 months (or 18 months in the case of a late enrollee) after the enrollment date; and
3. The period of any such preexisting condition exclusion is reduced by the aggregate of the periods of creditable coverage (if any) applicable to the participant or beneficiary as of the enrollment date.

42 U.S.C. 300gg(a)(1); 45 CFR 146.111(a)

HEALTH INSURANCE
PORTABILITY AND
ACCOUNTABILITY ACT
(HIPAA)

CERTIFICATE OF
CREDITABLE
COVERAGE

A group health plan shall provide certification:

1. At the time an individual ceases to be covered under the plan or otherwise becomes covered under a COBRA continuation provision. This certification may be provided, to the extent practicable, at a time consistent with notices required under any applicable COBRA continuation provision;
2. In the case of an individual covered under COBRA, at the time the individual's COBRA coverage ceases; and
3. On the request on behalf of an individual made not later than 24 months after the date of cessation of coverage.

The certification is a written certification of:

1. The period of creditable coverage of the individual under such plan and the coverage (if any) under such COBRA continuation provision, and
2. The waiting period (if any) (and affiliation period, if applicable) imposed with respect to the individual for any coverage under such plan.

To the extent that medical care under a plan consists of group health insurance coverage, the plan is deemed to have satisfied the certification requirements if any issuer offering the coverage provides for certification.

42 U.S.C. 300gg(e); 45 CFR 146.115

OTHER HIPAA
REQUIREMENTS

HIPAA requires plan sponsors to observe certain coverage requirements and restrictions, including:

1. Limitations on preexisting condition exclusion periods;
2. Special enrollment periods for individuals;
3. Prohibitions against discriminating against individual participants and beneficiaries based on health status;
4. Standards relating to benefits for mothers and newborns;
5. Parity in the application of certain limits to mental health benefits.

ELECTION TO BE
EXEMPTED

The plan sponsor of a nonfederal governmental group health plan may elect to be exempted from the following provisions of HIPAA:

- 1. Limitations on preexisting condition exclusion periods;**
- 2. Special enrollment periods for individuals;**

3. **Prohibitions against discriminating against individual participants and beneficiaries based on health status;**
4. **Standards relating to benefits for mothers and newborns;**
5. **Parity in the application of certain limits to mental health benefits;**
6. **Required coverage for reconstructive surgery and certain other services following a mastectomy under section 2706 of the Public Health Service Act.**

FORM OF ELECTION	The election must be in writing and state the name of the plan and the name and address of the plan administrator. The election document must either state that the plan does not include health insurance coverage, or identify which portion of the plan is not funded through insurance. The election must be made in conformity with all the plan sponsor's rules, including any public hearing, if required. The election document must be signed, and must certify that the person signing the election document, including if applicable a third party plan administrator, is legally authorized to do so by the plan sponsor.
TIMING OF ELECTION	<p>The election must be received by the Health Care Financing Administration by the day preceding the beginning date of the plan year. The election applies for a single specified plan year.</p> <p>An election may be extended through subsequent elections.</p>
CONTENTS OF NOTICE	<p>If this election is made, the plan shall provide for notice to enrollees, on an annual basis and at the time of enrollment under the plan. The notice shall be provided to each participant individually.</p> <p><i>42 U.S.C. 300gg-21; 45 CFR 146.180</i></p>
PRIVACY OF HEALTH INFORMATION	<p>To the extent a district is a covered entity under the Administrative Simplification provisions of HIPAA, the district must maintain the privacy of protected health information in accordance with the Privacy Rule, 45 CFR Part 164. <i>42 U.S.C. 1320d et seq.</i></p>
'COVERED ENTITY' DEFINED	<p>A district is a "covered entity" under the Privacy Rule to the extent it is:</p> <ol style="list-style-type: none">1. A health plan;2. A health-care clearinghouse; or3. A health-care provider who transmits any health information in electronic form in connection with a transaction covered by the Privacy Rule. <p><i>45 CFR 160.103</i></p>

'PROTECTED
HEALTH
INFORMATION'
DEFINED

"Protected health information" means individually identifiable health information that is transmitted or maintained in any form or medium, including electronic media and oral communications. "Protected health information" excludes individually identifiable health information in:

1. Education records covered by the Family Educational Rights and Privacy Act (FERPA), as amended.
2. Medical treatment records, as described at 20 U.S.C. 1232g(a)(4)(B)(iv), on a student who is at least 18 years of age.
3. Employment records held by a covered entity in its role as employer.

20 U.S.C. 1232g; 45 CFR 160.102, 164.501 [See FL]

SPONSORS OF
GROUP HEALTH
PLANS

Before a group health plan may disclose protected health information to a district that is a plan sponsor, the group health plan must ensure that the plan documents restrict uses and disclosures of such information by the district consistent with the requirements of the Privacy Rule. *45 CFR 164.504(f)*

The group health plan may disclose the following information to a district that is a plan sponsor without amending the plan documents:

1. Summary health information, consistent with the requirements of the Privacy Rule; and
2. Enrollment and disenrollment information relating to an individual participating in the plan.

45 CFR 164.504(f)

'PLAN SPONSOR'
DEFINED

The term "plan sponsor" includes employers who establish or maintain employee benefit plans, alone or jointly with one or more employers. *29 U.S.C. 1002(16)(B)*

SELF-FUNDED
PLANS

A district that is a sponsor of a self-funded group health plan is a covered entity under the Privacy Rule. *45 CFR 160.103*

EMPLOYMENT POLICIES	A board shall adopt a policy providing for the employment and duties of district personnel. The policy shall provide that:
SUPERINTENDENT	1. A board employs and evaluates the superintendent;
SELECTION OF PERSONNEL	2. A superintendent has sole authority to make recommendations to a board regarding the selection of all personnel, except that the board may delegate final authority for those decisions to the superintendent [see SUPERINTENDENT RECOMMENDATION, below];
CAMPUS ASSIGNMENTS	3. Each principal must approve each teacher or staff appointment to the principal's campus as provided by Education Code 11.202 [see DK and DP]; and
JOB POSTINGS	4. Notice will be provided of vacant positions [see POSTING OF VACANCIES, below].
EMPLOYEE GRIEVANCES	<p>5. The employment policy must provide each Each employee with has the right to present grievances to the board. [See DGBA GRIEVANCES, below]</p> <p>The policy may not restrict the ability of an employee to communicate directly with a member of the board regarding a matter relating to the operation of a district, except that the policy may prohibit ex parte communication relating to:</p> <p>1. A hearing under Education Code Chapter 21, Subchapter E (Term Contracts) or F (Hearing Examiners); and</p> <p>2. Another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by the board.</p> <p><i>Education Code 11.1513</i></p>
CONTRACT POSITIONS	A board shall establish a policy designating specific positions of employment, or categories of positions based on considerations such as length of service, to which continuing contracts or term contracts apply. <i>Education Code 21.002(c)</i>
DELEGATION OF AUTHORITY	A district's employment policy may specify the terms of district employment or delegate to the superintendent the authority to determine the terms of employment with the district. <i>Education Code 11.1513(c)</i> [For nepotism implications, see BBFB and DBE]
NEPOTISM	A superintendent to whom a board has delegated final hiring authority to select personnel is a "public official" with appointment authority for purposes of the nepotism laws. Atty. Gen. Op. GA-123 (2003) [See DBE]

INTERNAL AUDITOR	If a district employs an internal auditor, the board shall select the internal auditor and the internal auditor shall report directly to the board. <i>Education Code 11.170</i>
SUPERINTENDENT RECOMMENDATION	A board may accept or reject a superintendent's recommendation regarding the selection of district personnel and shall include the board's acceptance or rejection in the minutes of the board's open meeting, in the certified agenda or tape recording of a closed meeting, or in the recording required under Government Code 551.125 or 551.127, as applicable. If a board rejects a superintendent's recommendation, the superintendent shall make alternative recommendations until the board accepts a recommendation. <i>Education Code 11.1513</i>
POSTING OF VACANCIES	<p>A district's employment policy must provide that not later than the tenth school day before the date on which a district fills a vacant position for which a certificate or license is required as provided by Education Code 21.003 [see DBA], other than a position that affects the safety and security of students as determined by the board, the district must provide to each current district employee:</p> <ol style="list-style-type: none"> 1. Notice of the position by posting the position on: <ol style="list-style-type: none"> a. A bulletin board at: <ol style="list-style-type: none"> (1) A place convenient to the public in the district's central administrative office, and (2) The central administrative office of each campus during any time the office is open; or b. The district's Internet Web site, if the district has a Web site; and 2. A reasonable opportunity to apply for the position. <p><i>Education Code 11.1513(d)</i></p>
EXCEPTION	If, during the school year, a district must fill a vacant position held by a teacher, as defined by Education Code 21.201 [see DCB], in less than ten school days, the district must provide notice of the position in the manner described above as soon as possible after the vacancy occurs. However, a district is not required to provide the notice for ten school days before filling the position or to provide a reasonable opportunity to apply for the position. <i>Education Code 11.1513(e)</i>
GRIEVANCES	A district's employment policy must provide each employee with the right to present grievances to the board. <u>The policy may not restrict the ability of an employee to communicate directly with a member of the board regarding a matter relating to the op-</u>

eration of a district, except that the policy may prohibit ex parte communication relating to:

1. A hearing under Education Code Chapter 21, Subchapter E (Term Contracts) or F (Hearing Examiners); and
2. Another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by the board.

Education Code 11.1513(i)–(j) [See DGBA]

CONTRACT
EMPLOYEES

A district shall employ each classroom teacher, principal, librarian, nurse, or counselor under a probationary contract, a continuing contract, or a term contract. A district is not required to employ a person other than these listed employees under a probationary, continuing, or term contract. *Education Code 21.002*

“Classroom teacher” means an educator who is employed by a district and who, not less than an average of four hours each day, teaches in an academic instructional setting or a career and technology instructional setting. The term does not include a teacher’s aide or a full-time administrator. *Education Code 5.001(2)*

LENGTH OF
CONTRACT

A contract between a district and an educator must be for a minimum of ten months of service. An educator employed under a ten-month contract must provide a minimum of 187 days of service. The Commissioner may reduce the number of days of service, but such a reduction by the Commissioner does not reduce an educator’s salary. *Education Code 21.401*

EDUCATIONAL AIDES

A board shall establish a plan to encourage the hiring of educational aides who show a willingness to become certified teachers. *Education Code 54.214(f); 19 TAC Chapter 21)*

EMPLOYMENT OF
RETIREES
REPORT TO TRS

A district shall file a monthly certified statement of employment of a retiree in the form and manner required by TRS. A district shall inform TRS of changes in status of the district that affect the district’s reporting responsibilities.

The certified statement must include information regarding employees of third party entities if the employees are service or disability retirees who were first employed by the third party entity on or after May 24, 2003, and are performing duties or providing services on behalf of or for the benefit of a district.

An administrator of a district who is responsible for filing the statement, and who knowingly fails to file the statement, commits an offense.

Gov’t Code 824.6022, 825.403(k); 34 TAC 31.2

ACUTE SHORTAGE
AREAS

For purposes of Government Code 824.602(a)(5) (permitting certain retirees to return to work in acute shortage areas) a board shall determine by rule whether there are acute shortage areas in a district based on TEA's acute shortage area guidelines. The guidelines must include:

1. A list of acute shortage areas;
2. Suggested criteria for identifying local acute shortage areas; and
3. A requirement that a certified applicant for a position as a classroom teacher who is not a retiree be given preference in hiring.

Gov't Code 824.602(m)

FORMER BOARD
MEMBER
EMPLOYMENT

A board member is prohibited from accepting employment with the district until the first anniversary of the date the board member's membership on a board ends. *Education Code 11.063*

NEW HIRES
I-9 FORMS

A district shall ensure that an employee properly completes section 1—"Employee Information and Verification"—on Form I-9 at the time of hire.

A district must verify employment eligibility, pursuant to the Immigration Reform and Control Act, and complete Form I-9 by the following dates:

1. Within three business days of initial hiring. If a district hires an individual for employment for a duration of less than three business days, the district must verify employment at the time of hire.

A district shall not be deemed to have hired an individual if the individual is continuing in his or her employment and has a reasonable expectation of employment at all times.

When a district rehires an individual, the district may, in lieu of completing a new I-9, inspect a previously completed I-9 executed within three years of the date of rehire, to determine whether the individual is still eligible to work.

2. For an individual whose employment authorization expires, not later than the date of expiration.

8 CFR 274a.2(b)(1)(ii), (iii), (vii), (viii)

NEW HIRE REPORTING	<p>A district shall furnish to the Directory of New Hires (Texas Attorney General's Office) a report that contains the name, address, and Social Securitysocial security number of each newly hired employee. The report shall also contain a district's name, address, and employer identification number.</p> <p>A district may also provide, at its option, the employee's date of hire, date of birth, expected salary or wages, and the district's payroll address for mailing of notice to withhold child support.</p> <p>A district shall report new hire information on a Form W-4 or an equivalent form, by first class mail, telephonically, electronically, or by magnetic media, as determined by the district and in a format acceptable to the attorney general.</p>
DEADLINE	<p>New hire reports are due:</p> <ol style="list-style-type: none"> 1. Not later than 20 calendar days after the date a district hires the employee; or 2. In the case of a district transmitting reports magnetically or electronically, by two monthly transmissions (if necessary) not less than 12 days nor more than 16 days apart. <p>New hire reports shall be considered timely if postmarked by the due date or, if filed electronically, upon receipt by the agency.</p>
PENALTIES	<p>A district that knowingly violates the new hire provisions may be liable for a civil penalty, as set forth at Family Code 234.105.</p> <p><i>42 U.S.C. 653a(b), (c); Family Code 234.101–234.104–105; 1 TAC 55, Subch. I</i></p>
SOCIAL SECURITY NUMBERS	<p>It shall be unlawful for a district to deny to any individual any right, benefit, or privilege provided by law because of the individual's refusal to disclose his or her Social Securitysocial security number.</p>
EXCEPTIONS	<p>The above provision does not apply to:</p> <ol style="list-style-type: none"> 1. Any disclosure that is required by federal statute. The United States Internal Revenue Code provides that the Social Securitysocial security number issued to an individual for purposes of federal income tax laws shall be used as the identifying number for taxpayers; 2. Any disclosure to a district maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted before such date to verify the identity of an individual; or

3. Any use for the purposes of establishing the identity of individuals affected by any tax, general public assistance, driver's license, or motor vehicle registration law within a district's jurisdiction.

STATEMENT OF
USES

A district that requests disclosure of a ~~Social Security~~ **social security** number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory authority such number is solicited, and what uses will be made of it.

Privacy Act of 1974, Pub. L. No. 93-579, sec. 7(b), 88 Stat. 1896, 1897 (1974)

EMPLOYEE WELFARE

DI
(LEGAL)

HAZARD
COMMUNICATION ACT

A district shall perform the following duties in compliance with the Hazard Communication Act:

NOTICE

1. Post and maintain the notice promulgated by the Texas ~~Board~~ Department of State Health Services (TDSHS) in the workplace. *Health and Safety Code 502.017(a)*

EDUCATION AND
TRAINING

2. Provide an education and training program for employees using or handling hazardous chemicals. "Employee" means any person who may be or may have been exposed to hazardous chemicals in the person's workplace under normal operating conditions or foreseeable emergencies. Workers such as office workers or accountants who encounter hazardous chemicals only in nonroutine, isolated instances are not employees for purposes of these requirements. *Health and Safety Code 502.003(10), 502.009*

3. Maintain the written hazard communication program and a record of each training session to employees, including the date, a roster of the employees who attend, the subjects covered in the training session, and the names of the instructors. Records shall be maintained for at least five years. *Health and Safety Code 502.009(g)*

WORKPLACE
CHEMICAL LIST

4. Compile and maintain a workplace chemical list that includes required information for each hazardous chemical normally present in the workplace or temporary workplace in excess of 55 gallons or 500 pounds, or as determined by ~~the Texas Board of Health~~ TDSHS for certain highly toxic or dangerous hazardous chemicals. The list shall be readily available to employees and their representatives. *Health and Safety Code 502.005(a), (c)*

5. Update the list as necessary, but at least by December 31 each year, and maintain at least 30 years. Each workplace chemical list shall be dated and signed by the person responsible for compiling the information. *Health and Safety Code 502.005(b), (d)*

LABELING

6. As required by law, label new or existing stocks of hazardous chemicals with the identity of the chemical and appropriate hazard warnings, if such stocks are not already appropriately labeled. *Health and Safety Code 502.007*

MATERIAL SAFETY
DATA SHEETS

7. Maintain a legible copy of the most current manufacturer's material safety data sheets (MSDS) for each hazardous chemical; request such sheets from the manufacturer if not already provided or otherwise obtain a current MSDS; make

such sheets readily available to employees or their representatives on request. *Health and Safety Code 502.006*

PROTECTIVE
EQUIPMENT

8. Provide employees with appropriate personal protective equipment. *Health and Safety Code 502.017(b)*

PEST CONTROL
TREATMENT NOTICE

The chief administrator or building manager shall notify persons who work in a district building or facility of a planned pest control treatment by both of the following methods:

1. Posting the sign provided by the certified applicator or technician in an area of common access the employees are likely to check on a regular basis at least 48 hours before each planned treatment.
2. Providing the official Structural Pest Control Board Consumer Information Sheet to any individual working in the building, on request.

Occupations Code 1951.455; 4 TAC 7.146

ASSIGNMENT A district may not employ a person as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or counselor unless the person holds an appropriate certificate or permit. In addition, a public school employee must have the appropriate credentials, as set forth by the State Board for Educator Certification (SBEC), for his or her current assignment, unless the appropriate permit has been issued. *Education Code 21.003; 19 TAC 230.601* [See DBA]

Note: Certification requirements for personnel assigned to various district positions are available at <http://info.sos.state.tx.us/fids/201004175-1.pdf>.

EMERGENCY PERMITS A superintendent or designee who cannot secure an appropriately certified and qualified individual to fill a vacant position may activate an emergency permit for an individual who does not have one of the appropriate credentials for the assignment.

TEMPORARY VACANCIES A district is not required to activate an emergency permit if an uncertified individual is assigned for a certified teacher who will be absent for more than 30 consecutive instructional days due to documented health-related reasons and has expressed the intention to return to the assignment. A district must, however, comply with the parent notification requirements below.

19 TAC 230.501(b), (g)

CURRENT EMPLOYEES A degreed, certified teacher employed in the previous year or semester in an assignment for which he or she was fully certified may not be assigned to a position that requires activating an emergency permit unless:

1. The teacher has given written consent to the activation of the permit; or
2. Because of fluctuations in enrollment or changes in course offerings, the teacher’s previous assignment no longer exists and no alternative assignment for which the teacher is fully certified is available on that campus. If a permit is activated for a teacher under these circumstances, the teacher shall be offered the opportunity to return to his or her previous assignment or an alternative assignment for which the teacher is fully certified on that campus as soon as such an assignment is available. If a teacher accepts the assignment, the actual transfer of duties shall occur not later than the beginning of the next academic year.

If an emergency permit is activated for a temporary staffing condition within 30 days of the opening of the school year or later during the contract year, the teacher is exempt from the requirement to complete additional coursework or examination requirements for certification for the remainder of the contract year for which the permit is activated. This exemption is not renewable, and a teacher continuing on an emergency permit for a second year must meet the full requirements of an emergency permit.

A teacher who refuses to consent to activation of an emergency permit may not be terminated or nonrenewed or otherwise retaliated against because of the teacher's refusal to consent to the activation of the permit. However, a teacher's refusal to consent shall not impair a district's right to implement a necessary reduction in force or other personnel actions in accordance with local district policy.

19 TAC 230.501(c)

PRINCIPAL'S
APPROVAL

The principal of a campus shall approve all teacher and staff appointments for the campus from a pool of applicants selected by a district or of applicants who meet the hiring requirements established by a district, based on criteria developed by the principal after informal consultation with the faculty. A superintendent or designee has final placement authority for a teacher transferred because of enrollment shifts or program changes. *Education Code 11.202; Atty. Gen. Op. DM-27 (1991)*

TRANSFERS

A district's employment policy may include a provision for providing each current district employee with an opportunity to participate in a process for transferring to another school in or position with the district. *Education Code 11.1513(c)(3)*

Note: In accordance with Education Code 21.057, the following notice requirements do not apply if a school is required by the No Child Left Behind Act of 2001 to provide notice to a parent or guardian regarding a teacher who is not highly qualified, provided the school gives notice as required by that Act. [See DBA]

PARENT
NOTIFICATION

If a district assigns an inappropriately certified or uncertified teacher (as defined below) to the same classroom for more than 30 consecutive instructional days during the same school year, it shall provide written notice of the assignment to the parents or guardians of each student in that classroom.

A superintendent shall provide the notice not later than the 30th instructional day after the date of the assignment of the inappro-

priately certified or uncertified teacher. A district shall make a good-faith effort to ensure that the notice is provided in a bilingual form to any parent or guardian whose primary language is not English. A district shall retain a copy of the notice and make information relating to teacher certification available to the public on request.

INAPPROPRIATELY
CERTIFIED OR
UNCERTIFIED
TEACHER

An “inappropriately certified or uncertified teacher” includes an individual serving on an emergency certificate or an individual who does not hold any certificate or permit. It does not include an individual who is:

1. Certified and assigned to teach a class or classes outside his or her area of certification, as determined by SBEC rules **specifying the certificate required for an assignment;**
2. Serving on a certificate issued due to a hearing impairment;
3. Serving on a certificate issued pursuant to enrollment in an approved alternative certification program;
4. Certified by another state or country and serving on a certificate issued under Education Code 21.052;
5. Serving on a school district teaching permit; or
6. Employed under a waiver granted by the Commissioner.

Education Code 21.057; 19 TAC ~~230.601~~231.1

PROFESSIONAL DEVELOPMENT
REQUIRED STAFF DEVELOPMENT

DMA
(LEGAL)

STAFF DEVELOPMENT Staff development shall be predominantly campus-based, related to achieving campus performance objectives, and developed and approved by the campus-level committee [see BQB].

TRAINING
SPECIFICS

The staff development provided by a school district must be conducted in accordance with standards developed by the district and designed to improve education in the district.

The staff development must include training, based on scientifically based research, that relates to the instruction of students with disabilities and is designed for educators who work primarily outside the area of special education. A district is required to provide such training only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. A district may determine the time and place at which the training is delivered. In developing or maintaining such training, a district must consult persons with expertise in research-based practices for students with disabilities, including colleges, universities, private and nonprofit organizations, regional education service centers, qualified district personnel, and any other persons identified as qualified by the district.

The staff development may include:

1. Training in technology, conflict resolution, and discipline strategies, including classroom management, district discipline policies, and the Student Code of Conduct; and
2. Instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school.

Education Code 21.451

A district may use district-wide staff development that has been developed and approved through the district-level decision process. *Education Code 21.452(c)*

SPECIAL PROGRAMS
TRAINING

TITLE I STAFF
DEVELOPMENT

A district that receives assistance under Title I, **Part A**, shall **include in its plan [see AID] a description of the strategy the district will use to provide high-quality professional development that will improve the teaching of the academic subjects, consistent for teachers and principals, and, if appropriate, pupil services personnel, administrators, parents and other staff, including district staff, in accordance with the state content standards, to enable all children to meet the state's student performance standards; and shall meet the requirements of federal law.** ~~20 U.S.C. 6320(a)6318 and 6319 (No Child Left Behind Act).~~ **20 U.S.C. 6312(b)(1)(D), 7801(34)**

READING
ACADEMIES

A teacher shall attend a reading academy under 19 Administrative Code 102.1101 if:

1. The teacher teaches at a campus that fails to satisfy any performance standard under Education Code 39.054(d) [see AIA] on the basis of student performance on the state reading assessment instrument administered to students in any grade level at the campus; and
2. The teacher teaches in general education, special education, or English as a second language for students in grade 6, 7, or 8, and:
 - a. The teacher is a certified, full-time English language arts and reading teacher who instructs English language arts and/or reading for at least 50 percent of the teacher's instructional duties; or
 - b. The teacher is a certified, full-time content area teacher who instructs mathematics, science, and/or social studies for at least 50 percent of the teacher's instructional duties.

From funds appropriated for this purpose, a teacher who attends a reading academy is entitled to a stipend in the amount determined by the Commissioner. The stipend shall not be considered in determining whether a district is paying the teacher the state minimum monthly salary [see DEA].

Education Code 21.4551(c), (e); 19 TAC 102.1101(b)

GIFTED AND
TALENTED
EDUCATION

A district shall ensure that:

1. Before assignment to the program for gifted students, teachers who provide instruction and services that are part of the program have a minimum of 30 hours of staff development that includes nature and needs of gifted/talented students, assessment of student needs, and curriculum and instruction for gifted students.
2. Teachers without the required training who provide instruction and services that are part of the gifted/talented program complete the 30-hour training requirement within one semester.
3. Teachers who provide instruction and services that are part of a program for gifted students receive a minimum of six hours annually of professional development in gifted education.
4. Administrators and counselors who have authority for program decisions have a minimum of six hours of professional

development that includes nature and needs of gifted/talented students and program options.

19 TAC 89.2

ELECTIVE BIBLE COURSE	A teacher of an elective Bible course offered under Education Code 28.011 [see EMI] must hold a minimum of a High School Composite Certification in language arts, social studies, or history with, where practical, a minor in religious or biblical studies. The teacher must successfully complete the staff development training developed by the Commissioner with respect to Bible elective courses. <i>Education Code 28.011(f)</i>
ADULT EDUCATION	All adult education staff shall receive at least 12 clock hours of professional development annually. All staff new to adult education shall receive six clock hours of preservice professional development before they begin work in an adult education program. <i>19 TAC 89.25(1), (2)</i> Directors, teachers, counselors, and supervisors who do not have valid Texas teacher certification must attend 12 clock hours of in-service professional development annually in addition to the 12 hours required above until they have completed either six clock hours of adult education college credit or attained two years of adult education experience. <i>19 TAC 89.25(4)(B)</i>
EXCEPTIONS	The in-service professional development requirements may be reduced by local programs in individual cases where exceptional circumstances prevent employees from completing the required hours of in-service professional development. Documentation justifying such circumstances must be kept. Requests for exemption in individual cases may be submitted to TEA for approval in the application for funding and must include justification and proposed qualification. <i>19 TAC 89.25(5)</i>
VOLUNTEERS	The above requirements also apply to volunteers who generate student contact time that is accrued by the adult education program and reported to TEA for funding purposes. <i>19 TAC 89.25(7)</i>
RECORDS	Records of staff qualifications and professional development shall be maintained by a district and must be available for monitoring. <i>19 TAC 89.25(6)</i>
AUTOMATED EXTERNAL DEFIBRILLATORS	A district shall annually make available to employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator (AED). The instruction provided in the use of AEDs must meet guidelines for approved AED training under Health and Safety Code 779.002.

Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheer-leading coach, and any other employee specified by the Commissioner, and each student who serves as an athletic trainer, must:

1. Participate in the instruction;
2. Receive and maintain certification in the use of an AED from the American Heart Association, the American Red Cross, or a similar nationally recognized association.

Education Code 22.902

EXTRACURRICULAR
ACTIVITY SAFETY
TRAINING

The following persons must satisfactorily complete the extracurricular safety training program developed by the Commissioner:

1. A coach or sponsor for an extracurricular athletic activity;
2. A trainer, unless the trainer has completed the educational requirements for licensure as a licensed athletic trainer set forth at 22 Administrative Code 871.7 and the continuing education requirements at 22 Administrative Code 871.12;
3. A physician who is employed by a district or who volunteers to assist with an extracurricular athletic activity, unless the physician attends a continuing medical education course that specifically addresses emergency medicine; and
4. A director responsible for a school marching band.

The training may be conducted by a district, the American Red Cross, the American Heart Association, or a similar organization, or by the UIL.

Education Code 33.202(b), (f); 19 TAC 76.1003

RECORDS

A superintendent shall maintain complete and accurate records of the district's compliance and the district shall make available to the public proof of compliance for each person employed by or volunteering for the district who is required to receive safety training.

A campus that is determined by a superintendent to be out of compliance with the safety training requirements shall be subject to the range of penalties determined by the UIL.

Education Code 33.206; 19 TAC 76.1003(e)

STEROIDS

A district shall require that each employee who serves as an athletic coach at or above the seventh grade level for an extracurricular athletic activity sponsored or sanctioned by the University Interscholastic League (UIL) complete:

1. The educational program developed by the UIL regarding the health effects of steroids; or

2. A comparable program developed by the district or a private entity with relevant expertise.

Education Code 33.091(c-1)

RESOURCES FOR
STAFF DEVELOPMENT

If a district receives resources from the Commissioner's staff development account, it must pay to the Commissioner for deposit in the account an amount equal to one-half of the cost of the resources provided to the district. *Education Code 21.453*

Please Note: This manual does not have policies in all codes. The coding structure is common to all TASB manuals and is designed to accommodate expansion of both (LEGAL) and (LOCAL) policy topics and administrative regulations.

SECTION E: INSTRUCTION

EA	INSTRUCTIONAL GOALS AND OBJECTIVES
EB	SCHOOL YEAR
EC	SCHOOL DAY
ED	ORGANIZATION OF INSTRUCTION
EE	INSTRUCTIONAL ARRANGEMENTS
EEA	Grouping for Instruction
EEB	Class Size
EEC	Scheduling for Instruction
EED	Student Schedules
EEH	Homebound Instruction
EEJ	Individualized Learning
EEJA	Credit by Examination With Prior Instruction
EEJB	Credit by Examination Without Prior Instruction
EEJC	Correspondence Courses
EEL	Contracts with Outside Agencies
EEM	Juvenile Residential Facilities
EEP	Lesson Plans
EF	INSTRUCTIONAL RESOURCES
EFA	Instructional Materials Selection and Adoption
EFAA	Textbook Selection and Adoption
EFB	Library Media Programs
EFC	Community Instructional Resources
EFD	Field Trips
EFE	Copyrighted Material
EFF	Instructional Television
EG	CURRICULUM DEVELOPMENT
EGA	Innovative and Magnet Programs
EH	CURRICULUM DESIGN
EHA	Basic Instructional Program
EHAA	Required Instruction (All Levels)
EHAB	Required Instruction (Elementary)
EHAC	Required Instruction (Secondary)
EHAD	Elective Instruction
EHB	Special Programs
EHBA	Special Education
EHBAA	Identification, Evaluation, and Eligibility
EHBAB	ARD Committee and Individualized Education Program

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SECTION E: INSTRUCTION

EHBAC	Students in Non-District Placement
EHBAD	Transition Services
EHBAE	Procedural Requirements
EHBB	Gifted and Talented Students
EHBC	Compensatory/Accelerated Services
EHBD	Federal Title I
EHBE	Bilingual Education/ESL
EHBF	Career and Technical Education
EHBG	Prekindergarten
EHBH	Other Special Populations
EHBI	Adult and Community Education
EHBK	Other Instructional Initiatives
EHBL	High School Equivalency
EHD	Extended Instructional Programs
EHBM	Travel Study
EHBN	Honors
EHD	Alternative Methods for Earning Credit
EHDA	Summer School
EHDB	Travel Study
EHDC	Honors
EHDB	Credit by Examination With Prior Instruction
EHDC	Credit by Examination Without Prior Instruction
EHDD	College Course Work/Dual Credit
EHDE	Distance Learning

EI	ACADEMIC ACHIEVEMENT
EIA	Grading/Progress Reports to Parents
EIAA	Examinations
EIAB	Makeup Work
EIB	Homework
EIC	Class Ranking
EID	Honor Rolls
EIE	Retention and Promotion
EIF	Graduation

EJ ACADEMIC GUIDANCE PROGRAM

EK	TESTING PROGRAMS
EKB	State Assessment
EKBA	LEP Students
EKC	Reading Assessment
EKD	Mathematics Assessment

EL CHARTER CAMPUS OR PROGRAM

EM MISCELLANEOUS INSTRUCTIONAL POLICIES

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SECTION E: INSTRUCTION

EMA	Academic Freedom
EMB	Teaching About Controversial Issues
EMD	Ceremonies and Observances
EMG	Animals in the School
EMI	Study of Religion

INDIVIDUALIZED LEARNING
CREDIT BY EXAMINATION WITH PRIOR INSTRUCTION

EEJA
(LEGAL)

GRADES 6–12

In accordance with local policy, a student in any of grades 6–12 may be given credit for an academic subject in which he or she had some prior instruction, if the student scores 70 percent on a criterion-referenced test for the applicable course. *Education Code 28.023; 19 TAC 74.24(c)(3)*

DELETED AT UPDATE 89

With Board approval, a district shall develop or purchase examinations for acceleration that thoroughly test the essential knowledge and skills for each primary school grade level and for credit for secondary school academic subjects.

KINDERGARTEN-
GRADE 5

A district shall develop procedures for kindergarten acceleration that are approved by the Board.

A district shall accelerate a student in grades 1–5 one grade level if the student meets the following requirements:

1. The student scores 90 percent or above on a criterion-referenced test for the grade level to be skipped in each of the following areas: language arts, mathematics, science, and social studies;
2. A district representative recommends that the student be accelerated; and
3. The student's parent or guardian gives written approval of the acceleration.

GRADES 6–12

A district shall give a student in grades 6–12 credit for an academic subject in which the student has received no prior instruction if the student scores 90 percent or above on a criterion-referenced examination for acceleration for the applicable course. If such credit is given, a district shall enter the examination score on the student's transcript.

ANNUAL
ADMINISTRATION

A district shall provide at least three days between January 1 and June 30 and three days between July 1 and December 31 annually when examinations for acceleration shall be administered in grades 1 through 12. The days need not be consecutive but shall be designed to meet the needs of all students. The dates must be publicized in the community.

A district may allow a student to accelerate at a time other than those described above by developing a cost-free option approved by the Board that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

FEES

A district shall not charge for examinations for acceleration. If a parent requests an alternative examination, the district may administer and recognize results of a test purchased by the parent or student from Texas Tech University or the University of Texas at Austin.

Education Code 28.023; 19 TAC 74.24

Credit toward state graduation requirements may be granted for correspondence courses only under the following conditions:

1. The institution offering the course is The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the commissioner of education.
2. The correspondence course includes the state-required essential knowledge and skills for such a course.

19 TAC 74.23

DELETED AT UPDATE 89

PURPOSE

A primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage. A district shall foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter, in reading courses, and in the adoption of textbooks. *Education Code 28.002(h)*

As a condition of accreditation, a district shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

A district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

REQUIRED
CURRICULUM

A district that offers kindergarten through grade 12 shall offer the following as a required curriculum:

FOUNDATION
CURRICULUM

1. A foundation curriculum that includes:
 - a. English Language Arts and reading;
 - b. Mathematics;
 - c. Science; and
 - d. Social studies, consisting of Texas, United States, and world history; government; and geography.

Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)

ENRICHMENT
CURRICULUM

2. An enrichment curriculum that includes:
 - a. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the district may offer an elective course in the language;
 - b. Health, with emphasis on the importance of proper nutrition and exercise;
 - c. Physical education;

- d. Fine Arts;
- e. Economics, with emphasis on the free enterprise system and its benefits;
- f. Career and technical education;
- g. Technology applications; and
- h. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature.

Education Code 28.002(a)(2); 19 TAC 74.1(a)(2)

LOCAL CREDIT

A district may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. *Education Code 28.004002(f); 19 TAC 74.1(b)*

LOCAL
INSTRUCTIONAL PLAN

A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A district is encouraged to exceed minimum requirements of law and State Board rule. *Education Code 28.002(g)*

COORDINATED
HEALTH PROGRAMS

TEA shall make available to a district one or more coordinated health programs or allow the development of district programs designed to prevent obesity, cardiovascular disease, and type 2 diabetes in elementary, middle, and junior high school students. Each program must provide for coordinating:

1. Health education;
2. Physical education and physical activity;
3. Nutrition services; and
4. Parental involvement.

Education Code 38.013; 19 TAC 102.1031(a)

A district shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the district. *Education Code 38.014*

Coordinated school health programs that are developed by districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

PHYSICAL EDUCATION Each school district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and
3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

STUDENT/TEACHER
RATIO

The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to:

1. Carry out the purposes of and requirements for the physical education curriculum; and
2. Ensure the safety of students participating in physical education.

If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained.

Education Code 25.114, 28.002(d); 19 TAC 74.37

CLASSIFICATION
FOR PHYSICAL
EDUCATION

A district shall classify students for physical education on the basis of health into one of the following categories:

1. Unrestricted—not limited in activities.
2. Restricted—excludes the more vigorous activities. Restricted classification is of two types:
 - a. Permanent—A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student.

- b. Temporary—Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration.
3. Adapted and remedial—specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas.

19 TAC 74.31

SCHOOL HEALTH
ADVISORY COUNCIL

A board shall establish a local school health advisory council to assist the district in ensuring that local community values are reflected in the district's health education instruction. *Education Code 28.004(a)* [See BDF regarding composition of council and FFA regarding federal wellness requirements]

DUTIES

The council's duties include recommending:

1. The number of hours of instruction to be provided in health education;
2. Curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, and type 2 diabetes through coordination of health education, physical education and physical activity, nutrition services, parental involvement, and instruction to prevent the use of tobacco;
3. Appropriate grade levels and methods of instruction for human sexuality instruction; and
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - a. School health services;
 - b. Counseling and guidance services;
 - c. A safe and healthy school environment; and
 - d. School employee wellness.

Education Code 28.004(c)

The council shall consider and make policy recommendations to the district concerning the importance of daily recess for elementary school students. The council must consider re-

CONTENT OF HUMAN SEXUALITY INSTRUCTION	<p>search regarding unstructured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The council shall ensure that local community values are reflected in any policy recommendation made to the district concerning the importance of daily recess for elementary school students. <i>Education Code 28.004(l)</i></p> <p>AThe board shall determine the specific content of a district's instruction in human sexuality. <i>Education Code 28.004(h)</i></p> <p>The board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the local school health advisory council. The instruction must:</p> <ol style="list-style-type: none">1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;2. Devote more attention to abstinence than to any other behavior;3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum. <p><i>Education Code 28.004(e)</i></p>
CONDOMS	A district may not distribute condoms in connection with instruction relating to human sexuality. <i>Education Code 28.004(f)</i>
SEPARATE CLASSES	If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. <i>Education Code 28.004(g)</i> [See FBA regarding single-sex classes under Title IX]
NOTICE TO PARENTS	Before each school year, a district shall provide written notice to a parent of each student enrolled in the district of the board's decision regarding whether the district will provide human sexuality in-

struction to district students. If instruction will be provided, the notice must include:

1. A summary of the basic content of the district's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;
2. A statement of the parent's right to:
 - a. Review curriculum materials as provided by Education Code 28.004(j); and
 - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the district or the student's school; and
3. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the local school health advisory council.

A parent may use the grievance procedure at FNG concerning a complaint of a violation of notice requirements.

Education Code 28.004(i), (i-1)

AVAILABILITY OF
MATERIALS

A district shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection. *Education Code 28.004(j)* [See EFAA regarding selection of curriculum materials for human sexuality instruction]

STEROID NOTICE AND
EDUCATION

A district shall, at appropriate grade levels as determined by the State Board of Education, provide to students involved in extracurricular athletic activities information developed by TEA regarding the use of anabolic steroids and the health risks involved with such use. *Education Code 38.0081(b)*

Each school in a district in which there is a grade level of seven or higher shall post in a conspicuous location in the school gymnasium and each other place in a building where physical education classes are conducted a notice regarding steroids, using the text set forth at Education Code 38.008 [see FNCF(EXHIBIT)]. *Education Code 38.008*

DYSLEXIA AND
RELATED DISORDERS

A board shall ensure that procedures are implemented for identifying and providing appropriate instructional services to students for dyslexia and related disorders, in accordance with the State Board of Education's *Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* (~~Dyslexia Handbook~~).

IDENTIFICATION
AND TESTING

Screening should be done only by individuals who are trained to assess students for dyslexia and related disorders.

Before an identification or assessment procedure is used selectively with an individual student, a district shall notify the student's parent or guardian or another person standing in parental relation to the student.

A ~~program~~ **process** for early identification, intervention, and support for students ~~with at risk for~~ **dyslexia and related disorders** must be available, as outlined in the *Dyslexia Handbook*.

TREATMENT

Each school shall provide each identified student access at his or her campus to **instructional programs required at READING PROGRAM below and to** the services of a teacher trained in dyslexia and related disorders. A district may, with the approval of each student's parents or guardians, offer additional services at a centralized location, but centralized services shall not preclude each student from receiving services at his or her campus.

READING
PROGRAM

A district shall purchase a reading program or develop its own reading program, ~~as long as the program is characterized by that~~ **is aligned with** the descriptors in the *Dyslexia Handbook*.

Teachers who screen and treat these students must be trained in instructional strategies that utilize individualized, intensive, multi-sensory, phonetic methods and a variety of writing and spelling components **described** in the ~~State Board dyslexia guidelines and in the~~ *Dyslexia Handbook*. **The** professional development activities specified by the district- and/or campus-level committees **shall include these instructional strategies**.

NOTICE TO
PARENTS

A district shall inform parents and guardians of students eligible under Section 504 [see FB] of all services and options available to the student under that statute.

PARENT
EDUCATION

A district shall provide a parent education program for parents and guardians of students with dyslexia and related disorders. This program should include awareness of characteristics of dyslexia and related disorders; information on testing and diagnosis of dyslexia; information on effective strategies for teaching dyslexic students; and awareness of information on modifications, especially modifications allowed on standardized testing.

Education Code 38.003; 19 TAC 74.28

Note: The policies in the EHBA series are statements of principles governing special education programs for Texas school districts. In no way are these policies intended to cover the entire scope and detail involved in administering any special education program.

NONDISCRIMINATION No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district service, program, or activity. *42 U.S.C. 12132; 29 U.S.C. 794(a); 34 CFR 104.4(a)* [See also FB]

FREE APPROPRIATE PUBLIC EDUCATION (FAPE) Eligible students with disabilities shall enjoy the right to a free appropriate public education, which may include instruction in the regular classroom, instruction through special teaching, or instruction through approved contracts. Instruction shall be supplemented by the provision of related services when appropriate. *Education Code 29.003(a)*

“Free appropriate public education” (FAPE) means special education and related services that:

1. Have been provided at public expense, under public supervision and direction, and without charge;
2. Meet standards set out by TEA;
3. Include an appropriate preschool, elementary school, or secondary school education; and
4. Are provided in conformity with the student’s individualized education program (IEP).

20 U.S.C. 1401(9); 34 CFR 300.13; ~~34 CFR 300~~, .17, .36

LEAST RESTRICTIVE ENVIRONMENT A district shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. *20 U.S.C. 1412(a)(5); 34 CFR 300.114(a)(2)*

DISCIPLINE All disciplinary actions regarding students with disabilities shall be in accordance with federal requirements, Education Code Chapter 37, and 19 **TAC** Administrative Code 89.1053. *19 TAC 89.1050(g)* [See FOF]

PLACEMENT OPTIONS

Instructional arrangements/settings shall be based on the individual needs and IEPs of eligible students receiving special education services. Placement options include:

1. Mainstream: providing services in a regular classroom;
2. Homebound: providing services at home or hospital bedside;
3. Hospital class: providing services in a classroom, hospital facility, or residential care and treatment facility not operated by a district;
4. Speech therapy: providing speech therapy services in a regular education classroom or other setting;
5. Resource room/services: providing services in a setting other than the regular classroom for less than 50 percent of the regular school day;
6. Self-contained (mild, moderate, or severe) regular campus: providing services to a student who is in a self-contained program for 50 percent or more of the regular school day on a regular school campus;
7. Off home campus: providing services in an interdistrict program, through district personnel at a nondistrict facility, or at a district campus that provides only special education and related services.
8. Nonpublic day school: providing services through a contractual agreement with a nonpublic school for special education;
9. Vocational adjustment class/program: providing services to a student who is placed on a job with regularly scheduled direct involvement by special education personnel in the implementation of the student's IEP;
10. Residential care and treatment facility (not district resident): providing services to students who reside in care and treatment facilities and whose parents do not reside within the boundaries of the district;
11. State ~~school for persons with mental retardation~~**supported living center**: providing services to a student who resides at a state ~~school~~**supported living center** when the services are provided at the state ~~school~~**supported living center** location; or
12. Other program options, including contracts with other districts and programs approved by TEA.

19 TAC 89.63(c), (f)

SHARED SERVICES
ARRANGEMENTS

A district may enter into a written contract to jointly operate its special education program. The contract must be approved by the Commissioner. *Education Code 29.007*

RELATED SERVICES
DEFINITION

“Related services” means transportation, and such developmental, corrective, and other supportive services as may be required to assist a child with a disability to benefit from special education, including the early identification and assessment of disabling conditions in children.

The term includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive FAPE as described in the child’s IEP, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that medical services shall be for diagnostic and evaluation purposes only.

The term does not include a medical device that is surgically implanted, the optimization of the device’s functioning, or the replacement of such device.

20 U.S.C. 1401(26); 34 CFR 300.34

TRANSPORTATION

A district shall provide special transportation with federal funds only when the ARD committee determines that the condition of the student warrants the service in order for the student to receive the special education and related services (if any) set forth in the IEP. *19 TAC 89.1096(e)*

EXTENDED SCHOOL
YEAR (ESY)
SERVICES

A district shall ensure that extended school-year (ESY) services are available as necessary to provide a student with a disability with FAPE.

ESY services must be provided only if the ARD committee determines, on an individual basis, that the services are necessary for FAPE. A district may not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of ESY services.

34 CFR 300.106; 19 TAC 89.1065

COMPENSATORY
EDUCATION
ALLOTMENT

A district is entitled to an annual compensatory education allotment for each student:

1. Who is educationally disadvantaged; or
2. Who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside.

The number of educationally disadvantaged students is determined by the formula set forth at Education Code 42.152(b).

Education Code 42.152(a)–(b)

USE

A district shall use its compensatory education allotment to fund supplemental programs and services designed to eliminate any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at-risk of dropping out of school, as defined below, and all other students.

Specifically, a district may use the funds, other than an indirect cost allotment established by State Board rule, to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Education Code 29.081, a disciplinary alternative education program under Education Code 37.008, or to support a Title I program, at a campus at which at least 40 percent of the students are educationally disadvantaged.

A district may also use allocated funds for:

1. A mentoring services program under Education Code 29.089;
2. An accelerated reading instruction program under Education Code 28.006(g);
3. A program for treatment of students who have dyslexia or a related disorder, as required by Education Code 38.003; and
4. A program under Education Code 29.081 specifically designed to serve students at risk of dropping out of school.

Education Code 42.152(c), (c-1), (c-2)

LIMIT ON DAEP
EXPENDITURES

A district may not use more than 18 percent of its compensatory education allotment for disciplinary alternative education programs.

The Commissioner may waive this limitation upon an annual petition, by a district's board and site-based decision making committee, presenting the reason for the need to spend supplemental compensatory education funds on disciplinary alternative education programs.

Education Code 42.152(c)(1)–(2)

DROPOUT
PREVENTION
STRATEGIES

A district with a high dropout rate, as determined by the Commissioner, shall submit a plan to the Commissioner describing the manner in which the district intends to use its compensatory education and high school allotments for developing and implementing research-based strategies for dropout prevention.

If a district is required to submit both a dropout prevention strategy plan and a plan to increase college enrollment [see GNC], the district must describe in its dropout prevention strategy plan how the activities identified in both plans will be coordinated. If a district is required to submit both a school improvement plan, due to failure to meet the required performance standard regarding dropout rates or completion rates, as well as a dropout prevention strategy plan, the district may request that its school improvement plan be used to satisfy both requirements.

The district shall submit the plan not later than December 1 of each school year preceding the school year in which the district will receive the compensatory education or high school allotment to which the plan applies. The plan must meet the requirements at 19 Administrative Code 89.1701(e).

The district may not spend or obligate more than 25 percent of the district's compensatory or high school allotment unless the Commissioner approves the plan.

Education Code 29.918; 19 TAC 89.1701

DEFINITION OF AT-
RISK STUDENT

"Student at risk of dropping out of school" includes each student who is under 21 years of age and who:

1. If the student is in prekindergarten, kindergarten, or grades 1–3, did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year;
2. If the student is in grades 7–12 did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year, or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester;
3. Was not advanced from one grade level to the next for one or more school years, unless the student did not advance from prekindergarten or kindergarten to the next grade level only as a result of the request of the student's parent;
4. Did not perform satisfactorily on a state assessment instrument and who has not in the previous or current school year

subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument;

5. Is pregnant or is a parent;
6. Has been placed in a disciplinary alternative education program in accordance with Education Code 37.006 during the preceding or current school year;
7. Has been expelled during the preceding or current school year;
8. Is currently on parole, probation, deferred prosecution, or other conditional release;
9. Was previously reported through the Public Education Information Management System (PEIMS) to have dropped out of school;
10. Is a student of limited English proficiency, as defined by Section 29.052;
11. Is in the custody or care of the Department of Family and Protective Services or has, during the current school year, been referred to the department by a school official, officer of the juvenile court, or law enforcement official;
12. Is homeless, as defined by 42 U.S.C. 11302 and its subsequent amendments [see FD]; or
13. Resided in the preceding school year or resides in the current school year in a residential placement facility in a district, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home.

Education Code 29.081(d)–(d-1)

LOCAL ELIGIBILITY
CRITERIA

In addition to students described above, a student who satisfies local eligibility criteria adopted by a board may receive compensatory education services. The number of students receiving services under local eligibility criteria during a school year may not exceed ten percent of the number of students described above who received services from the district during the preceding school year. *Education Code 29.081(g)*

COMPENSATORY,
INTENSIVE, AND
ACCELERATED
INSTRUCTION

A district shall use student performance data from state basic skills assessment instruments and achievement tests to design and implement appropriate compensatory, intensive, or accelerated instructional services for students in the district's schools that enable

	<p>the students to perform at grade level at the conclusion of the next regular school term. <i>Education Code 29.081(a)</i></p>
ACCELERATED INSTRUCTION	<p>A district shall provide accelerated instruction to enrolled students who have not performed satisfactorily on each section of the secondary exit-level assessment instrument or who are at risk of dropping out of school. <i>Education Code 29.081(b)</i></p>
EFFECTIVENESS	<p>A district shall evaluate and document the effectiveness of the accelerated instruction in reducing any disparity in performance on state assessment instruments or disparity in the rates of high school completion between students at risk of dropping out of school and all other district students. <i>Education Code 29.081(c)</i></p>
DROPOUT RECOVERY EDUCATION PROGRAMS	<p>A district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The programs must meet the criteria set forth at Education Code 29.081(e)(1)–(5).</p> <p>Students in attendance at a dropout recovery education program shall be included in a district’s average daily attendance for funding purposes.</p> <p><i>Education Code 29.081(f)</i></p>
COMMUNITIES IN SCHOOLS (CIS)	<p>An elementary or secondary school receiving funding under Education Code 33.156 shall participate in the Communities in Schools (CIS) program if the number of students enrolled in the school who are at risk of dropping out of school is equal to at least ten percent of the number of students in average daily attendance at the school, as determined by TEA. <i>Education Code 33.157</i></p>
OPTIONAL EXTENDED-YEAR PROGRAM (OEYP)	<p>A district may set aside an amount from its compensatory education allotment or may apply to TEA for funding of an extended-year program, for a period not to exceed 30 instructional days for students:</p> <ol style="list-style-type: none">1. In kindergarten through grade 11, who are identified as not likely to be promoted to the next grade level for the succeeding school year; or2. In grade 12, who are identified as not likely to graduate from high school before the beginning of the succeeding school year. <p>A student who does not demonstrate proficiency in a subject area as determined by the district is also eligible for services.</p> <p>An optional extended year program (OEYP) may extend the day, the week, or the year to provide additional support and instruction</p>

	<p>for eligible students. The program shall be conducted beyond the required instructional year, which may include intercessions for year round programs.</p>
POLICY	<p>If a district provides an OEYP, it shall adopt a policy designed to lead to immediate reduction and ultimate elimination of student retention.</p>
PROGRAM CRITERIA	<p>An OEYP must meet the requirements set forth at Education Code 29.082 and 19 Administrative Code 105.1001.</p>
PROMOTION OF STUDENT	<p>A student who attends at least 90 percent of the program days and who satisfies the requirements for promotion at Education Code 28.021 shall be promoted or retained in accordance with Education Code 29.082(e).</p>
TRANSPORTATION	<p>A district shall provide transportation to each student who is required to attend a program under this section and who is eligible for regular transportation services. [See EIE and FDC]</p> <p><i>Education Code 29.082; 19 TAC 105.1001</i></p>
OPTIONAL FLEXIBLE YEAR PROGRAM (OFYP)	<p>A district may provide an optional flexible year program (OFYP) for students who did not or are not likely to perform successfully on state assessment instruments or who would not otherwise be promoted to the next grade level.</p>
PROGRAM CRITERIA	<p>An OFYP must meet the requirements set forth at Education Code 29.0821 and 19 Administrative Code 129.1029.</p> <p><i>Education Code 29.0821; 19 TAC 129.1029</i></p>
OPTIONAL FLEXIBLE SCHOOL DAY PROGRAM (OFSDP)	<p>Notwithstanding Education Code 25.081 (school year) or 25.082 (school day) [see EB and EC], a district may apply to the Commissioner to provide a flexible school day program (OFSDP) for students, in accordance with 19 Administrative Code 129.1027.</p>
PROGRAM CRITERIA	<p>A district that meets application requirements may:</p> <ol style="list-style-type: none">1. Provide flexibility in the number of hours each day a student attends;2. Provide flexibility in the number of days each week a student attends; or3. Allow a student to enroll in less than or more than a full course load. <p>Except in the case of a course designed for a student who will be denied credit as a result of attendance requirements, a course offered in a program under this section must provide for at least the same number of instructional hours as required for a course of-</p>

ferred in a program that meets the required minimum number of instructional days under Education Code 25.081 and the required length of school day under Education Code 25.082.

STUDENT
ELIGIBILITY

A district may provide an OFSDP for students who:

1. Have dropped out of school or are at risk of dropping out of school, as defined above at DEFINITION OF AT-RISK STUDENT;
2. Attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the Commissioner; or
3. As a result of attendance requirements under Education Code 25.092, will be denied credit for one or more classes in which the students have been enrolled.

A student who will be denied credit for one or more classes as a result of attendance requirements may enroll in a course in a OFSDP offered during the school year or during the period in which school is recessed for the summer to enable the student to earn class credit that the student would not otherwise be able to receive without retaking the class.

EXTRACURRICULAR
PARTICIPATION

A student enrolled in an OFSDP may participate in a competition or activity sanctioned by the University Interscholastic League (UIL) only if the student meets all UIL eligibility criteria.

FUNDING

Funding for an optional flexible school day program shall be based on the number of instructional days in a district calendar and a seven-hour school day, but attendance may be cumulated over a school year, including any summer or vacation session. The attendance of students who accumulate less than the number of attendance hours required shall be proportionately reduced for funding purposes. The Commissioner may limit funding for the attendance of a student who will be denied credit as a result of attendance requirements to funding only for the attendance necessary for the student to earn class credit that the student would not otherwise be able to receive without retaking the class.

ANNUAL
PERFORMANCE
REVIEW

Annually, each school district shall review its progress in relation to the performance indicators required by 19 Administrative Code 129.1027(h). Progress should be assessed based on information that is disaggregated with respect to race, ethnicity, gender, and socioeconomic status.

Education Code 29.0822; 19 TAC 129.1027

TUTORIAL SERVICES A district may provide tutorial services at district schools. If a district provides tutorial services, it shall require a student whose grade in a subject for a reporting period is lower than the equivalent of 70 on a scale of 100 to attend tutorials.

A district may provide transportation services to accommodate students who are required to attend tutorials and who are eligible for regular transportation.

Education Code 29.084

BASIC SKILLS PROGRAMS A district may apply to the Commissioner for funding of basic skills programs for students in grade 9 who are at risk of not earning sufficient credit or who have not earned sufficient credit to advance to grade 10 and who fail to meet minimum skills levels established by the Commissioner.

With the consent of a student's parent or guardian, a district may assign a student to the basic skills program.

A basic skills program may not exceed 210 instructional days and must meet the requirements set forth at Education Code 29.086.

Education Code 29.086

AFTER-SCHOOL AND SUMMER INTENSIVE MATHEMATICS AND SCIENCE PROGRAMS A district may provide an intensive after-school program or an intensive program during the period that school is recessed for the summer to provide mathematics and science instruction to:

1. Students who are not performing at grade level in mathematics or science to assist those students in performing at grade level;
2. Students who are not performing successfully in a mathematics course or science course to assist those students in successfully completing the course; or
3. Other students as determined by the district.

Before providing a program, a board must adopt a policy for:

1. Determining student eligibility for participating in the program that:
 - a. Prescribes the grade level or course a student must be enrolled in to be eligible; and
 - b. Provides for considering teacher recommendations in determining eligibility;
2. Ensuring that parents of or persons standing in parental relation to eligible students are provided notice of the program;

3. Ensuring that eligible students are encouraged to attend the program;
4. Ensuring that the program is offered at one or more locations in the district that are easily accessible to eligible students; and
5. Measuring student progress on completion of the program.

Education Code 29.088, ~~29.090~~; 19 TAC 102.1041

MENTORING
SERVICES PROGRAM

A district may provide a mentoring services program to students at risk of dropping out of school. A board may arrange for any public or nonprofit community-based organization to come to the district's schools and implement the program.

A board shall obtain the consent of a student's parent or guardian before allowing the student to participate in the program.

Education Code 29.089

ACCELERATED
READING
INSTRUCTION
PROGRAM

A district shall implement an accelerated reading instruction program that provides reading instruction that addresses reading deficiencies to each student in kindergarten, first grade, or second grade who is determined, on the basis of reading instrument results [see EKC], to be at risk for dyslexia or other reading difficulties. The district shall determine the form, content, and timing of the program.

A district shall provide additional reading instruction and intervention to each student given the seventh grade reading assessment [see EKC], as appropriate to improve the student's reading skills in the relevant areas identified through the assessment instrument.

LIMITATION

A district may implement an accelerated reading instruction program only if the Commissioner certifies that funds have been appropriated during a school year for administering the program.

Education Code 28.006(f), (g), (g-1), (k)

INTENSIVE PROGRAM
OF INSTRUCTION
STATE
ASSESSMENTS

A district shall offer an intensive program of instruction to a student who does not perform satisfactorily on a state assessment instrument.

The program shall be designed to:

1. Enable the student to:
 - a. To the extent practicable, perform at the student's grade level at the conclusion of the next regular school term; or

- b. Attain a standard of annual growth specified by a district and reported by the district to TEA; and
- 2. If applicable, carry out the purposes of Education Code 28.0211. **[See EIE]**

**STUDENTS
RECEIVING
SPECIAL
EDUCATION
SERVICES**

For a student in a special education program who does not perform satisfactorily on an assessment instrument administered under Education Code 39.023(a), (b), or (c), the student's admission, review, and dismissal committee shall design the program to:

- 1. Enable the student to attain a standard of annual growth on the basis of the student's individualized education program (IEP); and**
- 2. If applicable, carry out the purposes of Education Code 28.0211. **[See EIE]****

**GRADUATION
REQUIREMENTS**

A district shall use funds appropriated by the legislature for an intensive program of instruction to plan and implement intensive instruction and other activities aimed at helping a student satisfy state and local high school graduation requirements.

**NO CAUSE OF
ACTION**

A district's determination of the appropriateness of an intensive program of instruction for a student is final and does not create a cause of action.

Education Code 28.0213

ADULT EDUCATION

~~The District~~**A district** shall provide, to the extent possible within available public and private resources, adult education programs designed to meet the education and training needs of adults. Bilingual education may be the method of instruction for students who do not function satisfactorily in English whenever it is appropriate for their optimum development. *Education Code 29.253*

~~REIMBURSEMENT FOR
COMMUNITY
EDUCATION~~

~~If the Board elects to provide community education for all age groups, it may be eligible for reimbursement for the costs of the program. In order to receive reimbursement, it must submit an application in accordance with TEA rules and reimbursement shall be made to the extent authorized.~~

~~CONDITIONS~~

~~The District will receive such reimbursement only if it has achieved the level of community services prescribed by TEA in the current or preceding year.~~

~~*Education Code 29.256*~~

ESSENTIAL PROGRAM
COMPONENTS

The following essential program components shall be provided~~:~~:

1. Adult basic education;
2. Programs for adults of ~~Limited~~**limited** English proficiency;
3. Adult secondary education, including programs leading to the achievement of a high school equivalency certificate and/or high school diploma;
4. Instructional services to improve student proficiencies necessary to function effectively in adult life, including accessing further education, employment-related training, or employment; ~~and~~
5. Assessment and guidance services related to **items** 1–4, above; ~~and~~
- ~~5-6.~~ **Collaboration with multiple partners in the community to expand the services available to adult learners and to prevent duplication of services.**

19 TAC 89.23

DIPLOMA
REQUIREMENTS

The standards for awarding diplomas to adults shall be those established in 19 ~~TAC~~**Administrative Code** Chapter ~~7574~~, except~~:~~:

1. There shall be no limit to the number of secondary credits adults may earn by demonstrating competence.
2. Adults may earn the required physical education credits by one or more of the following:

- a. ~~satisfactory~~**Satisfactory** completion of approved secondary physical education courses; or
 - b. ~~substitution~~**Substitution** of state-approved secondary elective courses.
3. Adults must meet the requirements for successful performance on a secondary level test designated by the ~~commissioner~~**Commissioner**.

19 TAC 89.24

STAFF DEVELOPMENT

All adult education staff hired after September 1, 1996, shall receive at least 12 clock hours of professional development annually. All staff new to adult education shall receive six clock hours of pre-service professional development before they begin work in an adult education program. Aides shall have at least a high school diploma or a high school equivalency certificate.

Directors, teachers, counselors, and supervisors must have a bachelor's degree. Directors, teachers, counselors, and supervisors who do not have valid Texas teacher certification must attend 12 clock hours of inservice professional development annually in addition to the 12 hours required above until they have completed either six clock hours of adult education college credit or attained two years of adult education experience.

The requirements for inservice professional development may be reduced by local programs in individual cases upon documented demonstration of exceptional circumstances that prevent employees from completing the required hours.

These **staff development** requirements ~~(above)~~ apply to volunteers who generate contact time that is part of the adult education program and is reported to TEA for funding purposes. [See DMA]

19 TAC 89.25

STAFF ASSIGNMENTS

Teachers and aides shall be assigned to instruction, counseling, and/or assessment for a minimum of 75 percent of the hours for which they are employed. *19 TAC 89.26*

TUITION AND FEES

No student tuition or fees shall be charged for adult basic education as a condition for membership and participation in a class. Tuition for adult secondary education may be charged and established by local policy. Funds generated by such tuition and fees shall be used for the adult education instructional program.

19 TAC 89.3033

REIMBURSEMENT FOR
COMMUNITY
EDUCATION

If a board elects to provide community education for all age groups, it may be eligible for reimbursement for the costs of the program. In order to receive reimbursement, it must submit an application in accordance with TEA rules and reimbursement shall be made to the extent authorized.

CONDITIONS

A district will receive such reimbursement only if it has achieved the level of community services prescribed by TEA in the current or preceding year.

Education Code 29.256

ALTERNATIVE METHODS FOR EARNING CREDIT
CREDIT BY EXAMINATION WITH PRIOR INSTRUCTION

EHDB
(LEGAL)

GRADES 6–12

In accordance with local policy, a student in any of grades 6–12 may be given credit for an academic subject in which he or she had some prior instruction, if the student scores 70 percent on a criterion-referenced test for the applicable course. *Education Code 28.023; 19 TAC 74.24(c)(3)*

ADD POLICY AT UPDATE 89

With board approval, a district shall develop or purchase examinations for acceleration that thoroughly test the essential knowledge and skills for each primary school grade level and for credit for secondary school academic subjects.

KINDERGARTEN–
GRADE 5

A district shall develop procedures for kindergarten acceleration that are approved by the board.

A district shall accelerate a student in grades 1–5 one grade level if the student meets the following requirements:

1. The student scores 90 percent or above on a criterion-referenced test for the grade level to be skipped in each of the following areas: language arts, mathematics, science, and social studies;
2. A district representative recommends that the student be accelerated; and
3. The student's parent or guardian gives written approval of the acceleration.

GRADES 6–12

A district shall give a student in grades 6–12 credit for an academic subject in which the student has received no prior instruction if the student scores 90 percent or above on a criterion-referenced examination for acceleration for the applicable course. If such credit is given, a district shall enter the examination score on the student's transcript.

ANNUAL
ADMINISTRATION

A district shall provide at least three days between January 1 and June 30 and three days between July 1 and December 31 annually when examinations for acceleration shall be administered in grades 1 through 12. The days need not be consecutive but shall be designed to meet the needs of all students. The dates must be publicized in the community.

A district may allow a student to accelerate at a time other than those described above by developing a cost-free option approved by the board that allows students to demonstrate academic achievement or proficiency in a subject or grade level.

FEES

A district shall not charge for examinations for acceleration. If a parent requests an alternative examination, the district may administer and recognize results of a test purchased by the parent or student from Texas Tech University or the University of Texas at Austin.

Education Code 28.023; 19 TAC 74.24

NOTICE TO PARENTS Each school year, a district shall notify the parent of each student enrolled in grade 9 or above of the availability of programs under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs. The notice must include the name and contact information of any public or private entity offering such a program in the district.

A district may provide the notice on the ~~district's~~district's Internet Web site.

Education Code 28.010

Note: For information on dual credit courses available through the Texas Virtual School Network (TxVSN), see EHDE and www.txvsn.org.

COLLEGE CREDIT PROGRAM

A district shall implement a program under which students may earn the equivalent of at least 12 semester credit hours of college credit in high school. **If requested by the district, a public institution of higher education in this state shall assist the district in developing and implementing the program.** The college credit may be earned through:

1. International baccalaureate, advanced placement, or dual credit courses;
2. Articulated postsecondary courses provided for local credit or articulated postsecondary advanced technical credit courses provided for state credit; or
3. Any combination of the courses in items 1 and 2.

Annually, a district shall report to TEA:

1. The number of students, including career and technical students, who have participated in the program and earned college credit; and
2. The cumulative number of courses in which participating students have enrolled and college credit hours the students have earned.

A district is not required to pay a student's tuition or other associated costs for taking a course under this section.

Education Code 28.009

COLLEGE-LEVEL COURSES

A board may adopt a policy that allows a student to be awarded credit toward high school graduation for completing a college-level

course. The course must be provided only by an institution of higher education that is accredited by any of the following regional accrediting associations:

1. Southern Association of Colleges and Schools
2. Middle States Association of Colleges and Schools
3. New England Association of Colleges and Schools
4. North Central Association of Colleges and Schools
5. Western Association of Colleges and Schools
6. Northwest Association of Colleges and Schools

To be eligible to enroll and be awarded credit toward state graduation requirements, a student shall have the approval of the high school principal or other school official designated by a district. The course(s) for which credit is awarded shall provide advanced academic instruction beyond or in greater depth than the essential knowledge and skills for the equivalent high school course.

19 TAC 74.25

DUAL CREDIT
PROGRAMS

~~A district may enter into an agreement with a public college to form a dual credit partnership. 19 TAC Ch. 4, Subch. D~~

DEFINITIONS

For purposes of the following provisions, "college" means a public two-year associate degree-granting institution or a public university.

"Dual credit" means the process by which a high school student enrolls in a college course and receives simultaneous academic credit for the course from both the college and high school.

19 TAC 4.83(2), (4)

**PARTNERSHIP
AGREEMENTS WITH
PUBLIC COLLEGES**

A district may enter into an agreement with a public college to form a dual credit partnership in accordance with 19 Administrative Code Chapter 4, Subchapter D. Education Code 130.008; 19 TAC Ch. 4, Subch. D

**COMMUNITY
COLLEGE
JURISDICTION**

A school district that operates a high school may enter into an agreement with a community college district, regardless of whether the high school is located within the service area of the community college district, to offer a course as provided by Education Code 130.008 but only if the community college district that serves the area where the high school is located is unable to provide the requested course to the satisfaction of the school district. Education Code 130.008(d)-(d-1)

ATTENDANCE
ACCOUNTING

The time during which a student attends a dual credit course, including a course provided under the college credit program, shall be counted as part of the minimum instructional hours required for a student to be considered a full-time student in average daily attendance. [See FEB] *Education Code 42.005*

PARTNERSHIP
AGREEMENT

The board of a district and the governing board of a college must approve any dual credit partnership between the schools before offering such courses.

The partnership agreement must address:

1. Eligible courses;
2. Student eligibility;
3. Location of class;
4. Student composition of class;
5. Faculty selection, supervision, and evaluation;
6. Course curriculum, instruction, and gathering;
7. Academic policies and student support services;
8. Transcribing of credit; and
9. Funding.

19 TAC 4.84-.85

**INSTRUCTIONAL
PARTNERSHIPS WITH
COMMUNITY
COLLEGE DISTRICTS**

Types of instructional partnerships between a district and a community college district include:

1. **Award of High School Credit Only (see HIGH SCHOOL CREDIT-ONLY COURSES, below).**
2. **Award of Concurrent Course Credit (see DUAL CREDIT PROGRAMS, above).**
3. **Tech-Prep Programs (see TECH-PREP PROGRAMS, below).**
4. **Remedial or Developmental Instruction (see REMEDIAL PROGRAMS, below).**

19 TAC 9.143

AGREEMENT

For any educational partnership between a district and a community college district, an agreement must be approved by the board or designee of both the district and the college district. The partnership agreement must address the following:

1. Student eligibility requirements.
2. Faculty qualifications.
3. Location and student composition of classes.
4. Provision of student learning and support services.
5. Eligible courses.
6. Grading criteria.
7. Transcribing of credit.
8. Funding provisions.

19 TAC 9.144

**HIGH SCHOOL
CREDIT-ONLY
COURSES**

A district may contract with a community college district for the college district to provide coursework necessary for students to complete high school as described in 19 Administrative Code 9.125. The district and college district shall negotiate an agreed cost for instruction. **19 TAC 9.125, .143(a)**

**TECH-PREP
PROGRAMS**

A district may partner with a college district to allow for the articulation of high school technical courses taught by the high school to high school students for immediate high school credit and later college credit, to be awarded upon enrollment of the students in the college district in an associate degree or certificate program. **19 TAC 9.143(c)**

**REMEDIAL
PROGRAMS**

A board may contract, as outlined in 19 Administrative Code 9.125, with the board of the community college district in which a district is located for the college district to provide remedial programs for students enrolled in a district's secondary schools in preparation for graduation from secondary school and entrance into college. The district and college district shall negotiate an agreed cost for instruction. Remedial and developmental courses may not be offered for dual credit. **Education Code 130.090; 19 TAC 9.125, .143(d), .146**

CERTAIN ACADEMIES

A district shall grant a student a maximum of two years' credit toward the academic course requirements for high school graduation for courses successfully completed at the Texas Academy of Leadership in the Humanities (at Lamar University—Beaumont), the Texas Academy of Mathematics and Science (at the University of Texas—Brownsville or University of North Texas—Denton), or the Texas Academy of International Studies (at Texas A&M University—Laredo). **Education Code 28.024**

**DISTANCE LEARNING
AND
CORRESPONDENCE
COURSES**

Credit toward state graduation requirements may be granted for distance learning **and correspondence** courses only as follows:

- 1. The institution offering the correspondence course is The University of Texas at Austin, Texas Tech University, or another public institution of higher education approved by the Commissioner.**
- ~~1.2.~~ Students may earn course credit through distance learning technologies, such as satellite, Internet, two-way videoconferencing, **online courses, the Texas Virtual School Network (TxVSN)**, and instructional television.
- ~~2.3.~~ The distance learning **and correspondence** courses must include the state-required essential knowledge and skills for such a course.

19 TAC 74.23

~~STATE~~ **TEXAS** VIRTUAL
SCHOOL NETWORK

“Electronic course” means a course in which:

1. Instruction and content are delivered primarily over the Internet;
2. A student and teacher are in different locations for a majority of the student’s instructional period;
3. Most instructional activities take place in an online environment;
4. The online instructional activities are integral to the academic program;
5. Extensive communication between a student and a teacher and among students is emphasized; and
6. A student is not required to be located on the physical premises of a school district or open-enrollment charter school.

Education Code 30A.001(4)

**PROVIDER SCHOOL
DISTRICTS**

A ~~qualifying~~ district **rated acceptable or higher** may provide an electronic course **in accordance with Education Code Chapter 30A** through the ~~state virtual school network~~ **TxVSN** to students enrolled in that district or students enrolled in another school district or open-enrollment charter school. *Education Code Ch. 30A.001(7)(A), .101*

An electronic course or program that was offered or could have been offered during the 2008–09 school year under former Education Code 29.909, as that section existed on January 1, 2009, may

be offered during a subsequent school year through the ~~state virtual school network~~. TxVSN. *Education Code 30A.006*

**STUDENT
ELIGIBILITY**

GENERALLY

A student is eligible to enroll in a course provided through the TxVSN only if the student:

1. Is younger than 21 years of age on September 1 of the school year;
2. Has not graduated from high school; and
3. Is otherwise eligible to enroll in a public school in this state.

A student is eligible to enroll full-time in courses provided through the TxVSN only if:

1. The student was enrolled in a public school in this state in the preceding school year; or
2. The student has been placed in substitute care in this state, regardless of whether the student was enrolled in a public school in this state in the preceding school year.

**EXCEPTION
FOR MILITARY
DEPENDENTS**

A student is eligible to enroll in one or more courses provided through the TxVSN or enroll full-time in courses provided through the network if the student:

1. Is a dependent of a member of the United States military;
2. Was previously enrolled in high school in this state; and
3. Does not reside in this state due to a military deployment or transfer.

Education Code 30A.002

**ENROLLED
STUDENTS**

A student who is enrolled in the district as a full-time student may take one or more electronic courses through the TxVSN. *Education Code 30A.107(b)*

**UNENROLLED
STUDENTS**

A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may, subject to Education Code 30A.155, enroll in electronic courses through the TxVSN. The student:

1. May not in any semester enroll in more than two electronic courses offered through the TxVSN;
2. Is not considered to be a public school student;
3. Must obtain access to a course provided through the network through the school district or open-enrollment

charter school attendance zone in which the student resides;

4. Is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network; and
5. Is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

Education Code 30A.107(c)

NOTICE

At the time and in the manner that a district informs students and parents about courses that are offered in the district's traditional classroom setting, the district shall notify parents and students of the option to enroll in an electronic course offered through the ~~state virtual school network~~ TxVSN.

REQUESTS TO ENROLL

A district in which a student is enrolled as a full-time student may not unreasonably deny the request of a parent of a student to enroll the student in an electronic course offered through the ~~state virtual school network~~ TxVSN. The district shall make all reasonable efforts to accommodate the enrollment of a student in the course under special circumstances.

A district is not considered to have unreasonably denied a request to enroll a student in an electronic course if:

1. The district can demonstrate that the course does not meet state standards or standards of the district that are of equivalent rigor as the district's standards for the same course provided in a traditional classroom setting;
2. A student attempts to enroll in a course load that:
 - a. Is inconsistent with the student's high school graduation plan; or
 - b. Could reasonably be expected to negatively affect the student's performance on an assessment instrument administered under Education Code 39.023; or
3. The student requests permission to enroll in an electronic course at a time that is not consistent with the enrollment period established by the district providing the course.

APPEALS

A parent may appeal to the Commissioner a district's decision to deny a request to enroll a student in an electronic course offered through the ~~state virtual school network~~ TxVSN. The Commission-

er's decision under this subsection is final and may not be appealed.

Education Code 26.0031

**PROHIBITION ON
REQUIRED
ENROLLMENT**

A school district or open-enrollment charter school may not require a student to enroll in an electronic course. *Education Code 30A.107(d)*

**COURSE
PORTABILITY**

A student who transfers from one educational setting to another after beginning enrollment in an electronic course is entitled to continue enrollment in the course. *Education Code 30A.1051*

**STUDENT
ASSESSMENT**

Each student enrolled under this chapter in an electronic course offered through the TxVSN must take any assessment instrument under Education Code 39.023 that is administered to students who are provided instruction in the course material in the traditional classroom setting. The administration of the assessment instrument to the student enrolled in the electronic course must be supervised by a proctor.

A district shall report to the Commissioner through the Public Education Information Management System (PEIMS) the results of assessment instruments administered to students enrolled in an electronic course offered through the TxVSN separately from the results of assessment instruments administered to other students.

Education Code 30A.110

FEES

A district may charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in this state and:

1. Is enrolled in a school district or open-enrollment charter school as a full-time student; and
2. Is enrolled in a course load greater than that normally taken by students in the equivalent grade level in other school districts or open-enrollment charter schools.

A district may charge a fee for enrollment in an electronic course provided through the TxVSN during the summer.

A district shall charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student.

The amount of a fee charged a student for each electronic course in which the student enrolls through the TxVSN may not exceed the lesser of:

1. The cost of providing the course; or
2. \$400.

A district that is not the provider school district or school may charge a student enrolled in the district a nominal fee, not to exceed the amount specified by the Commissioner, if the student enrolls in an electronic course provided through the TxVSN that exceeds the course load normally taken by students in the equivalent grade level.

Education Code 30A.155(a)–(c-1)

APPLICABILITY

Unless a district chooses to participate in providing an electronic course or an electronic diagnostic assessment under Education Code Chapter 30A to a student who is located on the physical premises of a school district or open-enrollment charter school, Chapter 30A does not affect the provision of a course to such a student.

Requirements imposed by or under Education Code Chapter 30A do not apply to a virtual course provided by a district only to district students if the course is not provided as part of the TxVSN.

Education Code 30A.004

A student may graduate and receive a diploma only if the student successfully completes:

1. The curriculum requirements identified by the State Board of Education [see STATE GRADUATION REQUIREMENTS, below] and has performed satisfactorily on the exit-level assessments [see EKB]; or
2. An individualized education program (IEP) developed under Education Code 29.005. [See EHBAB]

Education Code 28.025(c); 19 TAC 101.4001(a)

POSTHUMOUS
DIPLOMA

Beginning with students enrolled in grade 12 during the 2005–06 school year, and on request of the student’s parent, a district shall issue a high school diploma posthumously to a student who died while enrolled in the district at grade level 12, provided that the student was academically on track at the time of death to receive a diploma at the end of the school year in which the student died. “School year” includes any summer session following the spring semester.

EXCEPTION

A district is not required to issue a posthumous diploma if the student was convicted of a felony offense under Title 5 or 6, Penal Code, or adjudicated as having engaged in conduct constituting a felony offense under Title 5 or 6, Penal Code.

Education Code 28.0254

DIPLOMA /
TRANSCRIPT /
CERTIFICATE OF
COURSEWORK
COMPLETION

Graduates of each high school are awarded the same type of diploma. The academic achievement record ~~(or transcript)~~, rather than the diploma, records individual accomplishments, achievements, and courses completed and displays appropriate graduation seals. ~~19 TAC 74.41(a), 74.51(a), 74.61(a)~~ [See EI for provisions regarding certificate of coursework completion]

SPECIAL
EDUCATION
STUDENTS

A student receiving special education services who successfully completes the requirements of his or her IEP shall receive a high school diploma. *19 TAC 101.7(c)*

PERSONAL
GRADUATION
PLAN (PGP)

A principal shall designate a guidance counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan (PGP) for each student enrolled in a junior high, middle, or high school who:

1. Does not perform satisfactorily on a state assessment instrument; or
2. Is not likely to receive a high school diploma before the fifth school year following the student’s enrollment in grade level ~~nine~~**9**, as determined by a district.

A PGP must:

1. Identify educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instruction program described in Education Code 28.0213 [see EHBC];
4. Address participation of the student's parent or guardian, including consideration of the parent's or guardian's educational expectations for the student; and
5. Provide innovative methods to promote the student's advancement, including flexible scheduling, alternative learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.

~~A student's IEP developed under Education Code 29.005 [see EHBAB] may be used as the student's PGP.~~

In addition, a district is encouraged to establish for each student entering grade ~~nine~~⁹ a PGP that identifies a course of study that:

1. Promotes college and workforce readiness;
2. Promotes career placement and advancement; and
3. Facilitates the student's transition from secondary to postsecondary education.

Education Code 28.0212

STUDENTS
RECEIVING
SPECIAL
EDUCATION
SERVICES

For a student receiving special education services, the student's admission, review, and dismissal (ARD) committee and the district are responsible for developing the student's PGP.

A student's IEP developed under Education Code 29.005 may be used as the student's PGP.

Education Code 28.0212(c); 19 TAC 89.1050(a) [See EHBAB]

EARLY GRADUATION

A parent is entitled to request, with the expectation that the request will not be unreasonably denied, that the parent's child be permitted to graduate from high school earlier than the child would normally graduate, if the child completes each course required for graduation. The decision of a board concerning the request is final and may not be appealed. *Education Code 26.003(a)(3)(C), 26.003(b) [See FMH, FNG]*

STATE GRADUATION
REQUIREMENTS

All credit for graduation must be earned no later than grade 12.
~~19 TAC 74.41(b), 74.51(b), 74.61(b)~~

Note: For current state graduation requirements, **including those for students who entered grade 9 before the 2004–05 school year but that are not otherwise referenced in this policy**, see Education Code 28.025 and <http://www.tea.state.tx.us/rules/tac/chapter074/index.html>.

MINIMUM HIGH
SCHOOL PROGRAM

A district shall ensure that each student ~~entering the ninth grade in the 2004–05 school year and thereafter~~ enrolls in the courses necessary to complete the Recommended or Advanced/Distinguished Achievement High School Program unless the student, the student's parent or other person standing in parental relation to the student, and a school counselor or school administrator agree in writing signed by each party that the student should be permitted to take courses under the Minimum High School Program and the student:

1. Is at least 16 years of age;
2. Has completed two credits required for graduation in each subject of the foundation curriculum under Education Code 28.002(a)(1); or
3. Has failed to be promoted to the tenth grade one or more times as determined by the school district.

A student agreeing to take courses under the Minimum High School Program may, upon request, resume taking courses under the Recommended High School Program.

**STUDENTS WITH
DISABILITIES**

If an ARD committee makes decisions that place a student with a disability on a modified curriculum in a subject area, the student will be automatically placed in the Minimum High School Program.

NOTICE

Before a student's parent or other person standing in parental relation to the student may agree that the student be permitted to take courses under the Minimum High School Program, a district must provide the written notice developed by TEA to the parent or person standing in parental relation explaining the benefits of the Recommended High School Program.

APPLICABILITY

A student who was permitted to take courses under the Minimum High School Program prior to the 2009–10 school year may remain in the Minimum High School Program.

	<p><i>Education Code 28.025(b), (b-6), (b-8); 19 TAC 74.51(d), 74.52, .54, 74., 61(c)-(e), .62-.64</i></p>
<p>REQUIREMENTS</p>	<p>A student must earn at least 22 credits to complete the Minimum High School Program. A student who entered grade 9 in the 2004–05, 2005–06, or 2006–07 school year must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.52. A student who entered grade 9 in 2007–08 and thereafter must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.62. <i>19 TAC 74.11, 19 TAC 74.42, 74.52, .62</i></p>
<p>RECOMMENDED HIGH SCHOOL PROGRAM</p>	<p>A student enteringA student who entered grade 9 in the 2004–05, 2005–06, or 2006–07 school year must earn at least 24 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.53.</p> <p>A student who entered grade 9 in the 2007–08 school year or thereafter must earn at least 26 credits to complete the Recommended High School Program. A student must demonstrate proficiency in the program requirements listed at Education19 Administrative Code 28.025, Education Code 28.025; 19 TAC 74.63.</p> <p><i>Education Code 28.025; 19 TAC 74.53, .63</i></p>
<p>ADVANCED / DISTINGUISHED ACHIEVEMENT HIGH SCHOOL PROGRAM</p>	<p>A student enteringA student who entered grade 9 in the 2004–05, 2005–06, or 2006–07 school year must earn at least 24 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at 19 Administrative Code 74.54.</p> <p>A student who entered grade 9 in the 2007–08 school year or thereafter must earn at least 26 credits to complete the Advanced/Distinguished Achievement High School Program. A student must demonstrate proficiency in the program requirements listed at Edu- cation19 Administrative Code 28.025, Education Code 28.025; 19 TAC 74.64.</p> <p><i>Education Code 28.025; 19 TAC 74.54, .64</i></p>
<p>CURRICULUM MAY NOT VARY</p>	<p>A district may not vary the curriculum for a course in the required curriculum based on whether a student is enrolled in the Minimum, Recognized, or Advanced/Distinguished Achievement High School Program. <i>Education Code 28.004(q)</i></p>
<p>SUBSTITUTIONS</p>	<p>No substitutions are allowed for high school graduation requirements in the Recommended and Advanced/Distinguished Achievement High School Programs, except as provided by State</p>

	<p>Board rule. 19 TAC 74.43(d), 74.44(e), 74.53(d), 74.54(e), .63(d), .64(e)</p>
<p>AP OR IB COURSES</p>	<p>College Board Advanced Placement and International Baccalaureate courses may be substituted for required courses in appropriate areas. These courses may be used as electives in all three high school graduation programs. 19 TAC 74.41(g), 74.51(h), .61(k)</p>
<p>READING</p>	<p>A district may offer a maximum of 3 credits of reading for state graduation elective credit for identified students if the district:</p> <ol style="list-style-type: none"> 1. Adopts policies to identify students in need of additional reading instruction; 2. Has procedures that include assessment of individual student needs and ongoing evaluation of each student's progress; and 3. Monitors instructional activities to ensure that student needs are addressed. <p>Reading credits may be selected from Reading I, II, or III.</p> <p>19 TAC 74.41(d), 74.51(e), 74.61(e)</p>
<p>COLLEGE COURSES</p>	<p>A student may comply with the curriculum requirements under the Minimum, Recommended, or Advanced/Distinguished Achievement High School Program for each subject of the foundation curriculum and for languages other than English by successfully completing appropriate courses in the core curriculum of an institution of higher education. <i>Education Code 28.002(b-7-)</i>; 19 TAC 74.51(i), .61(l)</p>
<p>PHYSICAL EDUCATION SUBSTITUTIONS</p>	<p>A board may allow a student to substitute certain physical activities for the required credits of physical education, including the one-half credit of Foundations of Personal Fitness. The substitutions must be based on the physical activity involved in drill team, marching band, and cheerleading during the fall semester; Junior Reserve Officer Training Corps (JROTC); athletics; Dance I-IV; and two- or three-credit career and technology work-based training courses. 19 TAC 74.11(d)(7)(A)</p>
<p>PRIVATE OR COMMERCIALY SPONSORED PHYSICAL ACTIVITY PROGRAMS</p>	<p>A district, with the approval of the Commissioner, may allow a student to comply with the curriculum requirements for the required in accordance with local district policy, up to one credit for any one of the physical education courses listed in 19 Administrative Code Chapter 74 [see EHAC] may be earned through participation in any of the following activities:</p> <ol style="list-style-type: none"> 1. Drill team;

2. Marching band; and
3. Cheerleading.

In accordance with local district policy, credit for any physical education ~~credit by participating in a~~ course may be earned through participation in the following activities:

1. Athletics;
2. JROTC; and
3. **Appropriate** private or commercially sponsored physical activity ~~program provided~~ programs conducted on or off a ~~school~~ campus. A district must apply to the Commissioner for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions:
 - a. Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and ~~outside~~ the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - b. Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

RESTRICTIONS

All substitution activities must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.

No more than four substitution credits may be earned through any combination of substitutions listed above.

**STUDENTS WITH
PHYSICAL
LIMITATIONS**

If a student entering grade 9 during the 2007–08 school year or thereafter is unable to comply with all of the requirements for a physical education course due to a physical limitation certified by a licensed medical practitioner, a modification to a

physical education course does not prohibit the student from earning a Recommended or Advanced/Distinguished High School Program diploma. A student with a physical limitation must still demonstrate proficiency in the relevant knowledge and skills in a physical education course that do not require physical activity.

Education Code 28.002(b-10); **19 TAC 74.52(b)(7), .53(b)(7), .54(b)(7), .62(b)(7), .63(b)(7), .64(b)(7)**

TRANSFERS FROM
OUT-OF-STATE OR
NONPUBLIC SCHOOLS

Out-of-state or out-of-country transfer students (including foreign exchange students) and transfer students from Texas nonpublic schools are eligible to receive Texas diplomas but shall complete all applicable high school graduation requirements. Any course credits required for graduation that are not completed before enrollment may be satisfied through credit by examination, correspondence courses, distance learning, or completing the course, according to the provisions of 19 ~~TAC~~ **Administrative Code** 74.26. ~~19 TAC 74.41(f), 74.51(f), 74.~~, 61(f) [See ~~EEJA, EEJB, EEJ~~ **CEHDB, EHDC** , EHDE, and EI]

PRIOR COURSES

High school courses successfully completed prior to grade 9 and the 2007–08 school year shall count toward graduation in the manner established in 19 Administrative Code Chapter 74 for credit in the year the course is successfully completed.

Science and physical education graduation requirements successfully completed prior to the 2010–11 school year shall count toward graduation in the manner established at the time the credit was earned.

Physical education graduation requirements successfully completed through a two- or three-credit career and technical education work-based training course prior to the 2011–12 school year shall count toward graduation.

19 TAC 74.61(f), (m)

GRADUATION OF
SPECIAL EDUCATION
STUDENTS

A student receiving special education services may graduate and be awarded a regular high school diploma if:

COMPLETION OF
GENERAL
EDUCATION
REQUIREMENTS

1. The student has satisfactorily completed the state's or district's (whichever is greater) minimum curriculum and credit requirements applicable to students in general education for graduation under the Recommend or Advanced/Distinguished Achievement Programs, including satisfactory performance on the exit-level assessment instrument; or
2. The student has satisfactorily completed the state's or district's (whichever is greater) minimum curriculum and credit

requirements applicable to students in general education for graduation under the Minimum High School Program, including participation in state assessments. The student's ~~admission, review, and dismissal~~ (ARD) committee shall determine whether satisfactory performance on a required state assessment shall also be required for graduation.

19 TAC 89.1070(b)

COMPLETION OF
IEP

A student receiving special education services may also graduate and receive a regular high school diploma when the student's ARD committee has determined that the student has successfully completed:

1. The student's IEP;
2. One of the following conditions, consistent with the student's IEP:
 - a. Full-time employment, based on the student's abilities and local employment opportunities, in addition to sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district;
 - b. Demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district; or
 - c. Access to services that are not within the legal responsibility of public education, or employment or educational options for which the student has been prepared by the academic program;
3. The state's or district's (whichever is greater) minimum credit requirements for students without disabilities; and
4. The state's or district's minimum curriculum requirements to the extent possible with modifications/substitutions only when it is determined necessary by the ARD committee for the student to receive an appropriate education.

The ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

19 TAC 89.1070(c), (h)

AGING OUT

A student receiving special education services may also graduate and receive a regular high school diploma upon the ARD committee's determination that the student no longer meets age eligibility

requirements and has completed the requirements specified in the IEP. *19 TAC 89.1070(d)*

EVALUATION

Special education students graduating under the above provisions shall be provided with a summary of academic achievement and functional performance as described at 34 CFR 300.305(e)(3). The summary shall consider, as appropriate, the views of the parent and student and written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals. If the student is graduating based on completion of his or her IEP, the evaluation under 34 CFR 300.305(e) shall be included as part of the summary. Students who participate in graduation ceremonies but who are not graduating and who will remain in school to complete their education do not have to be evaluated. *19 TAC 89.1070(e), (f)*

GRADUATION OF
MILITARY
DEPENDENTS

COURSE WAIVER

District officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed by a military student in another district or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the district shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

TRANSFERS
DURING SENIOR
YEAR

Should a military student transferring at the beginning or during the student's senior year be ineligible to graduate from the district after all alternatives have been considered, the sending and receiving districts shall ensure the receipt of a diploma from the sending district, if the student meets the graduation requirements of the sending district. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student.

SUBSTITUTE
PASSING
STANDARD

The Commissioner shall adopt a passing standard on one or more national norm-referenced achievement tests for purposes of permitting a qualified military dependent to meet that standard as a substitute for completing a specific course otherwise required for graduation. The passing standard is available only for a student who enrolls in a public school in this state for the first time after completing the ninth grade or who reenrolls in a public school in this state at or above the tenth grade level after an absence of at least two years from the public schools of this state. Each passing standard in effect when a student first enrolls in a Texas public high school remains applicable to the student for the duration of the student's high school enrollment, regardless of any subsequent revision of the standard.

Education Code 162.002 art. VII, §§ A, C [See FDD]

IMMUNIZATION
REQUIREMENTS

Each student shall be fully immunized against diphtheria, rubeola (measles), rubella, mumps, tetanus, and poliomyelitis. The Texas Department of State Health Services (TDSHS) may modify or delete any of these immunizations or may require immunizations against additional diseases as a requirement for admission to any elementary or secondary school. *Education Code 38.001(a), (b)*

TDSHS requires students in kindergarten through twelfth grade to have the following additional vaccines, according to the immunization schedules set forth in department regulations: pertussis, hepatitis B, hepatitis A (for students attending schools in high incidence geographic areas as designated by the department), and varicella (chickenpox).

TDSHS requires students in seventh through twelfth grade to have the meningococcal vaccine, according to the immunization schedules set forth in department regulations.

25 TAC 97.63(2)(B)

Note: For immunization requirements, see TDSHS's Web site at <http://www.dshs.state.tx.us/immunize/docs/school/6-14.pdf>. For TDSHS's recommended immunization schedule, see http://www.dshs.state.tx.us/immunize/Schedule/schedule_child.shtm.

Under Health and Safety Code Chapter 81, Subchapter E, additional vaccinations may be required by TDSHS and/or the local health authority in specific situations under the mechanism of a control order containing control measures. *25 TAC 97.72*

IMMUNIZATION
AWARENESS
PROGRAM

A district that maintains an Internet Web site shall post prominently on the Web site:

1. A list, in English and Spanish, of:
 - a. The immunizations required by TDSHS for admission to public school;
 - b. Any immunizations or vaccines recommended for public school students by TDSHS. The list must include the influenza vaccine, unless TDSHS requires the influenza vaccine for admission to public school; and
 - c. Health clinics in the district that offer the influenza vaccine, to the extent those clinics are known to the district; and
2. A link to the TDSHS Internet Web site where a person may obtain information relating to the procedures for claiming an

exemption from the immunization requirements. The link must be presented in the same manner as the information provided under paragraph 1.

Education Code 38.0181

APPLICABILITY

The vaccine requirements apply to all students entering, attending, enrolling in, and/or transferring to a district. 25 TAC 97.61(a)

EXCEPTIONS

Immunization is not required for admission to a district:

1. If the student submits to the admitting official:

MEDICAL
REASONS

- a. An affidavit or a certificate signed by the student's physician (M.D. or D.O.) who is duly registered and licensed to practice medicine in the United States and who has examined the student.

The affidavit or certificate must state that, in the physician's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or any member of the student's household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

OR

or

REASONS OF
CONSCIENCE

- b. An affidavit signed by the student or, if a minor, the student's parent or guardian stating that the student declines immunization for reasons of conscience, including a religious belief. The affidavit will be valid for a two-year period.

The affidavit must be on a form obtained from the TDSHS and must be submitted to the admitting official not later than the 90th day after the date the affidavit is notarized.

A student who has not received the required immunizations for reasons of conscience may be excluded from school in times of emergency or epidemic declared by the commissioner of **publicstate** health **services**.

or

MILITARY DUTY

2. If the student can prove that he or she is a member of the armed forces of the United States and is on active duty.

Education Code 38.001(c), (c-1), (f); Health and Safety Code 161.004(a), (d)(2), ~~161.0041~~; 25 TAC 97.62

PROVISIONAL
ADMISSION

A student may be provisionally admitted or enrolled if the student has begun the required immunizations. The student must have an immunization record that indicates the student has received at least one dose of each age-appropriate vaccine specified in the regulations.

COMPLETION OF
VACCINATIONS

To remain enrolled, the student must continue to receive the necessary immunizations as rapidly as medically feasible. The student must complete the required subsequent doses in each vaccination series on schedule and provide acceptable evidence of vaccination to a district.

REVIEW OF STATUS

A school nurse or school administrator shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and a district will exclude the student from school attendance until the required dose is administered.

HOMELESS
STUDENT

A student who is homeless, as defined in the McKinney-Vento Homeless Education Act, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. The school shall promptly refer the student to appropriate public health programs to obtain the required vaccinations. [See FD and FDC]

TRANSFER
STUDENTS

A student can be enrolled provisionally for no more than 30 days if he or she transfers from one Texas school to another, and is awaiting the transfer of the immunization record.

MILITARY
DEPENDENTS

A military dependent can be enrolled provisionally for no more than 30 days if the student transfers from one school to another and is awaiting the transfer of the immunization record. [See FDD]

The collection and exchange of information pertaining to immunizations shall be subject to confidentiality provisions prescribed by federal law.

Education Code 38.001(e), 162.002 art. IV, § C; 25 TAC 97.66, ~~97.69~~; Atty. Gen. Op. GA-178 (2004)

EVIDENCE OF
IMMUNIZATION

A student shall show acceptable evidence of vaccination before entry, attendance, or transfer to a district. 25 TAC 97.63(2)

Vaccines administered after September 1, 1991, shall include the month, day, and year each vaccine was administered. The following documentation is acceptable:

1. Documentation of vaccines administered that includes the signature or stamp of the physician or his or her designee, or public health personnel;
2. An official immunization record generated from a state or local health authority, such as a registry; or
3. A record received from school officials including a record from another state.

25 TAC 97.68

Serologic confirmations of immunity to measles, rubella, mumps, hepatitis A, hepatitis B, or varicella are acceptable. Evidence of measles, rubella, mumps, hepatitis A, hepatitis B, or varicella illnesses must consist of a valid laboratory report that indicates either confirmation of immunity or infection.

A written statement from a parent, legal guardian, managing conservator, school nurse, or physician attesting to a child's positive history of varicella disease (chickenpox) or varicella immunity is acceptable in lieu of a vaccine record for that disease. [See the form on TDSHS's Web site at <http://www.dshs.state.tx.us/immunize/docs/c-9.pdf>]

25 TAC 97.65

IMMUNIZATION
RECORDS

Not later than the 30th day after a parent or other person with legal control of a student under a court order enrolls the student in a district, the parent or other person, or the district in which the student most recently attended school, shall furnish to the district a record showing that the student has the required immunizations. *Education Code 25.002(a)(3), (a-1)*

Each district shall keep an individual immunization record during the period of attendance for each student admitted. The records shall be sufficient for a valid audit to be completed. The records shall be open for inspection at all reasonable times by TEA, local health departments, or the TDSHS. *Education Code 38.002(a); 25 TAC 97.67*

TRANSFER OF
RECORDS

Each district shall cooperate in transferring students' immunization records to other schools. Specific approval from students, parents, or guardians is not required before transferring those records. *Education Code 38.002(b)*

ANNUAL REPORT

Districts shall submit annual reports of the immunization status of students, in a format prescribed by TDSHS, to monitor compliance with immunization requirements. All districts shall submit the report

at the time and in the manner indicated in the instructions printed on the form. *Education Code 38.002(c); 25 TAC 97.71*

CONSENT TO
IMMUNIZATION

In addition to persons authorized to consent to immunization under Family Code Chapters 151 (parents) and 153 (conservators), the following persons may consent to the immunization of a child:

1. A guardian of the child; and
2. A person authorized under the law of another state or a court order to consent for the child.

Family Code 32.101(a)

The district in which the child is enrolled may give consent to the immunization if:

1. The persons listed above are not available; and
2. The district has written authorization to consent from a person listed above.

Family Code 32.101(b)(5)

A district may not consent for the child if it has actual knowledge that a person listed above has:

1. Expressly refused to give consent to the immunization;
2. Been told not to consent for the child; or
3. Withdrawn a prior written authorization for the district to consent.

Family Code 32.101(c)

DUTY TO PROVIDE
INFORMATION

A district that consents to immunization of a child shall provide the health-care provider with sufficient and accurate health history and other information as set forth in Family Code 32.101(e).

FORM OF CONSENT

Consent to immunization must meet the requirements of Family Code 32.002(a). [See FFAC] A district has the responsibility to ensure that the consent, if given, is an informed consent. A district is not required to be present when the immunization is requested if a consent form has been given to the health-care provider. ~~*Family Code 32.101(f), 32.102*~~

Family Code 32.101(f), .102

LIABILITY

A district consenting to immunization of a child is not liable for damages arising from an immunization administered to a child authorized under Family Code Subchapter B except for injuries resulting from the district's own acts of negligence. *Family Code 32.103*

SCHOOL-BASED
HEALTH CENTERS

A district may, if it identifies the need, design a model for the delivery of cooperative health-care programs for students and their families and may compete for grants to provide such programs. The model program may provide for delivery of conventional health services and disease prevention of emerging health threats that are specific to a district.

On the recommendation of an advisory council, a district may establish a school-based health center at one or more campuses in the district to meet the health-care needs of students and their families. A district may contract with a person to provide services at a school-based health center.

Education Code 38.051

PROGRAMS GOALS

All health-care programs should be designed to meet the following goals:

1. Reducing student absenteeism;
2. Increasing a student's ability to meet the student's academic potential; and
3. Stabilizing the physical well-being of a student.

Education Code 38.063(c)

CONSENT
REQUIRED

A school-based health center may provide services to a student only if a district or the provider with whom a district contracts obtains the written consent of the student's parent or guardian or another person having legal control of the student. The student's parent or guardian or another person having legal control of the student may give consent to receive ongoing services or may limit consent to one or more services provided on a single occasion. The consent form must list every service the center delivers in a format that complies with all applicable state and federal laws and allows a person to consent to one or more categories of services.

Education Code 38.053

PERMISSIBLE
SERVICES

The permissible categories of services are:

1. Family and home support;
2. Health care, including immunizations;
3. Dental health care;
4. Health education; and
5. Preventive health strategies.

Education Code 38.054

SERVICES NOT
PERMITTED

Reproductive services, counseling, or referrals may not be provided through a school-based health center using grant funds awarded under Education Code Chapter 38, Subchapter B. Any service provided using grant funds must be provided by an appropriate professional who is properly licensed, certified, or otherwise authorized under state law to provide the service. *Education Code 38.055, ~~38.~~.056*

The staff of a school-based health center and the person who consents to treatment shall jointly identify any health-related concerns of a student that may be interfering with the student's well-being or ability to succeed in school. If it is determined that a student should be referred for mental health services, the staff of the center shall notify verbally and in writing the person who has authority to consent, and the referral shall not be made unless the person provides written consent for the service to be provided and specific written consent for each treatment occasion. *Education Code 38.057*

ADVISORY COUNCIL

A board may establish and appoint members to a local health education and health-care advisory council to make recommendations on the establishment of school-based health centers and to assist a district in ensuring that local community values are reflected in the operation of each center and in the provision of health education. A majority of the members must be parents of students enrolled in a district. In addition to the appointees who are parents, a board shall also appoint at least one teacher, one administrator, one licensed health-care professional, one member of the clergy, one person from law enforcement, one member of the business community, one senior citizen, and one student. *Education Code 38.058*

A district may seek assistance in establishing and operating a school-based health center from any public agency in the community. *Education Code 38.059*

If a district is located in a county with a population not greater than 50,000 or that has been designated as a health professional shortage area, a medically underserved area, or a medically underserved community, the district shall make a good-faith effort to identify and coordinate with existing providers. *Education Code 38.060*

PRIMARY CARE
PHYSICIAN

If a person receiving a medical service from a school-based health center has a primary care physician, the staff of the center shall provide notice of the service to that physician. Before delivering service to a person with a primary care physician under the state Medicaid program, a state children's health plan program, or a private health insurance or health benefit plan, the staff of the center

WELLNESS AND HEALTH SERVICES
SCHOOL-BASED HEALTH CENTERS

FFAE
(LEGAL)

shall notify that physician to share medical information and obtain authorization for delivering the medical service. *Education Code 38.061*

FUNDING

A district shall comply with the funding requirements and limitations set out in Education Code 38.062–.063 and with rules adopted by the commissioner of **publicstate** health **services**. *Education Code 38.062–.063*

STANDARDS FOR
STATE-FUNDED
CENTERS

If a district receives a grant from the Texas Department of State Health Services (TDSHS) to assist with the costs of operating school-based health centers, it must comply with TDSHS standards for funded centers. *25 TAC 37.531, ~~37.538~~*

STUDENT CODE OF
CONDUCT

The board shall adopt a Student Code of Conduct (SCOC) for a district, with the advice of its district-level committee. The SCOC must:

1. Specify the circumstances, consistent with Education Code Chapter 37, Subchapter A, under which a student may be removed from a classroom, campus, or disciplinary alternative education program (DAEP).
2. Specify the conditions that authorize or require a principal or other appropriate administrator to transfer a student to a DAEP.
3. Outline conditions under which a student may be suspended, as provided by Education Code 37.005 [see FOB], or expelled, as provided by Education Code 37.007 [see FOD].
4. Specify that consideration will be given, as a factor in each decision concerning suspension, removal to a DAEP, expulsion, or placement in a juvenile justice alternative education program, regardless of whether the decision concerns a mandatory or discretionary action, to:
 - a. Self-defense;
 - b. Intent or lack of intent at the time the student engaged in the conduct;
 - c. A student's disciplinary history; or
 - d. A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
5. Provide guidelines for setting the length of removal to a DAEP or of expulsion. Except as provided by Education Code 37.007(e) (Gun-Free Schools Act [see FOD]), a district is not required to specify a minimum term of removal or expulsion.
6. Address the notification of the parent or guardian of a student's violation of the Student Code of Conduct that results in suspension, removal to a DAEP, or expulsion.
7. Prohibit bullying, harassment, and making hit lists and ensure that district employees enforce those prohibitions.

"Bullying" means engaging in written or verbal expression or physical conduct that a board or its designee determines:

 - a. Will have the effect of physically harming a student, damaging a student's property, or placing a student in rea-

sonable fear of harm to the student's person or of damage to the student's property; or

- b. Is sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

"Harassment" means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another student, subjecting another student to physical confinement or restraint, or maliciously taking any action that substantially harms another student's physical or emotional health or safety.

"Hit list" means a list of people targeted to be harmed using a firearm, as defined by Penal Code 46.01(3) [see FNCG]; a knife, as defined by Penal Code 46.01(7) (any bladed hand instrument that is capable of inflicting serious bodily injury or death by cutting or stabbing a person with the instrument); or any other object to be used with intent to cause bodily harm.

- 8. Provide, as appropriate for students at each grade level, methods, including options, for:
 - a. Managing students in the classroom and on school grounds;
 - b. Disciplining students; and
 - c. Preventing and intervening in student discipline problems, including bullying, harassment, and making hit lists.

The methods adopted must provide that a student who is enrolled in a special education program under Education Code Chapter 29, Subchapter A, may not be disciplined for bullying, harassment, or making of hit lists until an admission, review, and dismissal (ARD) committee meeting has been held to review the conduct. [See FOF]

CHANGES IN SCOC Once a Student Code of Conduct is promulgated, any change or amendment shall be approved by a board.

POSTING The Student Code of Conduct shall be posted and prominently displayed at each school campus or made available for review at the office of the campus principal.

Education Code 37.001

STUDENT DISCIPLINE

FO
(LEGAL)

NOTICE TO PARENTS	Each school year, a district shall provide parents with notice of and information regarding the Student Code of Conduct. <i>Education Code 37.001(d)</i>
NONCUSTODIAL PARENT	A noncustodial parent may request in writing that, for the remainder of the school year in which the request is received, a district provide that parent with a copy of any written notification that is generally provided to a student's parent or guardian, relating to student misconduct under Education Code 37.006 or 37.007. A district may not unreasonably deny the request. Notwithstanding this requirement, a district shall comply with any applicable court order of which the district has knowledge. <i>Education Code 37.0091(a)</i>
COPIES TO STAFF	The district shall provide each teacher and administrator with a copy of Education Code Chapter 37, Subchapter A regarding student discipline and with a copy of the related local policy. <i>Education Code 37.018</i>
NO UNSUPERVISED SETTING	Except for students who are suspended or expelled, no student may be placed in an unsupervised setting as a result of conduct for which a student may be placed in a DAEP. <i>Education Code 37.008(h)</i>
CONTINUATION OF DISCIPLINARY ACTION	<p>If a district takes disciplinary action against a student and the student subsequently enrolls in another district or school before the expiration of the period of disciplinary action, the district or school taking the disciplinary action shall provide to the district or school in which the student enrolls, at the same time other records of the student are provided, a copy of the order of disciplinary action.</p> <p>"Disciplinary action" means a suspension, expulsion, placement in an alternative education program, or other limitation in enrollment eligibility of a student.</p> <p>"District or school" includes an independent school district, a home-rule school district, a campus or campus program charter holder, or an open-enrollment charter school.</p> <p><i>Education Code 37.022</i></p>
OPPORTUNITY TO COMPLETE COURSES	If a student is placed in in-school suspension or other alternative setting other than a DAEP, a district shall offer the student the opportunity to complete, before the beginning of the next school year, each course in which the student was enrolled at the time of removal. A district may provide the opportunity by any method available, including a correspondence course, distance learning, or summer school. <i>Education Code 37.021</i>

SECLUSION

A district employee or volunteer or an independent contractor of a district may not place a student in seclusion. *Education Code 37.0021(c)*

“Seclusion” means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:

1. Is designed solely to seclude a person; and
2. Contains less than 50 square feet of space.

Education Code 37.0021(b)(2)

EXCEPTIONS

This prohibition on seclusion does not apply to:

1. A peace officer, while performing law enforcement duties;
2. An educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.

Education Code 37.0021(g)

**CORPORAL
PUNISHMENT**

Reasonable corporal punishment is not prohibited in order to preserve an effective educational environment, free from disruption.

**REASONABLE AND
MODERATE**

Corporal punishment shall be reasonable and moderate and may not be administered maliciously or for the purpose of revenge. Such factors as the size, age, and condition of the student, the type of instrument to be used, the amount of force to be used, and the part of the body to be struck shall be considered before administering any corporal punishment.

Baker v. Owen, 395 F. Supp. 294 (M.D.N.C. 1975), *aff'd*, 423 U.S. 907 (1975); *Ingraham v. Wright*, 430 U.S. 651 (1977)

**MAINTAIN
DISCIPLINE**

The use of force, but not deadly force, against a student is justified if the teacher or administrator is entrusted with the care, supervision, or administration of the student when, and to the degree the teacher or administrator reasonably believes the force is necessary, to further the purpose of education or to maintain discipline in a group. *Penal Code 9.62*

**VIDEOTAPES AND
RECORDINGS**

A district employee may, without consent of a child’s parent, make a videotape or recording of the child if the videotape or recording is to be used only for purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses. *Education Code 26.009(b)(1)* [See FNG]

REPORTS

A district shall annually report to the Commissioner:

DISCIPLINARY
ALTERNATIVE
EDUCATION
PROGRAMS
(DAEPS)

1. For each placement in a DAEP:
 - a. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
 - b. Information indicating whether the placement was based on:
 - (1) Conduct violating the Student Code of Conduct;
 - (2) Conduct for which a student may be removed from class by a teacher [see FOA and the Student Code of Conduct];
 - (3) Conduct for which placement in a DAEP is required [see FOC and the Student Code of Conduct]; or
 - (4) Conduct occurring while a student was enrolled in another district and for which placement in a DAEP is permitted by Education Code 37.008(j);
 - c. The number of full or partial days the student was assigned to the program and the number of full or partial days the student attended the program; and
 - d. The number of placements that were inconsistent with the guidelines on length of placement in the Student Code of Conduct.

EXPULSIONS

2. For each expulsion:
 - a. Information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports;
 - b. Information indicating whether the expulsion was based on:
 - (1) Conduct for which expulsion is required, including information specifically indicating whether a student was expelled for bringing a firearm to school; or
 - (2) Conduct for which expulsion is permitted;
 - c. The number of full or partial days the student was expelled;
 - d. Information indicating whether:

- (1) The student was placed in a juvenile justice alternative education program (JJAEP);
 - (2) The student was placed in a DAEP; or
 - (3) The student was not placed in a JJAEP or other alternative education program; and
- e. The number of expulsions that were inconsistent with the guidelines on length of expulsion in the Student Code of Conduct.

Education Code 37.020

	<p>A disciplinary alternative education program (DAEP) is an educational and self-discipline alternative instruction program for students in elementary through high school grades who are removed from their regular classes for mandatory or discretionary disciplinary reasons and placed in a DAEP. <i>19 TAC 103.1201(a)</i></p>
JOINT / CONTRACTED DAEP	<p>A district may provide a DAEP jointly with one or more other districts, or may contract with third parties for DAEP services. A district that contracts with a third party must require and ensure compliance with district responsibilities that are transferred to the third-party provider. <i>Education Code 37.008(d); 19 TAC 103.1201(d)</i></p> <p>The DAEP may provide for a student's transfer to a different campus, a school-community guidance center, or a community-based alternative school. <i>Education Code 37.008(b)</i></p>
COMMUNITY ORGANIZATIONS	<p>A district shall cooperate with government agencies and community organizations that provide services in the district to students placed in a DAEP. <i>Education Code 37.008(e)</i></p>
FUNDING	<p>A student removed to a DAEP is counted in calculating a district's average daily attendance for the student's time in actual attendance in the program. <i>Education Code 37.008(f)</i></p> <p>A district shall allocate to a DAEP the same expenditure per student attending the DAEP as would be allocated to the student's school if the student were attending the student's regularly assigned education program, including a special education program. <i>Education Code 37.008(g)</i> [See also EHBC, (LEGAL), LIMIT ON DAEP EXPENDITURES]</p>
LOCATION	<p>A DAEP shall be provided in a setting other than the student's regular classroom. It may be located on or off a regular school campus. An off-campus DAEP is not subject to a requirement imposed by the Education Code, other than a limitation on liability, a reporting requirement, or a requirement imposed by Education Code Chapter 37 or Chapter 39.</p> <p>An elementary school student may not be placed in a DAEP with a student who is not an elementary school student. The designation of elementary and secondary is determined by adopted local policy.</p> <p>Students who are assigned to the DAEP shall be separated from students who are not assigned to the program. However, summer programs provided by the district may serve students assigned to a DAEP in conjunction with other students, as determined by local policy.</p> <p>Students in the DAEP shall be separated from students in a juvenile justice alternative education program (JJAEP).</p>

	<p><i>Education Code 37.006(f), 37.008(a), (c); 19 TAC 103.1201(f)(3), (h)(1), (h)(3)</i></p>
HOURS OF OPERATION	<p>The school day for a DAEP shall be at least seven hours but no more than ten hours in length each day, including intermissions and recesses. <i>Education Code 37.008(a); 19 TAC 103.1201(f)(2)</i></p>
SAFETY	<p>A district is responsible for the safety and supervision of the students assigned to the DAEP; however, the immunity from the liability established in Education Code 22.0511 [see DG], shall not be impacted. The DAEP staff shall be prepared and trained to respond to health issues and emergencies.</p> <p>Each district shall establish a board-approved policy for discipline and intervention measures to prevent and intervene against unsafe behavior and include disciplinary actions that do not jeopardize students' physical health and safety, harm emotional well-being, or discourage physical activity.</p> <p><i>19 TAC 103.1201(h)</i></p>
STAFFING	<p>A DAEP shall employ only teachers who meet certification requirements under Education Code Chapter 21, Subchapter B. The certified teacher-to-student ratio in a DAEP shall be one teacher for each 15 students in elementary through high school grades. <i>Education Code 37.008(a); 19 TAC 103.1201(h)(1)</i></p> <p>Staff at each DAEP shall participate in training programs on education, behavior management, and safety procedures that focus on positive and proactive behavior management strategies. The training programs must also target prevention and intervention that include:</p> <ol style="list-style-type: none">1. Training on the education and discipline of students with disabilities who receive special education services;2. Instruction in social skills and problem-solving skills that addresses diversity, dating violence, anger management, and conflict resolution to teach students how to interact with teachers, family, peers, authority figures, and the general public; and3. Annual training on established procedures for reporting abuse, neglect, or exploitation of students. <p><i>19 TAC 103.1201(i)</i></p>
ENTRANCE PROCEDURES	<p>Procedures for each DAEP shall be developed and implemented for newly-entering students and their parents or guardians on the expectations of the DAEP. These procedures shall include written contracts between students, parents or guardians, and the DAEP</p>

that formalize expectations and establish the students' individual plans for success. 19 TAC 103.1201(j)

ACADEMICS

The academic mission of DAEPs shall be to enable students to perform at grade level. A DAEP shall focus on English language arts, mathematics, science, history, and self-discipline. *Education Code 37.008(a), (m)*

A district shall provide an academic and self-discipline program that leads to graduation and includes instruction in each student's currently enrolled foundation curriculum necessary to meet the student's individual graduation plan, including special education services. A student's four-year graduation plan (Minimum, Recommended, or Advanced/Distinguished Achievement) may not be altered when the student is assigned to a DAEP.

OPPORTUNITY TO
COMPLETE
COURSE

A district shall offer a student removed to a DAEP an opportunity to complete a foundation curriculum course in which the student was enrolled at the time of removal, before the beginning of the next school year, through any method available, including a correspondence course, distance learning, or summer school. A district may not charge the student for such course provided under this subsection. Except for this requirement, a district is not required to provide in the DAEP a course necessary to fulfill a student's high school graduation requirements.

Education Code 37.008(l); 19 TAC 103.1201(f)

ACCOUNTABILITY-AND
ACADEMIC
ASSESSMENT

The campus of accountability for student performance shall be the student's locally assigned campus, including when the district or shared services arrangement contracts with a third party for DAEP services. 19 TAC 103.1201(~~e~~)

ACADEMIC
ASSESSMENTS

A district shall administer to a student placed in a DAEP program for a period of 90 school days or longer an assessment instrument ~~approved by the Commissioner for that purpose. The instrument shall be administered:~~

1. Initially on placement of the student in the program; and
2. Subsequently on the date of the student's departure from the program, or as near that date as possible.

~~The Released state assessments for reading and mathematics for the appropriate grade may be used. A district may apply for approval of an assessment~~ **must be designed that includes the Texas Essential Knowledge and Skills (TEKS) for reading and mathematics for the student's assigned grade. The Commissioner will publish on the Texas Education Agency**

Web site a list of assessments approved for use in each school year.

The grade level of an assessment shall be based upon the academic grade completed prior to ~~assess at least a~~ the student being assigned to a DAEP if placement occurs in the fall or first semester of the academic school year. If placement occurs in the spring or second semester of the academic school year, the student shall be administered an assessment based on the current grade level.

Each district shall provide an academic report to the student's locally assigned campus, which shall include the pre- and post-assessment results of the student's basic skills in reading and mathematics ~~and is in addition to~~, within ten days of the student completing the post-assessment ~~instruments required to~~.

Procedures for administering the pre- and post-assessment shall be ~~administered~~ developed and implemented in accordance with local school district policy.

A student in the district's DAEP must also be assessed under the requirements of the Education Code Chapter 39 ~~see~~. [See EKB~~]-~~]

Education Code 37.0082; 19 TAC 103.1203

SPECIAL
POPULATIONS

SPECIAL
EDUCATION

A DAEP serving a student with a disability who receives special education services shall provide educational services that will support the student in meeting the goals identified in the student's IEP. *19 TAC 103.1201(g)*

DRUG AND
ALCOHOL
TREATMENT

A program of educational and support services may be provided to a student and the student's parents when the offense involves drugs or alcohol as specified under Education Code 37.006 and 37.007. A DAEP that provides chemical dependency treatment services must be licensed under Health and Safety Code Chapter 464. *Education Code 37.008(k)*

TRANSITION
SERVICES

The transition services established for a student who is exiting a DAEP and returning to the student's locally assigned campus shall be implemented and updated annually as needed. The transition procedures shall include:

1. An established time line for the student's transition from the DAEP to the student's locally assigned campus; and
2. Written and oral communication from the DAEP staff to the locally assigned campus during the student's assignment to

the DAEP, including the student's educational performance
and tasks completed.

19 TAC 103.1201(k)

AUTHORIZED FEES

A board may require payment of:

1. Fees for materials used in any program in which the resultant product is in excess of minimum requirements and, at the student's option, becomes the personal property of the student. Fees may not exceed the cost of materials.
2. Membership dues in student organizations or clubs, and admission fees or charges for attending extracurricular activities when membership or attendance is voluntary.
3. Security deposits for the return of materials, supplies, or equipment.
4. Fees for personal physical education and athletic equipment and apparel. However, any student may provide his or her own equipment or apparel if it meets reasonable requirements and standards relating to health and safety established by the board.
5. Fees for items of personal use or products that a student may purchase at the student's option, such as student publications, class rings, annuals, and graduation announcements.
6. Fees specifically permitted by any other statute.
7. Fees for an authorized, voluntary student health and accident benefit plan.
8. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by a district.
9. Fees for personal apparel that become the property of the student and that are used in extracurricular activities.
10. Parking fees [see CLC] and fees for identification cards.
11. Fees for driver training courses, provided that such fees shall not exceed the actual district cost per student in such programs for the current school year.
12. Fees for courses offered for credit that require the use of facilities not available on the school premises or the employment of an educator who is not part of the school's regular staff, if participation in the course is at the student's option. Payment may not be required if the course is one requested by parents according to Education Code 28.003 [see EHA].
13. Fees for courses offered during summer school, except that the board may not charge a fee for a course required for

graduation unless the course is also offered without a fee during the regular school term.

14. A reasonable fee for transportation of a student who lives within two miles of the school the student attends to and from that school, except that the board may not charge a fee for transportation for which the district receives funds under Education Code 42.155(d).
15. A reasonable fee, not to exceed \$50, for costs associated with an educational program offered outside of regular school hours through which a student who was absent from class receives instruction voluntarily for the purpose of making up the missed instruction and meeting the level of attendance required under Education Code 25.092. [See FEC] A district shall provide a written form to be signed by the student's legal guardian stating that this fee would not create a financial hardship or discourage the student from attending the program. A district may assess the fee only if the student returns the signed form.

Education Code 11.158(a), (d), (h)

16. **A fee for enrollment in an electronic course provided through the Texas virtual school network (TxVSN) in accordance with Education Code 30A.155. *Education Code 30A.155* [See EHDE]**

PROHIBITED FEES

A board may not charge fees for:

1. Textbooks, workbooks, laboratory supplies, or other supplies necessary for participation in any instructional course, except as authorized under this code.
2. Field trips required as part of a basic educational program or course.
3. Any specific form of dress necessary for any required educational program or diplomas.
4. Instructional costs for necessary school personnel employed in any course or educational program required for graduation.
5. Library books required to be used for any educational course or program. However, fines may be assessed for lost, damaged, or overdue books.
6. Admission to any activity the student is required to attend as a prerequisite to graduation.

STUDENT FEES, FINES, AND CHARGES

FP
(LEGAL)

7. Admission or examination in any required educational course or program.
8. Lockers.

PERSONAL SUPPLIES Students may be required to furnish personal or consumable items, including pencils, paper, pens, erasers, and notebooks. Students may be required to furnish school uniforms, subject to the provisions of Education Code 11.162 regarding educationally disadvantaged students. [See FNCA(~~LEGAL~~)]

SCHOOL STORE A district may operate a school store where students may purchase school supplies and materials.

WAIVER OF FEES A district shall adopt reasonable procedures for waiving a deposit or fee if a student or the student's parent or guardian is unable to pay it. This policy shall be posted in a central location in each school facility, in the school policy manual, and in the student handbook.

POSTSECONDARY INSTRUCTIONAL PROGRAMS A board may charge reasonable fees for goods and services provided in connection with any postsecondary instructional program, including career and technology, adult, veterans, or continuing education, community service, evening school, and high school equivalency programs.

Education Code 11.158(b)-(c), (e)-(g)