

INTRODUCTION

This manual contains policies governing the operation of this District.

The policies are included because they are required by law or by the Texas Education Agency; because they are recommended by the Texas Association of School Boards as essential to effective District governance and management; or because the Board wishes to make a statement in a particular policy area.

This Localized Policy Manual was created with the assistance of TASB Policy Service and adheres to certain structural conventions. The most visible of these conventions is the presence of separate (LEGAL) and (LOCAL) policies at many policy codes. This separation, described in greater detail below, serves to help all users—whether members of the public or members of the Board—distinguish between the requirements of an extensive body of school law and the policy determinations of the local Board. Policy BE(LEGAL), for instance, recites statutes and case law governing meetings of the Board, while policy BE(LOCAL) adds a local dimension (agenda preparation, meeting time/place, and the like). To fully understand policy regarding Board meetings, therefore, the manual user should consider both the (LEGAL) and the (LOCAL) policies together.

This policy manual, though it contains an extensive collection of legal materials relevant to school districts, does not constitute legal advice. Districts should obtain legal advice about policy decisions or any other particular legal matter from their legal counsel.

LEGALLY REFERENCED POLICIES

The (LEGAL) policies track the language of the U.S. and Texas Constitutions, federal and state statutes including the Texas Education Code, Texas attorney general opinions, State Board of Education rules, the Texas Administrative Code and other regulations, as well as other sources of legal authority defining local school district governance.

Policy statements that cite court cases or attorney general opinions stand only for the specific statements in the policy and do not encompass any other statements, inferences, or conclusions in the cited authority. Such citations are provided only for reference and no other meaning is implied or intended.

The (LEGAL) policies within this manual represent the working core of legal provisions, critical to day-to-day, month-to-month decision making, regarding District governance and management. The absence of a (LEGAL) policy at a given policy code in this manual may mean either that the law is silent regarding this topic or that the law bearing on such topic will be found only in the **TASB Policy Reference Manual**.

All legally referenced policies have the designation (LEGAL) in the upper right corner of each page directly below the alphabetical code. This code is repeated in the lower left corner where it is

followed by the (LEGAL) designation and a “version” identifier as described below.

VERSIONS

The (LEGAL) policies found in this manual derive from (LEGAL) policies found in corresponding codes in the **TASB Policy Reference Manual**. While the **TASB Policy Reference Manual** spans the entire legal landscape and contains provisions applicable to all districts as well as mutually exclusive provisions designed for districts of different types, sizes, and geographical locations, the Localized Policy Manual contains legal provisions specific to the District and included to inform local action.

The (LEGAL) “versions” developed by TASB Policy Service include only the legal provisions relevant to a particular district and are identified by a letter (or letter/number combination) other than “-P” in the lower left corner of the page. To review the full range of options within a (LEGAL) policy, refer to the same code in the **TASB Policy Reference Manual**.

NO ADOPTION

Please note that (LEGAL) policies are NOT adopted by the Board. These documents are snapshots of often rapidly evolving law and are intended to inform decision makers and others of the legal context. Some lag will occur between the enactment of new law and its reflection in the manual. Current law will supersede any out-of-date (LEGAL) policy, in accordance with BF(LOCAL) in this manual.

LOCAL POLICIES

Local policies are identified by the designation (LOCAL) directly below the alphabetical code, in the upper right corner of each page and again in the lower left corner.

Local policies that are preceded by a (LEGAL) policy in the same code generally expand on, or qualify, the legally referenced provisions. Other (LOCAL) policies stand alone, portraying the Board’s stated intentions in areas not otherwise addressed by law.

VERSIONS

Local policy versions have been created to reflect language common to many districts and determined by the Board to be appropriate for the District. Local versions have the code in the lower left corner with the designation (LOCAL) followed by a letter (or letter/number combination) that identifies the version.

UNIQUE LOCAL POLICIES

A unique local policy developed by the District can be distinguished from the standard local versions by the designation (LOCAL)-X or -W in the lower left corner of the page.

REGULATIONS

Some districts have chosen to supplement their manuals with pages defining administrative procedures to assist in implementation of policy. These will be identified by the designation (REGULATION) directly below the code in the upper right corner.

EXHIBITS

Exhibits are pages with forms, notices, and the like, that are used by the District; some exhibits are promulgated by legal authority. While not formally adopted by the Board, they are included in the District's manual to assist in the implementation of policy. Exhibits have the designation (EXHIBIT) directly below the code, in the upper right corner. Multiple exhibits under the same code are usually preceded by a cover page listing the various exhibits.

The usual sequence of materials, should all four documents be found at a given code, is (LEGAL), followed by (LOCAL), followed by (REGULATION), and then by (EXHIBIT).

ORGANIZATION

The District's manual is organized on the same basis as the **TASB Policy Reference Manual**. There are seven sections, each devoted to a separate area of District governance:

- A — Basic Foundations
- B — Local District Governance
- C — Business and Support Services
- D — Personnel
- E — Instructions
- F — Students
- G — Community and Governmental Relations

CROSS-INDEX

A comprehensive cross-index at the beginning of the manual is designed to accommodate expansion into new areas. Because the cross-index is used also for the **TASB Policy Reference Manual** and the **Regulations Resource Manual**, it contains some references to codes and topics more appropriate for a local administrative procedures manual than Board policy. For districts with *Policy On Line* manuals, the cross-index contains active links to the identified policy codes where materials on a given topic may be found.

TABLES OF CONTENTS

Each section of the manual is preceded by a table of contents that lists the policy topics in that section with their respective codes. The tables of contents, like the cross-index, are designed for expansion and may contain topics that do not have a corresponding page in the manual. In the *Policy On Line* manual, the table of contents for a particular section contains a list of documents—each an active link—that appear in that section.

MARGIN NOTES

Margin notes provide a key to the content of the paragraph(s) they introduce and are usually listed in the cross-index. Margin notes also provide a useful way to organize or map the information: margin notes aligning on the left margin reflect generally independent topics. Indented margin notes are used to mark information within a topic area introduced by the major, nonindented margin note.

BOTTOM NOTES

The following bottom notes appear on policies and exhibits in the manual:

DATE ISSUED: Found in the lower left corner of each policy page, this indicates the date on which the entire policy was last issued.

On the line beneath the DATE ISSUED, each policy will show the numbered TASB update or the Local District Update in which that policy was most recently revised.

ADOPTED: At the center, bottom of a one-page policy or on the last page of a multi-page policy is the word "ADOPTED" followed by the date on which the Board last acted upon the policy. This bottom note appears only on (LOCAL) policies.

PAGE NUMBERING

Pages are numbered consecutively within the document (e.g., 1 of 2, 2 of 2). In the *Policy On Line* manual, pages of a multipage document are collapsed into a single, scrollable document.

ABBREVIATIONS

The following abbreviations are used in the italicized legal citations in the manual:

Art.	Article
Atty. Gen. L.A.	Attorney General Letter Advisory
Atty. Gen. L.O.	Attorney General Letter Opinion
Atty. Gen. Op.	Attorney General Opinion
Atty. Gen. ORD	Attorney General Open Records Decision
CFR	Code of Federal Regulations
Civ. Prac. & Rem. Code	Texas Civil Practices and Remedies Code
Education Code	Texas Education Code
Election Code	Texas Election Code
F.Supp.	Federal Supplement
F.2d	Federal Reporter, Second Series
Family Code	Texas Family Code
Gov't Code	Texas Government Code
Health Code	Texas Health and Safety Code
Human Resources Code	Texas Human Resources Code
Insurance Code	Texas Insurance Code
Labor Code	Texas Labor Code
Local Gov't Code	Texas Local Government Code
Occupations Code	Texas Occupations Code
Penal Code	Texas Penal Code
S.Ct.	Supreme Court Reporter
S.W.	Southwestern Reporter
S.W.2d	Southwestern Reporter, Second Series

19 TAC	Title 19 of Texas Administrative Code (State Board of Education rules)
25 TAC	Title 25 of Texas Administrative Code (Health Department regulations)
28 TAC	Title 28 of Texas Administrative Code (State Board of Insurance)
Tax Code	Texas Tax Code
TEA	Texas Education Agency
Tex. Const.	Texas Constitution
Tex. Jur 3d	Texas Jur, Third Edition
Trans. Code	Texas Transportation Code
U.S.	United States Reporter
U.S.C.	United States Code
U.S. Const.	Constitution of the United States
V.A.T.S.	Vernon's Annotated Texas Statutes

CITATIONS

Citations that are attached to a provision or paragraph apply only to that text. Citations that are separated from the policy text by a double line space govern all material above the citation or up to a previous citation.

OFFICIAL MANUAL

The official manual of the District has been designated in accordance with BF(LOCAL). No other manuals shall be considered authoritative or binding.

Revisions and amendments to the policy manual occur in two basic ways:

1. TASB periodically issues **TASB Policy Reference Manual** and Localized Policy Manual updates in response to changes effected by legal authority governing school districts. TASB updates, which are numbered sequentially, present to the local Board (LEGAL) policies for its review and (LOCAL) policies for its consideration and adoption. Through these updates, the manual remains consistent with evolving statutory and regulatory requirements.
2. Policy revisions may be initiated by the District at any time. The Board may revise policy in response to a TASB-initiated update by adjusting local text presented for its consideration; or the Board may adopt or revise policy on its own initiative in response to changing local circumstances.

In every case, local policy revision initiated by the District must be submitted to TASB as a Local District Update for review by Policy Service consultant/analysts and TASB attorneys, who will alert the District if the changes are potentially troublesome or increase the legal exposure of the District. The revisions are processed into the computerized file

maintained for each district and copies are sent to the District for incorporation into its localized policy manuals. For *Policy On Line* districts, the updated text is incorporated into the on-line manual once the District notifies Policy Service that the revisions have been adopted by the Board. The effectiveness of the updating system depends on the accuracy of TASB records; for this reason it is critical that revisions be promptly submitted to TASB Policy Service.

TASB USE OF
DISTRICT RECORDS

Participating districts agree to allow TASB Policy Service to use District policy records maintained by Policy Service in statistical studies or projects aimed at achieving TASB's goal of supporting public education in the state of Texas. In no event shall TASB or TASB, Inc. act as custodian of District records within the meaning of that term in the public information law (formerly styled the Texas Open Records Act).