Introduction

This manual contains policies governing the operation of the Harris County Department of Education (HCDE).

The policies are included because they are required by law or by the Texas Education Agency or because the HCDE Board of Trustees believes a statement of policy is critical to the effective governance and management of the entity.

This Localized Policy Manual was created by HCDE 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 (LEGAL) and the policy determinations of the local Board (LOCAL). 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 requirements regarding Board meetings, therefore, the manual user should consider both the (LEGAL) and the (LOCAL) policies together.

LEGALLY REFERENCED POLICIES

The (LEGAL) policies constitute HCDE's adaptation of materials developed by the Texas Association of School Boards to assist Texas' more than 1,000 independent school districts in comprehending the legal context for district governance and management. These 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. HCDE's statutory basis predates the 1995 rewrite of the Texas Education Code and was embraced by reference in that rewriting. Consequently, HCDE's legal framework uniquely draws upon specific pre-1995 statutory provisions as well as those post-1995 provisions generally applicable to independent school districts. HCDE bears sole responsibility for the construction, accuracy, scope, and applicability of (LEGAL) policies contained within the HCDE manual.

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 HCDE governance and management. The absence of a (LEGAL) policy at a given policy code in this manual may mean that the law is silent regarding this topic.

All legally referenced policies have the designation (LEGAL) in the upper right corner of each page directly below the alphabetical code.

NO ADOPTION

Please note that (LEGAL) policies are NOT adopted by the Board and all or part may or may not apply to HCDE. 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.

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.

REGULATIONS

HCDE may, from time to time, supplement this manual 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 may be used by HCDE; some exhibits are promulgated by legal authority. While not formally adopted by the Board, exhibits 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.

SEQUENCE OF DOCUMENTS

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

ORGANIZATION

HCDE's manual is organized into seven sections, each devoted to a separate area of HCDE governance:

A. Basic District Foundations
B. Local Governance
C. Business and Support Services
D. Personnel
E. Instruction
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. The cross-

index contains some references to codes and topics more appropriate for local administrative procedures than Board policy. 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 accessible by a table of contents that 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 or group of paragraphs 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 updated.

On the line beneath the DATE ISSUED, each policy will show the numbered TASB update or, in the case of HCDE's (LOCAL) policies, 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).

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*** updates, numbered sequentially, in response to changes effected by legal authority governing independent school districts. Through these updates, the (LEGAL) policies of an independent school district's manual remain consistent with

evolving statutory and regulatory requirements. HCDE keys updating its (LEGAL) policies off of these TASB updates; for ease of reference by HCDE administrative staff, HCDE (LEGAL) policies echo the TASB update numbers.

2. Policy revisions may be initiated by HCDE at any time. The Board may revise policy in response to a numbered 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.

TASB CONTROL OF HCDE RECORDS

TASB Policy Service assists HCDE in providing online publishing of the HCDE manual. No further responsibility on the part of TASB or TASB Inc. is expressed or implied. 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).