

This manual contains policies governing the operation of this District.

The policies are included

1. because they are required by law or by the Texas Education Agency;
2. because they are recommended by the Texas Association of School Boards as essential to effective District governance and management; or
3. 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 and its updates are provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

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

**Tables of Contents**

Each section of the manual has a table of contents that lists the policy topics in that section with their respective codes. The tables of contents are designed for expansion and may contain topics that do not have a corresponding policy in the manual.

In Policy On Line®, the table of contents for a particular section contains a list of documents—each an active link—that appear in that section.

**Cross-Index**

A comprehensive cross-index lists topics and provides the policy codes under which information is found. Entries in the cross-index reflect statutory terminology, common usage, and significant margin notes. Because the cross-index is used also for the *TASB Policy Reference Manual* and the *TASB Regulations Resource Manual*, it contains some references to codes and topics more appropriate for a local administrative procedures manual than a board policy manual.

In Policy On Line, the cross-index contains active links to the identified policy codes where materials on a given topic may be found.

**Legally Referenced Policies**

The legally referenced “(LEGAL)” policies track the language of the U.S. and Texas Constitutions; federal and state statutes, including the Texas Education Code; attorney general opinions; the Texas Administrative Code, including Commissioner’s and State Board of Education rules; and other sources of authority defining the legal context for local school district governance and management.

Policy statements that cite court cases or attorney general opinions stand only for the specific statements in the policy and do not otherwise implicate the elements, contents, or conclusions of the cited authority. Such citations are provided only for reference; 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 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. 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* contains provisions applicable to all districts as well as mutually exclusive

provisions designed for districts of different types, sizes, and geographical locations, this 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*.

Citations

In (LEGAL) policies, 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 the previous citation.

*Abbreviations*

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

| <b>Abbreviation</b>        | <b>Full Form</b>                        |
|----------------------------|---|
| 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  |
| Business and Commerce Code | Texas Business and Commerce Code        |
| C.F.R.                     | Code of Federal Regulations             |
| Civ. Prac. & Rem. Code     | Texas Civil Practices and Remedies Code |
| Code of Criminal Procedure | Texas Code of Criminal Procedure        |
| Education Code             | Texas Education Code                    |
| Election Code              | Texas Election Code                     |
| F.Supp.                    | Federal Supplement                      |
| F.2d                       | Federal Reporter, Second Series         |
| F.3d                       | Federal Reporter, Third Series          |
| Family Code                | Texas Family Code                       |
| Gov't Code                 | Texas Government Code                   |

| <b>Abbreviation</b>    | <b>Full Form</b>                     |
|------------------------|--------------------------------------|
| Health and Safety 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 |
| S.W.3d                 | Southwestern Reporter, Third Series  |
| TAC                    | Texas Administrative Code            |
| Tax Code               | Texas Tax Code                       |
| Tex. Const.            | Texas Constitution                   |
| Trans. Code            | Texas Transportation Code            |
| U.S.                   | United States Reporter               |
| U.S.C.                 | United States Code                   |
| U.S. Const.            | United States Constitution           |
| V.A.T.S.               | Vernon's Annotated Texas Statutes    |

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, reflecting the Board's intentions in areas not otherwise addressed by law.

INTRODUCTION

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(LEGAL)

**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 in the lower left corner of the page.

**Regulations** Some districts have chosen to supplement their manuals with 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. Regulations are not adopted by the Board.

**Exhibits** Exhibits are documents containing forms, notices, and the like, that are used by the District; some exhibits are promulgated by legal authority. While not 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).

**Margin Notes** Margin notes within an individual policy provide a key to the content of the paragraph or group of paragraphs they introduce, and significant margin notes 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 outline sub-topics introduced by the major, nonindented margin note.

**Bottom Notes** In addition to the document code, type, and version, the following bottom notes appear on policies, regulations, and exhibits in the manual:

**DATE ISSUED:** Found in the lower left corner of each page, this indicates the date on which the document was last issued by TASB.

**UPDATE:** Shows the numbered TASB update or the Local District Update in which that document 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 notation appears only on (LOCAL) policies.

**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 revisions initiated by the District must be submitted to TASB as a Local District Update for review by Policy Service consultants 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 electronic file maintained for each district. After the District notifies Policy Service that the Board has adopted the revisions, copies are sent to the District for incorporation into its Localized Policy Manual, and Policy On Line is updated with the revised text. 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, Inc. act as custodian of District records within the meaning of that term in the public information law.