

INTRODUCTION

A18
(LEGAL)

This policy manual contains policies governing the operation of this district and was created with the assistance of TASB Policy Service. The official manual of the district has been designated in accordance with policy BF(LOCAL). No other manuals are considered authoritative or binding.

Policies included in the manual may be:

- Required by law or by the Texas Education Agency;
- Recommended by the Texas Association of School Boards, Inc., as essential to effective district governance and management; or
- Statements the board wishes to make on a specific policy topic.

Organization and Alphabetical Code Structure

The district's policy manual is divided into sections that cover each 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

Sections are divided into policy codes that address specific topics. Some codes may not currently have a corresponding policy in the manual.

Each policy code is assigned a series of letters, a title, and, if necessary, a subtitle. The alphabetical coding system is similar to an outline.

For example, section B of the manual includes policies related to Local Governance. Policy code BE is titled *Board Meetings*. Policy code BEC includes the subtitle, *Closed Meetings*.

Section B	Local Governance
Policy BE	Board Meetings
Policy BEC	Board Meetings: Closed Meetings

INTRODUCTION

A18
(LEGAL)

Policy codes can include different document types, as designated after the alphabetical code:

- (LEGAL)
- (LOCAL)
- (REGULATION)
- (EXHIBIT)

Legal and Local Policies

Most policy codes have a separate legal framework and local policy that distinguish between legal requirements and local board decisions.

For example:

- Policy BE(LEGAL) includes statutes and case law governing meetings of the board.
- Policy BE(LOCAL) has specific local details such as agenda preparation and meeting times.

To fully understand policy regarding board meetings, read both the legal and the local policies together.

Legal Policies

Legal policies track the language of:

- The U.S. and Texas Constitutions;
- Federal and state statutes, including the Texas Education Code;
- The Texas Administrative Code, including commissioner's and State Board of Education rules;
- Case law and other sources of authority defining the legal context for local school district governance and management; and
- Attorney general opinions.

The legal policies in this manual represent legal provisions relevant to district governance and management. The legal policies do not always contain all legal provisions applicable to the district. In the case of lengthy or extremely detailed statutes or regulatory authorities, only the most relevant portions are included. The district should consult the cited legal authority for a complete presentation. Codes without a legal policy may mean laws applicable to school districts do not currently address the topic.

INTRODUCTION

A18
(LEGAL)

No Board Adoption

The board should not adopt legal policies. These documents are intended to inform decision-makers and other policy users of the legal context.

Since laws change often, there may be some delay when updating the manual after new laws are enacted. Current law supersedes any out-of-date legal policy, in accordance with BF(LOCAL) in this manual.

Legal Versions

Legal policies have the alphabetical policy code and (LEGAL) label in the lower left corner, followed by a letter or letters to designate the TASB-created “version” of the policy.

- A “-P” version indicates the standard legal policy, for example, FM(LEGAL)-P.
- Something other than “-P” means that the policy has been modified to reflect legal provisions applicable to the district based on unique district characteristics. For example, FM(LEGAL)-A includes only those statutory provisions that apply to districts serving students through grade 6.

Citations

In legal policies, italicized citations attached to a provision or paragraph apply only to that text. Citations separated from the policy text by a double line space apply to all preceding material up to the previous citation.

Local Policies

Local policies include provisions that the board has determined are appropriate for the district and that have been formally adopted by the board.

By law, locally elected school boards have the exclusive power and duty to govern and oversee the management of Texas public schools. Local policy is the primary way school boards accomplish their legal responsibilities.

Policy development is a cooperative effort involving the board, the staff, and the community. Policy adoption is the responsibility of the board, while policy implementation is the responsibility of the superintendent and staff. Policy review and evaluation is the responsibility of the board based on information received from the staff, community, and other sources.

Local Versions

TASB-created local policy versions reflect language common to many districts. Local policies have the alphabetical policy code and (LOCAL) label in the lower left corner of the policy.

- A letter or letter/number combination other than “-X” identifies the version, for example BE(LOCAL)-A.
- An “-X” indicates a unique local policy containing text developed by the district, for example BE(LOCAL)-X.

INTRODUCTION

A18
(LEGAL)

Regulations

Some districts include administrative procedures in their policy manuals to help with policy implementation. Regulations are not adopted by the board.

Exhibits

Exhibits are documents that contain district forms, notices, and the like. Some exhibits are required by legal authority. While not adopted by the board, they are included in the district's manual to assist with policy implementation.

Publication Details

In addition to the alphabetical policy code, document type, and version, the following details appear on policies, regulations, and exhibits in the policy manual:

- **Adopted:** Since the release of the updated Policy Online® in September 2022, local policies include an adoption date, as provided to TASB by the district, indicating when the board last adopted the policy. In Word and PDF, the adopted date appears at the bottom of each page. In Policy Online, the adopted date appears at the beginning of the policy.
- **Date Issued:** Located at the bottom of the page, this indicates the date that TASB last issued the document.
- **Update or LDU (Local District Update) number:** Located at the bottom of the page, this shows the numbered TASB update or LDU when the document was most recently revised.

TASB Policy Service issues numbered updates two to three times a year in response to changes in federal and state law and other decisions by governing or rulemaking bodies.

A district can also change policy through a local district update, or LDU. These revisions are initiated by the district to reflect changing district practices, priorities, or values.

Abbreviations

The following abbreviations are used in legal citations.

Abbreviation	Full Name
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

INTRODUCTION

A18
(LEGAL)

Abbreviation	Full Name
Civ. Prac. & Rem. Code	Texas Civil Practice 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
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
Tex. Rev. Civ. Stat.	Texas Revised Civil Statutes
Transp. Code	Texas Transportation Code
U.S.	United States Reporter
U.S.C.	United States Code
U.S. Const.	United States Constitution