

LEGAL POLICY REVIEW & IMPLEMENTATION CHART

TASB UPDATE 117

| Legal Policy  | Location in Explanatory Notes (Page #) | Person(s) Responsible        | Administrat or Acknowledg ed & Implemented                | Brief Summary of Legal Policy Update  |
|---|--|------------------------------|---|---|
| A25 (INDEX)<br><br>CROSS-INDEX  | Page 1                                 |                              | SAMPLE: Acknowledg ed policy and will implement as stated | The cross-index has been updated to reflect new terms and revisions to content and coding in the policy manual.   |
| AIC (Legal)<br><br>ACCOUNTABILITY: INTERVENTIONS AND SANCTIONS            | Page 1                                 | N. Keith (Lead)              |   | Administrative Code provisions amended effective January 5, 2021, address program performance regarding certain special student populations. The rules address supervision and monitoring reviews and require the commissioner to assign districts an annual determination level based on performance of the special student populations. |
| BBC (Legal)<br><br>BOARD MEMBERS: VACANCIES AND REMOVAL FROM OFFICE       | Page 1                                 | A.Kirchner (Lead)            |   | We have streamlined the reference to CH(LEGAL) regarding board member removal for purchasing violations.  |
| BJCE(Legal)<br><br>SUPERINTENDENT: SUSPENSION/TERMINATION DURING CONTRACT | Page 1                                 | A.Kirchner (Lead)            |   | Changes to this legally referenced policy on suspension of the superintendent without pay and termination during the contract term were prompted by Administrative Code revisions effective January 11, 2021.   |
| C(Legal)<br><br>BUSINESS AND SUPPORT SERVICES                             | Page 1                                 | S. Adrian (Lead)<br>L.Fisher |   | The C Section table of contents has been revised to rename CHE to Vendor Disclosures and Contracts.   |

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| <p>CBB (Legal)</p> <p>STATE AND FEDERAL REVENUE SOURCES: FEDERAL</p> | <p>Page 1</p> | <p>S.Adrian (Lead)<br/>L.Fisher</p>  |  | <p>The federal Department of Education issued correcting amendments to the Uniform Guidance for Grants and Agreements, effective February 22, 2021, resulting in a change to the provisions on cooperative purchasing in this legally referenced policy. Citations have also been updated.</p>   |
| <p>CH (Legal)</p> <p>PURCHASING AND ACQUISITION</p>                  | <p>Page 1</p> | <p>S. Adrian (Lead)<br/>L.Fisher</p> |  | <p>Update 117 includes a reorganization of the purchasing and facilities construction legally referenced policies in the CH and CV series. As part of the reorganization, we have: Added cross-references to other pertinent policy codes to eliminate duplicated material; Added existing provisions on site-based purchasing; Reordered and adjusted provisions for clarity and to better match statutory wording; Moved to CHE(LEGAL) provisions on required vendor disclosures and contract provisions and lobbying restrictions; and Moved detailed provisions on competitive bidding to CVA(LEGAL). Provisions on purchasing recycled products were added from new Administrative Code rules, effective July 2, 2020</p> |

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| <p>CHE (Legal)</p> <p>PURCHASING AND ACQUISITION: VENDOR DISCLOSURES AND CONTRACTS</p> | <p>Page 2</p> | <p>S. Adrian (Lead)<br/>L. Fisher</p> |   | <p>This legally referenced policy has been reorganized to focus on required vendor disclosures and contract provisions. This material has been moved from CH(LEGAL). In addition, we have: Included references to other pertinent codes and deleted material duplicated at other policy codes; and Reordered and adjusted provisions for clarity and to better match statutory wording.</p> |
| <p>CL (Legal)</p> <p>BUILDINGS, GROUNDS, AND EQUIPMENT MANAGEMENT</p>                  | <p>Page 2</p> | <p>R.Reaves (Lead)</p>                | <p>Acknowledged policy and will implement as stated</p> | <p>New Administrative Code rules, effective July 2, 2020, prompted revisions to provisions on recycling programs. Provisions on pool sanitation and safety standards have been streamlined to refer to the relevant legal guidance.</p>   |

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| CV (Legal)<br>FACILITIES CONSTRUCTION   | Page 2 | R.Reaves<br>(Lead)  | Acknowledged policy and will implement as stated | Update 117 includes a reorganization of the purchasing- and construction-related legally referenced policies in the CH and CV series. As part of the reorganization, we have: Added cross-references to other pertinent policy codes to eliminate duplicated material; and Reordered and adjusted provisions for flow and to better match statutory wording. |
| CVA (Legal)<br>FACILITIES CONSTRUCTION:<br>COMPETITIVE BIDDING                | Page 3 | R.Reaves<br>(Lead)  | Acknowledged policy and will implement as stated | Provisions on identical, competitive bids have been moved from CH(LEGAL). In addition, a provision on making bid evaluations public has been moved to this policy from CV(LEGAL). Other revisions are to delete material duplicated at other policy codes and adjust language for clarity and to better match statutory wording.                             |
| CVB (Legal)<br>FACILITIES<br>CONSTRUCTION:<br>COMPETITIVE SEALED<br>PROPOSALS | Page 3 | R. Reaves<br>(Lead) | Acknowledged policy and will implement as stated | A Cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.  |
| CVC (Legal)<br>FACILITIES CONSTRUCTION:<br>CONSTRUCTION<br>MANAGER-AGENT      | Page 3 | R. Reaves<br>(Lead) | Acknowledged policy and will implement as stated | Additional detail has been added regarding the construction manager-agent method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording   |
| CVD (Legal)<br>FACILITIES CONSTRUCTION:<br>CONSTRUCTION<br>MANAGER-AT-RISK    | Page 3 | R. Reaves<br>(Lead) | Acknowledged policy and will implement as stated | Additional detail has been added regarding the construction manager-at-risk method. A cross-reference has been added to procurement processes included at other policy codes, and duplicated material has been deleted. Other revisions are to adjust language for clarity and to better match statutory wording.  |

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| CVE (Legal)<br>FACILITIES<br>CONSTRUCTION: | Page 3 | R. Reaves<br>(Lead) | Acknowledged policy and will implement | A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match |
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| DESIGN-BUILD  |        |                                | as stated  | statutory wording. .   |
| CVF (Legal)<br>FACILITIES<br>CONSTRUCTION: JOB<br>ORDER CONTRACTS                               | Page 3 | R.Reaves<br>(Lead)             | Acknowledged policy and will implement as stated | A cross-reference has been added to procurement processes included at other policy codes, duplicated material has been deleted, and provisions have been reordered for flow. Other revisions are to adjust language for clarity and to better match statutory wording.   |
| EHAA (Legal)<br>BASIC INSTRUCTIONAL<br>PROGRAM: REQUIRED<br>INSTRUCTION (ALL LEVELS)            | Page 4 | N.Keith<br>(Lead)              |  | New Administrative Code rules address the requirement for districts to provide instruction in positive character traits, which can be met through a stand-alone course or by integrating the TEKS into other courses. The rules address the frequency of instruction by grade bands and are effective for the 2021–22 school year.                 |
| EHBA (Legal)<br>SPECIAL PROGRAMS:<br>SPECIAL EDUCATION  | Page 4 | R.Batiste<br>(Lead)<br>N.Keith |  | Revised Administrative Code rules, effective March 14, 2021, address various special education provisions and: Provide more detail on instructional arrangements; Include a definition of regular school day for the purpose of determining the instructional arrangement; and Update citations to funding statutes.                               |
| EHBAA (Legal)<br>SPECIAL EDUCATION:<br>IDENTIFICATION,<br>EVALUATION, AND<br>ELIGIBILITY        | Page 4 | R.Batiste<br>(Lead)            |  | Provisions on a district’s obligation to refer for evaluation and the definition of a child with a disability have been updated based on revised Administrative Code rules, effective March 14, 2021. Other changes are to better reflect statute.   |
| EHBAB (Legal)<br>SPECIAL EDUCATION: ARD<br>COMMITTEE AND<br>INDIVIDUALIZED<br>EDUCATION PROGRAM | Page 5 | R.Batiste<br>(Lead)            |  | As a result of revised Administrative Code rules effective March 14, 2021, we have updated text regarding establishment of the admission, review, and dismissal (ARD) committee and added a provision addressing a district's overall responsibility for all of the functions of the IEP team and ARD committee. Citations have also been updated. |

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| <p>EHBAC (Legal)</p> <p>SPECIAL EDUCATION:<br/>STUDENTS IN NON DISTRICT<br/>PLACEMENT</p> | <p>Page 5</p> | <p>R.Batiste<br/>(Lead)</p>                            |  | <p>From revised Administrative Code rules effective March 14, 2021, we have added a provision requiring the district to notify TEA within 30 calendar days of an ARD committee's decision to place a student in a residential education program.</p>   |
| <p>EHBAD (Legal)</p> <p>SPECIAL EDUCATION:<br/>TRANSITION SERVICES</p>                    | <p>Page 5</p> | <p>R.Batiste<br/>(Lead)<br/>N.Keith</p>                |  | <p>Revised Administrative Code rules, effective March 14, 2021, prompted a revision to the graduation provisions and updates to cites throughout this legally referenced policy.</p>   |
| <p>EHBC (Legal)</p> <p>SPECIAL PROGRAMS:<br/>COMPENSATORY/ACCELERAT<br/>ED SERVICES</p>   | <p>Page 5</p> | <p>N. Keith<br/>(Lead)<br/>R.Batiste</p>               |  | <p>Revisions regarding approval of an optional flexible school day program are from revised Administrative Code rules, effective December 6, 2020.</p>   |
| <p>EIF (Legal)</p> <p>ACADEMIC ACHIEVEMENT:<br/>GRADUATION</p>                            | <p>Page 5</p> | <p>N. Keith<br/>(Lead)<br/>T.Harris<br/>V.Kunschik</p> |  | <p>Details have been added on the graduation of students receiving special education services who entered grade nine after the 2014–15 school year. The changes come from revised Administrative Code rules effective March 14, 2021. In addition, we have replaced detailed provisions on graduation of students receiving special education services who entered grade nine before the 2014–15 school year with a reference to the relevant Administrative Code provision. Citations have been updated throughout.</p> |
| <p>EKB (Legal)</p> <p>TESTING PROGRAMS:<br/>STATE ASSESSMENT</p>                          | <p>Page 5</p> | <p>N. Keith<br/>(Lead)<br/>A.Edmonson</p>              |  | <p>In accordance with House Bill 3906 (86th Legislative Session) and effective September 1, 2021, the reference to the separate writing assessment in grades 4 and 7 has been removed</p>  |

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| <p>EL (Legal)</p> <p>CAMPUS OR PROGRAM CHARTERS</p> | <p>Page 5</p> | <p>N. Keith<br/>(Lead)</p> |  | <p>We have added provisions that a district is entitled to additional state aid if the district was under contract during the 2017–18 school year or is under renewal of such a contract to jointly operate a campus or campus program under Education Code 11.157 (Contracts for Educational Services). Details may be found in revised Administrative Code rules, effective March 30, 2021</p> |
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| <p>FFAC(Legal)</p> <p>WELLNESS AND HEALTH SERVICES: MEDICAL TREATMENT</p> | <p>Page 5</p> | <p>S.Swann<br/>(Lead)<br/>M.Vancampen</p> | <p>Acknowledged policy and will implement as stated</p> | <p>New Administrative Code rules, effective February 18, 2021, address maintenance and administration of unassigned asthma medication for districts that choose to implement such a program. Contact your policy consultant if your district has a program but lacks local policy provisions. See FFAC in the TASB Regulations Resource Manual.</p> |
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