

March 29, 2023

Dear CSA Attorneys,

It has come to our attention that a number of school boards are engaging in inquiries about the value of TASB services and the availability of other options. First, please know that TASB supports local control. We know that TASB services have a number of competitors in the market, and we hope our members always find the best value.

That said, as you know, our Policy Service would be difficult to replicate. For decades, we have enjoyed 100 percent participation by Texas public school districts, which made communications like this about our copyright unnecessary, as every district in the state had access to our work. If that is no longer the case, we must remind our members, and you as their counsel, that many aspects of TASB policy and Policy Online™ are in fact proprietary.

We would ask your help in explaining to your clients the extent of TASB's copyright. A district owns only the *contents* of board-adopted local policies, but the district may not use TASB's unique letter codes and coding structure, which are proprietary to TASB. *Contents* means only the board-adopted local policy provisions; it does not include the alphabetical policy code or the form, arrangement, or text of the margin notes. In addition, TASB retains all right, title, and interest to (LEGAL) policies and unadopted local model policies or templates promulgated by TASB. Use of these copyrighted resources in any manner is prohibited without express written permission from TASB Policy Service.

In addition, the following benefits of TASB Policy Service membership are contingent on TASB membership:

1. Access to Policy Online™, a web-based hosting tool for managing board policy and publishing policies to the public
2. Consulting services, including policy drafting and processing
3. Updating services, including locally initiated updates and TASB-initiated numbered updates (usually 2-3 per year, including a post-legislative update after each legislative session)
4. TASB policy coding structure
5. TASB model policies and samples
6. TASB legal policies (*TASB Policy Reference Manual*)
7. *TASB Regulations Resource Manual*, including hundreds of sample regulations and forms
8. *TASB Model Student Code of Conduct* and *TASB Model Student Handbook*
9. Legal Tips from TASB Legal Services, providing practical legal advice about policy issues
10. Policy Alerts, Policy Spotlight newsletter, webinars, and training materials

As you can imagine, we would consider it inappropriate and a violation of TASB's copyright for a school attorney to use one school district client's proprietary TASB content to benefit another non-member client. If you are asked to estimate the cost of replicating TASB's Policy Service, please do so with the understanding that you will start with essentially a blank slate.

If there is sufficient interest among CSA members, we are happy to host a conference call or Zoom meeting to answer questions. Please let us know of your interest.

Thank you,