

Hallsville Independent School District

For the Consideration of the Board of Trustees

Date of Board Meeting: May 5, 2026

Topic: DOI 2023-2028 Amendment

Background and Rationale:

H.B. 1842 (84th Session of the Texas Legislature) in part amended Chapter 12 of the Texas Education Code (TEC) to create Districts of Innovations. Districts are eligible for designation if certain performance requirements are met and the district follows certain procedures for adoption as outlined in Statute. The designation provides that the district will be exempt from certain sections of the TEC that inhibit the goals of the district as outlined in the locally adopted Innovation Plan.

Following the 2026 Legislative Session, the district is proposing amendments to the current DOI plan to address additional legislative updates and ensure continued alignment with current statutory provisions and district priorities.

The provisions identified as the 2026 Amendments are intended to supplement, not replace, the exemptions adopted by the Board of Trustees on April 18, 2023. All exemptions contained in the original 2023 innovation plan remain in full force. These amendments add the additional exemptions presented for board consideration, and the term of the Innovation Plan, including all amendments, will continue through the plan's original expiration date.

Additional background information:

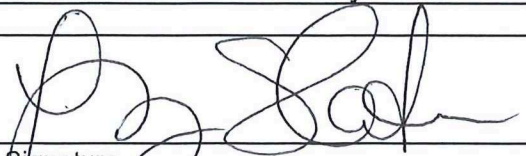
Relationship to Strategic Plan:

Personnel Affected:

Budget Implications:

- Include in this year's budget
- Amendment of this year's budget required
- Increase in this year's budget required
- Expenditures required for next year's budget
- N/A

Recommendation: 30 Day Read



Signature
(Person Bringing Information to the Board)



Superintendent's Signature





HALLSVILLE INDEPENDENT SCHOOL DISTRICT

"Excellence in Education"

DISTRICT OF INNOVATION (DOI)

2023-2028

Amended 2026

Introduction

House Bill 1842, passed during the 84th Legislative Session, permits Texas public school districts to become Districts of Innovation and to obtain exemption from certain provisions of the Texas Education Code (TEC). During 2019, the Hallsville Independent School District's Board of Trustees ("Board") passed a Resolution to Initiate the Process of Designation as a District of Innovation in order to increase local control over District operations and to support innovation and local initiatives to improve educational outcomes for the benefit of students and the community. In Spring 2023, the District Improvement Plan Committee and the Board approved the Local District of Innovation Plan. The term of the current plan ends with the completion of the spring semester of 2028.

Local Innovation Plans must be renewed every five years to maintain a District of Innovation Status. In Spring 2023, Hallsville ISD began the process to revise and renew the current District of Innovation Plan. Based on direction provided by the Board and input from various stakeholders, the Local Innovation Committee proposed this plan.

Term

The term of the plan is for five years, beginning April 18, 2023, unless terminated or amended earlier by the Board of Trustees in accordance with the law. The District Improvement Plan Committee will continually monitor the effectiveness of the Plan and recommend to the Board any suggested modifications, including amendments, to the plan.

Note: The provisions set forth in this document beginning with "2026 Amendments" supplement and do not replace the exemptions adopted by the Board of Trustees on April 18, 2023. All exemptions from the original 2023 plan remain in full force and effect and are incorporated herein by reference. The 2026 amendments add the additional exemptions set forth below. The term of this plan, including all amendments, continues through the plan's expiration.

HALLSVILLE ISD DISTRICT OF INNOVATION RENEWAL TIMELINE

January 31, 2023	Local Innovation Committee met to review plan and renewal process
Prior to March 17, 2023	Renewed plan posted to Hallsville ISD website for 30 days prior to school board approval
Prior to March 17, 2023	The board of trustees notified the commissioner of education of the board's intention to vote on adoption of the proposed plan
April 17, 2023	Hallsville ISD Board of Trustees will consider approval of the renewed local innovation plan Adjustments to Board Policy will be reviewed by school attorneys and adopted where appropriate.
April 18, 2023	If approved, the renewed plan will be submitted to the Texas Education Agency, the district will notify the commissioner of education, and ensure the plan is posted on the district website
June 2026	Hallsville ISD Board of Trustees will consider approval of the amendments of the local innovation plan.
April 2028	DOI Expires

COMPREHENSIVE EDUCATIONAL PROGRAM

Hallsville ISD's comprehensive educational program is guided by and aligned with the Board's Vision, Mission, Strategic Priorities, and Strategic Plan for the District.

VISION- HISD will be a district that pursues "Excellence in Education" in all endeavors.

MISSION

- HISD will provide students an opportunity to obtain a world-class education that prepares them for a globally competitive society;
- HISD will strive to be a district of excellence that competes at the state and national levels in all academic and extracurricular activities;
- HISD will instill a desire for ethical behavior, integrity and good citizenship in all students.

STATUTES UNDER CONSIDERATION AT THIS TIME INCLUDE:

Tex. Educ. Code § 11.1511(b)(5)

[The Board shall] adopt a policy to establish a district- and campus-level planning and decision-making process as required under Section 11.251.

Proposed Innovation: The district proposes exemption from the requirement to establish a district- and campus-level planning and decision-making process.

Reason: The District believes local interests will be best served by not being required to create committees with specific required representatives as set forth in TEC 11.251. TEC sets forth limitations and requirements for the selection of committee members that make it difficult to create and maintain an effective committee based upon local demographics and needs.

The District believes its local interests will be best served by having the ability to approve plans that do not have to be approved annually.

Tex. Educ. Code § 11.251

PLANNING AND DECISION-MAKING PROCESS.

(a) The board of trustees of each independent school district shall ensure that a district improvement plan and improvement plans for each campus are developed, reviewed, and revised annually for the purpose of improving the performance of all students. The board shall annually approve district and campus performance objectives and shall ensure that the district and campus plans:

- (1) are mutually supportive to accomplish the identified objectives; and
- (2) at a minimum, support the state goals and objectives under Chapter 4.

(b) The board shall adopt a policy to establish a district and campus-level planning and decision-making process that will involve the professional staff of the district, parents, and community members in establishing and reviewing the district campuses' educational plans, goals, performance objectives, and major classroom instructional programs. The board shall establish a procedure under which meetings are held regularly by district and campus-level planning and decision-making committees that include representative professional staff, including, if practicable, at least one representative with the primary responsibility for educating students with disabilities, parents of students enrolled in the district, business representatives, and community members. The committees shall include a business representative without regard to whether the representative resides in the district or whether the business the person represents is located in the district. The board, or the board's designee, shall periodically meet with the district-level committee to review the district-level committee's deliberations.

(c) For purposes of establishing the composition of committees under this section:

- (1) a person who stands in parental relation to a student is considered a Parent;
- (2) a parent who is an employee of the school district is not considered a parent representative on the committee;
- (3) a parent is not considered a representative of community members on the committee; and
- (4) community members must reside in the district and must be at least 18 years of age.

(d) The board shall also ensure that an administrative procedure is provided to clearly define the respective roles and responsibilities of the superintendent, central office staff, principals, teachers, district-level committee members, and campus-level committee members in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The board shall ensure that the district-level planning and decision-making committee will be actively involved in establishing the administrative procedure that defines the respective roles and responsibilities pertaining to planning and decision-making at the district and campus levels.

(e) The board shall adopt a procedure, consistent with Section 21.407(a), for the professional staff in the district to nominate and elect the professional staff representatives who shall meet with the board or the board designee as required under this section. At least two-thirds of the elected professional staff representatives must be classroom teachers. The remaining staff representatives shall include both campus- and district-level

professional staff members. If practicable, the committee membership shall include at least one professional staff representative with the primary responsibility for educating students with disabilities. For:

Board policy must provide procedures for:

- (1) the selection of parents to the district-level and campus-level committees; and
- (2) the selection of community members and business representatives to serve on the district-level committee in a manner that provides for appropriate representation of the community's diversity.

(f) The district policy must provide that all pertinent federal planning requirements are addressed through the district and campus-level planning process.

(g) This section does not:

- (1) prohibit the board from conducting meetings with teachers or groups of teachers other than the meetings described by this section;
- (2) prohibit the board from establishing policies providing avenues for input from others, including students or paraprofessional staff, in district or campus-level planning and decision-making;
- (3) limit or affect the power of the board to govern the public schools; or
- (4) create a new cause of action or require collective bargaining.

Proposed Innovation: TEC 11.251 currently states that the school board shall adopt a policy to involve professional staff of the district, parents, and community members in the establishment of a district and campus-level planning entity. The district will continue to create and utilize a committee; however, local control of the composition of the committee will encourage genuine involvement among the staff and community. In this proposal, a person will be permitted to hold more than one representative role.

Reason: The District believes local interests will be best served by not being required to create committees with specific required representatives. This statute sets forth limitations and requirements for the selection of committee members that make it difficult to create and maintain an effective committee based upon local demographics and needs.

The District believes its local interest will be best served by having the ability to approve plans that do not have to be approved annually.

Tex. Educ. Code § 11.252

DISTRICT-LEVEL PLANNING AND DECISION-MAKING. (a) Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators adopted under Section 39.053(c). The district improvement plan must include provisions for:

- (1) a comprehensive needs assessment addressing district student performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter A, Chapter 29;
- (2) measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Subchapter A, Chapter 29, and other measures of student performance that may be identified through the comprehensive needs Assessment;
- (3) strategies for improvement of student performance that include:
 - (A) instructional methods for addressing the needs of student groups not achieving their full potential;
 - (B) evidence-based practices that address the needs of students for special programs, including:

- (i) suicide prevention programs, in accordance with Subchapter G, Chapter 38, which include a parental or guardian notification procedure;
 - (ii) conflict resolution programs;
 - (iii) violence prevention programs; and
 - (iv) dyslexia treatment programs;
- (C) dropout reduction;
 - (D) integration of technology in instructional and administrative programs;
 - (E) positive behavior interventions and support, including interventions and support that integrate best practices on grief-informed and trauma-informed care;
 - (F) staff development for professional staff of the district;
 - (G) career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities;
 - (H) accelerated education; and
 - (I) implementation of a comprehensive school counseling program under Section 33.005;
- (4) strategies for providing to elementary school, middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:
- (A) higher education admissions and financial aid opportunities, including state financial aid opportunities such as the TEXAS grant program and the Teach for Texas grant program established under Chapter 56;
 - (B) the need for students to make informed curriculum choices to be prepared for success beyond high school; and
 - (C) sources of information on higher education admissions and financial aid;
- (5) resources needed to implement identified strategies;
 - (6) staff responsible for ensuring the accomplishment of each strategy;
 - (7) timelines for ongoing monitoring of the implementation of each improvement strategy;
 - (8) formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance;
 - (9) the policy under Section 38.0041 addressing sexual abuse and other maltreatment of children; and
 - (10) the trauma-informed care policy required under Section 38.036.
- (b) A district's plan for the improvement of student performance is not filed with the agency, but the district must make the plan available to the agency on request.
 - (c) In a district that has only one campus, the district- and campus-level committees may be one committee and the district and campus plans may be one plan.
 - (d) At least every two years, each district shall evaluate the effectiveness of the district's decision-making and planning policies, procedures, and staff development activities related to district- and campus-level decision-making and planning to ensure that they are effectively structured to positively impact student performance.
 - (e) The district-level committee established under Section 11.251 shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual district performance report from the agency for the purpose of discussing the performance of the district and the district performance objectives. District policy and procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input and to provide information to those persons regarding the recommendations of the district-level committee. This section does not create a new cause of action or require collective bargaining.
 - (f) A superintendent shall regularly consult the district-level committee in the planning, operation, supervision, and evaluation of the district educational program. Proposed Innovation: TEC 11.251 currently states that the school board shall adopt a policy to involve professional staff of the district, parents, and community members in the establishment of a district and campus-level planning entity. The district will continue to create and utilize a committee, however, local control of the composition of the committee will encourage genuine involvement among the staff and community. In this proposal, a person will be permitted to hold more than one representative role.

Reason: The District believes flexibility in its District-Level Planning and Decision Making will enable the District to create a plan that is localized and tailored to most efficiently and effectively promote successful learning, as well as meaningful community participation and parental involvement.

Tex. Educ. Code § 11.253

CAMPUS PLANNING AND SITE-BASED DECISION-MAKING.

(a) Each school district shall maintain current policies and procedures to ensure that effective planning and site-based decision-making occur at each campus to direct and support the improvement of student performance for all students.

(b) Each district's policy and procedures shall establish campus-level planning and decision-making committees as provided for through the procedures provided by Sections 11.251(b)-(e).

(c) Each school year, the principal of each school campus, with the assistance of the campus-level committee, shall develop, review, and revise the campus improvement plan for the purpose of improving student performance for all student populations, including students in special education programs under Subchapter A, Chapter 29, with respect to the achievement indicators adopted under Section 39.053(c) and any other appropriate performance measures for special needs populations.

(d) Each campus improvement plan must:

(1) assess the academic achievement for each student in the school using the achievement indicator system as described by Section 39.053;

(2) set the campus performance objectives based on the achievement indicator system, including objectives for special needs populations, including students in special education programs under Subchapter A, Chapter 29;

(3) identify how the campus goals will be met for each student;

(4) determine the resources needed to implement the plan;

(5) identify staff needed to implement the plan;

(6) set timelines for reaching the goals;

(7) measure progress toward the performance objectives periodically to ensure that the plan is resulting in academic improvement;

(8) include goals and methods for violence prevention and intervention on Campus;

(9) provide for a program to encourage parental involvement at the campus; and

(10) if the campus is an elementary, middle, or junior high school, set goals and objectives for the coordinated health program at the campus based on:

(A) student fitness assessment data, including any data from research-based assessments such as the school health index assessment and planning tool created by the federal Centers for Disease Control and Prevention;

(B) student academic performance data;

(C) student attendance rates;

(D) the percentage of students who are educationally disadvantaged;

(E) the use and success of any method to ensure that students participate in moderate to vigorous physical activity as required by Section 28.002(l); and

(F) any other indicator recommended by the local school health advisory council.

(e) In accordance with the administrative procedures established under Section 11.251(b), the campus-level committee shall be involved in decisions in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The campus-level committee must approve the portions of the campus plan addressing campus staff development needs.

(f) This section does not create a new cause of action or require collective bargaining.

(g) Each campus-level committee shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual campus rating from the agency to discuss the performance of the campus and the campus performance objectives. District policy and campus procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input, and to provide information to those persons regarding the recommendations of the campus-level committees.

(h) A principal shall regularly consult the campus-level committee in the planning, operation, supervision, and evaluation of the campus educational program.

Proposed Innovation: TEC 11.251 currently states that the school board shall adopt a policy to involve professional staff of the district, parents, and community members in the establishment of a district and campus-level planning entity. The district will continue to create and utilize a committee, however, local control of the composition of the committee will encourage genuine involvement among the staff and community. In this proposal, a person will be permitted to hold more than one representative role.

Reason: The District believes flexibility in its Campus-Level Planning and Decision Making will enable the District to create plans that are localized and tailored to most efficiently and effectively promote successful learning and governance of campus.

Tex. Educ. Code § 11.255

DROPOUT PREVENTION REVIEW. (a) Each district-level planning and decision-making committee and each campus-level planning and decision-making committee for a junior, middle, or high school campus shall analyze information related to dropout prevention, including:

- (1) the results of the audit of dropout records required by Section 39.308;
- (2) campus information related to graduation rates, dropout rates, high school equivalency certificate rates, and the percentage of students who remain in high school more than four years after entering grade level 9;
- (3) the number of students who enter a high school equivalency certificate program and:
 - (A) do not complete the program;
 - (B) complete the program but do not take the high school equivalency examination; or
 - (C) complete the program and take the high school equivalency examination but do not obtain a high school equivalency certificate;
- (4) for students enrolled in grade levels 9 and 10, information related to academic credit hours earned, retention rates, and placements in alternative education programs and expulsions under Chapter 37; and
- (5) the results of an evaluation of each school-based dropout prevention program in the district.

(b) Each district-level planning and decision-making committee and each campus-level planning and decision-making committee shall use the information reviewed under this section in developing district or campus improvement plans under this subchapter.

Proposed Innovation: TEC 11.251 currently states that the school board shall adopt a policy to involve professional staff of the district, parents, and community members in the establishment of a district and campus-level planning entity. The district will continue to create and utilize a committee, however, local control of the composition of the committee will encourage genuine involvement among the staff and community. Additionally, the district seeks exemption from the state's requirements related to having its district and campus committees analyze drop-out prevention.

Reason: The District believes flexibility in its district and campus planning is important to effectively address dropout prevention. Permitting the district the greatest use of experts and best practices in addressing dropout prevention will effectively promote successful learning and governance of campus.

Probationary Contracts

TEC 21.102

Related Board Policies: DCA (LEGAL)

TEACHER EMPLOYMENT CONTRACTS. (a) A school district shall employ each classroom teacher, principal, librarian, nurse, or school counselor under:

- (1) a probationary contract, as provided by Subchapter C;*
- (2) a continuing contract, as provided by Subchapter D; or*
- (3) a term contract, as provided by Subchapter E.*

(b) A district is not required to employ a person other than an employee listed in Subsection (a) under a probationary, continuing, or term contract.

(c) Each board of trustees shall establish a policy designating specific positions of employment, or categories of positions based on considerations such as length of service, to which continuing contracts or term contracts apply.

Proposed Innovation: The district seeks exemption from TEC 21.002 as the requirements set forth by the state regarding teacher contracts are often without consideration of the local issues within a district. The district will employ teachers, principals, librarians, nurses, and school counselors without the multitude of restrictions made at the state level. The state bureaucracy inhibits districts from managing important local issues and prevents the district from operating efficiently. The district will issue its own form of contracts and employment agreements with teachers and other positions referenced in this section.

Reason: The District believes flexibility in engaging employees will enable the District to efficiently, effectively, and expeditiously maintain a top rate staff that provides excellent instructional methods. This flexibility includes the ability to meet the district's budget needs and makes the District a more attractive employer which will increase the prospective applicant pool. Being able to maintain the best employees will enhance the District's success educationally, in the community, and in the region.

K-4 Class Size

TEC 25.111, TEC 25.112, TEC 25.113

Related Board Policies: EEB (LEGAL)

Current Statute:

Kindergarten – 4th grade classes are to be kept at a 22 student to 1 teacher ratio according to state law. When a class exceeds this limit, the district must complete a waiver with the Texas Education Agency. These waivers are never rejected by TEA. This is a bureaucratic step that serves no purpose.

Along with this waiver, it is required that a letter is sent home to each parent in the section that exceeds the 22:1 ratio, informing them the waiver has been submitted. Many times soon after the waiver is submitted, students move out of the district, and we are below the 22:1 ratio.

Proposed:

While we certainly believe that small class size plays a positive role in the classroom, we do not believe it has a negative effect when you only add one or two more students. Many times it is not the number of students, but the makeup and chemistry of the classroom which influence the learning environment.

- A. HISD will attempt to keep all K-4th core classrooms to a 22:1 ratio. However, in the event the class size exceeds this ratio, the superintendent will report to the Board of Trustees
- B. In the event a K-4th core classroom reaches 25:1, the campus will notify the parents of the students in the classroom and inform them of the situation.
- C. A TEA waiver will not be necessary when a K-4th classroom exceeds the 22:1 ratio.
- D. This gives HISD the flexibility without having the bureaucracy of waivers within the Texas Education Agency.

Teacher Certification

TEC Sections 21.003

Related Board Policies: DK (LEGAL), DK (LOCAL), DK (EXHIBIT)

CERTIFICATION REQUIRED. (a) *A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.*

(b) *Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.*

(c) *The Commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the Commissioner. The Commissioner may limit the waiver of certification in any manner the Commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.*

Proposed Innovation: District may hire non-certified, but qualified educators for hard-to-fill positions in the area of Career and Technical Education and and without prior approval of the board of trustees. The campus principal may submit to the superintendent a request to allow certified teachers to teach one subject outside of their certified field. The principal must specify in writing the reason for the request and document what credentials this certified teacher possesses that qualify this individual to teach this subject. These individuals must be certified outside of the State of Texas or have an internationally recognized certification. Any individual hired under this exception would be expected to be certified in Texas before the law requires the same. With the proposed exemptions, the district will be able to utilize non-certified teachers without seeking a waiver from the Commissioner, until such time as the law prohibits using uncertified teachers.

Reason: In order to engage an adequate number of educators and educational support, the District desires to be exempt from TEC § 21.103 until such time as the Legislature prohibits the Commissioner from granting waivers. By exempting out of this statute the District will be able to secure quality noncertified applicants faster and ensure adequate staffing for its campuses.

Certification of Educators from Outside the State

TEC 21.052 and 21.053

Related Board Policies: DBA (LOCAL) (LEGAL), DK (LOCAL) (LEGAL)

Current Statute:

In the event a district cannot locate a state certified teacher for a position, the district must submit a request to the Texas Education Agency. Out-of-state certified teachers are required to complete Texas certification requirements. TEA has the flexibility to approve or deny this request. Currently, non-certified professionals cannot be hired or paid without proper credentials on file.

Proposed Innovation:

Effective with the 2025-2026 school year and subject to the limitations below, Hallsville ISD will be able to fill vacancies by recognizing out-of-state and/or international certifications as sufficient qualification for employment. The district will require individuals hired under this exemption to complete Texas certification requirements for the assigned teaching field within three years of employment. Effective beginning with the 2026-2027 school year, this exemption applies only to positions that are not in grades K-5 and not in reading or math at any grade level. Out-of-state or internationally certified teachers may not be placed in K-5 positions or reading or math positions at any grade level through this exemption. Special education and bilingual/ESL positions continue to require certification and are not covered by this exemption.

Teacher Appraisal Process

Exemption from TEC 21.351 and 21.352

Related Board Policies: DNA (LEGAL)

Texas Education Code requires the commissioner to adopt a recommended appraisal process and criteria on which to appraise the performance of teachers. The criteria must be based on observable, job-related behavior, including: (1) teachers' implementation of discipline management procedures; and (2) the performance of teachers' students. In appraising teachers, each school district shall use the appraisal process and performance criteria developed by the commissioner.

Innovation Strategies

The district is seeking flexibility within the recommended appraisal process and performance criteria for teachers and staff evaluated using the appraisal system Texas Teacher Evaluation and Support System (T-TESS). The district seeks to continue to utilize T-TESS as the teacher appraisal instrument, while seeking exemption from the Student Growth Measure. Data provided from district and campus local assessments will continue to be utilized following the current district assessment model.

Uniform School Start Date

TEC 25.0811

Related Board Policies: EB (LEGAL)

Current Statute:

Students may not begin school before the 4th Monday of August. In the past, districts could apply for a waiver to start the school calendar earlier to meet the needs of the local community. This waiver opportunity was met with resistance from the Texas tourism groups who lobbied to have the practice ended, because they believed it was detrimental to the Texas tourism business. Therefore, several years ago the legislature took away all waivers and dictated that districts may not begin until the 4th Monday, with no exceptions.

Proposed:

The flexibility of the start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and local community. Flexibility to start earlier in August would help our district plan for balanced instructional time in the semesters that would support the semester course curriculum. This flexibility will be implemented beginning with the 2023-2024 academic year.

Tex. Educ. Code § 21.0031
Related Board Policies: DCA (Legal and Local)
(Amended 2026)

Current Statute:

FAILURE TO OBTAIN CERTIFICATION; CONTRACT VOID. (a) An employee's probationary, continuing, or term contract under this chapter is void if the employee:

(1) does not hold a valid certificate or permit issued by the State Board for Educator Certification;

(2) fails to fulfill the requirements necessary to renew or extend the employee's temporary, probationary, or emergency certificate or any other certificate or permit issued under Subchapter B; or

(3) fails to comply with any requirement under Subchapter C, Chapter 22, if the failure results in suspension or revocation of the employee's certificate under Section 22.0831(f)(2).

(b) If a school district has knowledge that an employee's contract is void under Subsection (a):

(1) the district may, except as provided by Subsection (b-1):

(A) terminate the employee;

(B) suspend the employee with or without pay; or

(C) retain the employee for the remainder of the school year on an at-will employment basis in a position other than a position required to be held by an employee under a contract under Section 21.002 at the employee's existing rate of pay or at a reduced rate; and

(2) the employee is not entitled to the minimum salary prescribed by Section 21.402.

(b-1) A school district may not terminate or suspend under Subsection (b) an employee whose contract is void under Subsection (a)(1) or (2) because the employee failed to renew or extend the employee's certificate or permit if the employee:

(1) requests an extension from the State Board for Educator Certification to renew, extend, or otherwise validate the employee's certificate or permit; and

(2) not later than the 10th day after the date the contract is void, takes necessary measures to renew, extend, or otherwise validate the employee's certificate or permit, as determined by the State Board for Educator Certification.

(c) A school district's decision under Subsection (b) is not subject to appeal under this chapter, and the notice and hearing requirements of this chapter do not apply to the decision.

(d) This section does not affect the rights and remedies of a party in an at-will employment relationship.

(e) This section does not apply to a certified teacher assigned to teach a subject for which the teacher is not certified.

(f) For purposes of this section, a certificate or permit is not considered to have expired if:

- (1) the employee has completed the requirements for renewal of the certificate or permit;*
- (2) the employee submitted the request for renewal prior to the expiration date;*
- and*
- (3) the date the certificate or permit would have expired is before the date the State Board for Educator Certification takes action to approve the renewal of the certificate or permit.*

Proposed Innovation: Current law prohibits districts from terminating an employee whose contract is void because the employee failed to renew or extend the employee's certificate or permit if the employee requested an extension from SBEC or takes measures to remedy the voided contract. The district proposes the ability to terminate any employee whose contract lapses and is void without a hearing or unnecessary procedures.

Reason: The District believes that a loss of a certificate means a loss of qualifications and should not require the time and cost of a hearing to terminate that employee. The District desires to include in its employment contracts that a loss of certification voids the contract immediately. This will prevent unnecessary expenditures on hearings when certification is required for a position. This flexibility will enable the District to preserve money and maintain fiscal responsibility while making it easier to release unqualified employees.

Tex. Educ. Code § 21.104

**Related Board Policies: DFAA (Local)
(Amended 2026)**

Current Statute:

DISCHARGE DURING YEAR OR SUSPENSION WITHOUT PAY UNDER PROBATIONARY CONTRACT.

(a) A teacher employed under a probationary contract may be discharged at any time for good cause as determined by the board of trustees, good cause being the failure to meet the accepted standards of conduct for the profession as generally recognized and applied in similarly situated school districts in this state.

(b) In lieu of discharge or pending discharge, a school district may suspend a teacher without pay for good cause as specified by Subsection (a) for a period not to extend beyond the end of the current school year.

Proposed Innovation: The District proposes that a person proposed for termination who will be entitled to a hearing should be eligible for immediate placement on leave without pay, following the Board's vote and pending the outcome of the termination hearing. Should the person succeed in the hearing and not be terminated, the employee would be entitled to back pay.

Reason: A person on leave in a matter that is proposed for cause should not be paid while on leave. The District must otherwise pay for a substitute and the teacher, which encourages unnecessary and frivolous appeals.

Tex. Educ. Code § 21.1041
Related Board Policies: DFAA (Legal)
(Amended 2026)

Current Statute:

HEARING UNDER PROBATIONARY CONTRACT. A teacher is entitled to:

(1) a hearing as provided by Subchapter F, if the teacher is protesting proposed action under Section 21.104; or

(2) a hearing in a manner provided under Section 21.207 for nonrenewal of a term contract or a hearing provided by Subchapter F, as determined by the board of trustees of the district, if the teacher is protesting proposed action to terminate a probationary contract before the end of the contract period on the basis of a financial exigency declared under Section 44.011 that requires a reduction in personnel.

Proposed Innovation: The District proposes that a probationary employee being proposed for termination midyear be entitled to a hearing before the Board of Trustees. The burden will be on the District to show by a preponderance of the evidence that there is good cause to terminate the contract.

Reason: A person on a probationary contract should not be entitled to the same rights as a term contract employee.

Tex. Educ. Code § 21.404
Related Board Policies: DL (Legal)
(Amended 2026)

Current Statute:

PLANNING AND PREPARATION TIME. Each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity.

Proposed Innovation: The District exempts out of section 21.404 and permits the District to adjust its planning periods as best meets the needs of students.

Reason: The District intends to offer select teachers who mutually agree to forego their planning period the opportunity to teach additional classes for a stipend. This will eliminate the need for extra teachers, provide greater financial benefits for select teachers, and permit the best of the teachers more access to instruction for the most needy students.

Tex. Educ. Code § 21.4045

PLANNING AND NONINSTRUCTIONAL DUTIES OF TEACHERS. (a) A school district may enter into a supplemental agreement with a classroom teacher under which the teacher agrees to perform a duty relating to initial lesson plan design or instructional material selection that is not a duty generally:

- (1) anticipated to be performed during the instructional day; and*
- (2) assigned to all classroom teachers of the same subject and grade level under those teachers' employment contracts.*

(b) A school district may not require a classroom teacher for a foundation curriculum course to spend planning and preparation time to which the teacher is entitled under Section 21.404 creating or selecting instructional materials to initially cover the applicable essential knowledge and skills for the course unless the teacher has entered into a supplemental agreement described by Subsection (a). This subsection may not be construed to prohibit a classroom teacher from choosing to spend the teacher's planning and preparation time creating or selecting instructional materials.

(c) A supplemental agreement between a school district and a classroom teacher described by Subsection (a) under which a teacher is assigned responsibility for a greater number of duties unrelated to providing instruction than other full-time teachers of the same grade level in the district must explicitly state each of the teacher's duties unrelated to providing instruction.

Proposed Innovation: The District exempts out of section 21.4045(b) and permits the District to offer a stipend to foundation curriculum classroom teachers to forego their planning and preparation time as best meets the needs of students.

Reason: The District may offer select teachers who mutually agree to forego their planning period the opportunity to create instructional materials. This will provide greater financial benefits for select teachers.

Tex. Educ. Code § 22.003

**Related Board Policies: DEC (Legal and Local)
(Amended 2026)**

Current Statute:

MINIMUM PERSONAL LEAVE PROGRAM. (a) A state minimum personal leave program consisting of five days per year personal leave with no limit on accumulation and transferable among districts shall be provided for school district employees. School districts may provide additional personal leave beyond this minimum. The board of trustees of a school district may adopt a policy governing an employee's use of personal leave granted under this subsection, except that the policy may not restrict:

- (1) the purposes for which the leave may be used; or*
- (2) the order in which an employee may use the state minimum personal leave and any additional personal leave provided by the school district.*

(b) In addition to all other days of leave provided by this section or by the school district, an employee of a school district who is physically assaulted during the performance of the employee's regular duties is entitled to the number of days of leave necessary to recuperate from all physical injuries sustained as a result of the assault. At the request of an employee, the school district must immediately assign an employee to assault leave and, on investigation of the claim, may change the assault leave status and charge the leave against the employee's accrued personal leave or against an employee's pay if insufficient accrued personal leave is available. Days of leave taken under this subsection may not be deducted from accrued

personal leave. The period provided by this subsection may not extend more than two years beyond the date of the assault. Notwithstanding any other law, assault leave policy benefits due to an employee shall be coordinated with temporary income benefits due from workers' compensation so that the employee's total compensation from temporary income benefits and assault leave policy benefits equals 100 percent of the employee's weekly rate of pay.

(c) For purposes of Subsection (b), an employee of a school district is physically assaulted if the person engaging in the conduct causing injury to the employee:

(1) could be prosecuted for assault; or

(2) could not be prosecuted for assault only because the person's age or mental capacity makes the person a nonresponsible person for purposes of criminal liability.

(c-1) Any informational handbook a school district provides to employees in an electronic or paper form or makes available by posting on the district website must include notification of an employee's rights under Subsection (b) in the relevant section of the handbook. Any form used by a school district through which an employee may request leave under this section must include assault leave under Subsection (b) as an option.

(d) A school district employee with available personal leave under this section is entitled to use the leave for compensation during a term of active military service. This subsection applies to any personal or sick leave available under former law or provided by local policy of a school district, including a home-rule school district.

(e) A school district, including a home-rule school district, may adopt a policy providing for the paid leave of absence of employees taking leave for active military service as part of the consideration of employment by the district.

(f) A public school employee who retains any sick leave accumulated under former Section 13.904(a), as that section existed on January 1, 1995, is entitled to use the sick leave provided under that section or the personal leave provided under Subsection (a) in any order to the extent that the leave the employee uses is appropriate to the purpose of the leave.

Proposed Innovation: The District exempts from section 22.003. The District shall determine a local leave policy that is in the best interest of the District and addresses best practices and works within the District's budget.

Reason: The District will implement a local leave plan that best serves the needs of the District.

Tex. Educ. Code § 25.036

**Related Board Policies: FDA (Local)
(Amended 2026)**

Current Statute:

TRANSFER OF STUDENT. (a) Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

(b) A transfer agreement under this section shall be filed and preserved as a receiving district record for audit purposes of the agency.

(c) In the case of a transfer under this section, a child's school district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Section 37.115.

Proposed Innovation: The District opts out of section 25.036 to the extent it requires an

inter-district transfer to be for a period of one full school year.

Reason: The district maintains a transfer policy under FDA (local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history records, work habits, and attendance records are also evaluated. The district is seeking to eliminate the provision of one year commitment in accepting transfer applicants. At times, student behavior warrants suspension (in or out of school), placement in a disciplinary alternative program or expulsion. In addition, the student attendance may fall below the TEA truancy standards. In these rare cases, the district seeks exemption from the one-year transfer commitment.

Tex. Educ. Code § 25.083

**Related Board Policies: EC (Local)
(Amended 2026)**

Current Statute:

SCHOOL DAY INTERRUPTIONS. (a) The board of trustees of each school district shall adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities such as announcements and sales promotions. At a minimum, the policy must limit announcements other than emergency announcements to once during the school day.

(b) The board of trustees of each school district shall adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. A district may not remove a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such a purpose.

Proposed Innovation: The District exempts out of section 25.083. The District shall determine when disruptions are appropriate and/or necessary based upon local needs. Removals will be addressed locally through policy.

Reason: The District will "disrupt" instruction as needed and warranted and not based upon a state standard. Students needing remediation will be addressed by local policy.

Tex. Educ. Code § 26.008
Related Board Policies: DHB (Legal)
(Amended 2026)

Current Statute:

RIGHT TO FULL INFORMATION CONCERNING STUDENT. (a) Except as provided by Section 38.004, a parent is entitled to:

- (1) full information regarding the school activities of a parent's child; and*
- (2) notification not later than one school business day after the date a school district employee first suspects that a criminal offense has been committed against the parent's child.*

(b) An attempt by any school district employee to encourage or coerce a child to withhold information from the child's parent is grounds for discipline under Section 21.104, 21.156, or 21.211, as applicable, or by the State Board for Educator Certification, if applicable.

Proposed Innovation: The District exempts out of section 26.008(a) to the extent it goes beyond the scope and requirements of FERPA.

Reason: The District will notify parents once the District has investigated and believes the child may have been the victim of a crime. The District will not report to a parent suspicions it deems premature, unjust, or unreasonable.

Tex. Educ. Code § 26.009
Related Board Policies: FFEB (Legal), FFA (Legal and Local), FFAE (Legal)
(Amended 2026)

Current Statute:

CONSENT REQUIRED FOR CERTAIN ACTIVITIES. (a) An employee or contractor of a school district must obtain the written consent of a child's parent in the manner required by Subsection (a-2) before the employee or contractor may:

- (1) conduct a psychological or psychiatric examination or test, or psychological or psychiatric treatment, unless the examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education;*
- (2) subject to Subsection (b), make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice;*
- (3) unless authorized by other law:
 - (A) disclose a child's health or medical information to any person other than the child's parent; or*
 - (B) collect, use, store, or disclose to any person other than the child's parent a child's biometric identifiers; or**
- (4) subject to Subsection (a-3), provide health care services or medication or conduct a medical procedure.*

(a-1) For purposes of Subsection (a):

- (1) "Biometric identifier" means a blood sample, hair sample, skin sample, DNA sample, body scan, retina or iris scan, fingerprint, voiceprint, or record of hand or face geometry.*
- (2) "Psychological or psychiatric examination or test" means a method designed to elicit information regarding an attitude, habit, trait, opinion, belief, feeling, or mental disorder or a condition thought to lead to a mental disorder, regardless of the manner in which the method is presented or characterized, including a*

method that is presented or characterized as a survey, check-in, or screening or is embedded in an academic lesson.

(3) "Psychological or psychiatric treatment" means the planned, systematic use of a method or technique that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group.

(a-2) Written consent for a parent's child to participate in a district activity described by Subsection (a) must be signed by the parent and returned to the district. A child may not participate in the activity unless the district receives the parent's signed written consent to that activity.

(a-3) For the purpose of obtaining written consent for actions described by Subsection (a)(4) that are determined by a school district to be routine care provided by a person who is authorized by the district to provide physical or mental health-related services, the district may obtain consent at the beginning of the school year or at the time of the child's enrollment in the district. Unless otherwise provided by a child's parent, written consent obtained in accordance with this subsection is effective until the end of the school year in which the consent was obtained.

(b) An employee or contractor of a school district is not required to obtain the consent of a child's parent before the employee or contractor may make a videotape of a child or authorize the recording of a child's voice if the videotape or voice recording is to be used only for:

- (1) purposes of safety, including the maintenance of order and discipline in common areas of the school or on school buses;
- (2) a purpose related to a cocurricular or extracurricular activity;
- (3) a purpose related to regular classroom instruction;
- (4) media coverage of the school; or
- (5) a purpose related to the promotion of student safety under Section 29.022.

(c) Before the first instructional day of each school year, a school district shall provide to the parent of each student enrolled in the district written notice of any actions the district may take involving the authorized collection, use, or storage of information as described by Subsection (a)(3). The notice must:

- (1) include a plain language explanation for the district's collection, use, or storage of the child's information and the district's legal authority to engage in that collection, use, or storage; and
- (2) be signed by the parent and returned to the district.

(d) A school district shall take disciplinary action against an employee responsible for allowing a child to participate in an activity described by Subsection (a)(4) if the district did not obtain a parent's consent for the child's participation in that activity.

(e) A school district shall retain the written informed consent of a child's parent obtained under this section as part of the child's education records.

(f) Nothing in this section may be construed to:

- (1) require an employee or contractor of a school district to obtain the written consent of a child's parent before verbally asking the child about the child's general well-being; or
- (2) affect the duty to report child abuse or neglect under Chapter 261, Family Code, or an investigation of a report of abuse or neglect under that chapter.

Proposed Innovation: The District exempts out of section 26.009 to the extent it goes beyond the scope and requirements of FERPA. The District will comply with FERPA.

Reason: The District will comply with FERPA requirements for communicating and permission from parents. Local professionals shall follow the Code of Ethics or any other required standards. Parents may choose to affirmatively limit their child's activities and access to professionals.

Tex. Educ. Code § 26A.001

**Related Board Policies: DGBA, FNG (Local)
(Amended 2026)**

Current Statute:

GRIEVANCE POLICY. (a) The board of trustees of a school district shall adopt a grievance policy to address grievances received by the district.

(b) The policy must provide for the following levels of review, subject to Subsection (c):

(1) review by:

(A) the principal of the school district campus at which the grievance is filed or the principal's designee; or

(B) for a grievance that arises from subject matter unrelated to a campus, an administrator at the school district's central office;

(2) if established by the policy, an appeal to an administrator at the school district's central office;

(3) an appeal to the superintendent of the school district or the superintendent's designee; and

(4) an appeal to the board of trustees of the school district.

(c) A review or appeal on a grievance must be conducted by a person with the authority to address the grievance unless a preliminary hearing is necessary to develop a record or a recommendation for the board of trustees of the school district.

(d) The board of trustees of a school district may delegate the authority to hear and decide a grievance to a committee of at least three members composed only of members of the board of trustees. For purposes of an appeal to the Commissioner under Section 7.057, a decision by the committee is a decision of the board of trustees. Subsection (e) applies to the committee in the same manner as that subsection applies to the board of trustees.

(e) The policy must:

(1) prohibit the board of trustees of the school district or a district employee from retaliating against a student or parent of or person standing in parental relation to a student who files a grievance in accordance with the policy;

(2) require a person involved in reviewing a grievance under the policy to recuse himself or herself from reviewing the grievance if the person is the subject of the grievance;

(3) provide for a higher level of review under Subsection (b) if the person who would otherwise review the grievance is required to recuse himself or herself under Subdivision (2);

(4) provide for the creation and retention of a record of each hearing on the grievance, including:

(A) documents submitted by the person who filed the grievance or determined relevant by school district personnel; and

(B) a written record of the decision, including an explanation of the basis for the decision and an indication of each document that supports the

decision;

(5) allow the person who filed the grievance to supplement the record with additional documents or add additional claims;

(6) allow for a member of the board of trustees of the school district to file a grievance with the district, but prohibit the member from voting on matters related to that grievance;

(7) allow for a remand to a lower level of review under Subsection (b) to develop a record at any time, including at the board of trustees level of review;

(8) require the school district to direct a grievance that is filed with the incorrect administrator to the appropriate administrator and consider the grievance filed on the date on which the grievance was initially filed;

(9) require the school district to issue a decision on the merits of the concern raised in the grievance, notwithstanding procedural errors or the type of relief requested;

(10) unless otherwise required by law, allow for a hearing or meeting at which the grievance will be discussed to be open or closed at the request of the person who filed the grievance; and

(11) for a grievance before the board of trustees of the school district, require that:

(A) the person who filed the grievance be provided at least five business days before the date on which the meeting to discuss the grievance will be held a description of any information the board of trustees intends to rely on that is not contained in the record; and

(B) the meeting at which the grievance is discussed be recorded by video or audio recording or by transcript created by a certified court reporter.

(f) If a grievance is appealed to the Commissioner under Section 7.057, the Commissioner may:

(1) investigate an alleged violation of state or federal law regarding the confidentiality of student information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), relating to the grievance;

(2) collaborate with relevant federal agencies in an investigation described by Subdivision (1); and

(3) take any action necessary to compel the school district, the board of trustees of the district, or a district employee to comply with law described by Subdivision (1).

(g) Each school district shall annually submit to the agency a report on grievances filed in the district during the preceding year. The report must include for each grievance the resolution of the grievance and any corrective action taken.

(h) Not later than December 1 of each year, the agency shall post on the agency's Internet website a report on grievances filed in school districts during the preceding year. The report must aggregate the data statewide and state:

(1) the number of grievances filed;

(2) the number of grievances resolved and the resolution of those grievances;

and

(3) any corrective actions taken.

(i) If the Commissioner determines that a school district educator has retaliated against a student or parent of or person standing in parental relation to a student in violation of Subsection (e)(1), the Commissioner may report the educator to the State Board for Educator Certification for investigation.

Proposed Innovation: The District exempts out of section 26A.001 and will utilize its local grievance policies and the procedures therein to address complaints and the right of remonstrance.

Reason: The District believes the state has created unnecessary and excessive procedures that are not conducive to resolving complaints. The District believes local procedures adequately meet the requirements of the Texas Supreme Court's right of remonstrance.

Tex. Educ. Code § 26A.002

**Related Board Policies: DGBA, FNG (Local)
(Amended 2026)**

Current Statute:

*TIMELINES FOR FILING AND APPEAL. The policy adopted under Section 26A.001 must:
(1) provide at least:*

(A) for a grievance filed by a parent of or person standing in parental relation to a student enrolled in the school district:

- (i) 60 days to file a grievance from the date on which the parent or person knew or had reason to know of the facts giving rise to the grievance; or*
- (ii) if the parent or person engaged in informal attempts to resolve the grievance, the later of 90 days to file a grievance from the date described by Subparagraph (i) or 30 days to file a grievance from the date on which the district provided information to the parent or person regarding how to file the grievance; and*

(B) 20 days to file an appeal after the date on which a decision on the grievance was made;

(2) for a hearing that is not before the board of trustees of the school district, require:

(A) the district to hold a hearing not later than the 10th day after the date on which the grievance or appeal was filed; and

(B) a written decision to be made not later than the 20th day after the date on which the hearing was held that includes:

- (i) any relief or redress to be provided; and*
- (ii) information regarding filing an appeal, including the timeline to appeal under this section and Section 7.057, if applicable; and*

(3) for a hearing before the board of trustees of the school district, require the board of trustees to:

(A) hold a meeting to discuss the grievance not later than the 60th day after the date on which the previous decision on the grievance was made; and

(B) make a decision on the grievance not later than the 30th day after the date on which the meeting is held under Paragraph (A).

Proposed Innovation: The District exempts out of section 26A.002 and will utilize its local

grievance policies and the procedures therein to address complaints and the right of remonstrance.

Reason: The District believes the state has created unnecessary and excessive procedures that are not conducive to resolving complaints. The District believes local procedures adequately meet the requirements of the Texas Supreme Court's right of remonstrance.

Tex. Educ. Code § 26A.003

Related Board Policies: DGBA, FNG (Local)
(Amended 2026)

Current Statute:

POSTING OF PROCEDURES AND FORMS. (a) The board of trustees of a school district shall develop, make publicly available in a prominent location on the district's Internet website, and include in the district's student handbook:

(1) procedures for resolving grievances;

(2) standardized forms for filing a grievance, a notice of appeal, or a request for a hearing under this chapter; and

(3) the method by which a grievance may be filed electronically.

(b) A school district shall ensure that a grievance may be submitted electronically at the location on the district's Internet website at which the information described by Subsection (a) is available.

(c) A school district shall submit and make accessible to the agency the location on the district's Internet website at which the information described by Subsection (a) is available.

Proposed Innovation: The District exempts out of section 26A.003 and will maintain information about grievances through its posting access to its local policies.

Reason: The District believes there are too many requirements for its web page, making it difficult for persons to navigate. The District will post what it believes is the most useful information.

Tex. Educ. Code § 28.022

Related Board Policies: EIA (Legal and Local)

(Amended 2026)

Current Statute:

NOTICE TO PARENT OF UNSATISFACTORY PERFORMANCE; CONFERENCES. (a) The board of trustees of each school district shall adopt a policy that:

(1) provides for at least two opportunities for in-person conferences during each school year between each parent of a child enrolled in the district and the child's teachers;

(2) requires the district, at least once every 12 weeks, to give written notice to a parent of a student's performance in each class or subject; and

(3) requires the district, at least once every three weeks, or during the fourth week of each nine-week grading period, to give written notice to a parent or legal guardian of a student's performance in a subject included in the foundation curriculum under Section 28.002(a)(1) if the student's performance in the subject is consistently unsatisfactory, as determined by the district.

(b) The notice required under Subsections (a)(2) and (a)(3) must:

(1) provide for the signature of a student's parent; and

(2) be returned to the district.

(c) A policy adopted under this section does not apply to a student who:

(1) is 18 years of age or older and who is living in a different residence than the student's parents;

(2) is married; or

(3) has had the disabilities of minority removed for general purposes.

(d) In this section, "parent" includes a guardian, conservator, or other person having lawful control of a student.

(e) A district that uses an electronic platform for communicating student grade and performance information to parents may permit a parent to sign a notice required under Subsections (a)(2) and (a)(3) electronically, so long as the district retains a record verifying the parent's acknowledgment of the required notice. A district that accepts electronic signatures under this subsection must offer parents the option to provide a handwritten signature as provided under Subsection (b).

Proposed Innovation: The District exempts itself from section 28.022 and shall determine its own procedures for communications and conferences with regard to unsatisfactory performance.

Reason: The District believes it can best determine how and when it should communicate

with regard to unsatisfactory performance.

Tex. Educ. Code § 33.006

Related Board Policies: DP (Local)

(Amended 2026)

Current Statute:

SCHOOL COUNSELORS; GENERAL DUTIES. (a) The primary responsibility of a school counselor is to counsel students to fully develop each student's academic, career, personal, and social abilities.

(b) In addition to a school counselor's responsibility under Subsection (a), the school counselor shall:

(1) participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students:

(A) who are at risk of dropping out of school, becoming substance abusers, participating in gang activity, or committing suicide;

(B) who are in need of modified instructional strategies; or

(C) who are gifted and talented, with emphasis on identifying and serving gifted and talented students who are educationally disadvantaged;

(2) consult with a student's parent or guardian and make referrals as appropriate in consultation with the student's parent or guardian;

(3) consult with school staff, parents, and other community members to help them increase the effectiveness of student education and promote student success;

(4) coordinate people and resources in the school, home, and community;

(5) with the assistance of school staff, interpret standardized test results and other assessment data that help a student make educational and career plans;

(6) deliver classroom guidance activities or serve as a consultant to teachers conducting lessons based on the school's guidance curriculum; and

(7) serve as an impartial, nonreporting resource for interpersonal conflicts and discord involving two or more students, including accusations of bullying under Section 37.0832.

(d) Except as provided by Subsection (e), the board of trustees of each school district shall adopt a policy that requires a school counselor to spend at least 80 percent of the school counselor's total work time on duties that are components of a counseling program developed under Section 33.005. For purposes of this subsection, time spent in administering assessment instruments or providing other assistance in connection with assessment instruments, except time spent in interpreting data from assessment instruments, is not considered time spent on counseling. Each school in the district shall implement the policy. A copy of the policy shall be maintained in the office of each school in the district and made available on request during regular school hours to district employees, parents of district students, and the public.

(e) If the board of trustees of a school district determines that, because of staffing needs in the district or at a school in the district, a school counselor must spend less than 80 percent of the school counselor's total work time on duties that are components of a counseling program developed under Section 33.005, the policy adopted under Subsection (d) shall:

(1) include the reasons why the counselor needs to spend less than 80 percent of the counselor's work time on duties that are components of the counseling program;

(2) list the duties the counselor is expected to perform that are not components of the counseling program; and

(3) set the percentage of work time that the counselor is required to spend on components of the counseling program.

(f) A school district may not include a provision in an employment contract with a school counselor under Chapter 21 that conflicts with the policy required by Subsection (d) or, except as provided by Subsection (g), has the effect of authorizing a school principal or school district superintendent to require a school counselor to generally perform duties that are not primarily related to a counseling function.

(g) A school district to which Subsection (e) applies may not include a provision in an employment contract under Chapter 21 with an affected school counselor that has the effect of requiring the counselor to generally perform a duty that is not primarily related to a counseling function unless the duty is specified in the district's policy under Subsection (e)(2).

(h) Each school district shall annually assess the district's compliance with the policy adopted under Subsection (d) and, on request by the Commissioner, provide a written copy of the assessment to the agency on or before the date specified by the Commissioner. The Commissioner shall adopt rules to implement this subsection.

Proposed Innovation: The District exempts itself from section 33.006 and shall determine the duties of its counselors and what percentage, if any, will be required from the counselor to complete their duties.

Reason: The District shall determine the duties of its employees.

Tex. Educ. Code § 38.014

**Related Board Policies: EHAA (Legal and Local)
(Amended 2026)**

Current Statute:

IMPLEMENTATION OF COORDINATED HEALTH PROGRAM FOR ELEMENTARY, MIDDLE, AND JUNIOR HIGH SCHOOL STUDENTS. (a) Each school district shall:

(1) participate in appropriate training for the implementation of the program approved by the agency under Section 38.013; and

(2) implement the program in each elementary school, middle school, and junior high school in the district.

(b) The agency, in cooperation with the Texas Department of Health, shall adopt a schedule for regional education service centers to provide necessary training under this section.

Proposed Innovation: The District exempts itself from section 38.014 and shall determine the appropriate trainers and which grade levels will participate in the coordinated health programs.

Reason: The District shall determine what is best practices for their students with respect to its health program.

Tex. Educ. Code § 38.053

**Related Board Policies: FFAC (Legal and Local)
(Amended 2026)**

Current Statute:

PARENTAL CONSENT REQUIRED. (a) A school-based health center may provide services to a student only if the district or the provider with whom the district contracts obtains the written consent of the student's parent or guardian or another person having legal control of the student on a consent form developed by the district or provider. The student's parent or guardian or another person having legal control of the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

(b) The consent form must list every service the school-based health center delivers in a format that complies with all applicable state and federal laws and allows a person to consent to one or more categories of services.

Proposed Innovation: The District exempts itself from section 38.053 and shall comply with federal and state laws with regard to parental consent.

Reason: The District shall comply with FERPA with regard to parental rights.

Local Innovation Committee Members for Renewal Plan

Jennifer Gillaspie	Parent
Martha Dalby	Community
Christi Tatman	East Administrator
Mindy Baker	East Teacher
Vanielle Williams	West Administrator
Tracy Conway	North Administrator
Emily Brown	North Teacher
Abby Chain	North Teacher
Tiffany Cargill	Intermediate Principal
Alisha Viddaurri	Intermediate Teacher
Hollie Strickland	Jr. High Administrator
Selee Duncan	Jr. High Teacher
Kayla Fuller	Jr. High Teacher
Martha Ruff	Jr. High Teacher, EB rep.
Austin Whitehead	HHS Teacher
Jennifer Roberts	HHS Teacher
Shar Harris	DAEP Administrator
Stasha Mckinney	TVAH Administrator
Sandra Soltau	TVAH Administrator
Julie Smith	TVAH - Administrator
Jill Buchanan	District, PEIMS
Matt Tucker	District, Maintenance
Amy Whittle	District, Federal/Special Programs, Chair
Mary Brown	District, Assistant Superintendent
Lindsay Slaten	District, Assistant Superintendent
Shauna Hittle	District, Assistant Superintendent
John Martin	District, Superintendent