



Robert Lee Independent School District

District of Innovation Plan

Introduction

The 84th Legislature passed House Bill (HB) 1842 which gives traditional independent school districts most of the flexibilities available to the state's open enrollment charter schools. HB 1842 provides Robert Lee ISD an opportunity to modify state requirements at the local level to better meet the needs of our student population, in order to prepare them for success and life-long learning. Our district must have an academic performance rating of at least Academically Acceptable to adopt an innovation plan.

Robert Lee ISD took the first step in exploring this opportunity when the RLISD Board of Trustees approved a resolution initiating the process in January 2017. The Board then held a public hearing to consider whether the district should develop an innovation plan, at which time the Board decided to move forward with the process. A committee was appointed to develop an innovation plan. The committee created a district of innovation plan. The plan was posted on-line for at least 30 days. The District Advisory Committee held a public meeting to approve the plan during a special called Board meeting and the plan was approved later in the meeting.

In renewing the plan, the Commissioner of Education was informed on the intent of Robert Lee ISD to renew the District of Innovation Plan on March 2, 2021. The plan was posted to the website on March 2, 2021. The District Advisory Committee met to review the DOI plan on March 24, 2021. The Board of Trustees met on March 25, 2021 and approved moving forward with renewing our plan. The District Advisory Committee held a public meeting to approve the plan during our regular called Board meeting on April 15, 2021. The Board of Trustees later approved the plan in that same meeting.

District of Innovation Team

David O'Dell, High School Principal
Amanda Warren, Title I
Kellye Duncan, Special programs
Denise Roberts, Special Education
Katie Drennan, Elementary Teacher
Kristi Fowler, Elementary Teacher
Brandi Sawyer, Business Rep.
Amber Bosworth, Parent Rep.
Josh Garces, Student Rep.

Koty Albert, Elementary Principal
Lee McCown, Athletic Director
Mandi McCown, Counselor
Amy Chumney, High School Teacher / IT
Cori Torres, Paraprofessional / Music
Sally Gloria, Community Member
Crystal Stanford, Parent Rep.
Stefanie Samaniego, Parent Rep.
Alec Henson, Student Rep

District of Innovation Timeline

January 17, 2017

Board of Trustees approved resolution to hold a public hearing to discuss the possibility of becoming a District of Innovation.

February 22, 2017

Public Hearing on District of Innovation. School Board votes to pursue becoming a District of Innovation and Appoints a committee to develop a District of Innovation Plan.

February 27, 2017

District of Innovation Committee meets to develop a plan to present to the community and School Board.

February 28, 2017

Draft of plan completed and posted to the website (TEC 12A.005(a)(l)). Commissioner of Education notified of District intent to become a District of Innovation.

April 4, 2017

Public Meeting and District of Innovation Committee Meeting within the special called School Board Meeting. Plan presented to public. School board approval of plan.

2020 Amendment

March, 16,2020

Draft of amendment and posted to the website (TEC 12A.005(a)(l)). Commissioner of Education notified of District intent to amend the DOI Plan.

April 7, 2020

District Committee meets to discuss amendment to District of Innovation Plan.

April 16, 2020

Public Meeting and District Committee meeting within a School Board Meeting. Amendment presented to public. School board approval of amendment.

2021 Renewal

March 2, 2021

Draft of Plan posted to website and Commissioner of Education notified of District intent to Renew.

March 24, 2021

District Committee met to discuss renewal of plan and approved plan to be taken to the School Board.

April 15, 2021

Public Meeting and District Committee meeting within a School Board Meeting. Plan presented to public. School Board approval of plan.

2026 Renewal**February 1, 2026**

Draft of renewed plan posted to the website for at least 30 days.

February 9, 2026

The Site-Based District Committee meeting to discuss the final version of the proposed DOI renewal plan, and approve the plan to be presented to the School Board.

March 26, 2026

Public Meeting and District Committee meeting within a School Board Meeting. Plan presented to public. School Board approval of plan.

Texas Education Code Requested Exemptions Innovations**Innovations**

Robert Lee ISD in conjunction with the District of Innovation Committee proposes the following flexibilities with the Texas Education Code to provide the best educational opportunities for students at Robert Lee ISD.

Minimum Minutes of Instruction (TEC § 25.081)

Sec. 25.081. OPERATION OF SCHOOLS. (a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses, for students.

(b) The commissioner may approve the instruction of students for fewer than the number of minutes required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.

(c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

(e) For purposes of this code, a reference to a day of instruction means 420 minutes of instruction.

Rationale for Exemption

Currently, each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses. The state requires 420 minutes for full day programming. Due to the distance of our Fairview Alternative campus, this causes a problem for RLISD.

Alternative Education Setting Exemption:

Alternative Campuses offer an alternative education program designed to meet the needs of non-traditional students. This program offers an opportunity for students to accelerate credit attainment, acquire credits at a faster rate, and mitigate credit deficiencies. Fairview Campus provides an alternate route to graduation for students who have not been successful in the traditional school due to special challenges. These challenges include (but are not limited to) parent or parenting students; over-age students; family hardships created by economic situations that result in the student having to work instead of attend school; being credit deficient for various reasons; and/or having difficulty passing STAAR End-of-Course exams.

Innovation Strategy

Exemption from the minimum minutes requirement will permit the District to offer alternative programming at the Fairview Campus with fewer minutes that focus on quality programming and cost savings, designed to fit the needs of these at-risk students without having to apply for an annual waiver or lose funding for full time students.

Uniform Start Date (TEC § 25.0811)

Sec. 25.0811. FIRST DAY OF INSTRUCTION.

(a) Except as provided by this section, a school district may not begin instruction for students for a school year before the fourth Monday in August. A school district may:

- (1) begin instruction for students for a school year before the fourth Monday in August if the district operates a year-round system under Section 25.084; or
- (2) begin instruction for students for a school year on or after the first Monday in August at a campus or at not more than 20 percent of the campuses in the district if:
 - (A) the district has a student enrollment of 190,000 or more;
 - (B) the district at the beginning of the school year provides, financed with local funds, days of instruction for students at the campus or at each of the multiple campuses, in addition to the minimum number of days of instruction required under Section 25.081;

- (C) the campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board of trustees of the district; and
- (D) a majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.

(b) Notwithstanding Subsection (a), a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer, may start school on any date permitted under subsection (a) or the law of the other state.

Rationale for Exemption

State law currently prohibits school districts from starting class before the fourth Monday in August unless they are year-round districts. The flexibility of the start date allows the district to determine locally, on an annual basis, what best meets the need of the students, the school, and the community. In addition, this flexibility allows the district to better align its starting date to accommodate the start date of colleges the district uses for dual credit courses. Another benefit of exempting this restriction is it allows the school to look at starting classes as a short week which can ease the transition for students entering kindergarten, middle school, and high school. Additionally, the ability to change the school start date can also help to better balance the number of instructional days in each semester.

Innovation Strategy

Robert Lee ISD will develop a calendar that meets the needs of the local community, meets the minimum required minutes of 75,600 (except as exempted above), and not start prior to the second Monday in August.

Length of School Day (TEC § 25.081(e))

Sec. 25.081. OPERATION OF SCHOOLS. (a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses, for students.

- (b) The commissioner may approve the instruction of students for fewer than the number of minutes required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.
- (c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

(e) For purposes of this code, a reference to a day of instruction means 420 minutes of instruction.

Rationale for Exemption

State law currently requires that all school days must be 420 minutes long each day in order to count for ADA calculations, funding purposes, and to accumulate instructional minutes towards the 75,600 minutes required annually. Exemption from the 420-minute day requirement would allow Robert Lee ISD the flexibility needed to alter the school day schedule on selected days, whenever locally determined necessary or beneficial to the district and its stakeholders. While there is a waiver process available to request exemption from this requirement, the waiver is limited to a 6-day maximum number for the school year. Exempting completely from the 420-minute requirement would give the district a significant amount of local control over scheduling (above and beyond the 6-day maximum as needed) without the fear of diminishing state funding or losing credit for instructional time that might cause the district to fall out of compliance with annual minute requirements. This would allow the district the flexibility to schedule non-instructional days into the schedule to allow our teachers to analyze student data and engage in targeted, relevant professional development.

Innovation Strategy

Robert Lee ISD will be exempt from the 7-hour school day requirement which would allow flexibility needed to alter the school day schedule whenever it was locally determined as beneficial to the district and its stakeholders. The District would still comply with the minimum requirement of 75,600 minutes. Robert Lee ISD does not have any intentions to shorten the school day on a regular basis, or without specific purpose. To the greatest extent possible, "early release" days would be planned ahead of time and noted in the district calendar, which is approved by the Board of Trustees, published, and distributed to stakeholders in advance of the school year and continuously published using school media. We will also stay within the state minimum of minutes required for funding for the year, with the exception noted above.

Teacher Certification (TEC §§ 21.003, 21.053 and 21.057)

Sec. 21.003. 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.

Sec. 21.053. PRESENTATION AND RECORDING OF CERTIFICATES. (a) A person who desires to teach in a public school shall present the person's certificate for filing with the employing district before the person's contract with the board of trustees of the district is binding.

(b) An educator who does not hold a valid certificate may not be paid for teaching or work done before the effective date of issuance of a valid certificate.

Sec. 21.057. PARENTAL NOTIFICATION. (a) A school district that assigns an inappropriately certified or uncertified teacher to the same classroom for more than 30 consecutive instructional days during the same school year shall provide written notice of the assignment to a parent or guardian of each student in that classroom.

(b) The superintendent of the school district shall provide the notice required by Subsection (a) not later than the 30th instructional day after the date of the assignment of the inappropriately certified or uncertified teacher.

(c) The school district shall:

(1) make a good-faith effort to ensure that the notice required by this section is provided in a bilingual form to any parent or guardian whose primary language is not English;

(2) retain a copy of any notice provided under this section; and

(3) make information relating to teacher certification available to the public on request.

(d) For purposes of this section, "inappropriately certified or uncertified teacher":

(1) includes:

(A) an individual serving on an emergency certificate issued under Section 21.041(b)(2); or

(B) an individual who does not hold any certificate or permit issued under this chapter and is not employed as specified by Subdivision (2)(E); and

(2) does not include an individual:

(A) who is a certified teacher assigned to teach a class or classes outside his or her area of certification, as determined by rules proposed by the board in specifying the certificate required for each assignment;

(B) serving on a certificate issued due to a hearing impairment under Section 21.048;

- (C) serving on a certificate issued pursuant to enrollment in an approved alternative certification program under Section 21.049;
- (D) certified by another state or country and serving on a certificate issued under Section 21.052;
- (E) serving on a school district teaching permit issued under Section 21.055; or
- (F) employed under a waiver granted by the commissioner pursuant to Section 7.056.

(e) This section does not apply if a school is required in accordance with Section 1111(h)(6)(B)(ii), No Child Left Behind Act of 2001 (20 U.S.C. Section 6311), and its subsequent amendments, to provide notice to a parent or guardian regarding a teacher who is not highly qualified, provided the school provides notice as required by that Act.

Rationale for Exemption

State law maintains that a person may not be employed as a teacher by a school district unless the person holds an appropriate certificate or permit issued by the appropriate state agency. In the event a district cannot locate a certified teacher for a position or a teacher is teaching a subject outside of their certification, the district must request emergency certification from the Texas Education Agency and/or State Board of Educator Certification. This process will make it easier for our school district to get a qualified individual to teach a class when certification cannot be found. We are a rural school district and it is sometimes difficult to find certified teachers for all subject areas.

Innovation Strategy

The district will maintain its current expectations for employee certification and will make every attempt to hire individuals with appropriate certifications for the position in question. However, when that is not reasonably possible, Robert Lee ISD would like the ability to make decisions locally regarding teacher certifications.

- a. The district may allow a certified teacher to teach subject(s) out of their certified field if the certified teacher possesses credentials that would qualify the individual to teach the subject(s).
- b. The district will have the flexibility to hire individuals with experience and who are knowledgeable in a CTE field and/or hold an industrial certification to teach a vocational skill or course through a local teaching certificate
- c. The district will also have the flexibility to hire individuals who are native speakers with qualified experience to teach a bilingual education course or languages other than English through a local teaching certification.

- d. Noncertified individuals hired by the district to teach courses in a core subject, such as mathematics, English, history, or science, will be placed on a local plan outlining and monitoring progress toward completion of a teacher certification in the assigned teaching area or field.
- e. Additionally, Robert Lee ISD will notify parents if a locally certified teacher is employed for their child's class. This process will allow more flexibility in our scheduling, and provide more options for our students in class offerings leading to industry recognized certifications.

School Counselors; General Duties (TEC §33.006 d-h)

Sec. 33.006. SCHOOL COUNSELOR DUTIES.

- (a) Except as provided by this section, a school district shall adopt a policy requiring that a school counselor spend at least 80 percent of the counselor's total work time on duties that are components of a school counseling program developed under Section 33.005.
- (b) For purposes of this section, "total work time" means all time spent by a school counselor on duties during normal school hours. The term does not include time spent on duties performed outside of normal hours.
- (c) A school counselor may not spend more than 20 percent of the counselor's total work time on administrative activities that are not components of a counseling program developed under Section 33.005.
- (d) Each school district shall annually assess the district's compliance with the policy adopted under this section and shall provide a written copy of the assessment to the Texas Education Agency.
- (e) The commissioner may adopt rules as necessary to implement this section.

Rationale for Exemption

State law currently requires school counselors to spend at least 80 percent of their total work time on duties that are components of the school counseling program, leaving no more than 20 percent for other responsibilities. While this law intends to protect counseling time, it restricts the district's ability to meet the diverse and changing needs of students and district operations.

This requirement limits Robert Lee ISD's flexibility to assign counselors important responsibilities such as special education and Section 504 monitoring, student scheduling, and student assessment. Additionally, the time-tracking and documentation required to verify the 80/20 allocation is inefficient and detracts from time better spent directly supporting students.

The district values the role of counselors in leading comprehensive counseling programs and remains committed to prioritizing those services. However, removing the rigid 80/20 restriction allows Robert Lee ISD to deploy counselors in ways that best serve students, promote academic success, and support campus operations as needs evolve throughout the school year.

Innovation Strategy

Robert Lee ISD seeks exemption from the statutory requirement limiting counselor duties to an 80/20 allocation under TEC §33.006(d-h).

Under this exemption, the Robert Lee ISD counselor will continue to focus primarily on providing comprehensive counseling services to students, but without the administrative burden of monitoring and documenting strict time percentages.

The district will determine locally the appropriate balance of duties to meet student needs and operational priorities each year. Counselors may assist with additional tasks such as assessment coordination, academic scheduling, and student services without violating state time limitations.

This flexibility will allow Robert Lee ISD to maximize the effectiveness of its counseling staff, maintain a strong counseling program, and ensure that counselor time is allocated based on the best interests of students and the district.

Grievance Policy (TEC §26.001, §26A.001, §26A.002, §26A.003, §26.004)

Current Law

TEC §26.011 requires a school board to adopt a grievance procedure that complies with Chapter 26A. Chapter 26A requires a school board to adopt a grievance policy that, among other provisions, mandates that a school district:

1. Allow a grievant to supplement the record with additional documents or add additional claims;
2. Issue a decision on the merits of a grievance regardless of procedural errors;
3. Extend the deadline for a grievant to file grievances and appeals; and
4. Hold a grievance hearing before the board of trustees within 60 days of the previous decision on the grievance.

Districts are also subject to grievance policy requirements under Chapter 26A to the extent that they are applicable to parent and student grievances.

Rationale for Exemption

Robert Lee ISD's current grievance process is efficient, transparent, and well-understood by both parents and administrators. The existing procedures ensure that grievances are addressed promptly, fairly, and with full documentation at every step, including submission, communication, investigation, findings, resolutions, and corrective actions.

The new statutory requirements would extend grievance and appeal deadlines, allow for additional claims and documents to be introduced after filing, and create uncertainty for all parties involved. These changes would slow the process and reduce the effectiveness of Robert Lee ISD's current system, which is already functioning ideally to resolve concerns quickly and equitably.

Innovation Strategy

Robert Lee ISD seeks exemption from the provisions of TEC Chapter 26A related to grievance policy requirements. The district will continue to operate under its existing grievance procedures, which are designed to ensure fair, efficient, and timely resolution of issues.

The district's locally adopted policy will continue to allow parents, students, and employees to express concerns and receive prompt responses while maintaining accountability and transparency. Exemption from Chapter 26A allows Robert Lee ISD to preserve a grievance process that best serves the needs of its community.

Instructional Plan (TEC §26.0062)

Current Law

TEC §26.0062 requires each school district to post on its website, at the beginning of each semester, an instructional plan or course syllabus for every class offered during that semester. This requirement also obligates teachers to provide these instructional plans or syllabi to district administration and to the parents or guardians of all students enrolled in their classes prior to the semester's start.

While the statute is intended to promote transparency and parent engagement, it creates logistical challenges and restricts instructional flexibility.

Rationale for Exemption

Robert Lee ISD is deeply committed to engaging parents and community members as partners in the educational process. However, the requirement to post and distribute detailed instructional plans before the semester begins does not align with the district's instructional approach.

Teachers regularly use data-driven instruction aligned to the Texas Essential Knowledge and Skills (TEKS) and adjust lessons to meet the evolving needs of students. A static semester-long syllabus limits the ability of teachers to modify instruction based on ongoing assessment data, intervention needs, and student progress.

This statutory requirement also places unnecessary administrative burdens on teachers and district staff while providing limited additional value to families already informed through multiple district communication channels.

Innovation Strategy

Robert Lee ISD seeks exemption from TEC §26.0062 to allow flexibility for teachers to design and adjust instructional plans throughout the semester based on student performance, feedback, and real-time data.

Under this exemption:

1. Teachers will not be required to submit or post a fixed semester-long instructional plan or syllabus for each course.
2. Instructional planning will remain aligned with TEKS and district curriculum frameworks.
3. Teachers will retain professional autonomy to modify instruction to better meet the learning needs of students.
4. Parents and guardians will continue to have access to information about course content, instructional goals, and major assignments through established district communication methods (e.g., parent-teacher conferences, online gradebook portals, or upon request)

This exemption supports instructional flexibility, reduces administrative workload, and allows teachers to focus on responsive, student-centered instruction while maintaining transparency and collaboration with families.

Library Materials Acquisition and Advisory Councils (TEC §§33.025, 33.026, 33.027)

Current Law

TEC §33.025 requires a school district to establish a Local School Library Advisory Council ("SLAC") if the parents of at least 10 percent of students enrolled in the district, or 50 or more parents, submit a petition requesting a council. The council's responsibilities include making recommendations regarding:

1. Policies and procedures for acquiring library materials;
2. Whether proposed materials are appropriate for each grade level;
3. Joint use agreements between the district and local public libraries or community organizations;
4. Removal of library materials deemed harmful, indecent, or profane;
5. Policies and procedures for processing library material challenges; and
6. The district's response to those challenges.

TEC §33.026 establishes procedures for the acquisition of library materials, requiring:

- Review and approval of materials by a certified school librarian;
- Verification of age-appropriateness, educational suitability, and compliance with community standards;
- Documentation of acquisition decisions; and
- Approval by the Board of Trustees for each acquired or donated resource.

TEC §33.027 requires districts to adopt a policy for handling challenges to library materials, including procedures for filing challenges, timelines for review and response, and consideration by district administrators with a formal response provided to the challenger.

These statutes collectively aim to ensure transparency, parental involvement, and adherence to professional standards for library material selection, acquisition, and challenges.

Rationale for Exemption

Robert Lee ISD already maintains robust, board-approved policies and professional procedures governing library material selection, acquisition, and challenges. Certified librarians curate materials to meet District collection development goals, including:

- Alignment with the Texas Essential Knowledge and Skills (TEKS);
- Presentation of multiple viewpoints;
- Promotion of literacy, factual knowledge, and societal understanding; and
- Encouragement of student enjoyment of reading.

The District also actively considers input from parents, teachers, and community members, as well as professional reviews from educational journals. Robert Lee ISD has an effective, well-known procedure for handling library material challenges.

The statutory requirements under §§33.025-33.027-mandating the formation of a SLAC, multi-step vetting, public postings, and board approval of every resource-would duplicate existing safeguards, delay access to instructional materials, and limit the professional discretion of certified librarians.

Innovation Strategy

Robert Lee ISD seeks exemption from TEC §§33.025-33.027 to maintain a locally controlled, efficient, and professional library management process.

Under this exemption:

1. Library personnel will continue to select, acquire, and manage library materials according to board-approved collection development policies.
2. Parents and community members will retain opportunities to provide input and raise concerns through established procedures.
3. The District will maintain transparent documentation of acquisition decisions and manage challenges in a timely, professional manner.
4. Access to enriching and curriculum-aligned library materials will be timely, ensuring instructional support is not delayed.

This exemption preserves professional discretion, maintains accountability and transparency, and provides students with immediate access to high-quality, age-appropriate, and curriculum-aligned library resources.

Class Sizes and Student-Teacher Ratios (TEC §§ 25.111, 25.112, 25.113, and 25.114)

Sec. 25.111. STUDENT TEACHER RATIOS. Except as provided by Section 25.112, each school district must employ a sufficient number of teachers certified under Subchapter B, Chapter 21, to maintain an average ratio of not less than one teacher for each 20 students in average daily attendance.

Sec. 25.112. CLASS SIZE. (a) Except as otherwise authorized by this section, a school district may not enroll more than 22 students in a kindergarten, first, second, third, or fourth grade class. That limitation does not apply during:

- (1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or
- (2) the last 12 weeks of any school year in the case of any other district.

(b) Not later than the 30th day after the first day of the 12-week period for which a district whose average daily attendance is adjusted under Section 42.005(c) is claiming an exemption under Subsection (a), the district shall notify the commissioner in writing that the district is claiming an exemption for the period stated in the notice.

(c) In determining the number of students to enroll in any class, a school district shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction.

(d) On application of a school district, the commissioner may except the district from the limit in Subsection (a) if the commissioner finds the limit works an undue hardship on the district. An exception expires at the end of the school year for which it is granted.

(e) A school district seeking an exception under Subsection (d) shall notify the commissioner and apply for the exception not later than the later of:

1. October 1; or
2. the 30th day after the first school day the district exceeds the limit in Subsection (a).

(f) If a school district repeatedly fails to comply with this section, the commissioner may take any appropriate action authorized to be taken by the commissioner under Section 39.131.

(g) Expired.

Sec. 25.113. NOTICE OF CLASS SIZE. (a) A campus or district that is granted an exception under Section 25.112(d) from class size limits shall provide written notice of the exception to the parent of or person standing in parental relation to each student affected by the exception. The notice must be in conspicuous bold or underlined print and:

- (1) specify the class for which an exception from the limit imposed by Section 25.1 12(a) was granted;
- (2) state the number of children in the class for which the exception was granted; and
- (3) be included in a regular mailing or other communication from the campus or district, such as information sent home with students.

(b) The notice required by Subsection (a) must be provided not later than the 31st day after:

- (1) the first day of the school year; or
- (2) the date the exception is granted, if the exception is granted after the beginning of the school year.

Sec. 25.114. STUDENT TEACHER RATIOS IN PHYSICAL EDUCATION

CLASSES; CLASS SIZE. (a) In implementing the curriculum for physical education under Section 28.002(a)(2)(C), each school district shall establish specific objectives and goals the district intends to accomplish through the curriculum, including, to the extent practicable, student/teacher ratios that are small enough to enable the district to:

- (1) carry out the purposes of and requirements for the physical education curriculum as provided under Section 28.002(d); and
- (2) ensure the safety of students participating in physical education.

(b) If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained.

Rationale for Exemption

State law requires districts to maintain an average student-teacher ratio at most of 20 to 1 for average daily attendance. For physical education, the student-teacher ratio cannot be greater than 45 to 1. In Kindergarten through grade fourth the class student-teacher ratio must not exceed 22 to 1. While small class sizes play a positive role in the classroom, they must be balanced with the logistics of the timing of adding staff, and the best teacher to student ratio that can be achieved given the total number of students. While it is often cited that smaller class sizes improve academic performance, the decision for what size is the appropriate size should be a local decision.

Many times, it is not the number of the students but the makeup and chemistry of the classroom which influence the learning environment. Most importantly, research clearly shows it is the teacher in the classroom that has the greatest impact on student learning, not absolute class size. The provisions in the cited statutes puts a burden on the district due to excessive time for personnel to complete the waiver process. Exemption would allow for maximum use of staff time and most efficient operation of the district that will improve student performance. While Robert Lee ISD will continue to strive for a class ratio of 22:1 or less, the district will determine locally the adequate teacher/student ratio.

Innovation Strategy

Robert Lee ISD will make a determination locally when exceeding the 22:1 student-teacher ratio in K- 4th grade. The district will determine if additional staff is needed without filing a waiver with TEA. Parents will be notified if the class exceeds the 22:1 ratio. Robert Lee ISD will also make a determination locally for Physical Education limitations to ensure the safety of all students are the priority.

Contract Service Days (TEC § 21.401(b))

Sec. 21.401. MINIMUM SERVICE REQUIRED.

(b) An educator employed under a 10-month contract must provide a minimum of 187 days of service.

Rationale for Exemption

State law currently requires educators employed on a 10-month contract to provide a minimum of 187 days of service.

With the passage of§ 25.081 which changed the required days of instruction to minutes, the law did not address contract days for 10-month contract employees. The determination of how many days are required to fulfill an employee's contract should be a local decision based on accomplishment of the standard of instructional time. Determination by the district to reduce the number of teacher contract days from 187 days of service will have no effect on teacher salaries.

Innovation Strategy

Robert Lee ISD will be able to reduce the number of contract service days for employees without reducing the salaries associated with the position.

Probationary Contracts (TEC § 21.102(c))

Sec. 21.102. PROBATIONARY CONTRACT.

(b) A probationary contract may not be for a term exceeding one school year. The probationary contract may be renewed for two additional one-year periods, for a maximum permissible probationary contract period of three school years, except that the probationary period may not exceed one year for a person who has been employed as a teacher in public education for at least five of the eight years preceding employment by the district.

(c) An employment contract may not extend the probationary contract period beyond the end of the third consecutive school year of the teacher's employment by the school district unless, during the third year of a teacher's probationary contract, the board of trustees determines that it is doubtful whether the teacher should be given a continuing contract or a term contract. If the board makes that determination, the district may make a probationary contract with the teacher for a term ending with the fourth consecutive school year of the teacher's employment with the district, at which time the district shall:

- (1) terminate the employment of the teacher; or
- (2) employ the teacher under a continuing contract or a term contract as provided by Subchapter D or E, according to district policy.

Rationale for Exemption

Currently State law states that a probationary contract may not be for a term exceeding one school year. The probationary contract may be renewed for two additional one-year periods, for a maximum permissible probationary contract period of three school years, except that the probationary period may not exceed one year for a person who has been employed as a teacher in public education for at least five of the eight years preceding employment by the district. This time period is not sufficient to evaluate the five-of-eight teacher's effectiveness in the classroom since teacher contract timelines demand that employment decisions must be made prior to state assessment results and end of year progress testing.

Innovation Strategy

Experienced teachers and counselors new to Robert Lee ISD that have been employed as a teacher in public education for at least five of the eight previous years, a probationary contract may be issued for up to two years. This allows Robert Lee ISD more time to evaluate a staff member's effectiveness.

Transfer of Student (TEC § 25.036(a))

Sec. 25.036. 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.

Rationale for Exemption

Note: The statute has been interpreted to require a transfer to be for a period of an entire school year. Flexibility with regard to transfer of students will allow the district to create an educational environment that is more conducive to learning. Flexibility allows revocation of a transfer agreement when the student exhibits conduct that disrupts the educational environment or warrants disciplinary action such as suspension, placement in a disciplinary alternative education program, or expulsion. It allows revocation of a transfer agreement when the student exhibits attendance problems that impact the performance of the student or school district. Additionally, it allows an efficient way to remove barriers to the high-quality learning environment that other students deserve. Flexibility with regard to transfer of students allows the district to create a safer educational environment for the reasons noted above.

Innovation Strategy

Robert Lee ISD will be able to revoke transfers at any time during the school year.

School Day Interruptions (TEC § 25.083)

Sec. 25.083. 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 purpose.

Rationale for Exemption

Currently, state law currently requires the Board of Trustees to adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities such as announcements to once during the school day except in the case of an emergency. While the district agrees with maximizing class time is crucial, this requirement is not practical.

Innovation Strategy

Robert Lee ISD will have the freedom to make announcements as needed during class time for picture days and other days that are not routine. The district will continue to minimize classroom disruptions to the greatest extent possible

Retire/Rehire minimum salary (TEC §§ 21.002, 21.402(a), 21.415)

Sec. 21.002. 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.

Sec. 21.402. MINIMUM SALARY SCRE.DULE FOR CERTAIN PROFESSIONAL STAFF.

(a) Except as provided by Subsection (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

Text of subsection effective on September 01, 2017.

(a) Except as provided by Subsection (e-1) or (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

(c-1) Notwithstanding Subsections (a) and (b), each school district shall pay a monthly salary to each classroom teacher, full-time speech pathologist, full-time librarian, full-time school counselor certified under Subchapter B, and full-time school nurse that is at least equal to the monthly salary or the monthly salary determined by the commissioner under Subsections (a) and (b), whichever is greater.

(c-2) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

(c-3) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

(c) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 8, Sec. 21(2), eff. September 28, 2011.

(e) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

Text of subsection effective on September 01, 2017.

(e-1) If the minimum monthly salary determined under Subsection (a) for a particular level of experience is less than the minimum monthly salary for that level of experience in the preceding year, the minimum monthly salary is the minimum monthly salary for the preceding year.

(F) Notwithstanding Subsection (a), a teacher or librarian who received a career ladder supplement on August 31, 1993, is entitled to at least the same gross monthly salary the teacher or librarian received for the 1994-1995 school year as long as the teacher or librarian is employed by the same district.

(g) The commissioner may adopt rules to govern the application of this section, including rules that:

(1) require the payment of a minimum salary under this section to a person employed in more than one capacity for which a minimum salary is provided and whose combined employment in those capacities constitutes full-time employment; and

(2) specify the credentials a person must hold to be considered a speech pathologist or school nurse under this section.

(h) In this section, "gross monthly salary" must include the amount a teacher or librarian received that represented a career ladder salary supplement under Section 16.057, as that section existed January 1, 1993.

Sec. 21.415. EMPLOYMENT CONTRACTS. (a) A school district shall provide in employment contracts that qualifying employees may receive an incentive payment under an awards program established under Subchapter O if the district participates in the program.

Rationale for Exemption:

Currently, all districts, when hiring a retired educator must keep the retired educator on a term or continuing contract and pay them their salary based upon the TEA minimum salary pay scale; in addition, the districts are required to pay a TRS surcharge. By hiring a retired educator, who is already receiving pension payments from the Texas Teacher Retirement System, at a salary that is equivalent to the salary the educator would have received had the educator not retired, plus paying a surcharge for health insurance the retired educator receives from TRS, the retired educator is too expensive for the district to hire.

Innovation Strategy

Robert Lee ISD would like the opportunity to hire an eligible retired educator without the burden of a term contract and pay them below the TEA minimum pay scale while also paying the required TRS surcharge. The salary for retire/rehire will be negotiable between the district and employee.

Robert Lee ISD believes that by hiring an eligible retired educator our students, campuses, and district will reap the rewards of having a veteran educator who is still involved and passionate in the education process. In addition, the district will be able to have an experienced educator at a significantly less cost than had we paid them based upon the TEA minimum pay scale plus the TRS surcharge. Thus, by hiring an eligible retired educator Robert Lee ISD will be adding value in the schools and will be making sound fiscal decisions for our district's stakeholders.

Bank Depository Bids

(TEC 45.205, 45.206, 45.207) (BDAE LEGAL) (BDAE LOCAL)

Under current guidelines the depository bank when selected shall serve for a term of two years and until its successor is selected and has qualified. A school district and the district's depository bank may agree to extend a depository contract for two additional two-year terms. An extension under this subsection is not subject to the requirements of Section 45.206(C). The contract term and any extension must coincide with the school district's fiscal year. Robert Lee ISD seeks exemption from the contract requirements for a bank depository contract. By gaining exemption from these requirements, the District would be able to allow the District's existing bank contract to be extended beyond the total 8 year allowable contract term if the district determines contract pricing remains competitive and there is no operational or financial reason to send the district's banking out to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP) when there is/are no other banking institutions within district boundaries available to bid on the district's business. In addition, this would further mitigate any impact to employees that would have to alter their direct deposit instructions and afford district flexibility with response to local banking relationships

Term

The term for this plan is for five years from the date of the Board resolution unless amended or terminated earlier by the Board of Trustees in accordance with Texas Law. In the event Robert Lee ISD feels other exemptions would benefit the district, community, and/or students, the Board of Trustees will follow procedures to amend the plan.

Renewal Expiration April 15, 2031.