

Morgan Mill ISD



AMENDED District of Innovation Plan Spring 2023-2028

Committee Members

- Wendy Sanders, Superintendent
- Barrett Hutchison, Principal
- Kourtney Huntington, Coordinator of Special Programs & Curriculum and Instruction
- Jamie Clark, Teacher
- Marybeth Burns, Teacher
- Haylee Turley, Teacher
- Sydney Dick, Teacher
- Pam Self, Teacher
- Chasity Allewa, Teacher
- Gracee Mason, Teacher
- Kristen Fick, Teacher
- Marcus Saldivar, Teacher
- Nan Goodman, Teacher
- Jean Crawford, Teacher
- Kellen Cervetto, Teacher
- Alex Culpepper, Teacher
- Sterling Jarvis, Teacher
- Lisa Fergason, Business Manager
- De Shewmaker, Custodian
- Ruby Mendoza, Parent/Cook
- Cesilee Bachus, Parent
- Myndie Coan, Aide

INTRODUCTION

House Bill (HB) 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. • Potential benefits of becoming a District of Innovation include: • Flexibility: Districts will have the flexibility to implement practices similar to charter schools, including exemptions from certain mandates including the uniform school start date and required minutes of instruction. • Local control: Districts decide which flexibilities best suit their local needs. • Autonomy: Districts must submit a district of innovation plan to the commissioner of education, but approval is not required. Districts are not exempt from statutes including curriculum and graduation requirements, and academic and financial accountability.

TERM

The term of the Plan is for five years, beginning with the spring semester of the 2022-2023 school year and ending with the 2027-2028 school year unless terminated or amended earlier by the Board of Trustees in accordance with the law. If, within the term of this Plan, other areas of operations are to be considered for flexibility as part of HB 1842, the Board will appoint a new committee to consider and propose additional exemptions in the form of an amendment to the Plan. Any amendment adopted by the Board will not extend the term of this Plan. The District may not implement two separate plans at any one time.

The Plan was amended in August of 2025 and will expire at the end of the 2027-2028 school year.

District-Level and Site Based Decision Making

(Ed. Code 11.251, 11.252, 11.253)

Currently

11.251: 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: are mutually supportive to accomplish the identified objectives; and at a minimum, support the state goals and objectives under Chapter 4 ([Public Education Mission, Objectives, and Goals](#)). 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's and 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. For purposes of establishing the composition of committees under this section: a person who stands in parental relation to a student is considered a parent; a parent who is an employee of the school district is not considered a parent representative on the committee; a parent is not considered a representative of community members on the committee; and community members must reside in the district and must be at least 18 years of age. 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. The board shall adopt a procedure, consistent with Section 21.407 ([Requiring or Coercing Teachers to Join Groups, Clubs, Committees, or Organizations: Political Affairs](#))(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. Board policy must provide procedures for: the selection of parents to the district-level and campus-level committees; and 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. The district policy must provide that all pertinent federal planning requirements are addressed through the district- and campus-level planning process. This section does not: prohibit the board from conducting meetings with teachers or groups of teachers other than the meetings described by this section; 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; limit or affect the power of the board to govern the public schools; or create a new cause of action or require collective bargaining.

11.252: 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 \(Planning and Decision-making Process\)](#). 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 \(Performance Indicators: Achievement\)](#)(c). The district improvement plan must include provisions for: 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 \(Educational Programs\)](#); measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Subchapter A, Chapter [29 \(Educational Programs\)](#), and other measures of student performance that may be identified through the comprehensive needs assessment; strategies for improvement of student performance that include: instructional methods for addressing the needs of student groups not achieving their full potential; evidence-based practices that address the needs of students for special programs, including: suicide prevention programs, in accordance with Subchapter G, Chapter [38 \(Health and Safety\)](#), which include a parental or guardian notification procedure; conflict resolution programs; violence prevention programs; and dyslexia treatment programs; dropout reduction; integration of technology in instructional and administrative programs; positive behavior interventions and support, including interventions and support that integrate best practices on grief-informed and trauma-informed care; staff development for professional staff of the district; career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; accelerated education; and implementation of a comprehensive school counseling program under Section [33.005 \(Comprehensive School Counseling Programs\)](#); 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: 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 \(Student Financial Assistance\)](#); the need for students to make informed curriculum choices to be prepared for success beyond high school; and sources of information on higher education admissions and financial aid; resources needed to implement identified strategies; staff responsible for ensuring the accomplishment of each strategy; timelines for ongoing monitoring of the implementation of each improvement strategy; formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance; the policy under Section [38.0041 \(Policies Addressing Sexual Abuse and Other Maltreatment of Children\)](#) addressing sexual abuse and other maltreatment of children; and the trauma-informed care policy required under Section [38.036 \(Trauma-informed Care Policy\)](#). 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. 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. 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. The district-level committee established under Section [11.251 \(Planning and Decision-making Process\)](#) 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. A superintendent shall regularly consult the district-level committee in the planning, operation, supervision, and evaluation of the district educational program.

11.253: 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. 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 \(Planning and Decision-making Process\)](#)(b)-(e). 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 \(Educational Programs\)](#), with respect to the achievement indicators adopted under Section [39.053 \(Performance Indicators: Achievement\)](#)(c) and any other appropriate performance measures for special needs populations. Each campus improvement plan must: assess the academic achievement for each student in the school using the achievement indicator system as described by Section [39.053 \(Performance Indicators: Achievement\)](#); 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 \(Educational Programs\)](#); identify how the campus goals will be met for each student; determine the resources needed to implement the plan; identify staff needed to implement the plan; set timelines for reaching the goals; measure progress toward the performance objectives periodically to ensure that the plan is resulting in academic improvement; include goals and methods for violence prevention and intervention on campus; provide for a program to encourage parental involvement at the campus; and 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: 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; student academic performance data; student attendance rates; the percentage of students who are educationally disadvantaged; the use and success of any method to ensure that students participate in moderate to vigorous physical activity as required by Section [28.002 \(Required Curriculum\)](#)(l); and any other indicator recommended by the local school health advisory council. In accordance with the administrative procedures established under Section [11.251 \(Planning and Decision-making Process\)](#)(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. This section does not create a new cause of action or require collective bargaining. 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. A principal shall regularly consult the campus-level committee in the planning, operation, supervision, and evaluation of the campus educational program.

Proposed

In place of a Site-based Decision Making Committee and the School Health Advisory Council, a District Advisory Council (DAC) will be established to meet, review, analyze, and respond to both qualitative and quantitative data regarding the District's success and most importantly, students' success. This Council will convene at least two times per year to guide the general direction of district resources and efforts. This consolidation of committees will yield an opportunity for one council to address multiple needs of the students served by the District as opposed to having multiple committees addressing a more narrow focus of needs. MMISD views this Council as a more efficient and effective way to serve our students, parents, and community.

Teacher Employment Contracts

(Ed. Code 21.002, 21.003, 21.0031, 21.401, 21.402, 21.415)

Currently

21.002: A school district shall employ each classroom teacher, principal, librarian, nurse, or school counselor under: a probationary contract, as provided by Subchapter C; a continuing contract, as provided by Subchapter D; or a term contract, as provided by Subchapter E. A district is not required to employ a person other than an employee listed in Subsection (a) under a probationary, continuing, or term contract. 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.

21.003: 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. 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 \(Definitions\)](#), 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. The commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section [7.056 \(Waivers and Exemptions\)](#). 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.

21.0031: An employee's probationary, continuing, or term contract under this chapter is void if the employee: does not hold a valid certificate or permit issued by the State Board for Educator Certification; 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 fails to comply with any requirement under Subchapter [C \(Definitions\)](#), Chapter [22 \(School District Employees and Volunteers\)](#), if the failure results in suspension or revocation of the employee's certificate under Section [22.0831 \(National Criminal History Record Information Review of Certified Educators\)](#) (f)(2). If a school district has knowledge that an employee's contract is void under Subsection

(a): the district may, except as provided by Subsection (b-1): terminate the employee; suspend the employee with or without pay; or 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 \(Teacher Employment Contracts\)](#) at the employee's existing rate of pay or at a reduced rate; and the employee is not entitled to the minimum salary prescribed by Section [21.402 \(Minimum Salary Schedule for Certain Professional Staff\)](#). 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: requests an extension from the State Board for Educator Certification to renew, extend, or otherwise validate the employee's certificate or permit; and 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. 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. This section does not affect the rights and remedies of a party in an at-will employment relationship. This section does not apply to a certified teacher assigned to teach a subject for which the teacher is not certified.

21.401: A contract between a school district and an educator must be for a minimum of 10 months' service. Except as provided by Subsection (c-1), an educator employed under a 10-month contract must provide a minimum of 187 days of service. The commissioner, as provided by Section [25.081 \(Operation of Schools\)](#)(b), may reduce the number of days of service required by this section. A reduction by the commissioner does not reduce an educator's salary. If a school district anticipates providing less than 180 days of instruction for students during a school year, as indicated by the district's academic calendar, the district may reduce the number of days of service required by this section proportionately. A reduction by the district does not reduce an educator's salary. Subsections (a) and (b) do not apply to a contract between a school district and an educational diagnostician.

21.402: 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, 21.415 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.

21.415: 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. The district shall indicate that any incentive payment distributed is considered a payment for performance and not an entitlement as part of an employee's salary.

Proposed

TEC 25.081 changed student instructional days to minutes. However, TEC 21.401 has not been adjusted to change teacher contracts from days to minutes. Changes in the number of days required to fulfill the contract will not alter the teacher pay scale. Teacher daily rate will be adjusted to maintain current salary.

This proposal reduces teacher contract days from 187 with no effect on teacher salaries. This stems from an attempt to provide flexibility to better align teacher service days to instructional days.

- This proposal will increase the daily rate the district pays teachers.
- This proposal should enhance teacher recruitment, therefore putting the district on a more level playing field with larger districts.
- This proposal will improve teacher morale.
- This proposal will provide teachers more opportunities during the year to seek out beneficial staff development that relates to their field.

Additionally, MMISD would like the opportunity to hire an eligible retired educator and pay them below the TEA minimum pay scale while also paying the required TRS surcharge. We believe 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 MMISD will be adding value in the schools and will be making sound fiscal decisions for our district's stakeholders.

Certification

(Ed. Code 21.051, 21.053, 21.057)

21.051: In this section, "teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades. Before a school district may employ a candidate for certification as a teacher of record and, except as provided by Subsection (b-1), after the candidate's admission to an educator preparation program, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at: a public school campus accredited or approved for the purpose by the agency; or

a private school recognized or approved for the purpose by the agency. A candidate may satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by board rule. Experience under this subsection may occur after the candidate's admission to an educator preparation program or during the two years before the date the candidate is admitted to the program. The candidate's experience in instructional or educational activities must be documented by the educator preparation program and must be obtained at: a public school campus accredited or approved for the purpose by the agency; or a private school recognized or approved for the purpose by the agency.

21.053: 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. 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.

21.057: 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. 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. The school district shall: 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; retain a copy of any notice provided under this section; and make information relating to teacher certification available to the public on request.

Proposed

The current state teacher certification requirements inhibit the District's ability to hire teachers to hard-to-fill, high demand, dual credit, fine arts, physical education, as well as career and technical courses and STEAM courses. The current teacher shortage has also significantly inhibited the hiring of teachers for all subjects and grade levels. In order to best serve MMISD students, decisions on certification will be handled locally. This will allow for more flexible scheduling and the opportunity to create and experiment with innovative classes as well as fill open positions. In addition, all special

education and ESL teachers will continue to be SBEC certified. Teacher certification waiver requests, state permit applications, or other paperwork will not be submitted to the Texas Education Agency. The District will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful.

Probationary Contracts

(Ed. Code 21.102)

21.102: Except as provided by Section [21.202 \(Probationary Contract Required\)](#)(b), a person who is employed as a teacher by a school district for the first time, or who has not been employed by the district for two consecutive school years subsequent to August 28, 1967, shall be employed under a probationary contract. A person who previously was employed as a teacher by a district and, after at least a two-year lapse in district employment returns to district employment, may be employed under a probationary contract. A person who voluntarily accepts an assignment in a new professional capacity that requires a different class of certificate under Subchapter B than the class of certificate held by the person in the professional capacity in which the person was previously employed may be employed under a probationary contract. This subsection does not apply to a person who is returned by a school district to a professional capacity in which the person was employed by the district before the district employed the person in the new professional capacity as described by this subsection. A person described by this subsection who is returned to a previous professional capacity is entitled to be employed in the original professional capacity under the same contractual status as the status held by the person during the previous employment by the district in that capacity. 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. 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: terminate the employment of the teacher; or employ the teacher under a continuing contract or a term contract as provided by Subchapter D or E, according to district policy.

Proposed

Current legal policy allows experienced teachers new to the district to have a probationary period that may not exceed one year if the person has been employed as a teacher in public education for at least five of the previous eight years. This time period is not sufficient to evaluate a teacher's effectiveness in the classroom. Relief from this law would allow time to sufficiently determine a staff member's effectiveness. Exemption from this requirement will allow ample time for campus administrators to determine the effectiveness of employees who have been a teacher in public education for at least five of the previous eight years thus providing a more stable and effective learning environment for students. MMISD would like to have the ability to renew the probationary contract two additional year periods, for a maximum of three school years, for all teachers that are new to the district who have been employed as a teacher in public education for at least five of eight years preceding employment by the District.

Staff Development

(Ed. Code 21.451, 21.452, 21.458)

Currently

The staff development provided by a school district to an educator other than a principal must be: conducted in accordance with standards developed by the district; and designed to improve education in the district. Section [21.3541 \(Appraisal and Professional Development System for Principals\)](#) and rules adopted under that section govern the professional development provided to a principal. The staff development described by Subsection (a) must be predominantly campus-based, related to achieving campus performance objectives established under Section [11.253 \(Campus Planning and Site-based Decision-making\)](#), and developed and approved by the campus-level committee established under Section [11.251 \(Planning and Decision-making Process\)](#). For staff development under Subsection (a), a school district may use district-wide staff development developed and approved through the district-level decision process under Section [11.251 \(Planning and Decision-making Process\)](#). The staff development: may include training in: technology; positive behavior intervention and support strategies, including classroom management, district discipline policies, and the student code of conduct adopted under Chapter [37 \(Discipline; Law and Order\)](#); and digital learning; subject to Subsection (e) and to Section [21.3541 \(Appraisal and Professional Development System for Principals\)](#) and rules adopted under that section, must include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act (20 U.S.C. Section 7801), and that: relates to instruction of students with disabilities, including students with disabilities who also have other intellectual or mental health conditions; and is designed for educators who work primarily outside the area of special education; and must include training on: suicide prevention; recognizing signs of mental health conditions and substance abuse; strategies for establishing and maintaining positive relationships among students, including conflict resolution; how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma; and preventing, identifying, responding to, and reporting incidents of bullying. The training required by Subsection (d)(3): must: be provided: on an annual basis, as part of a new employee orientation, to all new school district and open-enrollment charter school educators; and to existing school district and open-enrollment charter school educators on a schedule adopted by the agency by rule; and use a best practice-based program recommended by the Health and Human Services Commission in coordination with the agency under Section [38.351 \(Mental Health Promotion and Intervention, Substance Abuse Prevention and Intervention, and Suicide Prevention\)](#); and may include two or more listed topics together. The suicide prevention training required by Subsection (d)(3) may be satisfied through independent review of suicide prevention training material that: complies with the guidelines developed by the agency; and is offered online. The digital learning training provided by Subsection (d)(1)(E) must: discuss basic technology proficiency expectations and methods to increase an educator's digital literacy; and assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices. A school district is required to provide the training described by Subsection (d)(2) to an educator who works primarily outside the area of special education only if the educator does not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the educator. A district may determine the time and place at which the training is delivered. In developing or maintaining the training required by Subsection (d)(2), a school district must consult with persons with expertise in research-based practices for students with disabilities. Persons who may be consulted under this subsection include colleges, universities, private and nonprofit organizations, regional education service centers, qualified district personnel, and any other persons identified as qualified by the district. This subsection applies to all training required by Subsection (d)(2), regardless of whether the training is provided at the campus or district level. The staff

development may include instruction as to what is permissible under law, including opinions of the United States Supreme Court, regarding prayer in public school.

Proposed

MMISD will exercise local discretion in determining the areas of need, content, duration, and frequency for professional development for its instructional and non-instructional staff. The District will exercise local discretion in assigning teachers to serve as mentors based on a variety of factors, including experience, knowledge, and areas of instruction targeted for improvement or innovation.

Salary Deductions for Professional Dues

(Ed. Code 22.001)

Currently

A school district employee is entitled to have an amount deducted from the employee's salary for membership fees or dues to a professional organization. The employee must: file with the district a signed written request identifying the organization and specifying the number of pay periods per year the deductions are to be made; and inform the district of the total amount of the fees and dues for each year or have the organization notify the district of the amount. The district shall deduct the total amount of the fees or dues for a year in equal amounts per pay period for the number of periods specified by the employee. The deductions shall be made until the employee requests in writing that the deductions be discontinued. The school district may charge an administrative fee for making the deduction. A fee imposed for making a salary deduction under this section may not exceed either the actual administrative cost of making the deduction or the lowest fee the district charges for similar salary deductions, whichever is less.

Proposed

In order to prevent an increase in workload for the business manager, MMISD is exempting itself from TEC 22.001. While the district still encourages participation in professional organizations, it will be the responsibility of the employee to manage payments of fees to such organizations.

Operation of Schools and School Attendance

(Ed. Code 25.0811, 25.0812, 25.083)

Currently

25.0811: 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: 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 \(Year-round System\)](#); or 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: the district has a student enrollment of 190,000 or more; 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 \(Operation of Schools\)](#); the campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board of trustees of the district; and a majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.

25.0812: Except as provided by Subsection (b), a school district may not schedule the last day of school for students for a school year before May 15.

25.083: 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. 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.

Proposed

The flexibility of the start and end date allows the district to determine locally, on an annual basis, what best meets the needs of the students, the school, and the community. This enables us to personalize learning, balance the amount of instructional time per semester, and provide more flexible professional development opportunities for our staff. Another benefit of exempting this restriction is it allows the school to successfully run on a four-day week.

Student Teacher Ratios/Class Size

(Ed. Code 25.111, 25.112, 25.113)

Currently

25.111: Except as provided by Section 25.112, each school district must employ a sufficient number of teachers certified under Subchapter B, Chapter 21.111 to maintain an average ratio of not less than one teacher for each 20 students in average daily attendance.

25.112: Except as otherwise authorized by this section, a school district may not enroll more than 22 students in a prekindergarten, 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 48.005(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 48.005(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.

25.113: 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: specify the class for which an exception from the limit imposed by Section 25.112(a) was granted; state the number of children in the class for which the exception was granted; and be included in a regular mailing or other communication from the campus or district, such as information sent home with students. The notice required by Subsection (a) must be provided not later than the 31st day after: the first day of the school year; or the date the exception is granted, if the exception is granted after the beginning of the school year.

Proposed

MMISD will attempt to keep class sizes below the 22:1 ratio. In the event a class size exceeds the ratio, district administration along with the board of trustees will evaluate the need to reduce the ratio.

MMISD will also waive the requirement for parent notification in the event a class size exceeds the 22:1 ratio.

A TEA waiver will not be necessary when a K-4th classroom exceeds the 22:1 ratio.

Transfer Students

(Ed. Code 25.036)

Currently

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

Proposed

The district is seeking exemption from the one year commitment in accepting a transfer student allowing the district to rescind a transfer at any time during the school year if the student violates district expectations of attendance, discipline, academic achievement, and/or falsifying documentation. This flexibility would allow the district to have the option of immediate revocation of a student's transfer status by the Superintendent or designee at any time during the school year.

School District Depositories

(Ed. Code 45.205, 45.206, 45.207, 45.208, 45.209)

Currently

45.205: Except as provided by Subsection (b), 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 three additional two-year terms. The contract may be modified for each two-year extension if both parties mutually agree to the terms. An extension under this subsection is not subject to the requirements of Section 45.206 (Bid or Request for Proposal Notices; Bid and Proposal Forms). The contract term and any extension must coincide with the school district's fiscal year.

45.206: Not later than the 60th day before the date a school district's current depository contract expires, the district shall choose whether to select a depository through competitive bidding or through requests for proposals. If a school district chooses under Subsection (a) to use competitive bidding, the district shall, not later than the 30th day before the date the current depository contract expires, mail to each bank located in the district and, if desired, to other banks, a notice stating the time and place in which bid applications will be received for selecting a depository or depositories. The notice must include a uniform bid blank in the form prescribed by State Board of Education rule. If a school district chooses under Subsection (a) to use requests for proposals, the district shall, not later than the 30th day before the date the current depository contract expires, mail to each bank located in the district and, if desired, to other banks, a notice stating the time and place in which proposals will be received for selecting a depository or depositories. The notice must include a uniform proposal blank in the form prescribed by State Board of Education rule. The school district may add to the uniform bid or proposal blank other terms that do not unfairly restrict competition between banks in or near the territory of the district. Interest rates may be stated in the bid or proposal either as a fixed rate, as a percentage of a stated base rate, in relation to a stated prevailing rate varying from time to time, or in any other manner, but in every case in a uniform manner that will permit comparison with other bids or proposals received. If the school district chooses under Subsection (a) to use requests for proposals, the district shall state the selection criteria, including the factors specified under Section 45.207(c), in the request

for proposals and shall select the proposal that offers the best value to the district based on the evaluation and ranking of each submitted proposal in relation to the stated selection criteria. A district may negotiate with the bank that submits the highest-ranked proposal to determine any terms of the proposed depository contract other than the interest rates proposed.

45.207: A school district shall award the depository contract to the bank that submits the highest bid or the highest-ranked proposal, as determined under Subsection (c), except that the district may award the contract as provided by Subsection (a-1) if: the district: receives tying bids for the contract; or after evaluating the proposals for the contract, ranks two or more proposals equally; each bank submitting a tying bid or proposal has bid or proposed to pay the district the maximum interest rates allowed by law by the Board of Governors of the Federal Reserve System and the Board of Directors of the Federal Deposit Insurance Corporation; and the tying bids or proposals are otherwise equal in the judgment and discretion of the board of trustees of the district. In the case of tying bids or proposals, the board of trustees may award the depository contract by: determining by lot which of the banks submitting the tying bids or proposals will receive the contract; or awarding a contract to each of the banks submitting the tying bids or proposals. The board of trustees may, during the period of the contract, determine the amount of funds to be deposited in each depository bank and determine the account services offered in the bid or proposal form that are to be provided by each bank in its capacity as school district depository. All funds received by the district from or through the agency shall be deposited, at the district's option, in one depository bank or invested in a public funds investment pool created under Chapter 791 (Interlocal Cooperation Contracts), Government Code, to be designated by the district. The board of trustees of the school district shall at a regular or special meeting consider in accordance with this subsection each bid or proposal received. In determining the highest and best bid or the highest-ranked proposal, or in case of tying bids or proposals the highest and best tying bids or proposals, the board of trustees shall consider: the interest rate bid or proposed on time deposits; charges for keeping district accounts, records, and reports and furnishing checks; the ability of the bank submitting the bid or proposal to provide the necessary services and perform the duties as school district depository; and any other matter that in the judgment of the board of trustees would be to the best interest of the school district. The board of trustees of the school district has the right to reject any and all bids or proposals.

45.208: The bank or banks selected as the depository or depositories and the school district shall enter into a depository contract or contracts, bond or bonds, or other necessary instruments setting forth the duties and agreements pertaining to the depository, in a form and with the content prescribed by the State Board of Education. The parties shall attach to the contract and incorporate by reference the bid or proposal of the depository. The depository bank shall attach to the contract and file with the school district a bond in an initial amount equal to the estimated highest daily balance, determined by the board of trustees of the district, of all deposits that the school district will have in the depository during the term of the contract, less any applicable Federal Deposit Insurance Corporation insurance. The bond must be payable to the school district and must be signed by the depository bank and by some surety company authorized to do business in this state. The depository bank shall increase the amount of the bond if the board of trustees determines it to be necessary to adequately protect the funds of the school district deposited with the depository bank. The bond shall be conditioned on: the faithful performance of all duties and obligations devolving by law on the depository; the payment on presentation of all checks or drafts on order of the board of trustees of the school district, in accordance with its orders entered by the board of trustees according to law; the payment on demand of any demand deposit in the depository; the payment, after the expiration of the period of notice required, of any time deposit in the depository; the faithful keeping of school funds by the depository and the accounting for the funds according to law; and the faithful paying over to the successor depository all balances remaining in the accounts. The bond and the surety on the bond must be approved by the board of trustees of the school district. A premium on the depository bond may not be paid out of school district funds. Repealed by Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. 1376), Sec. 4.01(a)(8), eff. June 4, 2019.

In lieu of the bond required under Subsection (b), the depository bank may deposit or pledge, with the school district or with a trustee designated by the school district, approved securities in an amount sufficient to adequately protect the funds of the school district deposited with depository bank. A depository bank may give a bond and deposit or pledge approved securities in an aggregate amount sufficient to adequately protect the funds of the school district deposited with the depository bank. The school district shall designate from time to time the amount of approved securities or the aggregate amount of the bond and approved securities to adequately protect the district. The district may not designate an amount less than the balance of school district funds on deposit with the depository bank from day to day, less any applicable Federal Deposit Insurance Corporation insurance. The depository bank may substitute approved securities on obtaining the approval of the school district. For purposes of this subsection, the approved securities are valued at their market value.

45.209: The school district may provide in its bid or proposal blank for the right to place on time deposits with savings and loan institutions located in this state only funds that are fully insured by the Federal Deposit Insurance Corporation. A district may not place on deposit with any savings and loan institution any bond or certificate of indebtedness proceeds as provided by Section 45.102 (Investment of Bond Proceeds in Obligations of United States or Interest-bearing Secured Time Bank Deposits). A depository bank may not be compelled without its consent to accept on time deposit any bond proceeds under Section 45.102 (Investment of Bond Proceeds in Obligations of United States or Interest-bearing Secured Time Bank Deposits), but a depository bank may offer a bid or proposal of interest equaling the highest bid or proposal of interest for the time deposit of the bond proceeds tendered by another bank. If the depository bank equals the bid or proposal, it is entitled to receive the bond proceeds on time deposit.

Proposed

By gaining exemption from these statutes, MMISD would be able to allow the district's existing bank contract to be extended beyond the total 6-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 services out to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP) when historically there have been no other banking institutions who have responded to the RFP. In addition, this would further mitigate any impact to employees that would have to alter their direct deposit instructions and afford district flexibility with respect to local banking relationships.

Requirement to Post Full Course Syllabus

(Ed. Code 26.0062)

Currently

(a) Each school district shall adopt a policy to make available on the district's Internet website at the beginning of each semester an instructional plan or course syllabus for each class offered in the district that semester. (b) The policy adopted under Subsection (a) must: (1) require each teacher to provide before the beginning of each semester a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction to: (A) district administration; and (B) the parent of each child enrolled in the class; and (2) provide for additional copies of an instructional or course syllabus to be made available to a parent of a student enrolled in the class on the parent's request.

MMISD is opting out of this provision in order to reduce administrative burdens and preserve instructional flexibility. The district already ensures transparency through readily available curriculum resources, open parent communication, and established procedures for reviewing instructional and library materials. Requiring additional compliance would divert time from instruction and limit teachers'

ability to use timely, creative, and student-centered materials. This decision supports our goal of fostering innovation while maintaining strong parent partnerships and academic accountability.

Grievance Processes

(Ed. Code 26A.001, 26A.002, 26A.003)

Currently

26A.001 (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 by 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 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 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 the grievance is appealed to the commissioner under Section 7.057, the commissioner may: (1) investigate the 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 in 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 in 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; (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.

26A.002 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 of 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). Section 26A.003 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 in Subsection (a) is available.

The district currently has an effective grievance policy in place which has worked for all stakeholders in the past. The district sees no necessary reason to make changes to the current grievance policy when it has been effective previously. This new grievance policy does not require parents to take their issues to the person with whom they have an issue which inhibits resolution at the lowest level. In addition, it prolongs timelines and inhibits informal and quick resolution.

Library Review/Parent Council

(Ed. Code 33.025b)

Currently

(b) The board of trustees of a school district shall establish a local school library advisory council if the parents of at least 10 percent of the students enrolled in the district or 50 or more parents of students enrolled in the district, whichever is fewer, present to the board a petition to establish a local school

library advisory council. A council established under this subsection may not be abolished until the third anniversary of the date on which the council was established.

MMISD already has procedures in place to address library complaints and acquisitions to appropriately identify the needs of the district in alignment with community values. We do not need another level of unnecessary processes to address library materials. While parental input is valued and welcomed, the mandatory formation of a formal parent advisory council for library content can create unnecessary delays and bureaucratic processes that hinder timely access to educational resources. By opting out, the district maintains flexibility to adapt review procedures to campus needs while continuing to ensure that materials are age appropriate, educationally relevant, and aligned with community standards.

Acquisition of Library Materials

(Ed. Code 33.026)

Currently

(a) The board of trustees of a school district shall adopt a policy for the acquisition of library materials, including procedures for the procurement of library materials and the receipt of donated library materials. The policy must require the board to: (1) approve all library materials that have been donated to or that are to be procured by a school library in the district, with the advice and recommendations of the district's local school library advisory council if the district established a council under Section 33.025; (2) make the list of library materials not described by Subsection (f) that have been donated to or that are proposed to be procured by a school library accessible for review by the public for at least 30 days before final approval; (3) approve or reject the list of library materials that have been donated to or that are proposed to be procured by a school library in an open meeting; and (4) ensure compliance with the library standards approved under Section 33.021. (b) Each member of the board of trustees of a school district is entitled to: (1) review each list of library materials that have been donated to or that are proposed to be procured by a school library in the district; and (2) propose changes to each list described by Subdivision (1) before the board votes to approve or reject the list. (c) For purposes of Subsection (a) (3), the board of trustees shall approve or reject a list of library materials that have been donated to or are proposed to be procured by a school library at the first open meeting of the board held on or after the 30th day after the date the list is made accessible for review by the public as required by Subsection (a) (2). (d) If a school district established a local school library council, the council shall meet to determine the council's recommendations regarding library materials that have been donated to or that are proposed to be procured by a school library before the date of the open meeting of the board of trustees described by Subsection (a) (3). The local school library advisory council meeting may occur during the period the list is available for review by the public as required by Subsection (a) (2). (e) A school district may not add a donated library material to the school library catalog or otherwise make the donated library material available for student use unless the board of trustees of the district approves the addition of that donated library material to the school library catalog for the grade levels for which the material is intended. (f) This section does not apply to library materials that have been donated to or that are to be procured by the school library that: (1) replace a damaged copy of a library material with the same International Standard Book Number that is currently in the school library catalog; (2) are additional copies of a library material with the same International Standard Book Number that is currently in the school library catalog; or (3) have the same International Standard Book Number and have been approved for the same grade levels by the board of trustees of the school district from a previous proposed list of library materials. (g) The agency shall adopt and make available a model policy for the acquisition of library materials that a school district may adopt to comply with the requirements of this section.

MMISD has chosen to opt out of this statute in order to allow greater local control and efficiency in the selection and acquisition of library materials. While the district supports the intent of the statute to ensure community standards are considered, the required formal approval process can delay access to high-quality, relevant resources that support instruction and literacy. Opting out enables the district to respond more swiftly to student needs while maintaining accountability and alignment with local values.

Challenge or Appeal of Library Materials

(Ed. Code 33.027)

Currently

(a) A parent of or a person standing in parental relation to a student enrolled in a school district, a person employed by the district, or a person residing in the district may submit: (1) to the district a written challenge to any library material in the catalog of a school library in the district using the form adopted under Subsection (e); or (2) to the district's board of trustees an appeal of an action taken by the district in response to a written challenge received under Subdivision (1). (b) Not later than the fifth day after the date on which a school district receives a written challenge under Subsection (a) (1), the district shall provide a copy of the challenge to the district's local school library advisory council if the district established a council under Section 33.025. The council shall make a recommendation for action by the district not later than the 90th day after the date on which the council receives the copy. (c) If the procedures recommended by the local school library advisory council, if applicable, and adopted by the board of trustees permit the appointment of library material review committees that consist of persons who are not members of the council to review library materials challenged under Subsection (a) (1), the council may base the council's recommendation for action to be taken by the district under Subsection (b) on the recommendation of a library material review committee if the committee consists of at least five persons appointed by the board of trustees, a majority of whom are parents of students enrolled in the school district and are not employed by the district. Sections 33.025 (g) and (h) apply to a library material review committee authorized by this subsection in the same manner as a local school library advisory council. (d) The board of trustees shall take action on: (1) The written challenge submitted under Subsection (a) (1) at the first open meeting of the board held after: (A) the 90th day after the date on which the school district receives a written challenge under Subsection(a) (1); or (B) if applicable, the local school library advisory council has made a recommendation under Subsection (b) regarding the challenge; or (2) an appeal under Subsection (a) (2) at the first open meeting of the board held after the date the appeal is filed. (e) The agency shall adopt and post on the agency's Internet website a form to be used in making a written challenge under Subsection (a) (1). Each school district shall post the form on the district's Internet website, if the district has an Internet website. The form shall require the person submitting the form to identify how the challenged library material violates the library standards approved under Section 33.021. (f) In taking action on a written challenge submitted under Subsection (a) (1) or an appeal under Subsection (a) (2), the board of trustees of a school district shall consider: (1) if applicable, the advice of the district's local school library advisory council; and (2) whether the library material challenged under Subsection (a) (1) or appealed under Subsection (a) (2) is suitable for the subject and grade level for which the library material is intended, including by considering: (A) whether the library material adheres to the library standards approved under Section 33.021; and (B) reviews, if any, of the library material conducted by academic experts specializing in the subject covered by the library material or in the education of students in the subject and grade level for which the library material is intended. (g) A school district that receives a challenge to a library material under Subsection (a) (1) shall prohibit students enrolled in the district from accessing the library material until the district takes action in response to the challenge. (h) If a challenge to a library material submitted under Subsection (a) (1) results in the board of trustees, with the recommendation of the local school library advisory council, if applicable, removing the library material from the school library catalog, the board shall notify each teacher assigned as the classroom teacher at the grade level for which the

library material was determined to not be appropriate and instruct the teacher to remove any copy of the library material from the teacher's classroom library, if applicable. (i) If a challenge to a library material submitted under Subsection (a) (1) results in the board of trustees, with the recommendation of the local school library advisory council, if applicable, not removing the library material from the school library catalog, the board is not required to take any action in response to a written challenge of the library material submitted before the second anniversary of the date of the determination not to remove the library material.

MMISD plans to maintain local control over the processes for challenging or appealing library materials. While the district fully supports the right of parents and community members to raise concerns about instructional and library resources, the state mandated procedures under this statute are overly prescriptive and may not align with the specific needs or values of our local community. Opting out allows the district to respond more efficiently and effectively to concerns while preserving the flexibility to tailor the process in a way that reflects community expectations and educational priorities.

Ten Commandments

(Ed. Code 1.0041)

Currently

1.0041: (a) Subject to Subsection (e), a public elementary or secondary school shall display in a conspicuous place in each classroom of the school a durable poster or framed copy of the Ten Commandments that meets the requirements of Subsection (b). (b) A poster or framed copy of the Ten Commandments described by Subsection (a) must: (1) include only the text of the Ten Commandments as provided by Subsection (c) in a size and typeface that is legible to a person with average vision from anywhere in the classroom in which the poster or framed copy is displayed; and (2) be at least 16 inches wide and 20 inches tall; (c) The text of the poster or framed copy of the Ten Commandments described by Subsection (a) must read as follows: "The Ten Commandments. I am the Lord thy God. Thou shalt have no other gods before me. Thou shalt not make to thyself any graven images. Thou shalt not take the name of the Lord thy God in vain. Remember the Sabbath day, to keep it holy. Honor thy father and mother, that thy days may be long upon the land which the Lord thy God giveth thee. Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal. Thou shalt not bear false witness against thy neighbor. Thou shalt not covet thy neighbor's house. Thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbor's." (d) A public elementary school or secondary school in which each classroom does not include a poster or framed copy of the Ten Commandments as required as required by Subsection (a) must: (1) Accept any offer of a privately donated poster or framed copy of the Ten Commandments provided that the poster or copy: (A) meets the requirements of Subsection (b); and (b) does not contain any additional content; and (2) display the copy or framed poster as specified in Subsection (a). (e) A public elementary or secondary school in which each classroom does not include a poster or framed copy of the Ten Commandments as required by Subsection (a) may, but is not required to, purchase posters or copies that meet the requirements of Subsection (b) using district funds.

MMISD is opting out of this statute in order to uphold constitutional principles and maintain an inclusive learning environment for all students. While the Ten Commandments hold historical significance for many, mandating their display in public classrooms may be viewed as an endorsement of a particular religious tradition, raising concerns about religious neutrality and the separation of church and state. Our district is committed to fostering respect for diverse beliefs and ensuring that all students feel welcomed and represented. Opting out allows us to remain focused on academic excellence, character development, and civic education while honoring the constitutional rights of our school community.