

Texas Education Code Exemptions

The Haskell CISD staff in conjunction with the District Innovation Committee has reviewed the Texas Education Code and determined which exemptions currently inhibit the local district from making the best use of time for student instruction and educational opportunities for our students at Haskell CISD.

I. UNIFORM START DATE (TEC §25.0811)

State law currently prohibits a school district from starting school before the fourth Monday in August unless you are a Year-Round District.

RATIONALE FOR EXEMPTION

If the District has the flexibility in the start of school date, we can determine locally what best fits the needs of our students and school. This flexibility will also help coordinate dates with the students that are taking dual credit courses through a college. The District will also have the ability to build a calendar that is more balanced with the number of days in each semester.

II. LENGTH OF SCHOOL DAY (TEC §25.081)

Current State law requires that all school days must be 420 minutes long each day for ADA funding and calculations. The total number of minutes for the year must be at least 75,600.

RATIONALE FOR EXEMPTION

This exemption would allow our District to alter the days needed for additional staff development or other educational needs as determined by the District where the students would benefit educationally.

This exemption would also allow the District to have a flexible amount of time to review student data so that certain determined target areas are covered thoroughly. Haskell CISD will use this time to maximize instruction and prepare the instructors

III. CONTRACT SERVICE DAYS (TEC §21.401)

State law requires educators that are employed on a 10 month contract to work a minimum of 187 days.

RATIONALE FOR EXEMPTION

With the passage of HB 2610 and TEC §25.081 which changed the required

instructional days to minutes, the law did not address the contract days for 10 month employees. The number of days required for teachers should be a local decision. Our District will know what areas of staff development are needed for our educational institution and how many days it will take for that training.

IV. TRANSFER STUDENTS (TEC 25.036)

State law allows a student to transfer annually from the child's school district of residence to another district in the state if both the receiving district and the applicant parent or guardian jointly approve and timely agree in writing to the availability of programs and services, the student's disciplinary history, academic performance and attendance records are also evaluated. Under TEC 25.036, a transfer is interpreted to be for a period of one school year.

RATIONALE FOR EXEMPTION

The administration will review disciplinary records, academic performance, attendance records, and other data of transfer students on an ongoing basis to determine if the transfer agreements is being upheld. Haskell CISD is seeking to eliminate the provision of a one-year commitment to transfer students when they violate district expectations of attendance, discipline, academic achievement, and/or falsify documents. 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 year.

V. TEACHER CERTIFICATION (TEC §21.003, §21.053)

Approved DOI Amendment:

The District will continue to first seek qualified applicants with certification for all teacher positions. However, if a satisfactory candidate is not available, a procedure would be implemented permitting the Superintendent to allow a certified teacher to teach a subject outside of their certification or permitting the District to employ an uncertified person for other teaching positions. Upon request from a Campus Principal or the Superintendent, a qualified individual may be eligible to teach any course through a local teaching certificate. The District shall develop minimum required qualifications for persons hired in the above manner and will also require certain professional development in the areas of student management, instructional strategies, curriculum and parent engagement. Notwithstanding the foregoing, all certification requirements will remain in place for special education and primary ESL (bilingual) teachers.

Rationale:

When it is not reasonably possible, the district will have the flexibility to hire

individuals who are knowledgeable and equipped to effectively perform the duties of the position. The ability to locally certify teachers will enable the District to better meet the educational needs of our students, as well as expand on and innovate with regard to the courses the District can offer. This will also greatly expand the District's hiring capability, which is impacted by the District's geographical location and competitive hiring practices at neighboring school districts. This flexibility will be particularly beneficial in CTE areas (where industry experience is highly valued) and in hard-to-fill classroom positions. Nonetheless, Haskell ISD will continue to prioritize obtaining certified candidates for all positions when available.

VI. INSTRUCTIONAL PLANS (TEC § 26.0062 and 26.0071)

Haskell ISD is committed to supporting all efforts of each campus to involve parents and community members as active participants in the education of Haskell ISD students. The District strives to support the actions of our teachers and other instructional staff as they develop curriculum and effective instructional strategies.

Current Law

Under current law, each school district must post on the district's website at the beginning of each semester an instructional plan or course syllabus for each class offered in the district for that semester. The policy would require each teacher to provide to district administration and to the parent of each student enrolled in the class such an instructional plan or syllabus before the beginning of each semester for each class for which the teacher provides instruction.

Proposed Exemption

Because teachers use data-driven instruction aligned with student mastery of the Texas Essential Knowledge and Skills (TEKS), instructional plans are regularly adjusted to support student learning. Teacher autonomy to modify instruction based on real-time data and effective strategies does not align with publishing a fixed, comprehensive semester-long plan. Haskell ISD will not adopt a policy or create a requirement for its teachers to post at the beginning of each semester an instructional plan or course syllabus for each class offered in the District. However, Haskell ISD will ensure that course overviews are available at the request of parents or guardians.

VII. GRIEVANCE POLICIES (TEC § 26A.001, 26.011, and 26A.002)

The Texas Education Code and the Texas Constitution requires school boards to establish procedures for parents to file complaints if they believe their student's rights have been denied.

Current Law

Current law requires each school district to adopt a standardized complaint policy with several burdensome requirements, including extended timelines for filing and compressed timelines for holding conferences at each level. The law requires a policy allowing 60

calendar days for a parent 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, unless the parent engaged in informal attempts to resolve the grievance, in which case the parent could have up to 90 calendar days to file a grievance. The law further requires that such complaints be heard within ten calendar days of the complaint being filed. Moreover, in contradiction of existing law in the Texas Government Code, the recently adopted provisions in the Education Code would allow the person bringing the complaint to decide if it is heard in open or closed, rather than the person against whom the complaint is brought. Finally, parents and other grievants would be allowed to add issues and claims at any point during the grievance process, making it difficult to resolve concerns at the lowest possible level.

Proposed Exemption

Haskell ISD has always and will continue to adhere to an established grievance policy with procedures and timelines outlined in local Board policy. Such policies ensure thorough documentation of each step in the grievance process and provide adequate time for complaints to be filed and for complaints to be heard. All records related to grievances—including submitted forms, communications, investigations, findings, resolutions, and any corrective actions—are systematically maintained at the district level to ensure transparency, accountability, and compliance with legal and policy standards. The District is committed to monitoring the legality and appropriateness of every decision and action taken. The District is further committed to hearing, reviewing, and attempting to resolve all parent complaints as quickly and efficiently as possible, as well as to taking corrective action, where appropriate. It is imperative that grievances and complaints are filed in a timely manner to ensure the best prompt response.

Haskell ISD's long-standing grievance policy will ensure that all such complaints are carefully reviewed and that district responses are in alignment with state and federal regulations, as well as all other local board policies. Haskell ISD seeks to be exempt from a statewide grievance policy and will continue to follow established grievance procedures as outlined in district policy. This will allow the District to hear and consider parent and employee complaints in an orderly and responsive manner and to resolve those concerns as quickly as possible.

VIII LOCAL SCHOOL LIBRARY ADVISORY COUNCIL (TEC § 33.025)

Haskell ISD encourages and supports all campus efforts to involve District parents and community members as active participants in the education of Haskell students.

Current Law

Current law requires the school district to establish a **School Library Advisory Council** at any campus where either 10% of parents or 50 parents (whichever is fewer) submit a written request for such a council. The council would then be tasked with reviewing library materials, providing input on the selection and removal of resources, making recommendations to ensure materials are age-appropriate and aligned with community values, reviewing all books and other material objected to by any District parent, and advising on such objections.

Proposed Exemption

While these councils are not required to be formed until such a petition is received, once the petition is received, the Board will be statutorily required to create these councils. At that time, the council(s) will not be optional for the District. Haskell ISD seeks to be exempt from Texas Education Code §33.025, which mandates the creation of a School Library Advisory Council upon petition by 10% of parents or 50 parents. The District believes this requirement is redundant and unnecessary, as Haskell ISD already has strong, board-approved procedures in place for selecting, reviewing, and reconsidering library materials – led by certified librarians and educators and aligned with state-mandated requirements and guidance from the Texas Education Agency. Creating such advisory councils risks undermining the professional judgment of educators and librarians, introduces the judgment of non-certified individuals, introduces potential for politicization of instructional resources, and could very easily lead to inconsistency across campuses. Furthermore, the statute presents an administrative burden, requiring staff time and resources that would be better directed toward student learning and support. Haskell ISD's existing processes already allow for meaningful parental review and involvement, including access to their child's library checkout records, formal challenge procedures, and transparency in material selection. In addition, concerned individuals may also speak with teachers, administration, and/or the school board through District complaint processes and/or during the open forum of any regularly scheduled board meeting. The District remains committed to ensuring age-appropriate and educationally sound resources while maintaining an efficient and effective oversight structure that includes educator expertise and parent input, without the disruption and/or duplication caused by the statutory requirements in §33.025.

VIII ACQUISITION OF LIBRARY MATERIALS (TEC § 33.026)

Current Law



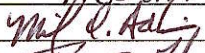


Current law outlines specific procedures school districts must follow before acquiring library materials. The law requires that materials be reviewed and approved in advance by a certified school librarian and be verified for compliance with age-appropriateness, educational suitability, and community standards. Additionally, it mandates a multi-step vetting process, documentation of acquisition decisions, and the public posting of selected materials for 30 days before they are made available to students. Finally, current law requires the Board of Trustees to approve every library book or other resource material acquired by or donated to the District.

Proposed Exemption

Haskell ISD will be exempt from this statutory provision because the District already has **robust, board-approved policies in place that govern** the acquisition of library materials in a manner that ensures transparency, appropriateness, and educational value. These policies and procedures are implemented by certified librarians and are fully compliant with the standards required by Texas law and guidance from the Texas Education Agency. The statutory process under §33.026 introduces **redundant and restrictive requirements** that may delay access to

timely instructional and enrichment resources. It also places bureaucratic barriers in front of trained library professionals who are certified to select age-appropriate, curriculum-aligned materials, that are consistent with standards set by Texas law. Furthermore, the mandated documentation process creates an **administrative burden** that consumes time and resources better allocated to instructional support. While Haskell CISD fully supports transparency and parental engagement in the school library process, the rigid requirements of TEC §33.026 are **unnecessary and duplicative** of local safeguards already in place. This exemption allows Haskell CISD to preserve instructional flexibility, uphold librarian professionalism, and provide students with timely access to enriching and appropriate materials—without compromising accountability or community trust.

Board Member Signatures:

	Rusty Stocks 8-28-2025 President
	Cliff McGuire 8-28-2025 Vice President
Absent	Paige Akins 8-28-2025 Secretary
Absent	Wesley Alsabrook 8-28-2025
	Michael Adkins 8-28-2025
	James Gober 8-28-2025
	Heath Pinkerton 8-28-2025

<u>5</u>	Vote For
<u>0</u>	Vote Against
<u> </u>	Abstained

Motion Carried/Defeated

Figure: 19 TAC §102.1307(d)

Innovation District

A local innovation plan must be developed for a school district before the district may be designated as an Innovation District. A local plan must provide for a comprehensive educational program for the district, which may include:

- 1) Innovative Curriculum
- 2) Instructional Methods
- 3) Community Participation
- 4) Governance of Campuses
- 5) Parental Involvement
- 6) Modifications to the school year
- 7) Provisions regarding the district budget and sustainable program funding
- 8) Accountability and assessment measures that exceed the requirements of state and federal law; and
- 9) Any other innovations prescribed by the board of trustees.

A local innovation plan must identify requirements imposed by the Education Code that inhibit the goals of the plan from which the district should be exempted on adoption of the plan. The local innovation plan should specify the manner in which a particular statute inhibits one or more goals of the plan. Please use the form below to check the statutes specifically identified in your district's local innovation plan as inhibiting a goal of the plan. Checking a specific statute does not necessarily indicate eligibility for an exemption from all subsections of the statute. The form below provides a reporting mechanism to fulfill the reporting requirements of the statute. Entire sections of code may not be eligible for exemption and each district should consult its legal counsel in developing its innovation plan.

Exemptions claimed for an Innovation District apply only to the specific provision of the Texas Education Code (TEC) cited, which may or may not be governed by a separate legal requirement. The exemption does not relieve the district of any requirement imposed by other state or federal law or a duty imposed under federal regulation, grant compliance, agency rule applicable to a charter school or a local legal requirement. Each district should consult its legal counsel to ensure adoption of necessary local policies to ensure compliance with all applicable legal requirements.

Please note that this is not an exhaustive list of exemptions.

District Name: Haskell CISD CDN: 104901

Term of Plan: April 22 2022 to April 22 2027
(month) (day) (year) (month) (day) (year)

Plan applies to: ☒ Entire District
☐ Campus (list) _____
☐ Other (please describe) _____

Chapter 11 – School Districts

Subchapter D. Powers and Duties of Board of Trustees of Independent School Districts

- ☐ §11.1511 (b)(5), (14) Specific Powers and Duties of Board
- ☐ §11.162 School Uniforms

Subchapter F. District-Level and Site Based Decision-Making

- ☐ §11.251 Planning and Decision-Making Process
- ☐ §11.252 District-Level Planning and Decision-Making
- ☐ §11.253 Campus Planning and Site-Based Decision-Making
- ☐ §11.255 Dropout Prevention Review

Chapter 21 – Educators

Subchapter A – General Provisions

- ☐ §21.002 Teacher Employment Contracts
- ☐ §21.003 Certification Required
- ☐ §21.0031 Failure to Obtain Certification; Contract Void

Subchapter B – Certification of Educators

- ☐ §21.051 Rules Regarding Field-Based Experience and Options for Field Experience and Internships.
- ☒ §21.053 Presentation and Recording of Certificates
- ☐ §21.057 Parental Notification

Subchapter C – Probationary Contracts

- ☐ §21.102 Probationary Contract

Subchapter H – Appraisals and Incentives

- ☐ §21.352 Local Role
- ☐ §21.353 Appraisal on Basis of Classroom Teaching Performance
- ☐ §21.354 Appraisal of Certain Administrators
- ☐ §21.3541 Appraisal and Professional Development System for Principals

Subchapter I – Duties and Benefits

- ☒ §21.401 Minimum Service Required
- ☐ §21.402 Minimum Salary Schedule for Certain Professional Staff
- ☐ §21.4021 Furloughs
- ☐ §21.4022 Required Process for Development of Furlough Program or Other Salary Reduction Proposal

- ☐ §21.403 Placement on Minimum Salary Schedule
- ☐ §21.4031 Professional Staff Service Records
- ☐ §21.4032 Reductions in Salaries of Classroom Teachers and Administrators
- ☐ §21.404 Planning and Preparation Time
- ☐ §21.405 Duty-Free Lunch
- ☐ §21.406 Denial of Compensation Based On Absence for Religious Observance Prohibited
- ☐ §21.407 Requiring or Coercing Teachers to Join Groups, Clubs, Committees, or Organizations: Political Affairs
- ☐ §21.408 Right To Join or Not To Join Professional Association
- ☐ §21.409 Leave Of Absence for Temporary Disability
- ☐ §21.415 Employment Contracts

Subchapter J – Staff Development

- ☐ §21.451 Staff Development Requirements
- ☐ §21.452 Developmental Leaves of Absence
- ☐ §21.458 Mentors

Chapter 22 – School District Employees and Volunteers

Subchapter A – Rights, Duties, and Benefits

- ☐ §22.001 Salary Deductions for Professional Dues
- ☐ §22.002 Assignment, Transfer, or Pledge of Compensation
- ☐ §22.003 Minimum Personal Leave Program
- ☐ §22.006 Discrimination Based on Jury Service Prohibited
- ☐ §22.007 Incentives for Early Retirement
- ☐ §22.011 Requiring or Coercing Employees to Make Charitable Contributions

Chapter 25 – Admission, Transfer, and Attendance

Subchapter C – Operation of Schools and School Attendance

- ☒ §25.0811 First Day of Instruction
- ☒ §25.0812 Last Day of School
- ☐ §25.083 School Day Interruptions
- ☐ §25.092 Minimum Attendance for Class Credit or Final Grade

Subchapter D – Student/Teacher Ratios; Class Size

- ☐ §25.111 Student/Teacher Ratios
- ☐ §25.112 Class Size
- ☐ §25.113 Notice of Class Size
- ☐ §25.114 Student/Teacher Ratios in Physical Education Classes; Class Size

Chapter 37 – Discipline; Law and Order

Subchapter A – Alternative Setting for Behavior Management

- ☐ §37.0012 Designation of Campus Behavior Coordinator
- ☐ §37.002 Removal by Teacher

Chapter 44 –Fiscal Management

Subchapter B – Purchases; Contracts

- ☐ §44.031 Purchasing Contracts
- ☐ §44.0331 Management Fees Under Certain Cooperative Purchasing Contracts
- ☐ §44.0352 Competitive Sealed Proposals
- ☐ §44.042 Preference to Texas and United States Products
- ☐ §44.043 Right To Work
- ☐ §44.047 Purchase or Lease of Automated External Defibrillator

Subchapter Z – Miscellaneous Provisions

- ☐ §44.901 Energy Savings Performance Contracts
- ☐ §44.902 Long-Range Energy Plan to Reduce Consumption of Electric Energy
- ☐ §44.908 Expenditure of Local Funds

Chapter 45 – School District Funds

Subchapter G – School District Depositories

- ☐ §45.205 Term of Contract
- ☐ §45.206 Bid Or Request for Proposal Notices; Bid and Proposal Forms
- ☐ §45.207 Award of Contract
- ☐ §45.208 Depository Contract; Bond
- ☐ §45.209 Investment of District Funds

Other

An adopted exemption from Texas Education Code for which there is no corresponding checkbox above must be added to this section.

TEC 21.044 Teacher Certification
TEC 25.036 Transfer Students
TEC 25.081 Operations of School
TEC 26.0062 Instructional Plans
26.0071 Instructional Plans
26A001 Grievance Policies
26.011 Grievance Policies
26A.002 Grievance Policies
33.025 Local School Library Advisory Council
33.026 Acquisition of Library Materials