Morgan Mill ISD



District of Innovation Plan

Spring 2023-2028

Committee Members

* Wendy Sanders, Superintendent
* Barrett Hutchison, Principal
* Annette Storrs, Teacher
* Marybeth Burns, Teacher
* Haylee Turley, Teacher
* Lisa Fergason, Teacher
* Chasity Alleva, Teacher
* Taylor Stricklin, Teacher
* Laniece Gill, Teacher
* Marcus Saldivar, Teacher
* Nan Goodman, Teacher
* Jean Crawford, Teacher
* Kellen Cervetto, Teacher
* Krystal Richards, Business Manager
* De Shewmaker, Custodian
* Ruby Mendoza, Parent
* Laura Goodman, Substitute

**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.

**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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_a_chapter_4)*. 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)*](https://texas.public.law/statutes/tex._educ._code_section_21.407)*(a), for the professional staff in the district to nominate and elect the professional staff representatives who shall meet with the board or the board designee as required under this section. At least two-thirds of the elected professional staff representatives must be classroom teachers. The remaining staff representatives shall include both campus- and district-level professional staff members. If practicable, the committee membership shall include at least one professional staff representative with the primary responsibility for educating students with disabilities. 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)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators adopted under Section*[*39.053 (Performance Indicators: Achievement)*](https://texas.public.law/statutes/tex._educ._code_section_39.053)*(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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_f_chapter_29)*; 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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_f_chapter_29)*, 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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_g_chapter_38)*, 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)*](https://texas.public.law/statutes/tex._educ._code_section_33.005)*; 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)*](https://texas.public.law/statutes/tex._educ._code_title_3_subtitle_a_chapter_56)*; 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)*](https://texas.public.law/statutes/tex._educ._code_section_38.0041)*addressing sexual abuse and other maltreatment of children; and the trauma-informed care policy required under Section*[*38.036 (Trauma-informed Care Policy)*](https://texas.public.law/statutes/tex._educ._code_section_38.036)*. 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)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual district performance report from the agency for the purpose of discussing the performance of the district and the district performance objectives. District policy and procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input and to provide information to those persons regarding the recommendations of the district-level committee. This section does not create a new cause of action or require collective bargaining. 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)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*(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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_f_chapter_29)*, with respect to the achievement indicators adopted under Section*[*39.053 (Performance Indicators: Achievement)*](https://texas.public.law/statutes/tex._educ._code_section_39.053)*(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)*](https://texas.public.law/statutes/tex._educ._code_section_39.053)*; 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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_f_chapter_29)*; 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)*](https://texas.public.law/statutes/tex._educ._code_section_28.002)*(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)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*(b), the campus-level committee shall be involved in decisions in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The campus-level committee must approve the portions of the campus plan addressing campus staff development needs. 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)*](https://texas.public.law/statutes/tex._occ._code_section_502.002)*, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district. 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)*](https://texas.public.law/statutes/tex._educ._code_section_7.056)*. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the commissioner. The commissioner may limit the waiver of certification in any manner the commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.*

*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)*](https://texas.public.law/statutes/tex._educ._code_section_22.081)*, Chapter*[*22 (School District Employees and Volunteers)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_d_chapter_22)*, 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)*](https://texas.public.law/statutes/tex._educ._code_section_22.0831)*(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)*](https://texas.public.law/statutes/tex._educ._code_section_21.002)*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)*](https://texas.public.law/statutes/tex._educ._code_section_21.402)*. 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)*](https://texas.public.law/statutes/tex._educ._code_section_25.081)*(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)](https://texas.public.law/statutes/tex._educ._code_section_21.202)(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.

**Appraisals and Incentives**

*(Ed Code 21.352, 21.353, 21.354, 21.3541)*

*21.352: In appraising teachers, each school district shall use: the appraisal process and performance criteria developed by the commissioner; or an appraisal process and performance criteria: developed by the district- and campus-level committees established under Section*[*11.251 (Planning and Decision-making Process)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*; containing the items described by Sections*[*21.351 (Recommended Appraisal Process and Performance Criteria)*](https://texas.public.law/statutes/tex._educ._code_section_21.351)*(a)(1) and (2); and adopted by the board of trustees. A school district may not assign an area of deficiency to a teacher solely on the basis of disciplinary referrals made by the teacher or documentation regarding student conduct submitted by the teacher under Section*[*37.002 (Removal by Teacher)*](https://texas.public.law/statutes/tex._educ._code_section_37.002)*. This subsection does not prohibit a teacher from being assigned an area of deficiency based on documented evidence of a deficiency in classroom management obtained through observation or a substantiated report. The board of trustees may reject an appraisal process and performance criteria developed by the district- and campus-level committees but may not modify the process or criteria. Except as otherwise provided by this subsection, appraisal must be done at least once for each school year. A teacher may be appraised less frequently if the teacher agrees in writing and the teacher’s most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years. The district shall maintain a written copy of the evaluation of each teacher’s performance in the teacher’s personnel file. Each teacher is entitled to receive a written copy of the evaluation promptly on its completion. After receiving a written copy of the evaluation, a teacher is entitled to a second appraisal by a different appraiser or to submit a written rebuttal to the evaluation to be attached to the evaluation in the teacher’s personnel file. The evaluation and any rebuttal may be given to another school district at which the teacher has applied for employment at the request of that district. In addition to conducting a complete appraisal as frequently as required by Subsection (c), a school district shall require that appropriate components of the appraisal process, such as classroom observations and walk-throughs, occur more frequently as necessary to ensure that a teacher receives adequate evaluation and guidance. A school district shall give priority to conducting appropriate components more frequently for inexperienced teachers or experienced teachers with identified areas of deficiency. A teacher may be given advance notice of the date or time of an appraisal, but advance notice is not required. A district shall use a teacher’s consecutive appraisals from more than one year, if available, in making the district’s employment decisions and developing career recommendations for the teacher. The district shall notify a teacher of the results of any appraisal of the teacher in a timely manner so that the appraisal may be used as a developmental tool by the district and the teacher to improve the overall performance of the teacher.*

*21.353: A teacher who directs extracurricular activities in addition to performing classroom teaching duties shall be appraised only on the basis of classroom teaching performance and not on performance in connection with the extracurricular activities.*

*21.354: The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of various classifications of school administrators. The criteria must be based on job-related performance. This section does not apply to the appraisal of the performance of a principal. The commissioner may solicit and consider the advice of teachers and administrators in developing the appraisal process and performance criteria. Each school district shall appraise each administrator annually using either: the commissioner’s recommended appraisal process and performance criteria; or an appraisal process and performance criteria: developed by the district in consultation with the district- and campus-level committees established under Section*[*11.251 (Planning and Decision-making Process)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*; and adopted by the board of trustees. Funds of a school district may not be used to pay an administrator who has not been appraised under this section in the preceding 15 months.*

*21.3541: The commissioner by rule shall establish and shall administer a comprehensive appraisal and professional development system for principals. The commissioner may establish a consortium of nationally recognized experts on educational leadership and policy to: assist the commissioner in effectively researching and developing the comprehensive appraisal and professional development system described by Subsection (a); and evaluate relevant research and practices and make recommendations to the commissioner to improve the quality of the training, appraisal, professional development, and compensation of principals. If the commissioner establishes the consortium, the commissioner shall select a presiding officer of the consortium. The presiding officer: must be an expert on educational leadership and policy; must have a demonstrated ability to lead a statewide school leadership reform initiative; and may not be employed by a school district in this state. The commissioner shall establish school leadership standards and a set of indicators of successful school leadership to align with the training, appraisal, and professional development of principals. In carrying out the commissioner’s powers and duties under this section, the commissioner may use only money available from private sources that may be used for that purpose. In appraising principals, each school district shall use either: the appraisal system and school leadership standards and indicators developed or established by the commissioner under this section; or an appraisal process and performance criteria: developed by the district in consultation with the district-level and campus-level committees established under Section*[*11.251 (Planning and Decision-making Process)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*; and adopted by the board of trustees. Each school district shall appraise each principal annually.*

Proposed

A committee of district and campus administrators and teachers can convene to determine a best fit instrument to support the work of our educators. As we move forward with the implementation of the growth indicators for students, our professional staff will also set goals in coordination with these efforts, including multiple observations, goal setting and tracking, and student growth progress toward learning objectives, as evaluation measures on teacher and administrator appraisals.

Morgan Mill ISD would also like the opportunity to remove the student achievement component of T-TESS and instead include a component addressing how innovative teachers are being in their classrooms. We feel that the T-TESS instrument is robust enough without the addition of student achievement to the teacher evaluation. Administrators already take into account student achievement whether it is retention rates, passing rates, STAAR, or other test measures. We feel that with state assessment, which can only be used with approximately 30-40% of our staff, should be removed from the teacher evaluation. Using performance objectives to determine student performance appears to be subjective and/or arbitrary depending on what subject(s) we were looking at to incorporate student achievement into the T-TESS instrument.

This facet of teacher evaluations will encourage teachers to utilize technology as well as other innovative measures within their instruction, further preparing students for high school, college, and careers in this 21st century environment.

**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)*](https://texas.public.law/statutes/tex._educ._code_section_21.3541)*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)*](https://texas.public.law/statutes/tex._educ._code_section_11.253)*, and developed and approved by the campus-level committee established under Section*[*11.251 (Planning and Decision-making Process)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*. 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)*](https://texas.public.law/statutes/tex._educ._code_section_11.251)*. 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)*](https://texas.public.law/statutes/tex._educ._code_title_2_subtitle_g_chapter_37)*; and digital learning; subject to Subsection (e) and to Section*[*21.3541 (Appraisal and Professional Development System for Principals)*](https://texas.public.law/statutes/tex._educ._code_section_21.3541)*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)*](https://texas.public.law/statutes/tex._educ._code_section_38.351)*; 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)*](https://texas.public.law/statutes/tex._educ._code_section_25.084)*; 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)*](https://texas.public.law/statutes/tex._educ._code_section_25.081)*; 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.

**Designation of a Campus Behavior Coordinator**

*(Ed. Code 37.0012)*

*Currently*

*A person at each campus must be designated to serve as the campus behavior coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline and the implementation of this subchapter. Except as provided by this chapter, the specific duties of the campus behavior coordinator may be established by campus or district policy. Unless otherwise provided by campus or district policy: a duty imposed on a campus principal or other campus administrator under this subchapter shall be performed by the campus behavior coordinator; and a power granted to a campus principal or other campus administrator under this subchapter may be exercised by the campus behavior coordinator. The campus behavior coordinator shall promptly notify a student’s parent or guardian as provided by this subsection if under this subchapter the student is placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled, or placed in a juvenile justice alternative education program or is taken into custody by a law enforcement officer. A campus behavior coordinator must comply with this subsection by: promptly contacting the parent or guardian by telephone or in person; and making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student’s parent or guardian. If a parent or guardian entitled to notice under Subsection (d) has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, a campus behavior coordinator shall mail written notice of the action to the parent or guardian at the parent’s or guardian’s last known address. If a campus behavior coordinator is unable or not available to promptly provide notice under Subsection (d), the principal or other designee shall provide the notice.*

Proposed

The proposal is for the district to abstain from the state requirement that each school have a designated campus behavior coordinator. MMISD’s approach to discipline is collaborative with multiple people providing emotional and social support to students, rather than just one person. Exemption from this requirement will allow the option of increasing collaboration in regard to student discipline.

**Student Teacher Ratios/Class Size**

*(Ed. Code 25.111, 25.112, 25.113)*

*Currently*

*25.111: Except as provided by*[*Section 25.112*](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000173&refType=LQ&originatingDoc=Ib69f15e0ee8d11eaa5b1f7f790b732c5&cite=TXEDS25.112)*, 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*](https://www.lawserver.com/law/state/texas/tx-codes/texas_education_code_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*](https://www.lawserver.com/law/state/texas/tx-codes/texas_education_code_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)*](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000173&refType=SP&originatingDoc=I588852f0ee8d11eaa5b1f7f790b732c5&cite=TXEDS25.112)*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)*](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000173&refType=SP&originatingDoc=I588852f1ee8d11eaa5b1f7f790b732c5&cite=TXEDS25.112)*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)*](https://texas.public.law/statutes/tex._educ._code_section_45.206)*. 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)*](https://texas.public.law/statutes/tex._gov%27t_code_title_7_chapter_791)*, 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*](http://www.legis.state.tx.us/tlodocs/86R/billtext/html/SB01376F.HTM)*), 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)*](https://texas.public.law/statutes/tex._educ._code_section_45.102)*. 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)*](https://texas.public.law/statutes/tex._educ._code_section_45.102)*, 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.

**Removal of Unwanted Visitors**

*(Ed. Code 37.105)*

*Currently*

*A school administrator, school resource officer, or school district peace officer of a school district may refuse to allow a person to enter on or may eject a person from property under the district’s control if the person refuses to leave peaceably on request and: the person poses a substantial risk of harm to any person; or the person behaves in a manner that is inappropriate for a school setting and: the administrator, resource officer, or peace officer issues a verbal warning to the person that the person’s behavior is inappropriate and may result in the person’s refusal of entry or ejection; and the person persists in that behavior. Identification may be required of any person on the property. Each school district shall maintain a record of each verbal warning issued under Subsection (a)(2)(A), including the name of the person to whom the warning was issued and the date of issuance. At the time a person is refused entry to or ejected from a school district’s property under this section, the district shall provide to the person written information explaining the appeal process established under Subsection (h). If a parent or guardian of a child enrolled in a school district is refused entry to the district’s property under this section, the district shall accommodate the parent or guardian to ensure that the parent or guardian may participate in the child’s admission, review, and dismissal committee or in the child’s team established under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), in accordance with federal law. The term of a person’s refusal of entry to or ejection from a school district’s property under this section may not exceed two years. A school district shall post on the district’s Internet website and each district campus shall post on any Internet website of the campus a notice regarding the provisions of this section, including the appeal process established under Subsection (h). The commissioner shall adopt rules to implement this section, including rules establishing a process for a person to appeal to the board of trustees of the school district the decision under Subsection (a) to refuse the person’s entry to or eject the person from the district’s property.*

Proposed

MMISD will make all reasonable attempts to diffuse situations in the case of unruly guests at school and District functions and events; however, in the case of situations where immediate action must be taken, the District would allow designated staff members the authority to remove an attendee whose behavior is deemed inappropriate without warning or written notice regarding the appeal process.