

FARWELL ISD District of Innovation Plan

September 1, 2025, through August 31, 2030

Farwell ISD

District of Innovation Plan

During the 84th Legislative Session, House Bill 1842 was passed in order to permit Texas public school districts to become a District of Innovation and to obtain exemption from certain provisions of the Texas Education Code.

The District of Innovation committee meet on June 3, 2025 and June 10, 2025, in public meetings and voted unanimously, on June 10, 2025, to extend, with amendments, the District of Innovation Plan. Posted on the internet on June 11, 2025. The Farwell ISD School board will vote to notify the commissioner of education on July 14, 2025, at their regular scheduled board meeting. The Farwell ISD school board approved the plan unanimously on July 14, 2025 at their regularly scheduled board meeting.

The Plan may be amended by the Board at any time during the term. Plan renewal begins in September 1, 2025 school year and ends on August 31, 2030.

Goals of the Innovation Plan

1. To secure and retain highly qualified and dedicated staff members.
2. To provide an exceptional learning environment for all students.

Requirements Imposed by the Texas Education Code that Inhibit the Goals of the Innovation Plan and the Innovations to be Implemented to Ensure Attainment of the Goals

Requirement - Minimum Service Required of Teachers.

Current law: TEC Sec. 21.401. MINIMUM SERVICE REQUIRED. (a) A contract between a school district and an educator must be for a minimum of 10 months' service. (b) An educator employed under a 10-month contract must provide a minimum of 187 days of service.

The requirement that educators provide a minimum of 187 days of service inhibits the District's plan because it is incongruent with the requirement that students achieve a certain number of instructional minutes. Further, the District has difficulty attracting and retaining teachers. Allowing teachers to work fewer days would permit the District to compete with other Districts' daily rate of pay.

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This plan addresses the number of teacher days under a 10-month contract. The number of days could be reduced from the 187 required days to as low as 182 days. The number of days would be determined yearly and would be dependent on staff development needs. This reduction will have no effect on teacher salaries for the 10-month period. The teacher's daily rate would be based on 187 days no matter if the total number of days of service is less than 187. By reducing the number of contract days, teachers would experience an increase in their daily rate of pay. This should enhance teacher recruitment and provide for improved teacher morale, which in turn would provide improved student attitudes about school and their schoolwork.

Requirement - Teacher Certification.

Current law: TEC Sec. 21.003. CERTIFICATION REQUIRED. (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate.

This requirement inhibits the District's ability to hire otherwise qualified individuals to teach certain classes, such as CTE, and its ability to offer CTE courses.

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In order to best serve District students, decisions regarding certification will be handled locally. Current law places very real hardships on small, rural school districts who often find it difficult to find fully certified teachers or teachers certified for more than one subject area. This plan will allow principals to submit to the superintendent a request to allow a certified teacher to teach subjects out of their certified area. The principal must provide the reason for the request and document what credentials/experience the certified teacher possesses which makes them suitable for the assignment. With this innovation, more class offerings may be offered to District students and current courses/classes may be maintained.

This plan would also be utilized for an individual who is not certified but does possess experience and expertise to teach Career and Technology courses. The principal will submit a request to the superintendent to allow such a person to teach a CTE course indicating the individual's experience and expertise in the needed area. This would allow a greater number of CTE course offerings from which students may choose. It would provide realistic requirements for professionals transitioning from industry to teaching and provide the ability for the District to employ part-time professionals. A teacher employed under this provision would not be contracted but considered an at-will employee.

A teacher certification waiver, state permit applications, or other paperwork will not be submitted to the Texas Education Agency.

Requirement - School Start Date/Last Day of School.

Current law: TEC Sec. 25.0811. FIRST DAY OF INSTRUCTION. (a) Except as provided by this section, a school district may not begin instruction for students for a school year before the fourth Monday in August, and TEC Sec. 25.0812. LAST DAY OF SCHOOL. (a) a school district may not schedule the last day of school for students for a school year before May 15.

This requirement inhibits the District's ability to provide balanced six-weeks schedules between semesters. It further inhibits the District's ability to meet the scheduling needs of the students and community.

Innovation.

This plan provides flexibility of a start/end date for school. This allows the District to determine locally what best meets the needs of the students and community. Local control of the instructional calendar will allow the District to eliminate imbalanced six weeks and semesters. School may start earlier than the fourth Monday in August and may end prior to

May 15. Additional days of instruction prior to state assessments and fewer days after the May assessments would be a benefit for students and teachers.

Requirement - Class Size Ratio.

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

This requirement creates a financial burden on the District because it requires the hiring of additional certified personnel.

Innovation.

While small class size is an important factor in providing for successful classrooms, attempting to adhere to the 22:1 student to teacher ratio is often problematic for small school districts. This requirement places a real hardship on districts such as Farwell ISD, when one or two students enroll over the 22 students per class limit. When any class exceeds this limit, the District must employ an additional teacher or file a waiver with the Texas Education Agency.

The District will attempt to maintain the Kindergarten – fourth grade 22:1 ratio when possible. However, we do not believe that by adding one or two students to a class that a negative effect is realized. Many factors other than class size influence the learning environment. The superintendent will notify the Board in the event that the class size exceeds the ratio. A TEA waiver will not be filed when a K - 4th classroom exceeds the 22:1 ratio. At no time will a K – 4 class have an enrollment of more than 25 students without Board approval.

Requirement – Probationary Contracts.

Current law: TEC Sec. 21.102. PROBATIONARY CONTRACT. (b) A probationary contract may not be for a term exceeding one school year. The probationary contract may be renewed for two additional one-year periods, for a maximum permissible probationary contract period of three school years, except that the probationary period may not exceed one year for a person who has been employed as a teacher in public education for at least five of the eight years preceding employment by the district.

The limitation on the number of additional renewal periods for probationary contracts inhibits the District's ability to fully evaluate teachers that are newly certified and veteran teachers that are new to the District. By lengthening the time under which a teacher may be

given a probationary contract, the District can evaluate the teacher's progress over a greater period of time, thereby providing a better sample size for the District to consider the teacher's effectiveness.

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The District will have the option to offer all teachers that are new to the District a probationary contract for up to five (5) years, regardless of whether they have taught five of the last eight years. This will allow the District more time to evaluate a staff member's effectiveness.

Requirement – Unauthorized Persons: Refusal of entry, Ejection, Identification.

Current law: TEC Sec. 37.105 applies to removing visitors from campuses and school events. This applies to parents and community members, not students. In 2017, the Texas Legislature changed the law on how school administrators can eject unruly guests from school events. Under the law, the guest must be given a warning before he or she is ejected. Upon ejection, the guest must also be given notice on how he can appeal the ejection.

Currently, a District must maintain a record of each verbal warning issued under Section 37.105(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 Section 37.105, the District must provide the person with written information explaining how to appeal. Each school board must adopt a policy that uses the District's existing grievance process to permit a person ejected or denied entry to address the Board of Trustees in person within 90 days of the commencement of the appeal unless the appeal is granted sooner.

This requirement inhibits the District's ability to respond promptly to disruptive individuals and individuals who pose a threat to themselves or others.

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Given the heightened awareness of school safety, there may be instances where providing a warning and written notice of appeal process is not in the best interest of student and spectator safety. Therefore, a school district administrator may refuse to allow persons to enter District property or may eject a person from property under the district's control immediately without warning and written notice of appeal if:

- 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.

- A person refused entry to or ejected from property controlled by the district may appeal such refusal of entry or ejection in accordance with Board policy (FNG, GF).

To better ensure the safety and security of students and staff in Farwell ISD, we propose that the District not be required to maintain a record of each verbal warning of potential removal from District property/facilities, nor be required to provide written information explaining the appeal process to those who have been refused entry to District property/facilities or removed from District property/facilities. The District currently attempts to provide written notice to persons who are subject to potential refusal for entry or for removal from District property/facilities. The District shall continue to provide written notice to persons who are subject to potential refusal for entry or for removal from District property/facilities in situations where the administrator on-site feels it is reasonable and safe to do so. The District already has a grievance process for taking complaints to the Board of Trustees and there is no demonstrated need for a unique complaint timeline as provided under §37.105.

Requirement – Transfer of Student.

Current law: TEC Sec. 25.036(a) provides that 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.

The Commissioner of Education has interpreted § 25.036 as not permitting a school district to revoke a student's transfer mid-year. This inhibits the District's ability to address student misconduct, student absenteeism, and other student issues in a way that serves the needs of the District.

Innovation.

Exemption from this statute will permit the District to revoke a student's district transfer, at any point during the school year, in the event the student does not comply with District expectations as outlined in the transfer agreement, such as attendance requirements, behavior expectations, etc. District administration will review data of transfer students (in accordance with policy) on an ongoing basis to determine if transfer students are meeting the terms of their transfer agreement. Policy Impact: FDA (LEGAL) & (LOCAL)

Requirement – School Counselors;General Duties.

Current law: TEC Sec. 33.006(d)-(j).

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

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

- (1) include the reasons why the counselor needs to spend less than 80 percent of the counselor's work time on duties that are components of the counseling program;
- (2) list the duties the counselor is expected to perform that are not components of the counseling program; and
- (3) set the percentage of work time that the counselor is required to spend on components of the counseling program.

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

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

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

The requirements of TEC 33.006(d)-(j) restricts the duties that may be fulfilled by school counselors, requires administratively burdensome policy adoption and annual review by the school board, and limits contracting options for school counselors. As a small, rural school district, this statute limits the District's ability to assign other duties to a school counselor when traditional school counseling services are not in high demand.

Innovation.

Counselors within the District may be required to spend less than 80% of total work time on the duties identified by statute. The District shall be exempted from the policy adoption requirements, shall not be required to annually assess compliance with such a policy, and shall be exempted from the counselor employment contract prohibitions in TEC 33.006. An exemption from the requirements of TEC 33.006 will benefit District students by permitting counselors to fulfill other important roles within the district. An exception from time tracking/logging requirements will free up more time for District counselors to perform their assigned duties.