

**ABILENE
INDEPENDENT SCHOOL DISTRICT**

**Local Innovation Plan
2026-2031**

To be considered by the AISD Board of Trustees

January 12, 2026

PLACED ON WEBSITE December 3, 2025

Board of Trustees

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Mrs. Alison Sims, Associate Superintendent for Human Resources

Dr. Gustavo Villanueva, Associate Superintendent for Student Services

Dr. Jordan Ziemer, Chief Communications Officer

Timeline of Events

	DATE	ACTIVITY
BOARD CONSIDERATION	October 6, 2025	Board Information The Abilene ISD Board of Trustees will be provided an overview of TEC Chapter 12A District of Innovation provisions.
	October 6, 2025	Resolution Adoption Abilene ISD Trustees will be asked to approve a resolution to initiate the process of amending our District of Innovation plan,
	October 6, 2025	Public Hearing Abilene ISD Trustees will hold a public hearing to solicit input on the District of Innovation amendment opportunity.
	October 6, 2025	Committee Appointment Abilene ISD Trustees will appoint a Local Innovation Committee to amend and develop a Local Innovation Plan.
PLAN DEVELOPMENT	October 14, 2025 October 27, 2025 November 18, 2025	Plan Development

		The Abilene ISD Innovation Committee will amend and develop the Abilene ISD Innovation Plan
PUBLIC INPUT/FEEDBACK	December 1, 2025	<p>District Wide Consultation Committee Approval</p> <p>The Abilene ISD District Wide Consultation Committee will be asked to approve the proposed Abilene ISD Innovation Plan.</p>
	December 3, 2025	<p>District Innovation Plan Posted</p> <p>The proposed Abilene ISD Innovation Plan will be posted online for at least 30 days.</p>
APPROVAL	January 12, 2026	<p>Board of Trustees Approval</p> <p>The Abilene ISD Board of Trustees will be asked to approve the proposed Abilene ISD Innovation Plan.</p>

INNOVATION PLANNING COMMITTEE

Grade/Position	Campus	Name
Kindergarten	Alcorta	Amanda McSherry
2nd grade	Bonham	Tiffany Wright
3rd grade	Stafford	Jeremy Bartley
4th grade	Ward	McKenna Harrell
5th grade	Austin	Jennifer McLean
6th grade	Mann	Suzanne Sims
8th grade	Madison	Jennifer Mansker
English	Abilene High School	Sarah Fagala
Math	Cooper High School	Justin Dorman
Elementary Principal	Taylor	Leslye Roberts
Middle School Principal	Clack	Michele Josselet
High School Principal	ATEMS	Brandon Randell

ABILENE ISD INNOVATION PLAN

INTRODUCTION

House Bill (HB) 1842, passed during the 84th Legislative Session, permits Texas public school districts to become Districts of Innovation 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.

On October 6, 2025, the Abilene Independent School District's Board of Trustees ("Board") considered a Resolution to explore the development of a District of Innovation Plan to increase local control over District operations and to support innovation and local initiatives. The adoption of this plan seeks to increase the District's flexibility in order to improve educational outcomes for the benefit of students and the community. Also on October 6, 2025, the Board held a public hearing, approved a Resolution and appointed a 12-member Innovation Planning Committee ("Committee"). The committee was composed of diverse leaders representing a cross-section of the District's stakeholders, including teachers and principals. The Committee met on October 14, 2025, October 27, 2025 and November 18, 2025 to discuss and draft the Local Innovation Plan ("Plan"). The Committee met with the Districtwide Consultation Committee on December 1, 2025. At the conclusion of the meeting, the DWCC approved the plan. The Abilene ISD Board of Trustees adopted the Plan at its meeting on January 12, 2026.

TERM

The term of the Plan is for five years, beginning January 12, 2026 and ending January 11, 2031, 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.

AREAS OF INNOVATION

With regard to each area of innovation, the District declares exemption from the listed statutory provisions, as well as any implementing rules or regulations promulgated pursuant to those statutory provisions by any state agency or entity, including but not limited to the Commissioner of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

1. T.E.C. §25.0811 First Day of Instruction (Uniform School Start Date), TEC §25.0812 Last Day of Instruction

§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.

§25.0812 LAST DAY OF INSTRUCTION (a) 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.

Current Status:

Texas Education Code §25.0811 and §25.0812 restricts Abilene ISD's ability to annually establish an instructional calendar that best meets the instructional needs of students and the priorities of the community by prohibiting the District from beginning instruction before the fourth Monday in August and from ending instruction before May 15. Restricting the school start and end date operationally challenges Abilene ISD because the required 75,600 instructional minutes must be scheduled between the fourth Monday in August and early June. 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 schools, and the community.

Benefit of Exemption:

Having the flexibility to establish a school start date prior to the fourth Monday in August and end before May 15 will enable the District to:

- Provide the District Wide Consultation Committee (DWCC) the flexibility to determine locally, on an annual basis, what start and end dates best meet the needs of students, schools, and the community. For example, the district may start with a shortened week at the beginning of school to ease transition for students, families and staff.
- Better balance the amount of instructional time available in each semester, providing classroom teachers the opportunity to deliver more equitable learning experiences for students in the fall and spring semesters, and to complete the first semester prior to the winter break.
- Provide more instructional time prior to the administration of spring state assessments and minimize lost instructional time after the conclusion of state assessments.
- Provide additional time at the conclusion of the school calendar for provision of remedial instruction prior to summer administration of state assessments required for graduation.

- Utilize flexibility to schedule student breaks/holidays, professional development or other options during the school year.
- Complete the school year prior to the end of May to allow for increased flexibility in scheduling graduation and allow students to enroll in college courses that begin in early June, thereby increasing college and career readiness.

Local Innovation Procedures:

Each campus principal shall appoint a staff member to serve on the District Calendar Committee. The Committee is responsible for developing instructional calendar options for the upcoming school year. Upon completion of this work, the District-Wide Consultation Committee will review the proposed options and recommend a preferred calendar for Board consideration.

In developing these options, the Calendar Committee shall utilize the district's flexibility regarding the school start date, ensuring that any proposed start date does not exceed more than one week prior to the Uniform School Start Date.

Exemption from the Texas Education Code Section §25.0811 may require revisions in the District policies at EB (LOCAL).

2. T.E.C. §21.003(A) Certification Required, T.E.C. §21.053, Presentation and Recording of Certificates

§21.003 CERTIFICATION REQUIRED (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.

§21.053 PRESENTATION AND RECORDING OF CERTIFICATES (a) A person who desires to teach in a public school shall present the person's certificate for filing with the employing district before the person's contract with the board of trustees of the district is binding. (b) An educator who does not hold a valid certificate may not be paid for teaching or work done before the effective date of issuance of a valid certificate.

Current Status:

T.E.C. §21.003 requires appropriate state certification for all teaching positions, inhibiting the District's ability to fill certain teaching positions having very limited certified candidate pools. In addition, these sections do not allow flexibility of placement for certified teachers within grade levels in elementary schools, or for the district to hire a teacher fully certified in another state until Texas certification or a T.E.A. approved waiver is obtained.

In the event a district cannot locate an appropriately certified teacher for a hard-to-fill position, the district must request emergency certification from the Texas Education Agency and/or State Board of Educator Certification, and the Commissioner may subsequently deny such requests.

This system is burdensome and does not take into account the unique financial and/or instructional needs of the district. This section makes it difficult for the district to recruit, employ and retain persons who have appropriate expertise, experience and/or industry certifications that make them well qualified to fill such positions.

Benefit of Exemption:

Abilene ISD prides itself in hiring the highest quality teaching staff for the benefit of all learners. Occasionally, teachers are needed for positions that are extremely difficult to fill due to the lack of a certified teacher candidate pool. To supply the high quality teachers needed for non-core classes, this flexibility would allow the district to expand the pool of qualified candidates and employ highly qualified educators that might not ordinarily meet the requirements under the traditional teacher certification pathways. An exemption from these requirements will allow Abilene ISD to issue a local school district teaching permit to individuals who do not hold a Texas teaching certificate, but whom the district deems highly qualified to teach in a particular subject area as specified in the local guidelines. This flexibility in certification requirements will also allow more options for secondary students in course scheduling, dual credit classes, and course offerings leading to industry-recognized certifications.

Local Innovation Procedures:

Abilene ISD will maintain its current expectation for teacher certification, and continue to seek highly effective certified educators for all teaching positions. The district will make every attempt to hire individuals with appropriate certification for all non-core positions in question at the time of hire. However, where that is not reasonably possible, the district will have the flexibility to issue a local teaching permit and hire individuals who are knowledgeable in the area and are fully equipped to effectively perform the duties of the position in question based on local certification criteria without requesting a waiver from T.E.A.

- A. A campus principal may submit to the Superintendent and/or the Superintendent's Designee a request to issue a local school district teaching permit to a highly qualified candidate who does not hold a Texas teaching certificate. To adequately supply programs with qualified candidates, the district requires the flexibility to hire community college and university professors, community professionals, and college graduates with Bachelor's Degrees, as well as current staff members who would qualify for placement in assignments outside of their traditional certification areas and to retain them. The district will establish local qualification and training requirements for professionals and experts to teach such courses in lieu of state requirements. These exemptions are of particular importance for hard-to-fill and high-demand courses.

Qualification for a local school district teaching permit could include, but not be limited to: demonstrated subject expertise, professional work experience, formal training/education in the content area, active/relevant professional industry certification, or a combination of work experience, advanced training and education, and/or demonstration of successful experience working with students. Applicants without a

Bachelor's degree will only be considered for Career and Technology Education positions.

When positions are posted and candidates are interviewed, certified teachers in their fields will be considered first. However, the candidate who is considered to be of highest quality may be selected regardless of certification. After the required posting period and candidate interviews, if the principal desires to hire a candidate with other qualifications or a teacher who is certified in another state, the principal must specify in writing the reason for the request and document what specific credentials (i.e. experience, expertise, and/or industry certifications) the prospective teacher possesses that would qualify the individual to teach that subject(s). The individuals hired under this exemption will be provided with district identified training and resources, and the support of a mentor to ensure their success. Teachers hired under this exemption must complete the Texas teacher certification process and present documentation of valid Texas certification to the Human Resources Department within three years of hire. Parents will be notified in writing if students are being taught by a teacher hired under this exemption.

- B. Teacher certification waiver requests, state permit applications or other paperwork will not be submitted to the Texas Education Agency for any of these proposed exemptions.
- C. All certification requirements will remain in place for special education and primary ESL (bilingual) teachers.

Exemption from the Texas Education Code Sections §21.003 and § 21.053 may require revisions in the District policies DBA (LOCAL), DK (LOCAL), and DK (Exhibit).

3. TEC Section §25.092 Minimum Attendance for Class Credit

Section §25.092 a) Except as provided by this section, a student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered.

Current Status: State law currently requires students attend class 90% of the school days the class is offered in order to earn credit. The law currently requires the District to award class credit to students based on "seat time" rather than based on demonstrated mastery of the learning. Students are required to attend class 90 percent of the school days each semester in order to earn credit.

Benefit of the Exemption:

The 90 percent rule is an arbitrary percentage, which means school districts award credit based on seat time rather than based on content mastery. Flexibility in abstaining from the requirement will allow the District to not penalize students who miss class due to legitimate school activities and/or family issues that may prevent students from meeting the 90% class attendance rule, as long as mastery of content can be documented. Finally, this will limit issues related to seat time and allow further pursuit of dual credit opportunities. This exemption allows Abilene ISD to explore the option of providing students credit for courses based on content mastery, not the

amount of time the student spends in the classroom. The District could provide innovative options to promote student engagement in course material in flexible ways, ultimately allowing learning to happen anytime, anyplace, apart from the traditional way of delivering instruction. Flexibility in this area does not alter a teacher's right to assign a student's final grade or exempt a student from any UIL rules.

Local Innovation Procedure:

Campus teams will review student attendance and grades to determine mastery. Abilene ISD will develop a team with representatives from the Student Services and campus leadership to redefine attendance thresholds for credit loss and define ways for students that show mastery of the content to gain credit.

Exemption from the Texas Education Code Section §21.092 may require revisions in the District policies EI (LOCAL) and FEC (LOCAL).

4. TEC § 21.102 Probationary Contracts

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. (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.

Current Status:

A probationary contract 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 with the district. After three consecutive years on a probationary contract, a teacher must be offered a term contract or be terminated by the district.

Benefit of the Exemption:

Relief from TEC §21.102 will allow Abilene ISD to extend the continuation of probationary contract status at the discretion of administration beyond what is currently allowed if it is determined that it is in the best interest of the District's students.

Local Innovation Procedure:

Teacher performance will be discussed with the principal, Associate Superintendent for Human Resources, and Superintendent prior to determination of extending the probationary contract period of the teacher beyond Texas Education Code Chapter 21 requirements. The principal will be required to discuss the teacher's performance evaluation and progress against goals to support the recommendation.

Exemption from the Texas Education Code Section §21.102 may require revisions in the District policies DCB (LOCAL).

5. TEC Section §25.036(a) Inter-District Transfers

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.

Current Status:

Currently, under Texas Education Code 25.036, a district may choose to accept, as transfers, students who are not entitled to enroll in the district. TEC 25.036, uses the language "may transfer annually" and has been interpreted to require a transfer to be for a period of one school year.

Benefit of the Exemption:

Abilene ISD maintains a transfer policy under FDA (Local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history records, work habits, and attendance records are evaluated. Transfer students are expected to follow the attendance requirements, rules, and regulations of the district. TEC 25.036 has been interpreted to establish the acceptance of a transfer as a one-year commitment by the district. The district is seeking to eliminate the provision of a one-year commitment in accepting transfer applicants. On rare occasions, student behavior warrants suspension (in or out of school), placement in a disciplinary alternative program, or expulsion. Abilene ISD seeks exemption from the one year transfer commitment and the eligibility to revoke transfer for a student's return to their home district due to lack of attendance or behavior.

Local Innovation Procedure:

Nonresident students who have been accepted as inter-district transfer students may have such transfer status revoked by the Superintendent at any time during the year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, or expulsion. Students not meeting the State's 90% attendance standard may also be subject to immediate revocation of the transfer status.

Exemption from the Texas Education Code Section §25.036(a) may require revisions in the District policies FDA (LOCAL).

6. TEC §21.451(3) Staff Development

The staff development provided by a school district to an educator other than a principal must include training on: (A) suicide prevention; (B) strategies for establishing and maintaining positive relationships among students, including conflict resolution; and (C) preventing, identifying, responding to, and reporting incidents of bullying. The training required by Subsection (d)(3) must: (A) be provided in accordance with the policy adopted under Section 21.4515 and (B) use a best practice-based program recommended by the Health and Human Services Commission in coordination with the agency under Section 38.351.

Current Status:

TEC §21.451 prescribes staff development requirements for educators. These requirements impede the District's ability to provide timely professional development to employees based on newly emerging issues, data, and student needs.

Benefit of the Exemption:

The requirement for annual training impedes the professional development plans that are campus and district based. Professional development in Abilene ISD needs to be centered on the unique needs of the District and school community.

Local Innovation Procedure:

The District will exercise local discretion in determining the areas of need, content, duration, and frequency of professional development for its instructional and noninstructional staff.

Exemption from the Texas Education Code Section §21.451 may require revisions in the District policies DMA (LEGAL) and DMA (LOCAL).

7. TEC §25.081 Minimum Minutes of Instruction

a) Except as authorized under Subsection (b) of this section, Section 25.0815, Section 25.084, or Section 29.0821, for each school year each school district must operate for at least 75,600 minutes, including time allocated for instruction, intermissions, and recesses for students. (b) The commissioner may approve the operation of schools for fewer than the number of minutes required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools. (c) If the commissioner does not approve reduced operation time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

Current Status:

House Bill (HB) 2610, passed by the 84th Texas Legislature, amended the Texas Education Code (TEC) §25.081, by striking language requiring 180 days of instruction and replaced it with new language requiring districts and charter schools to provide at least 75,600 minutes of instruction annually and 420 minutes of instruction daily. The bill allows school districts and charter schools to add minutes as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity. However, it eliminated any options to pursue state waivers to reduce the minimum number of minutes per day to allow flexibility to pursue early releases for parent-teacher conferences, teacher professional development, or innovative scheduling due to events. TEC § 25.082 requires that each school day be at least 7 hours long .

Benefit of the Exemption:

These non-instructional days may be purposefully placed throughout the calendar to allow teachers to plan instruction based on student instructional data in addition to engaging in relevant, targeted professional development. The District seeks additional flexibility to schedule early release days in the calendar in order to provide for student and District needs, which may include, but are not limited to, additional professional development, unique instructional arrangements, teacher collaboration, teacher/parent conferences, releasing prior to a holiday, or other school-related activities.

Local Innovation Procedure:

- In the event of an act of God, such as inclement weather, or a national/state/local security issue, the Superintendent may ask the board to grant a local waiver for school minutes.
- Before the first day of instruction, the Superintendent may ask the board for a local waiver to provide staff development days for any board-directed district initiative including any action developed from System of Great Schools.

Exemption from the Texas Education Code Section §25.081 may require revisions in the District policy EB (LOCAL).

8. TEC §21.404 Planning and Preparation Time

Each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity.

Current Status:

Texas Education Code 21.404 guarantees each classroom teacher a planning period. Specifically, each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning period may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity. Based upon Commissioner of Education interpretation, all conference period assignments must take place when the students are in instructional attendance.

Benefit of the Exemption:

Under the current statute, teachers cannot voluntarily relinquish their planning period. Abilene ISD seeks the ability to allow teachers to voluntarily relinquish their 45-minute planning period for teaching activities (examples include, but are not limited to, teaching an additional section/course or participating in student intervention activities) or non-teaching activities (attending an ARD or a PLC).

Local Innovation Procedure:

Any teacher who voluntarily relinquishes planning time to engage in teaching or non-teaching activities should sign a statement acknowledging that any reduction in the protected 450 minutes of planning and preparation time has been agreed upon by the teacher.

Exemption from the Texas Education Code Section §25.404 may require revisions in the District policy DK(LOCAL).

9. TEC Section §21.002 Teacher Contracts

(a) A school district shall employ each classroom teacher, principal, librarian, nurse, or school counselor under: (1) a probationary contract, as provided by Subchapter C; 1 (2) a continuing contract, as provided by Subchapter D;

Current Status: Any individual with the title of classroom teacher, librarian, nurse, or school counselor is required to receive a Chapter 21 Contract.

Benefit of the Exemption:

In accordance with Texas Education Code Chapter 21, certified teachers are entitled to formal employment contracts. Teachers who are not yet certified and are completing an alternative certification internship or are exempt by DOI exemption from TEC §21.003 remain in the process of acquiring the professional competencies required for full certification. This exemption authorizes Abilene ISD to issue Letter Agreements to all non-certified teachers serving in classroom instructional roles, in lieu of standard Chapter 21 contracts.

Local Innovation Procedure:

Abilene ISD will enter into Letter Agreements with all non-certified teachers serving in classroom instructional roles, in lieu of standard Chapter 21 contracts.

Exemption from the Texas Education Code Section §21.002 may require revisions in the District policy DCB(LOCAL).

10. TEC §22.007 Incentive for Early Retirement

TEC §22.007 INCENTIVE FOR EARLY RETIREMENT A district may not offer or provide a financial or other incentive to an employee of the district to encourage the employee to retire from the Teacher Retirement System of Texas.

Current Status:

A district may not offer or provide a financial or other incentive to an employee of the district to encourage the employee to retire from the Teacher Retirement System of Texas.

Benefit of the Exemption:

Amid the statewide shortage of teachers and other educational staff, as well as the increasing number of educators transitioning to alternative careers, timely recruitment of personnel has become a critical priority. Effective communication from current staff regarding their intentions to retire is essential to ensure that open positions are filled efficiently and with minimal disruption to instructional continuity.

Local Innovation Procedure:

Providing an incentive for staff members who have independently decided to retire from the district can encourage them to formally communicate their intentions within a designated timeframe. This, in turn, enables the district to proactively engage in recruitment efforts and secure qualified candidates to fill open positions in a timely manner.

Exemption from the Texas Education Code Section §22.007 may require revisions in the District policy DGBA(LOCAL).

11. TEC §45.205 Bank Depository Term, TEC §45.206 Bank Depository Bid, TEC §45.207 Bank Depository Awards

TEC §45.205 BANK DEPOSITORY TERM 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.

TEC §45.206 BANK DEPOSITORY BID (a) 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. (a-1) 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. (a-2) 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. (b) 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. (c) 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. (d) 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.

Current Status:

Texas Education Code 45.205 requires each school district to renew its depository contract every two years. The two-year contract term begins and ends in odd-numbered years. Additionally, school districts must use a uniform bid or proposal in the form prescribed by the State Board of Education.

Benefit of the Exemption:

This exemption would lessen the administrative and financial burden related to preparing and reviewing a Request for Proposal (RFP). In addition, this would afford the district flexibility with respect to local banking relationships.

Local Innovation Procedure:

At least once every two years, the District will evaluate the performance of the current depository bank. Should the district determine that the contracted services are provided effectively and the quality of service is acceptable, the district will seek to negotiate terms to extend the contract for one additional two-year period. At the end of each two-year term, the district and the depository bank may agree to extend the contract for an additional two-year period. The district must review the contract to ensure the best value and support for the district and obtain board approval for each extension and contract renewal. This exemption does not hinder the district's ability to release a formal procurement for depository contract services, in lieu of negotiating an extension to the existing bank contract, if deemed necessary based on operational or financial reasons.

Exemption from the Texas Education Code Section §25.0811 may require revisions in the District policy BDAE(LOCAL).

