

DENTON ISD PROPOSED AMENDMENT TO CURRENT LOCAL INNOVATION PLAN

With regard to each area of innovation, the District declares exemption from the listed statutory provision, 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 Commission of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

Texas Education Code §37.105. Unauthorized Persons: Refusal of Entry, Ejection, Identification

(a) 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:

- (1) the person poses a substantial risk of harm to any person; or
- (2) the person behaves in a manner that is inappropriate for a school setting and:
 - (A) 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
 - (B) the person persists in that behavior.

Exemption from Texas Education Code §37.105

TEC §37.105 is not included in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to TEC §12A.004 or the list of the Commissioner's prohibited exemptions in the Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309. Therefore, in order to give administrators the opportunity to exercise expediency and authority in ejecting unruly and disruptive guests from school events without warning or written notice, it is proposed that the District of Innovation Plan be amended to exempt the District from requirements in TEC §37.105.