

Chapter 102. Educational Programs

Subchapter JJ. Commissioner's Rules Concerning Innovation District

§102.1301. Definitions.

For purposes under this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

- (1) District-level committee--This term has the meaning assigned by the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempted (or has exempted itself) from this provision.
- (2) Innovation plan committee--A committee appointed by the board of trustees to develop the innovation plan in accordance with statutory requirements. The district-level committee, as described in paragraph (1), may also serve in this role.
- (3) Public hearing--An open meeting held by the board of trustees that allows members of the public to hear facts about the proposed plan and designation and provides the opportunity for the public to give opinions and comments on the proposed actions.
- (4) Public meeting--An open meeting held by the board of trustees that allows members of the public to hear facts about the proposed plan and designation.
- (5) Unacceptable academic performance rating--For the purposes of this chapter, the term "unacceptable academic" performance rating means a rating of Improvement Required or Unacceptable Performance or as otherwise indicated in the applicable year's academic accountability manual adopted under §97.1001 of this title (relating to Accountability Rating System).
- (6) Unacceptable financial accountability rating--For the purposes of this chapter, the term "unacceptable financial" performance rating means a Financial Integrity Rating System of Texas (FIRST) rating of Substandard Achievement as indicated in the applicable year's financial accountability system manual adopted under §109.1001 of this title (relating to Financial Accountability Rating).

Statutory Authority: The provisions of this §102.1301 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1301 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1303. Eligibility.

- (a) A district is eligible for designation as an innovation district if the district's most recent performance rating under the Texas Education Code (TEC), §39.054, is at least acceptable performance, as indicated in the applicable year's academic accountability manual adopted under §97.1001 of this title (relating to Accountability Rating System).
- (b) A board of trustees may not vote on the final approval of the innovation plan if the district is assigned either a final or preliminary rating below acceptable performance, as indicated in the applicable year's

academic accountability manual adopted under §97.1001 of this title. In the event the preliminary rating is changed, the board of trustees may then vote to become an innovation district.

Statutory Authority: The provisions of this §102.1303 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1303 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1305. Process Timeline.

- (a) If a resolution is adopted by the board of trustees or upon receipt of a petition signed by a majority of the members of the district-level committee, the board of trustees shall hold a public hearing as soon as possible, but not later than 30 days, to consider if the district should develop a local innovation plan for the designation of the district as an innovation district.
- (b) At the conclusion of the public hearing, or within 30 days after conclusion of the public hearing, the board of trustees may:
 - (1) decline to pursue designation of the district as an innovation district; or
 - (2) appoint an innovation plan committee to develop a local innovation plan in accordance with the TEC, §12A.003.
- (c) The board of trustees may outline the parameters around which the innovation plan committee may develop the plan.
- (d) Prior to the designation as an innovation district, a local innovation plan must be developed for the school district and shall meet the plan requirements as outlined in the TEC, §12A.003, and described in this subchapter.
- (e) The plan must be clearly posted on the district's website for the term of the designation as an innovation district.

Statutory Authority: The provisions of this §102.1305 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1305 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1307. Adoption of Local Innovation Plan.

- (a) The board of trustees may not vote on adoption of a proposed local innovation plan unless:
 - (1) the final version of the proposed plan has been available on the district's website for at least 30 days;
 - (2) the board of trustees has notified the commissioner of education of the board's intention to vote on adoption of the proposed plan; and
 - (3) the district-level committee established under the Texas Education Code (TEC), §11.251, has held a public meeting to consider the final version of the proposed plan and has approved the plan by a majority vote of the committee members. This public meeting may occur at any time,

