



Final TEA Rules on Districts of Innovation

On September 9, 2016, the Texas Education Agency published revisions to its proposed rules on Districts of Innovation (originally published on April 1, 2016). The [Adopted Rules at 19 TAC Chapter 102, Subchapter JJ](#) as revised are effective as of September 13, 2016. The Rules include Figure: 19 TAC 102.1307(d) with a non-exhaustive list of exemptions.

The following is a summary of highlights to changes between the April and September versions of the rules:

- The new rules make adjustments to references to the district-level advisory committee (DAC) to clarify that: the DAC can be the committee that serves to write the innovation plan; and, through its innovation plan, a District of Innovation (DOI) may do away with the DAC and substitute a different committee to serve in an advisory role.
- Instead of being required to hold a public hearing at the “next” board meeting following adoption of a resolution or receipt of a petition, a board must hold a public hearing within 30 days.
- A school board may set parameters for the scope of the innovation plan at any time (not just at the time of the initial resolution).
- Texas Education Code chapter 22 subchapter B on civil immunity has been added to the list of Education Code sections that cannot be exempted through an innovation plan.
- A district with a preliminary accountability rating that is not acceptable will not be able to approve an innovation plan.
- Language prohibiting seeking an exemption from requirements imposed by a grant or state program in which a district voluntarily participates was clarified, and a broad statement suggesting that the commissioner could add to the list of prohibited exceptions was deleted.
- A limitation on renewal to the six months preceding the expiration of an innovation plan was eliminated.
- In the Figure, which is the means by which districts will report their exemptions to TEA, the Agency changed some text to more closely reflect the statute; added a place to indicate whether exemptions apply district-wide, by campus, or “other;” and expanded in more detail the list of code sections from which a district can seek exemption.

The revised rules will be a helpful guide to districts working through the DOI process. See TEA’s [Districts of Innovation page](#) and TASB’s [Districts of Innovation page](#) for more information and resources.

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