

BRYSON

INDEPENDENT SCHOOL DISTRICT

300 N. McCloud - Bryson, TX 76427
940.392.3281 - Fax 940.392.2086
www.brysonisd.net



Bryson ISD District of Innovation Plan (26-27 through 30-31)

Introduction

House Bill 1842, passed during the 84th Legislative Session, permits Texas public school districts to become Districts of Innovation and to obtain exemption from certain provisions of the Texas Education Code. On July 18, 2016, the Bryson ISD Board of Trustees passed a resolution to initiate the process of designation as a District of Innovation. The Bryson ISD Board of Trustees renewed the District of Innovation on June 6, 2021. The Bryson ISD District Site-Based Committee recommended to the Board of Trustees for renewal on May 18, 2026.

Local Innovation Committee

Greg London, Superintendent	Jesse Laine, CTE	Ann Decker, IT
Gary Kirby, Principal	Kelli Dalton, Para	Misty Shultz, Business Representative
Genny Bruce, Student Services Director	Kelly Behling, Parent	
Kylah Martinez, Teacher	Natasha Lowe, Parent	

Bryson ISD Board of Trustees

Sheila Birdwell, President	Ronnie Collins, Vice-President	Shelby Leatherwood, Assistant Secretary
Travis Thorne, Secretary	Blake Brooks, Member Danny Lewis, Member Jarrett Nevarez, Member	

Tex. Educ. Code § 26.011 GRIEVANCES

(a) The board of trustees of each school district shall adopt a grievance procedure that complies with Chapter 26A under which the board shall address each grievance that the board receives concerning violation of a right guaranteed by this chapter, of a board of trustees policy, or of a provision of this title.

(b) The board of trustees of a school district is not required by Subsection (a) or Section 11.1511(b)(13) to address a grievance that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter, of a board of trustees policy, or of a provision of this title. This subsection does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability.

(c) A grievance procedure adopted under Subsection (a) must require that, for a complaint filed against a teacher or other employee, the school district provide: (1) notice of the complaint to the teacher or employee against whom the complaint was filed; and (2) sufficient opportunity for the teacher or employee against whom the complaint was filed to submit a written response to the complaint to be included in the record.

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Proposed Innovation: The District exempts from section 26.011 and will utilize a grievance policy consistent with laws required for schools and not those for which are optional.

Reason: The District believes its current grievance policies provide adequate opportunity for a right of remonstrance and additional procedures do not improve the local process.

Tex. Educ. Code § 26.0062 REQUIRED DISCLOSURE REGARDING INSTRUCTIONAL PLAN

- (a) Each school district shall adopt a policy to make available on the district's Internet website at the beginning of each semester an instructional plan or course syllabus for each class offered in the district for that semester.
- (b) The policy adopted under Subsection (a) must: (1) require each teacher to provide before the beginning of each semester a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction to: (A) district administration; and (B) the parent of each student enrolled in the class; and (2) provide for additional copies of an instructional plan or course syllabus to be made available to a parent of a student enrolled in the class on the parent's request.

Proposed Innovation: The District exempts from section 26.0062. Teachers shall not be under the burden of publishing their instructional plans or course syllabi before the semester begins.

Reason: The District hires teachers sometimes days before school begins and not every teacher comes with a fully completed set of instructional plans and course syllabus. Moreover, if a teacher is assigned a different course to teach just before the first day (or after) it is not always possible to have an instructional plan or course syllabus at the beginning of the semester.

Tex. Educ. Code § 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.
- (b) Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.
- (c) The Commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the Commissioner. The Commissioner may limit the waiver of certification in any manner the Commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.

Proposed Innovation: District may hire non-certified, but qualified educators for hard-to-fill positions in the area of Career and Technical Education without prior approval of the board of trustees. The campus principal may submit to the superintendent a request to allow certified teachers to teach one subject outside of their certified field. The principal must specify in writing the reason for the request and document what credentials this certified teacher possesses that qualify this individual to teach this subject. These individuals must be certified outside of the State of Texas or have an internationally recognized certification. Any

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individual hired under this exception would be expected to be certified in Texas before the law requires same. With the proposed exemptions, the district will be able to utilize non-certified teachers without seeking a waiver from the Commissioner, until such time as the law prohibits using uncertified teachers.

Reason: In order to engage an adequate number of educators and educational support, the District desires to be exempt from TEC § 21.103 until such time as the Legislature prohibits the Commissioner from granting waivers. By exempting itself from this statute the District will be able to secure quality noncertified applicants faster and ensure adequate staffing for its campuses.

Tex. Educ. Code § 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. A school district may: (1) begin instruction for students for a school year before the fourth Monday in August if the district operates a year-round system under Section 25.084; or (2) begin instruction for students for a school year on or after the first Monday in August at a campus or at not more than 20 percent of the campuses in the district if:

(A) the district has a student enrollment of 190,000 or more; (B) the district at the beginning of the school year provides, financed with local funds, days of instruction for students at the campus or at each of the multiple campuses, in addition to the minimum number of days of instruction required under Section 25.081; (C) the campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board of trustees of the district; and (D) a majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.

(b) Notwithstanding Subsection (a), a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer may start school on any date permitted under Subsection (a) or the law of the other state.

Proposed Innovation: The District exempts out of section 25.0811. The District shall determine its first date of instruction based upon what is in the best interest of its students, taking into consideration staffing, budget, and the local needs of the District.

Reason: The District will look at the budgetary implications, staffing, and what is in the best interest of the District and its students to determine its policies regarding first date of instruction.

Tex. Educ. Code § 25.0812 LAST DAY OF SCHOOL

(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. (b) Notwithstanding Subsection (a), a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer may schedule the last day of school on any date permitted under Subsection (a) or the law of the other state.

Proposed Innovation: The District exempts out of section 25.0812. The District shall determine its last date of instruction based upon what is in the best interest of its students, taking into consideration staffing, budget, and the local needs of the District.

Reason: The District will look at the budgetary implications, staffing, and what is in the best interest of the District and its students to determine its policies regarding last date of instruction.

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Tex. Educ. Code § 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL GRADE

(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. (a-1) A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit or a final grade for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit or a final grade under this subsection without the consent of the judge presiding over the student's case. (a-2) Subsection (a) does not apply to a student who receives credit by examination for a class as provided by Section 28.023. (a-3) A student's excused absence under Section 25.087(b)(3) may not be considered in determining whether the student has satisfied the attendance requirement under Subsection (a) or (a-1). (b) The board of trustees of each school district shall appoint one or more attendance committees to hear petitions for class credit or a final grade by students who are in attendance fewer than the number of days required under Subsection (a) and have not earned class credit or a final grade under Subsection (a-1). Classroom teachers shall comprise a majority of the membership of the committee. A committee may give class credit or a final grade to a student because of extenuating circumstances. Each board of trustees shall establish guidelines to determine what constitutes extenuating circumstances and shall adopt policies establishing alternative ways for students to make up work or regain credit or a final grade lost because of absences. The alternative ways must include at least one option that does not require a student to pay a fee authorized under Section 11.158(a)(15). A certified public school employee may not be assigned additional instructional duties as a result of this section outside of the regular workday unless the employee is compensated for the duties at a reasonable rate of pay. (c) A member of an attendance committee is not personally liable for any act or omission arising out of duties as a member of an attendance committee. (d) If a student is denied credit or a final grade for a class by an attendance committee, the student may appeal the decision to the board of trustees. The decision of the board may be appealed by trial de novo to the district court of the county in which the school district's central administrative office is located. (e) This section does not affect the provision of Section 25.087(b) regarding a student's excused absence from school to observe religious holy days. (f) The availability of the option developed under Subsection (b) must be substantially the same as the availability of the educational program developed under Section 11.158(a)(15).

Proposed Innovation: The District exempts out of section 25.092 and will locally determine grading rules and factors. The District will determine what rules will be enacted to determine final grades and exceptions thereto, in order to best serve the students and the District.

Reason: The District will address final grades in a manner that protects the rights of students and ensures the integrity of the grading process.

Tex. Educ. Code § 21.102. PROBATIONARY CONTRACT

(a) Except as provided by Section 21.202(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. (a-1) A person who voluntarily accepts an assignment in a new professional capacity that requires a different class of certificate under Subchapter B than the class of certificate held by the person in the professional capacity in which the person was previously employed may be employed under a probationary contract. This subsection does not apply to a person who is returned by a school district to a professional capacity in which the person was employed by the district before the district employed the person in the new professional capacity as described by this subsection. A person described by this subsection who is returned to a previous professional capacity is entitled to be employed in the original professional capacity under the same contractual status as the status

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held by the person during the previous employment by the district in that capacity. (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. (c) An employment contract may not extend the probationary contract period beyond the end of the third consecutive school year of the teacher's employment by the school district unless, during the third year of a teacher's probationary contract, the board of trustees determines that it is doubtful whether the teacher should be given a continuing contract or a term contract. If the board makes that determination, the district may make a probationary contract with the teacher for a term ending with the fourth consecutive school year of the teacher's employment with the district, at which time the district shall: (1) terminate the employment of the teacher; or (2) employ the teacher under a continuing contract or a term contract as provided by Subchapter D or E, according to district policy.

Proposed Innovation: Currently, teachers who have been in public education for at least five of the previous eight years cannot exceed one year on a probationary contract. This limited period is insufficient in some cases to fully determine a teacher's success in the classroom. Relief from Texas Education Code 21.102 will permit the district the option to issue a probationary contract for a period of up to (five) years for certified educators. This gives the employee greater opportunity to prove they should receive a term contract. The District reserves the right to offer a term contract prior to the five years of working under a probationary contract. The District believes that the first year in the District an employee should be employed on an employment agreement, after which they may receive a probationary contract.

Reason: By giving the District up to five years to determine if an employee should receive a term contract, it gives the District more flexibility to retain successful educators and avoids a rush to judgment that could result in the educator losing the opportunity to continue with the District. Currently, the District gives a short leash to probationary contract teachers who are required to go to a term contract under this law, giving them a greater opportunity to prove themselves.

Tex. Educ. Code § 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) Except as provided by Subsection (c-1), an educator employed under a 10-month contract must provide a minimum of 187 days of service. (c) The Commissioner, as provided by Section 25.081(b), may reduce the number of days of service required by this section. A reduction by the Commissioner does not reduce an educator's salary. (c-1) If a school district anticipates providing less than 180 days of instruction for students during a school year, as indicated by the district's academic calendar, the district may reduce the number of days of service required by this section proportionately. A reduction by the district does not reduce an educator's salary.

Proposed Innovation: The District exempts out of section 21.401. The District believes it should be permitted to contract with its employees on terms that best meet the local needs of the District while permitting the District to remain competitive in its retention and recruitment of quality educators.

Reason: This change permits the District to adjust contracts to meet the position or needs of both the District and employees. It will also permit the District to reduce a teachers salary if the service days are reduced.

Tex. Educ. Code § 21.208 DECISION OF BOARD

(a) If the teacher does not request a hearing, the board of trustees shall:

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(1) take the appropriate action to renew or not renew the teacher's contract; and (2) notify the teacher in writing of that action not later than the 30th day after the date the notice of proposed nonrenewal was sent to the teacher.

(b) If the teacher requests a hearing, following the hearing the board of trustees shall:

(1) take the appropriate action to renew or not renew the teacher's contract; and (2) notify the teacher in writing of that action not later than the 15th day after the date on which the hearing is concluded.

Proposed Innovation: The District exempts out of 21.208 because it will not be offering nonrenewal hearings, consistent with other DOI changes.

Reason: This change permits the District to avoid unnecessary hearings and permit a contract to run its natural term. Employees whose performance is successful will be extended and those unsuccessful will be permitted to serve the term, and only the term, of their contract.

Tex. Educ. Code § 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.

(b) Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.

(c) The Commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the Commissioner. The Commissioner may limit the waiver of certification in any manner the Commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.

Proposed Innovation: District may hire non-certified, but qualified educators for hard-to-fill positions in the area of Career and Technical Education without prior approval of the board of trustees. The campus principal may submit to the superintendent a request to allow certified teachers to teach one subject outside of their certified field. The principal must specify in writing the reason for the request and document what credentials this certified teacher possesses that qualify this individual to teach this subject. These individuals must be certified outside of the State of Texas or have an internationally recognized certification. Any individual hired under this exception would be expected to be certified in Texas before the law requires same. With the proposed exemptions, the district will be able to utilize noncertified teachers without seeking a waiver from the Commissioner, until such time as the law prohibits using uncertified teachers.

Reason: In order to engage an adequate number of educators and educational support, the District desires to exempt from TEC § 21.103 until such time as the Legislature prohibits the Commissioner from granting waivers. By exempting out of this statute the District will be able to secure quality noncertified applicants faster and ensure adequate staffing for its campuses. The Board of Trustees believes it is in the best interest

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of the District to be permitted to select whom they believe is the best person to lead the District, without limitations or procedural requirements set forth in this statute. Should the District desire to engage a superintendent who is not certified on a term contract, it believes local control and needs should not be potentially limited by needing to seek permission or a waiver from the Commissioner of Education.

Implementation

In order to offer students additional opportunities, this Innovation Plan has been created with guidelines in which the District will operate. Campuses and departments in the District will develop specific implementation plans. Adjustments to Board Policy will be adopted if necessary.

Tex. Educ. Code § 33.006 – SCHOOL COUNSELORS; GENERAL DUTIES

- (a) The primary responsibility of a school counselor is to counsel students to fully develop each student's academic, career, personal, and social abilities.
- (b) In addition to a school counselor's responsibility under Subsection (a), the school counselor shall:
- (1) participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students:
 - (A) who are at risk of dropping out of school, becoming substance abusers, participating in gang activity, or committing suicide;
 - (B) who are in need of modified instructional strategies; or
 - (C) who are gifted and talented, with emphasis on identifying and serving gifted and talented students who are educationally disadvantaged;
 - (2) consult with a student's parent or guardian and make referrals as appropriate in consultation with the student's parent or guardian;
 - (3) consult with school staff, parents, and other community members to help them increase the effectiveness of student education and promote student success;
 - (4) coordinate people and resources in the school, home, and community;
 - (5) with the assistance of school staff, interpret standardized test results and other assessment data that help a student make educational and career plans;
 - (6) deliver classroom guidance activities or serve as a consultant to teachers conducting lessons based on the school's guidance curriculum; and
 - (7) serve as an impartial, nonreporting resource for interpersonal conflicts and discord involving two or more students, including accusations of bullying under Section 37.0832.
- (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.

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(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.

Proposed Innovation: The District exempts itself from section 33.006 and shall determine the duties of its counselors and what percentage, if any, will be required from the counselor to complete their duties.

Reason: The District shall determine the duties of its employees.

Respectfully,

A handwritten signature in black ink, appearing to read "Greg London". The signature is fluid and cursive, with a large initial "G" and "L".

Greg London
Superintendent, Bryson ISD