

<b>DATE:</b>	<b>July 31, 2025</b>
<b>SUBJECT:</b>	<b>Legislative Updates Related to District of Innovation Prohibitions</b>
<b>CATEGORY:</b>	<b>Districts of Innovation</b>
<b>NEXT STEPS:</b>	<b>Share with appropriate staff</b>

During the 89<sup>th</sup> Legislature, three bills were signed into law by Governor Abbott that include new statutory provisions prohibiting districts from exempting themselves from certain requirements of the Texas Education Code (TEC) through a District of Innovation (DOI) plan. The newly prohibited exemptions are as follows:

### House Bill (HB) 2

- **TEC, §21.0032, Employment of Uncertified Classroom Teachers**
  - TEC, §21.0032, is a new statute and should not be confused with TEC, §21.003, which was not changed by HB 2.
  - As a new statute, the exemption prohibition should not impact currently adopted DOI plans.
  - Additional information about the employment of uncertified classroom teachers and more detailed guidance for districts will be communicated in August.
- **TEC, §21.057, Parental Notification**
  - TEC, §21.057, requires districts that assign an inappropriately certified or uncertified teacher to the same class for more than 30 consecutive instructional days during the school year to provide written notice of the assignment to the parents or guardians of each student in that class.
  - Prior to HB 2, districts were permitted to exempt from this statute through a DOI plan. Accordingly, the new prohibition might impact currently adopted DOI plans.

### House Bill 6

- **All of Chapter 37, Discipline, Law and Order**
  - HB 6 expands the prohibited exemptions from a few sections of Chapter 37 to include the entire Chapter.
  - The prohibition applies beginning with the 2025-26 school year, regardless of the adoption or renewal date of an innovation plan.
  - Prior to HB 6, districts were permitted to exempt from certain provisions of Chapter 37 through a DOI plan. Accordingly, this new prohibition might impact currently adopted DOI plans.
  - Additional information about HB 6 and its impacts on student discipline in Texas will be communicated in August.

### Senate Bill (SB) 12

- **TEC, §28.004, Local School Health Advisory Council and Health Education Instruction**
  - The prohibition applies beginning with the 2025-26 school year, regardless of the adoption or renewal date of an innovation plan.

- Prior to SB 12, districts were permitted to exempt from this statute through a DOI plan. Accordingly, the new prohibition might impact currently adopted DOI plans.
- **TEC, §21.057, Parental Notification**
  - The prohibition applies beginning with the 2025-26 school year, regardless of the adoption or renewal date of an innovation plan.
  - Prior to SB 12, districts were permitted to exempt from this statute through a DOI plan. Accordingly, the new prohibition might impact currently adopted DOI plans.
  - Both HB 2 (89<sup>th</sup>) and SB 12 (89<sup>th</sup>) provide that this provision is non-exemptible.

With the passage of these bills, districts with any of these exemptions in their locally adopted DOI plan should make preparations to come into compliance with the statutory changes. These legislative changes apply to DOI plans adopted before, on, or after the effective date of these bills. While it is recommended that a DOI plan be amended to reflect the statutory changes, please note that even if any of these exemptions remain in a district's current DOI plan, they are prohibited and inapplicable upon the relevant effective date.

While this update specifically relates to district of innovation prohibitions due to recent legislation, it is the district's responsibility, at all times, to review its individual plan and remain in compliance with any and all statutory updates and related rules in 19 Texas Administrative Code (TAC), Ch 102, Subchapter JJ. Additionally, SB 12 creates TEC, §1.009, which prohibits the infringement of parental rights. Districts should consult with their legal counsel regarding whether exemptions currently contained in their DOI plan and any proposed future exemptions comply with this newly created statutory prohibition.

As a reminder, the agency does not have approval authority over local innovation plans. Therefore, districts should consult with their legal counsel regarding any impacts to their locally adopted innovation plan to ensure compliance with state law, particularly following a legislative session.

## Questions

Questions regarding the DOI adoption or amendment process and any updates to plans can be directed to [accred@tea.texas.gov](mailto:accred@tea.texas.gov). For questions regarding certification, school systems should submit an email to [HB2@tea.texas.gov](mailto:HB2@tea.texas.gov).