MARFA INDEPENDENT SCHOOL DISTRICT

Marfa Schools
400 W Lincoln St
PO Box T
Marfa, TX 79843
432-729-5500

April 12, 2025

Texas Education Agency
Commissioner Morath
1701 N. Congress Avenue
Austin, Texas, 78701

Dear Commissioner Morath,

Marfa ISD District District of Innovation Committee was designated by the Marfa ISD as the committee to review and renew a District of Innovation Plan. On March 15, 2025 District of Innovation Committee, by a unanimous vote, approved the Marfa ISD District of Innovation Plan. This communication, in accordance with TEC 12A 005(a)(2), is to notify the Honorable Texas Education Commissioner Mike Morath of the Marfa ISD Board of Trustees intended to vote and passed on a resolution to approve the renewal plan designating Marfa ISD as a District of Innovation on April 28, 2025.

Sincerely,

Arturo Alferez, Interim Superintendent

Marfa Independent School District
District of Innovation
Renewal Draft



Renewal in effect August 1, 2025-June 30, 2030

Revised 4/18//2025

MARFA ISD District of Innovation (HB 1842) August 2020- July 2025
Renewal in effect August 1, 2025-July 30, 2030

Renewal of MARFA ISD Innovation Plan

Introduction:
House Bill 1842 was passed during the 84th Texas Legislative Session in the spring of 2015 and provides Texas public schools the opportunity to be designated as Districts of Innovation. This designation provides an opportunity for school districts to modify state requirements at the local level to better meet the needs of the students being served. Marfa Independent School district shall utilize HB 1842 as set forth by the 84th Legislative Session to allow the district to provide opportunities for our students, staff and community beyond the traditional restraints.

Districts of Innovation may be exempt from state statutes to:
- Take greater control in decision-making about the educational and instructional model for students;
- Have increased autonomy from state mandates that govern educational programming; and
- Be empowered to innovate and plan differently

Process: (Need Actual Date and time where board approve 1st designation)
On *February 24, 2020*, the Marfa ISD Board of Trustees approved the motion to allow the district to pursue a local District of Innovation Plan and approve the members of the committee. The plan went into effect with the *2020-2021* school year and remains in effect for a five-year period - through the end of the 2024-2025 school year. The superintendent at that time was Mr. Oscar Aguero.

On October 8, 2019, an initial meeting to revise the district of innovation plan was held. The revision included the addition of a teacher certification exemption. Because of the geographic location of Marfa ISD and the oil boom in the Permian Basin, it became increasingly difficult to hire teachers in hard-to-fill, high demand, and career/technical courses. On October 17, 2019, the Board of Trustees approved the amendment of the plan. On November 18, 2019, the plan was sent to the Commissioner of Education, Mike Morath. The superintendent at that time was Mr. Oscar Aguero

Under the direction of superintendent Oscar Aguero the District of Innovation Committee met on March 8, 2020 to finalize the plan. The local plan was posted on the district's website for 30 days from March 24, 2020 to April 22, 2020 along with a notification sent to the Commissioner of Education.

The Board of Trustees approved the plan on July 20, 2020, at the regular board meeting. The renewal plan will be in effect for five years, beginning August 1, 2025 and ending June 30, 2030.

District of Innovation Committee Members

Member Name	Role
Arturo Alferez	Interim Superintendent
Griselda Hinojos	Superintendent Secretary
Rosie Martinez	Elementary Principal
Candy Dominguez	Jr/Sr High School Principal
Rosela Rivera	Chief Financial Officer
Linda Ojeda	Teacher/Athletic Director
Janet Enriquez	Dyslexia Coordinator
Iram Marquez	Business Representative
Beth Kerzee	Community Member
Sy Travis	Parent

District of Innovation Renewal Timeline

March 4, 2025-Review of District of Innovation and establish members.

March 18, 2025-Review and Renewal Process Requirements

April 8, 2025-Review and Renewal Process Requirements

April 15, 2025-Review and Finalize Plan

April 28, 2025-Approval by Board of Trustees

1. School Start Date/ Last Day of School (EB Legal) (EC Legal) (TEC 25.0811; TEC 25.0812)

Current Law
Students may not begin school before the 4th Monday of August. For many years this has been the rule, although districts had the option of applying for a waiver to start earlier. Several years ago the legislature took away all waivers and dictated that school districts may not begin until the 4th Monday without exception. Marfa ISD will not start school earlier than the second

Monday in August for students. In Section 25.0812, the statute requires that the last day of school may not occur before May 15.

Rationale for Exemption
To allow for a calendar that is reflective of the needs of our community and school district, Marfa Independent School District will create a calendar that provides a more balanced number of instructional days per semester and provides more instruction prior to state assessments. Marfa ISD will not start school earlier than the second Monday in August for students.

Exemptions from the mandatory starting and ending date would provide the flexibility to create an innovative instructional schedule to better meet the needs of students in today's educational environment, better strategize innovative instructional strategies that fit a more flexible schedule, condense employee work schedules for holidays, personal days and professional development days impacting employee work/life balance, and improve student academic outcomes by using the calendar flexibility for retesting opportunities, etc.Teacher Certification (TEC 21.003)

2. Teacher Certification (TEC 21.003)

Current Law
Texas law states that a person may not be employed as a teacher by a school district unless the person holds an appropriate certificate or permit issued by the appropriate state agency. In the event a district cannot locate a certified teacher for a position or a teacher is teaching a subject outside of their certification, the district must request emergency certification from the Texas Education Agency and/or State Board of Educator Certification.

Rationale for Exemption
The current state teacher certification requirements and teacher shortages inhibit the District's ability to hire teachers. Marfa ISD is located in a rural area, which limits course offerings and the utilization of creative instructional methods district wide. The District seeks to establish its own local qualification requirements for teachers hired as part of the District of Innovation exemption. As well, the district will establish its own requirements for training professionals and field experts to teach such courses in lieu of the requirements set forth in law. At the present time Marfa ISD would focus on hard-to-fill, high demand, dual credit courses and CTE courses. The district may choose to exercise this option in other courses. The individual qualifications would include demonstrated subject matter expertise such as: Professional work experience, formal training and education, relevant industry license, certification or registration and/or any combination of work experience, training, and education or industry credential related to the subject matter he or she will be teaching. Teachers hired under the DOI exemption shall show progress on the established plan to be eligible for continuation beyond one year.

Out of state certified teachers should be considered for position upon local review of experience, education and credentials. The principal must specify in writing the reason for the

request and document the credentials the certified teacher possesses that would qualify the individual to teach the proposed subject in the related area. The superintendent will have the capability to approve all requests.

All non-Texas certified teachers shall gain Texas certification in two years from initial employment.

Exemptions are not allowed for certification in a bilingual, English as a second language (ESL), or special education assignment because of federal requirements for these positions.

Beginning in **2026-2027,** all DOI employees who are not certified to teach will be hired as at will employees

3. Probationary Contracts
(DCA Legal) (Education Code 21.102(b))

Current law
PROBATIONARY CONTRACT. (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.

Rationale for Exemption
In order to provide the most qualified teachers, the district seeks flexibility in extending probationary contract continuation for new hires to the district. The district feels a one year probationary period may not be sufficient time for evaluation. Currently, contracts for Marfa ISD employees occur in April, which demand that employment decisions must be made with very little time for evaluating teacher effectiveness prior to state assessment results. For experienced teachers, counselors, nurses or administrators new to the district or those who have been employed in public education for at least five of the eight years, a probationary contract may be issued for up to two years. All other teachers new to the profession or with less than five years of experience, hired in the district, may remain on probationary status for three years and may be issued a fourth year of probation in accordance with TEC Sec. 21.102(c). This exemption will provide the time for evaluating employees and reviewing their effectiveness beyond the first year to determine if they will be a good fit for the district's students.

4. Class Size Waiver (Kindergarten - 4th Grade)
(TEC §25.112)

Current law

Kindergarten-4th Grade classes are to be kept at a 22:1 student; teacher ratio according to state law.

Rationale for Exemption
Marfa ISD prides itself in the ability to keep class size to teacher ratio at or below the state law. While we believe that small class size plays a positive role in the classroom, we don't believe it has a negative effect when only one or two more students are added to the class. Marfa ISD will attempt to keep all K-4 core classrooms to no more than a 24:1 ratio. However, in the event the class size exceeds this ratio, the principal will notify the parents of the students in the classroom and inform them of the situation. The principal will also work to provide additional support to the teacher (ie: teaching assistant to help during certain times of the day). A TEA waiver will not be necessary when a K-4 classroom exceeds the 22:1 ratio, giving Marfa ISD the flexibility to increase the class size above 22:1 without having to file the waivers with the Texas Education Agency.

The superintendent will report to the Board of Trustees when a class exceeds 24:1 and provide possible solutions to remedy the situation.

5. School Health Advisory Council (TEC 28.004)

Current law
(d-1) The local school health advisory council shall meet at least four times each year.

Rationale for Exemption
While Marfa ISD believes the health and welfare of all students is of the utmost importance, the district feels that this exemption allowing the SHAC to meet at least twice per year, with other meetings scheduled as needed, will meet the needs of the district's students, as well as the values that are to be promoted within the community. The district shall be exempt from recording and posting the recordings and/or minutes of meetings.

The SHAC will make an annual report to the Board each spring.

The composition of the SHAC committee will be counselors, nurses, an administrator, parents, and community members, with the majority of members being parents of students enrolled in the district and who are not employed by the district. Other requirements shall be developed by the SHAC committee.

6. Transfer Students (TEC §25.036)

Current Law
(a) Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the

applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

Rationale for Exemption
State law allows a student to transfer annually from the child's school district of residence to another district in the state if both the receiving district and the applicant parent or guardian jointly approve and timely agree in writing to the transfer. Under TEC §25.036, a transfer is interpreted to be for a period of one school year.

In approving transfer requests, the receiving district considers the availability of space and instructional staff, and programs and services. The student's disciplinary history and attendance records are also evaluated. The administration will review disciplinary records and attendance records on an ongoing basis to determine if the transfer agreement is being upheld. Marfa ISD is seeking to eliminate the provision of a one-year commitment to transfer students when they violate district expectations of attendance and discipline or falsify documentation. This flexibility would allow the district to have the option of revoking a student's transfer status, including immediate revocation, by the Superintendent or designee at any time during the school year. Marfa ISD does not discriminate on the basis of gender, age, race, nationality, religion, disability, socioeconomic standing or non-proficiency in English language skills, in providing educational services or students' benefits.

District Name: Marfa Independent School District CDN: 189901

Term of Plan: August (month) 1 (day) 2025 (year) to July (month) 30 (day) 2030 (year)

Plan applies to:
- (•) Entire District
- ( ) Campus (list) _____
- ( ) Other (please describe) _____

Chapter 11 – School Districts

Subchapter D. Powers and Duties of Board of Trustees of Independent School Districts

- ☐ §11.1511 (b)(5), (14) Specific Powers and Duties of Board
- ☐ §11.162 School Uniforms

Subchapter F. District-Level and Site Based Decision-Making

- ☐ §11.251 Planning and Decision-Making Process
- ☐ §11.252 District-Level Planning and Decision-Making
- ☐ §11.253 Campus Planning and Site-Based Decision-Making
- ☐ §11.255 Dropout Prevention Review

Chapter 21 – Educators

Subchapter A – General Provisions

- ☐ §21.002 Teacher Employment Contracts
- ☑ §21.003 Certification Required
- ☐ §21.0031 Failure to Obtain Certification; Contract Void

Subchapter B – Certification of Educators

- ☐ §21.051 Rules Regarding Field-Based Experience and Options for Field Experience and Internships.
- ☐ §21.053 Presentation and Recording of Certificates
- ☐ §21.057 Parental Notification

Subchapter C – Probationary Contracts

- ☑ §21.102 Probationary Contract

Subchapter H – Appraisals and Incentives

- ☐ §21.352 Local Role
- ☐ §21.353 Appraisal on Basis of Classroom Teaching Performance
- ☐ §21.354 Appraisal of Certain Administrators
- ☐ §21.3541 Appraisal and Professional Development System for Principals

Subchapter I – Duties and Benefits

- ☐ §21.401 Minimum Service Required
- ☐ §21.402 Minimum Salary Schedule for Certain Professional Staff
- ☐ §21.4021 Furloughs
- ☐ §21.4022 Required Process for Development of Furlough Program or Other Salary Reduction Proposal

- ☐ §21.403 Placement on Minimum Salary Schedule
- ☐ §21.4031 Professional Staff Service Records
- ☐ §21.4032 Reductions in Salaries of Classroom Teachers and Administrators
- ☐ §21.404 Planning and Preparation Time
- ☐ §21.405 Duty-Free Lunch
- ☐ §21.406 Denial of Compensation Based On Absence for Religious Observance Prohibited
- ☐ §21.407 Requiring or Coercing Teachers to Join Groups, Clubs, Committees, or Organizations: Political Affairs
- ☐ §21.408 Right To Join or Not To Join Professional Association
- ☐ §21.409 Leave Of Absence for Temporary Disability
- ☐ §21.415 Employment Contracts

Subchapter J – Staff Development

- ☐ §21.451 Staff Development Requirements
- ☐ §21.452 Developmental Leaves of Absence
- ☐ §21.458 Mentors

Chapter 22 – School District Employees and Volunteers

Subchapter A – Rights, Duties, and Benefits

- ☐ §22.001 Salary Deductions for Professional Dues
- ☐ §22.002 Assignment, Transfer, or Pledge of Compensation
- ☐ §22.003 Minimum Personal Leave Program
- ☐ §22.006 Discrimination Based on Jury Service Prohibited
- ☐ §22.007 Incentives for Early Retirement
- ☐ §22.011 Requiring or Coercing Employees to Make Charitable Contributions

Chapter 25 – Admission, Transfer, and Attendance

Subchapter C – Operation of Schools and School Attendance

- ☑ §25.0811 First Day of Instruction
- ☑ §25.0812 Last Day of School
- ☐ §25.083 School Day Interruptions
- ☐ §25.092 Minimum Attendance for Class Credit or Final Grade

Subchapter D – Student/Teacher Ratios; Class Size

- ☐ §25.111 Student/Teacher Ratios
- ☑ §25.112 Class Size
- ☐ §25.113 Notice of Class Size
- ☐ §25.114 Student/Teacher Ratios in Physical Education Classes; Class Size

Chapter 37 – Discipline; Law and Order

Subchapter A – Alternative Setting for Behavior Management

- ☐ §37.0012 Designation of Campus Behavior Coordinator
- ☐ §37.002 Removal by Teacher

Chapter 44 –Fiscal Management

Subchapter B – Purchases; Contracts

- ☐ §44.031 Purchasing Contracts
- ☐ §44.0331 Management Fees Under Certain Cooperative Purchasing Contracts
- ☐ §44.0352 Competitive Sealed Proposals
- ☐ §44.042 Preference to Texas and United States Products
- ☐ §44.043 Right To Work
- ☐ §44.047 Purchase or Lease of Automated External Defibrillator

Subchapter Z – Miscellaneous Provisions

- ☐ §44.901 Energy Savings Performance Contracts
- ☐ §44.902 Long-Range Energy Plan to Reduce Consumption of Electric Energy
- ☐ §44.908 Expenditure of Local Funds

Chapter 45 – School District Funds

Subchapter G – School District Depositories

- ☐ §45.205 Term of Contract
- ☐ §45.206 Bid Or Request for Proposal Notices; Bid and Proposal Forms
- ☐ §45.207 Award of Contract
- ☐ §45.208 Depository Contract; Bond
- ☐ §45.209 Investment of District Funds

Other

An adopted exemption from Texas Education Code for which there is no corresponding checkbox above must be added to this section.

Transfer Students (TEC 25.036)

School Health Advisory Council (TEC 28.004)