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**Note:** The Board has adopted an [innovation plan](#)<sup>1</sup> that affects application of provisions in this legally referenced policy.

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**School Start Date**

A district may not begin instruction for students for a school year before the fourth Monday in August unless the district operates a year-round system (see below). A district may not receive a waiver of this requirement.

Exceptions

A 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 instead start school on any date permitted under the law of the other state.

A district with a student enrollment of 190,000 or more may 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:

1. 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 Education Code 25.081;
2. The campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board; and
3. A majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.

*Education Code 25.0811*

**Length of School Year**

Each school year, a district shall operate for at least 75,600 minutes, including time allocated for instruction, intermissions, and recesses for students.

Exceptions

The commissioner may approve the operation of schools for fewer than the number of minutes specified above when disaster, flood, extreme weather conditions, fuel curtailments, or other calamities have caused the closing of schools.

If the commissioner does not approve reduced operation time, a district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

*Education Code 25.081*

Last Day of School	A district may not schedule the last day of school for students for a school year before May 15. However, a 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 Texas law or the law of the other state. <i>Education Code 25.0812</i>
Optional Flexible Year Program	To enable a school district to provide additional instructional days for an optional extended year program [see EHBC], the school district may, with the approval of the commissioner, provide a number of days of instruction during the regular school year that is not more than ten days fewer than 180 days. <i>Education Code 29.0821(b)(1)</i>
No Instruction on Memorial Day	A district may not provide student instruction on Memorial Day. If a district would be required to provide student instruction on Memorial Day to compensate for minutes of instruction lost because of school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity, the commissioner shall approve the instruction of students for fewer than the required number of minutes. <i>Education Code 25.081(f)</i>
Reduction of Funding	The commissioner may proportionally reduce the amount of funding a district receives under Education Code, Chapters 41, 42, or 46 and the average daily attendance calculation for the district if the district operates on a calendar that provides fewer minutes of operation than required. <i>Education Code 25.081(f)</i>
Exemption	<p>A school district is exempt from the minimum minutes of operation requirement if the district's or program's average daily attendance is calculated in the manner provided below. <i>Education Code 25.081(e)</i></p> <p>A district or charter school is eligible to earn full average daily attendance if the district provides at least 43,200 minutes of instructional time to students enrolled in:</p> <ol style="list-style-type: none"><li>1. A dropout recovery school or program operating under Education Code 12.1141(c) or Education Code 39.0548;</li><li>2. An alternative education program operating under Education Code 37.008;</li><li>3. A school program located at a day treatment facility, residential treatment facility, psychiatric hospital, or medical hospital;</li><li>4. A school program offered at a correctional facility; or</li><li>5. A school operating under Education Code 29.259.</li></ol>

**Year-Round  
Schools**

*Education Code 42.005(j)*

A district may operate its schools year-round on a single or a multi-track system. If it adopts a year-round system, it may modify:

1. The number of contract days of employees and the number of days of operation, including any time required for staff development, planning and preparation, and continuing education, otherwise required by law.
2. Testing dates, data reporting, and related matters.
3. The date of the first day of instruction of the school year under Education Code 25.0811 for a school that was operating year-round for the 2000–01 school year.
4. Students' eligibility to participate in extracurricular activities when their calendar track is not in session.

*Education Code 25.084*

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<sup>1</sup> Innovation Plan:

<http://www.gustine.esc14.net/users/District%20of%20Innovation%20-%20Final.pdf>