

SUMMARY POINTS: A DISTRICT PLAN FOR INNOVATION AND LOCAL CONTROL

“Innovation is creativity in action.”

- The 84th Texas Legislature passed House Bill 1842 in Spring 2015, providing public school districts the opportunity to become Districts of Innovation. To qualify, an eligible school district must adopt a five-year innovation plan according to the Texas Education Code.

Districts of Innovation may be exempt from state statutes to:

- take greater local 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 – to create and implement transformative processes.

Why is Center ISD seeking the state’s official designation as a District of Innovation?

- The Center ISD Board of Trustees resolved in June 2022 to seek designation as a District of Innovation.
- This plan supports exemplary practices and local decision-making processes to improve student learning.
- The Board appointed a District of Innovation Committee, represented by a majority of classroom teachers. The committee has been at work since June 20, 2022.

Under this plan, what might innovation look like at Center ISD?

- In this case, innovation does not necessarily mean ambitious new initiatives beyond the school district’s current goals and objectives that emphasize literacy. Instead, it would signify Center ISD has achieved the privilege and flexibility to exercise more creative local control over existing quality programs become more creative in our preparation of students for their future without some statutory constraints. Furthermore, the flexibility will advance a new visioning mission that is currently underway.

The proposed plan would:

- Determine a flexible school start date. Center ISD will determine on an annual basis its local starting date for the first semester, not to precede the second Monday in August of any given year, instead of the Texas statute that requires districts to begin a new school year on the fourth Monday of August.
- Allow alternatives to educator certification for distinctive subjects. When a certified educator is not found for a unique circumstance or innovative class, the school district may allow a non-certified professional to teach OR a certified educator to teach a subject in a related field without the traditional state credentials.
- Adjust instructional minutes and school day length. Center ISD will make every effort to meet the goal of 75,600 instructional minutes per year but may want to approach this total more creatively without being confined to either 420 minutes or seven hours of instruction every day.
- Allow probationary contracts for an additional year. Center ISD will allow ample time for campus administrators to determine the effectiveness of the teachers.
- Allow certified teachers to fill administrator positions. Center ISD will maintain its current expectations for administrator certification and will attempt to hire individuals with appropriate certifications for the position but will have the flexibility to place certified teachers in hard-to-fill administrator positions.
- Adjust class size ratios for K-4 grade classrooms. Center ISD will attempt to keep class ratios at 22:1 but is able to exceed the 22:1 class ratio without seeking a waiver or parent notification.
- Provide Center ISD flexibility to establish when and how a person can be refused entry to or ejected from a school district’s property or school related event.
- Adjust the statutory time requirement for counselor duties. Center ISD will determine how school counselors allocate their work time to perform all duties to enable the District to meet student needs and address local challenges as the arise

CENTER ISD PLAN FOR INNOVATION & LOCAL CONTROL

INTRODUCTION

Center ISD is committed to providing high-quality instruction in an environment conducive to learning. The district believes that the current state assessment alone is a poor measurement of student learning, and it only serves as a single data point among many more reliable indicators of academic measurement.

Center ISD maintains to intentionally and strategically design a school system that: engages the digital generation; embraces accountability to our community; transforms our school into a learning organization; and advocates local control to be restored to community schools.

House Bill 1842 passed during the 84th Texas Legislative Session in spring 2015 provides Texas public school districts the opportunity to be designated as *Districts of Innovation*. To qualify and access allowable exemptions, an eligible school district must adopt an innovation plan, as outlined in Texas Education Code, Chapter 12A.

Districts of Innovation may be released from several statutes to have:

- greater local control in making decisions about the educational and instructional model for students;
- increased autonomy and flexibility, with accountability, about state mandates that govern educational programming; and
- empowerment to innovate and think differently.

**Districts are not exempt from statutes that address curriculum, assessment, and graduation requirements as well as academic and financial accountability.*

THE PROCESS

On June 16, 2022, the Center Independent School District's Board of Trustees passed a resolution to initiate the process of designation as a District of Innovation. The District held a public hearing to provide an overview of the process, concepts, and benefits of such a designation on July 14, 2022.

The Board also appointed a District of Innovation Committee on June 16, 2022, with a charge to begin the process of drafting a local innovation plan. The committee consisted of two teachers from each of the five campuses, each campus principal, and two parents from the DEIC committee. The Committee began work on June 20, 2022, to draft a plan for innovation.

The proposed plan was posted to the district website for public comment on June 23, 2022 and has remained posted for the 30-day requirement. The DEIC committee voted unanimously to approve the proposed plan.

On July 19, 2022, the District notified the Commissioner of Education regarding the Board's intent to vote on the proposed plan.

COMMITTEE MEMBERS

F.L. Moffett Primary School

Shannel Ruiz – teacher
Amanda Radney – teacher
Brandy Bennfield – principal

Center Elementary School

Holly Burns - teacher
Penny Bird - teacher
Crystal Chisenhall - principal

Center Middle School

April Bloys – teacher
Christopher Waller – teacher
Marcus Camp - principal

Center High School

Emily Glass - teacher
Jennifer Fausett - teacher
Otis Amy - principal

Curriculum and Instruction

Amber Mathews – Director of Curriculum, Instruction, Assessment and RTI

Parents

Latrisa Barkins
Mike Bird
Alison Scull
Ben Wulf

Proposed Actions of the Plan of Innovation

1. DETERMINE A FLEXIBLE SCHOOL START DATE

(TEC §25.0811a) (EB LEGAL)

The manner in which the statute inhibits the plan

The Texas Education Code states a school district may not begin student instruction before the fourth Monday of August. For many years this was the rule; however, districts had the option of applying for a waiver to begin earlier, even as early as the second Monday in August.

The start-date waiver was eventually removed when the legislature determined school districts should begin the first semester no earlier than the fourth Monday of August, with no exceptions. The current process allows no flexibility in the design and balancing of instructional semesters to meet the needs of students or the wishes of the local board of trustees, who represent community interests in this matter.

Local Innovation Strategies:

- A. Center ISD will determine on an annual basis the local starting date of the first semester, not to precede the second Monday in August of any given year.
- B. The annual calendar will be submitted by the collective support of school district staff and approved by the Board of Trustees.

2. ALLOW ALTERNATIVES TO EDUCATOR CERTIFICATION FOR DISTINCTIVE SUBJECTS

(TEC §21.003a) (TEC §21.057a-e) (DK LEGAL)

The manner in which the statute inhibits the plan:

Texas Education Codes state a person may not be employed as an educator by a school district unless the individual holds an appropriate certificate or permit issued by the appropriate state agency. In the event, a school district cannot locate a certified teacher for a position, or a teacher is teaching a subject outside her or his certification, the district must request emergency certification from the Texas Education Agency and/or the State Board of Educator Certification. This system is burdensome and does not take into account the unique financial and/or instructional needs of the district, especially for innovative classes where certification may not exist, or educators with those credentials may not be readily available.

Local Innovation Strategies:

- A. In exceptional circumstances, when a certified educator is not found for a unique or innovative class, the campus principal may submit to the Superintendent a request for local certification that will allow a non-certified yet highly qualified professional to teach OR a certified educator to teach a subject in a related field for which she or he is not credentialed by the state.
- B. The principal must specify in writing the reason for the request and document what qualifications the individual possesses to teach the proposed subject. Emergency or financial situations creating the need for this assignment should also be noted.
- C. Whenever possible, lesson plans or curriculum guides to support the uncertified yet highly qualified educator will be developed or provided in partnership with certified teachers in the same field.
- D. In the event an uncertified yet highly qualified educator or professional is assigned to a course, the Superintendent will inform the Board of Trustees and will notify parents of students who benefit from this decision.
- E. A teacher certification waiver, state permit applications or other paperwork will not be submitted to the Texas Education Agency.

3. ADJUST INSTRUCTIONAL MINUTES AND SCHOOL DAY LENGTH
(TEC §25.081) (TEC §25.082) (EB LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Codes define the length of the instructional day as “420 minutes of instruction or “seven hours each day including intermissions and recesses.” The intent of this code is to standardize across all districts the amount of time students is engaged in classroom learning. The school code also allows school districts and charter schools to add minutes as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment or another calamity.

Center ISD believes flexibility in use of minutes as well as the length of the school day will support teachers and staff who participate in relevant professional development, perfecting their craft, deepening their content knowledge, and analyzing student data. Also – particularly at the elementary level – flexibility in both instructional minutes and the length of the school day will protect all-important parent-teacher conferences especially in the event of inclement weather days, which may impact cumulative instructional minutes allocated over the course of a school year.

Center ISD will serve students through a very unique, dropout recovery program. The alternative campus has been recently established and is set for full operation beginning with the 2017-2018 school year. This program will require very flexible scheduling due to the personalized nature of the students’ instructional plan. Release from this statute will help maximize the effectiveness of the program.

Local Innovation Strategies:

A. Center ISD will make an effort to maintain the total of 75,600 minutes of instruction per year but seeks an exemption from these statutes as necessary, so it may approach the 75,600-minute goal in a more creative manner without being confined to either 420 minutes or seven hours of instruction every day. This will offer campuses greater flexibility in creating daily/weekly instructional schedules that better meet the needs of the students we serve.

B. This exemption will allow for local control regarding the early dismissal of students for various purposes. Early release days may be used for additional professional development, unique instructional arrangements, teacher collaboration, teacher/parent conferences, releasing prior to a holiday and other special occasions, or other school related activities.

4. EXTEND PROBATIONARY CONTRACT PERIOD
(TEC §21.102) (DCA LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Code states new teachers to the district or teachers who have not been employed by the district for two consecutive school years cannot have a probationary contract period that exceeds one school year if the person was employed as a teacher in public education for at least five of the previous eight years. The Code allows the District to renew probationary contracts for two additional one-year periods, but not to exceed three school years.

Center ISD believes this time period is not sufficient to evaluate a teacher's effectiveness in the classroom. Exemption from this requirement will allow ample time for campus administrators to determine the effectiveness of the teachers while simultaneously providing a more stable and effective learning environment for students, in that that the need to terminate probationary contracts in lieu of offering a term contract to a teacher who has not been fully evaluated will be alleviated by extending the probationary period.

For purposes of this Innovation, "teacher" has the meaning assigned by Tex. Educ. Code § 21.101 and includes a principal, supervisor, classroom teacher, school counselor, or other full-time professional employee who is required to hold a certificate issued under Subchapter B, Chapter 21, or a nurse.

Local Innovation Strategies:

- A. Center ISD may recommend a second probationary contracts to teachers who are new to the district or who have not been employed by the district for two consecutive school years that were employed as teachers in public education for at least five of the previous eight years.
- B. Center ISD may employ teachers on probationary contracts for more than the three-year maximum, for a period not to exceed five (5) school years.

5. ALLOW WAIVER FOR ADMINISTRATOR CERTIFICATION
(TEC §21.003) (DK LEGAL)

The manner in which the statute inhibits the plan:

Texas Education Code states a person may not be employed as an administrator by a school district unless the individual holds the appropriate certificate or permit issued by the appropriate state agency. Center ISD would like to make decisions regarding certifications locally and based on the needs of the campus and students. In the event the district cannot locate a certified administrator, Center ISD would like the flexibility to consider hiring non-certified individuals for the positions.

Local Innovation Strategies:

- A. Center ISD will maintain its current expectations for administrator certification and will attempt to hire individuals with appropriate certifications for the administrator position in question.
- B. Center ISD will have the authority to place certified teachers in administrator positions upon request by the campus principal, department head, or superintendent.
- C. The Superintendent will have final authority under this exemption to assign individuals lacking administrator certifications to administrator positions.

6. DETERMINE A FLEXIBLE CLASS SIZE
(TEC §§25.112,.113) (EEB LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Code states a school district may not enroll more than 22 students in K-4 grade. When a class exceeds this limit, the district must complete a waiver with the Texas Education Agency. Along with the waiver, it is required that a letter is sent home to each parent in the section that exceeds the 22:1 ratio, informing them the waiver has been submitted per TEC 25.113.

By gaining exemption from these statutes, Center ISD would no longer have to submit multiple class size waivers that are continuously approved by TEA. As Center ISD continues to grow, the District would like the flexibility to enroll more than 22 students for classes in K-4 grade to balance staff shortages and surplus.

Local Innovation Strategies:

- A. Center ISD will attempt to keep class ratios 22:1 but may exceed the 22:1 class ratio by [amount] without seeking a waiver or providing parent notification.
- B. The campus will notify the Superintendent of K-4 classrooms that exceed the 22:1 ratio, and the Superintendent may direct parent notification as appropriate.

7. TRESPASS ON SCHOOL GROUNDS
(TEC §37.105) (GKA LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Code limits the school district's discretion on how and when a person can be refused entry or ejected from a school district's property or school related event. The individual must first refuse to leave peaceably upon request and either: (1) pose a substantial risk of harm to any person or (2) behave in a manner inappropriate for a school setting and be given, at minimum, a verbal warning before they are ejected or refused entry, and the person persists in the inappropriate behavior. Upon ejection or refusal of entry, an individual must also be given notice of how they may appeal the ejection.

Center ISD is committed to providing a safe and stable educational environment that is free from interruptions or interference with its daily operations. Center ISD would like the flexibility to establish when and how a person can be refused from entry or ejected from a school district's property or school related event. The District believes a verbal warning before ejecting or refusing an individual entry may not be practicable in all situations.

Local Innovation Strategies:

- A. Center ISD will allow designated staff members the authority to remove parents or visitors whose behavior is deemed inappropriate for a school setting without any prior warning or written notice.

- B. Following a parent or other visitor's ejection to or refusal of entry from the District's property, the administration will send written notice to the individual regarding their consequences and right to appeal.

8. ALLOW FLEXIBILITY FOR SCHOOL COUNSELORS
(TEC §33.006) (DP LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Code states that a school counselor must 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. Further, 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.

The requirements set by the Texas Education Code eliminates Center ISD's counselors the ability to fulfill other important roles throughout the District that counselors have historically performed with little to no impact on their counseling duties. While Center ISD still has the primary goal of counselors focusing on the school counseling program, the District would like the ability to use its counseling staff more flexibly in order to best serve the needs of Center ISD students and community.

Local Innovation Strategies:

- A. Center ISD will determine the additional duties fulfilled by school counselors in the District by considering each counselor's professional education, certifications, experience, and knowledge as well as the specific needs of the students and staff on each campus.
- B. Center ISD will determine how school counselors allocate their work time to perform all duties to enable the District to meet student needs and address local challenges as the arise.

9. RETURN TO PROBATIONARY CONTRACT
(TEC §21.106)) (DFAC LEGAL)

The manner in which the statute inhibits the plan:

The Texas Education Code sets forth notice requirements before a teacher's agreement to return to a probationary status in lieu of discharge, termination, or nonrenewal becomes effective. Specifically, the statute provides that when the District provides a teacher the opportunity to accept a probationary contract in lieu of discharge, termination, or nonrenewal, the District must inform the employee in writing of the offer and provide the teacher a period of three days to consider the offer and consult with an attorney.

Center ISD believes this notice requirement can unnecessarily delay employment negotiations and may result in the District having to propose termination or nonrenewal if the teacher in question exercises the three-day waiting during the time when the Board must take action pursuant to the deadlines set forth in Chapter 21 of the Texas Education Code. Center ISD desires flexibility in negotiating difficult employment decisions and believes in giving every employee subject to a potential termination or nonrenewal a more favorable option than proposing the final employment action.

Local Innovation Strategies:

- A. Center ISD may negotiate a teacher's return to probationary status in lieu of discharge, termination, or nonrenewal verbally with the teacher or the teacher's representative.
- B. An employee's execution of a probationary contract shall be binding as of the date of execution, regardless of receipt of written notice as contemplated by TEC § 21.106, unless there is evidence of fraud or misrepresentation by a District administrator during the negotiations.