

Burkeville

INDEPENDENT SCHOOL DISTRICT



Local Innovation Plan 2018-2023

HB 1842, of the 84th Legislative Session,
allows Texas districts to qualify as a District of Innovation.
Districts of Innovation are able to gain local control of certain operations
that are currently under the control of the Texas Education Agency.

Unanimously Approved 6/26/18 by the BISD Board of Trustees

BISD INNOVATION PLAN

I. INTRODUCTION

House Bill (HB) 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.

Potential benefits of becoming a District of Innovation include:

- **Flexibility:** Districts will have the flexibility to implement practices similar to charter schools, including exemptions from certain mandates including the uniform school start date and required minutes of instruction.
- **Local control:** Districts decide which flexibilities best suit their local needs.
- **Autonomy:** Districts must submit a district of innovation plan to the commissioner of education, but approval is not required.

On December 21, 2017, the Burkeville Independent School District's Board of Trustees ("Board") passed a Resolution to explore the development of a District of Innovation Plan to increase local control over District operations and to support innovation and local initiatives. The adoption of this plan seeks to increase the District's flexibility in order to improve educational outcomes for the benefit of students and the community. On March 29, 2018, the Board appointed a District of Innovation Committee ("Committee") comprised of diverse leaders representing a cross-section of the District's stakeholders including teachers, principals, parents, community members, and administrators. The Committee met on April 19, 2018, to discuss and draft the Local Innovation Plan ("Plan"). The Committee met again on June 26, 2018, to conduct a public forum and accept input on the proposed District of Innovation Plan. Based on the input received from the community, the Committee made adjustments to the Plan, unanimously voted to recommend the plan, and then presented the plan to the board. The BISD Board of Trustees considered and approved the plan at its meeting on June 26, 2018.

II. DISTRICT OF INNOVATION COMMITTEE

Dr. Brant Graham	Superintendent
Kim Urie	Principal
Donna Graham	District Special Ed Coordinator
Pam Dickerson	District Business Manager
Jeopardy Gill	District Paraprofessional/Parent
Robin Cooper	Community Member
Phyllis Summer	Community Member
Chardonay McLaurin	Community Member

III. *DISTRICT OF INNOVATION TIMELINE

- December 21, 2017 – Board Approves Resolution
- March 29, 2018 – Board votes to pursue designation
- March 29, 2018 – Board appoints DOI Committee
- March 29-May 25, 2018 – DOI Plan Development
- May 25, 2018 – Plan to be posted to web for 30 days
- Board notified TEA Commissioner of intent to adopt plan
- June 26, 2018 – DOI Committee held public hearing, made adjustments based on comments, and approved the plan by unanimous vote
- June 26, 2018 – Board approved plan by unanimous majority
- Board notified Commissioner of plan adoption

IV. INNOVATION PLAN EXEMPTIONS

With regard to each area of innovation, the District declares exemption from the listed statutory provisions, as well as any rules or regulations promulgated pursuant to those statutory provisions by any state agency or entity, including but not limited to the Commissioner of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

1. First day of instruction

Exemption from Texas Education Code §25.0811(a) Other: Board policy EB(LEGAL), EB(LOCAL)

Current Statute:

TEC 25.0811 states that a school district may not begin student instruction before the 4th Monday of August. TEC 25.0812 states that a school district may not schedule the last day of school before May 15. The current process allows no flexibility in the design of annual calendars to fit the needs of the community or the wishes of the local Board of Trustees who represent community interests in this matter.

Previously, districts had the option of applying to TEA for a waiver to start earlier, even as early as the 2nd Monday in August. The Texas tourism groups lobbied to have this stopped because they believed it was hurting their tourism business. Therefore, several years ago the legislature took away all waivers and dictated that districts may not begin until the 4th Monday, with no exceptions.

Innovation Strategies

- a. Relief from the statute will allow BISD to develop a calendar that addresses student instruction and focused professional development in conjunction with the new instructional minutes requirement, rather than days.
- b. Alignment of the district calendar with neighboring districts, advanced placement exams, and STAAR timelines.
- c. Provide for increased local control of the instructional calendar in order to be responsive to community needs.

2. Kindergarten – Grade 4 Class Size & Reporting Requirement

Exemption from: TEC 25.112; TEC 25.113

Related Board Policies: EEB LEGAL/LOCAL

Current Statute:

TEC 25.112 requires districts to maintain a class size of 22 students or less for Kindergarten – 4th Grade classes. When any class exceeds this limit, the district must complete and file a waiver with the Texas Education Agency. These waivers are seldom rejected by TEA.

TEC 25.113 requires school districts to notify parents of waivers or exceptions to class size limits. In many cases, the class has returned to a smaller student to teacher ratio before the waiver is even approved negating the need for this notice.

Innovation Strategies:

- a. BISD believes in a low student to teacher ratio in all of its classrooms. BISD will attempt to begin each school year with enough teachers to establish a student to teacher ratio of at least 22:1 or less in each K-4 homeroom class. In the event that any class size exceeds this ratio during the school year, the superintendent will report this information to the Board of Trustees. Decisions regarding appropriate student to teacher ratios will be made at the local level, taking into consideration the age and grade level of the students, the subject matter of the class, the needs of individual teachers and student groups, and the availability of additional instructional staff members.
- b. A TEA waiver request will not be filed when a K-4 classroom exceeds the 22:1 ratio.
- c. Parents of students in K-4 classrooms that exceed a ratio of 22:1 will continued to be notified as per TEC 25.113.

3. Teacher Certification

Exemption from: TEC §21.003; TEC §21.053; TEC §21.057

Relevant Board Policies: DBA LEGAL/LOCAL; DK LEGAL/LOCAL

Current Statute:

TEC 21.003 states that a person may not be employed as a teacher, teacher intern or trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor 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 for Educator Certification. This system is burdensome and does not take into account the unique financial and/or instructional needs of the district.

TEC 21.053 requires a teacher to present his or her certificate to the District before their employment contract will be binding, and prohibits the District from paying an educator for teaching if the educator does not hold a valid certificate at the time.

TEC 21.057 requires that the District provide written notice to parents if an inappropriately certified or uncertified teacher is assigned to a classroom for more than 20 consecutive instructional days.

Innovation Strategies:

a. The District will maintain its current expectations for employee certification. The District is committed to hiring individuals with appropriate certification for the position in question; however, where that is not reasonably possible, the District will have the flexibility to hire individuals who are knowledgeable in the area and equipped to effectively perform the duties of the position in question.

b. For grades 5-12, the campus principal may submit to the superintendent a request for local certification that will allow an already certified teacher to teach a course or grade level for which he/she is not certified. The principal must specify in writing the reason for the request and document what credentials or life experience the teacher possesses that would qualify this individual to teach the proposed subject. In core classes, the applicant must have a bachelor's degree with a minimum of 12 college hours in the subject that they will teach. If the teacher is performing on T-TESS at a level that is acceptable to the District, the District may consider retaining the services of this employee with the expectation that the employee show that they are working towards obtaining the appropriate teacher certification through workshops, college classes, and/or other venues to prepare them for the certification examination. In addition, the employee may remain on a probationary contract until full certification is acquired. The District will maintain the documents at the local level.

c. An individual with experience in the content of an elective course could be eligible to teach a vocational skill or elective course through a local teaching certificate. The principal must specify in writing the reason for the request and document what credentials or life experience the teacher possesses that would qualify this individual to teach the proposed subject. Examples: an experienced homebuilder teaching a building trades course, a licensed corrections officer teaching a criminal justice course, or a retired CPA teaching an entry level accounting course.

d. Whenever possible, instructional planning for the uncertified teacher's course will be created in partnership with certified teachers in the same field. Uncertified teachers will be provided teacher mentoring, increased observations and feedback, professional development or instructional resources, or other supports.

e. The superintendent will report this action to the Board of Trustees at the first board meeting following the assignment.

f. Teacher certification waiver requests, state permit applications, or other paperwork will not be submitted to the Texas Education Agency. The District will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful.

4. Probationary Contracts

Exemption from: TEC 21.102(b)

Relevant Board Policies: DCA LEGAL

Current Statute:

For experienced teachers new to the district, the probationary period may not exceed one year if the person has been employed as a teacher in public education for at least five of the previous eight years. A one-year probationary period is not sufficient to evaluate the teacher's effectiveness in the classroom since teacher contract renewal timelines demand that employment decisions be made prior to District receipt of state assessment results.

Innovation Strategies:

For experienced teachers, counselors, or nurses new to the district that have been employed as a teacher in public education for at least five of the eight previous years, a probationary contract may be issued for up to two years. All other teachers 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 21.102(c).

5. Teacher Contract Days

Exemption from: TEC 21.401 et.al.

Relevant Board Policies: (DCB Legal, DCB Local)

Current Statute: Current education law located in Chapter 21 defines a teacher contract as a ten-month contract equivalent to 187 days.

Innovation Strategies:

This proposal reduces teacher contract days from 187 to as few as 182 with no effect on teacher salaries. This somewhat makes an attempt to align the teacher days to the 75,600 minutes required of students.

- a. This proposal will increase the daily rate the district pays teachers.
- b. This proposal should enhance teacher recruitment, therefore putting the district on a more level playing field with larger districts.
- c. This proposal will significantly improve teacher morale.
- d. This proposal will provide teachers more opportunities during the summer months to seek out beneficial staff development that relates to their field.

V. AMENDMENT

With regard to each area of innovation, the District declares exemption from the listed statutory provision, as well as any implementing rules or regulations promulgated pursuant to those statutory provisions by any state agency or entity, including but not limited to the Commission of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

Texas Education Code §22.004(i) Inhibits the Goals of the Local Innovation Plan

TEC §22.004(i) Group Health Benefits for School Employees states that a school district may not make group health coverage available to its employees pursuant to TEC §22.004(b) after the date a district implements the program of coverages provided under Chapter 1579 of the Texas Insurance Code. The current process allows no flexibility in the design of group health insurance benefits to fit the needs of all district employees. This provision also prohibits the district from procuring group health insurance benefits that may provide better coverages for its employees at a lower cost. This provision does not give the district the flexibility needed to acquire benefits packages that would potentially be more attractive to prospective employees.

Exemption from Texas Education Code §22.004(i)

TEC §22.004 is not included in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to TEC §12A.004 or the list of the Commissioner's prohibited exemptions in the Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309. Therefore, in order to have the option to offer additional benefits options to employees and to increase local control of the group health benefits plan to allow the District to be responsive to employee and community needs, the district proposes that the District of Innovation Plan be amended to exempt the district from the health insurance requirements in TEC §22.004(i).

VI. TERM

The term of the Plan is for five years, beginning June 26, 2018 and ending June 25, 2023, unless terminated or amended earlier by the Board of Trustees in accordance with the law. If, within the term of this Plan, other areas of operations are to be considered for flexibility as part of HB 1842, the Board will appoint a new committee to consider and propose additional exemptions in the form of an amendment to the Plan. Any amendment adopted by the Board will not extend the term of this Plan. The District may not implement two separate plans at any one time.