

Little Cypress-Mauriceville CISD District of Innovation Plan

Innovation Plan Exemptions

With regard to each area of innovation, the District declares exemption from the listed statutory provisions, 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 Commissioner of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

First Day of Instruction

Exemption from: TEC 25.0811; TEC 25.0812

Relevant LCM Board Policies: EB (Legal)

Manner in which the statute inhibits the goals of the plan:

TEC 25.0811 states that a district may not begin student instruction before the fourth Monday of August. TEC 25.0812 states a 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 but this was stopped, due to the lobbying efforts of Texas tourism groups.

The current code allows too little flexibility in the design of school calendars to provide optimal accommodation to both elementary students' needs and those of secondary students involved in various academic plans and extracurricular activities.

Innovation Strategies:

LCM CISD will gather input from the District Education Improvement Committee (DEIC) and district staff on the development of an annual calendar that best accommodates the interests and needs of the students, staff, and

community. The district will not begin instruction prior to August 15, thereby providing a more appropriate balance of semester instructional days.

Teacher Certification

Exemption from: TEC 21.003; TEC 21.0031; TEC 21.051; TEC 21.055; TEC 21.057

Relevant LCM Board Policies: DBA Legal/Local; DK Legal/Local

Manner in which the statute inhibits the goals of the plan:

TEC 21.003 states a person may not be employed as a teacher, teacher intern, or trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a 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 an 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 21.0031 provides that an employee's probationary, continuing, or term Chapter 21 contract is void if the person does not hold a valid certificate or permit issued by the State Board for Educator Certification or fails to fulfill the requirements necessary to renew or extend the employee's issued certificate.

TEC 21.051 states that before a school district may employ a candidate for certification as a teacher of record, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities.

TEC 21.055 states that if a teacher is not certified, the district may issue a teaching permit to employ the individual. This process requires notice to the Commissioner and its usefulness is extremely limited. Additionally, the language of this section could be construed to prohibit the issuance of a local teaching certificate.

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 30 consecutive instructional days.

Innovation Strategies:

The flexibility in allowing LCM CISD to make local decisions regarding grades 5-12 teacher certification would provide more opportunities to offer innovation in course selections for Career Technical Education (CTE) courses, as well as hard-to-fill and high-demand academic and dual credit courses. By obtaining an exemption from existing teacher certification requirements, the District will have the flexibility to hire community college instructors, university professors, experts in a profession or industry, or internal applicants seeking assignments outside of their traditional certification area. This strategy will enrich applicant pools in specific content areas and afford more students the opportunity to take CTE, dual credit, and some unique academic courses if certified teachers are not available to teach those courses.

Local Guidelines will include:

1. LCM CISD will maintain the current expectation for employee certification and is committed to hiring individuals with appropriate certification for the position in question. When that is not reasonably possible, the District will have the flexibility to hire individuals who are knowledgeable in the areas and equipped to effectively perform the duties of the position in question.
2. The campus principal shall submit to the superintendent a request to allow a certified teacher to teach a subject or grade level out of their certification area. The principal must specify the reason for the request and document credentials the teacher possesses.
3. Teachers teaching outside of their certification area will be provided teacher mentoring, increased observations and feedback, professional development, or other supports.
4. The Board of Trustees will be notified of the pending local teaching certification prior to employment. The board agenda, board meeting minutes, and related reports will suffice as parental notification.
5. An employee hired under a local teaching certificate will be employed under a probationary contract. The employee must be fully certified within the assigned subject area prior to issuance of a term contract or within 4 years. Local teaching certificates may be renewed each year at the superintendent's discretion during the probationary status.

6. Due diligence will be made on the part of the District to hire certified teachers and qualified professionals prior to reassignment of a currently employed teacher to a position for which they are not certified. At the employee's request, the principal and superintendent agree to meet with the employee prior to a reassignment.

Probationary Contracts

Exemption from: TEC 21.102(b)

Relevant LCM Board Policies: DCA Legal

Manner in which the statute inhibits the goals of the plan:

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 last eight years. A one-year probationary period is not sufficient to evaluate the teacher's effectiveness in the classroom since the teacher contract renewal timeline demands that employment decisions be made prior to the 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 a probationary status for three years, and may be issued a fourth year of probation in accordance with TEC 21.102(c).

Transfer Students

Exemption from: TEC 25.036

Relevant LCM Board Policies: FDA (Local)

Manner in which the statute inhibits the goals of the plan:

TEC 25.036 states that students attending a district through a district transfer may apply for transfer annually. On rare occasions, student behavior warrants suspension (in or out of school), placement in a disciplinary alternative program, or expulsion or the student attendance may fall below the TEA truancy standard (TEC 25.093).

Innovation Strategies:

The District is seeking to eliminate the provision of a one-year commitment in accepting transfer applicants. In order to maintain student safety and fiscal and operational responsibility, LCM CISD will revoke a K-11 grade student's transfer at any time during the academic year, based on disciplinary or attendance reasons.

The district may revoke the transfer of a student under the following guidelines:

1. The principal will recommend a revocation with supporting evidence to the superintendent or superintendent's designee, who will make a final determination on the student's transfer status.
2. A transfer may be revoked if the student has been absent without an excuse acceptable to the District for 10% or more of the number of days of school.
3. A transfer may be revoked if the student engaged in behavior or conduct, on or off campus, that:
 - a. Resulted in the placement of the transfer student in the District disciplinary alternative school;
 - b. Resulted in being charged with, convicted of, or deferred adjudication for a felony offense;
 - c. Resulted in being charged with, convicted of, or deferred adjudication for a misdemeanor offense that contains any element of assault or is drug or gang related; or
 - d. Disrupted the learning environment, placed other(s) in harm, and/or negatively impacted the orderly operations or climate of the school.

Removal of Individuals from District Property/Facilities

Exemption from: TEC 37.105

Relevant LCM Board Policies: GKA Legal/Local

Manner in which the statute inhibits the goals of the plan:

TEC 37.105 requires the District to maintain a record of each verbal warning of potential removal from District property and facilities, including the name of the person to whom the warning was issued and the date of the issuance. At the time a person is refused entry or removed from District property/facilities, the District is also required to provide to the person written information explaining the appeal process. The current law makes it unnecessarily complicated to remove a dangerous or disruptive individual in a timely manner.

Innovation Strategies:

To better ensure the safety and security of students and staff, LCM CISD would allow designated staff members the authority to remove parents or visitors, whose behavior is deemed inappropriate, from District property or facilities without warning or written notice.

Out-of-School Suspensions for Students Below Grade Three

Exemption from: TEC 37.005

Relevant LCM Board Policies: FOB (Legal)

Manner in which the statute inhibits the goals of the plan:

TEC 37.005 states that a student enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the infraction occurs while on school property or at a school-related event where the student engages in:

- Conduct that contains the elements of an offense related to weapons;
- Conduct that contains the elements of a violent offense;

- Selling, giving, or delivering to another person or possessing, using, or being under the influence of a controlled substance, dangerous drug, or alcoholic beverage.

The law limits the District's ability to implement a safe and secure facility for all students and staff in the event a significant issue arises with a student under grade three.

Innovation Strategies:

To best serve the students of LCM CISD, we propose that school administrators be able to exercise their professional judgement and suspend students when they deem it necessary in order to maintain an orderly and safe learning environment for all students. Specifically, the District seeks the flexibility to authorize school administrators to suspend students below grade three when necessary.

The District currently monitors the suspensions of all students, regardless of grade level, to ensure the District policy and the Student Code of Conduct are applied appropriately across the District. Should an exemption from TEC 37.005 be granted, the District would continue to monitor the suspension of all students, which would now include students in grades below three, to ensure that suspensions are appropriate. The benefits of this strategy allows for school-based decision making, assists in maintaining an orderly learning environment for all students, and allows school administrators to more effectively ensure the safety and security of all students and staff.

Campus Behavior Coordinator

Exemption from: TEC 37.0012

Relevant LCM Board Policies: FO Legal/Local

Manner in which the statute inhibits the goals of the plan:

TEC 37.0012 requires that a person be designated to serve as the Campus Behavior Coordinator (CBC), who is primarily responsible for maintaining student discipline and implementation of Chapter 37. This provision also allows duties imposed on a campus principal or other campus administrator to be performed by the CBC.

Innovation Strategies:

To best serve the needs of LCM CISD students and staff, we propose the District abstain from designating only one person as the Campus Behavior Coordinator. LCM CISD campus administrative staff consists of a principal and assistant principal(s), who by job description, serve in this capacity already. Administrators work together to ensure compliance with Chapter 37, Subchapter A. Our District believes in a collaborative approach to discipline, with multiple people providing emotional and social support to students, rather than just one person. Exemption from this requirement will allow the option of increasing collaboration regarding student discipline, as outlined in the LCM CISD Student Code of Conduct.

Epinephrine Auto-Injectors

Exemption from: TEC 38.208(d)

Relevant LCM Board Policies: FFAC (Legal)

Manner in which the statute inhibits the goals of the plan:

TEC 38.23(d) states each District may implement a policy regarding the maintenance, administration, and disposal of epi-pens at each campus. Each district that adopts the policy must provide trained personnel to be present at all hours the campus is open.

This policy inhibits the plan by:

- Requiring access to locked and stored epi pens during non-traditional school operating hours such as evening events, weekend activities, and holidays in which students may be present;
- Requiring trained personnel, with access to medication, be present at any time the campus is open;
- Requiring access to secured medication in a locked facility while giving widespread access and creating undo liability regarding other medications stored in the same facility.

Innovation Strategies:

The District will define campus open hours within TEC 38.208(d) as the academic instructional day, as determined by the District-approved calendar

and campus hours posted in the LCM Student Handbook. This will allow trained personnel to administer epinephrine auto-injectors in an emergency situation.

School Health Advisory Council

Exemption from: TEC 28.004(d-1)

Relevant LCM Board Policies: BDF (Legal)

Manner in which the statute inhibits the goals of the plan:

TEC 28.004(d-1) states the Board of Trustees of each school district shall establish a local school health advisory council to assist the District in ensuring local community values are reflected in the District's health education instruction. The council shall meet at least four times each year. The committee consists of parents, community members, and a District liaison.

Innovation Strategies:

The District School Health Advisory Council (SHAC) will meet a minimum of two times annually, once each semester. The council may convene for additional meetings if necessary. This will allow the council to meet, review, and respond to data regarding the District's goals without creating a hardship on the membership.