

# **BLUM**

**Independent School District**



**District of Innovation Plan**

**May 1, 2022 - May 1, 2027**

A District of Innovation is a concept passed by the 84th Legislative Session in House Bill 1842 that allows school districts greater local control and flexibility regarding certain state-level regulations in an effort to utilize the designation to better serve students.

The proposed plan, once adopted, will remain in effect for the next five years (May 2022-May 2027). The plan may be amended at any time by the District of Innovation Committee with the approval of the school board.

### **District of Innovation Committee**

Jeff Sanders	Administration	Benay Sifford	Middle School
Chantelle Hurt	Administration	Cooper Thornhill	High School
Mark Brandenberger	Administration	Brandi Gregg	High School
Lauren Mcpherson	Administration	LaDonna Jean	High School
Tiffany Quinn	Elementary	Samantha Maxwell	Parent
Jennifer Williams	Elementary	LaDonna Poteet	Parent
Tylo Bader	Middle School	Elsa Scott	Community

<b>Timeline</b>	<b>Task</b>
October 18, 2021	Informed the Board of Trustees that we will holding a public meeting to consider the renewal of the District of Innovation Plan.
October 19, 2021	District level committee public meeting to consider the final version of the proposed plan and approved the plan by a majority vote of the committee members.
January 7, 2022	Final version of the proposed plan was uploaded to the website.
January 7, 2022	Board of trustees has notified the commissioner of education of the board's intention to vote on the adoption of the new plan.
February 14, 2022	Board voted to adopt the plan by an affirmation vote of two-thirds of the membership of the board.
February 25, 2022	District notified the commissioner of approval of the plan along with a list of approved TEC exemptions.
February 25, 2022	Renewed and Adopted DOI plan is posted to the website.
February 25, 2022	District provided a copy of the link to the current local innovation plan to TEA.

**Statutes under consideration at this time include:**

**Blum ISD**  
**District of Innovation Plan**

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.

**SCHOOL START DATE**

(EB LEGAL) (Ed. Code 25.0811(a))

FIRST DAY OF INSTRUCTION (a) Except as provided by this section, a school district may not begin instruction for students for a school year before the fourth Monday in August.

**Innovative Strategy**

Blum ISD, who does not qualify for any of the exceptions noted in the statute, would like to have the freedom to develop a calendar that better fits the needs of the community should the committee choose. Having greater flexibility in this area would allow the District Committee to better balance the first and second semesters and provide more instructional days prior to state testing.

**SCHOOL DAY INTERRUPTIONS**

(EC Local) (Ed. Code 25.083(a))

SCHOOL DAY INTERRUPTIONS. (a) The board of trustees of each school district shall adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities (such as announcements) to once during the school day except in the case of an Emergency.

**Innovative Strategy**

Blum ISD would like to have the freedom to make announcements as needed during picture days and other days that are not routine for greater efficiency.

**90 PERCENT ATTENDANCE RULE**

TEC 25.092

MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL GRADE. (a) Except as provided by this section, a student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is

offered. (a-1) A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit or a final grade for the class if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit or a final grade under this subsection without the consent of the judge presiding over the student's case.

### **Innovative Strategy**

The 90 percent rule is an arbitrary percentage. District should have the option to set their own requirement. Local districts need the flexibility to set attendance requirements which reflect their specific situations and expectations.

Abstaining from the requirement means the district won't have to penalize students who miss class due to extra/co-curricular activities, academic activities, or other extenuating circumstances. The flexibility can allow for local boards to set higher expectations for attendance while promoting students engagement, as well as social and emotional development by encouraging more students to participate in extracurricular activities.

It must be noted, relief from Section 25.092 does not in any way impact or alter existing compulsory attendance requirements or University Interscholastic League (UIL) rules. Opting out of Section 25.092 in no way limits or modifies a teacher's right to determine the finality of a grade in accordance with Texas Education Code Section 28.0214, nor does it restrict or alter a teacher's right to assign grades in accordance with Texas Education Code Section 28.0216.

### **ABSENCES FOR COLLEGE VISITS**

(Ed. Code 25.087 (b-2))

**EXCUSED ABSENCES.** (b-2) A school district may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student's junior and senior years of high school for the purpose of determining the student's interest in attending the institution of higher education, provided that:

- (1)the district may not excuse for this purpose more than two days during the student's junior year and two days during the student's senior year; and
- (2)The district adopts: (A) a policy to determine when an absence will be excused for this purpose; and (B) a procedure to verify the student's visit at the institution of higher education

### **Innovative Strategy**

Currently students are only allowed to have two excused school days to visit college or universities as college days. In some cases, where students are visiting colleges out of state, students need more than the two days that are currently allowed to safely visit a college they are interested in attending or doing comparative visits to multiple colleges.

Blum ISD will be exempt from the two-day excused absence limit for students visiting institutions of higher education. Students would be allowed more than the current two-day excused absence limit. Each situation would be evaluated by the counselor on a case by case basis.

## **LOCAL ROLE IN TEACHER AND PRINCIPAL EVALUATION**

*(DNA LEGAL) (Texas Education Code 21.352, 21.353, 21.354, 21.3541)*

TEC §21.352 In appraising teachers, each school district shall use the appraisal process and performance criteria developed by the commissioner or an appraisal process and performance criteria developed by the district- and campus-level committees established under Section 11.251, containing the items described by Sections 21.351(a)(1) and (2), and adopted by the board of trustees. The board of trustees may reject an appraisal process and performance criteria developed by the district- and campus-level committees but may not modify the process or criteria. Except as otherwise provided by this subsection, appraisal must be done at least once during each school year. A teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years. The district shall maintain a written copy of the evaluation of each teacher's performance in the teacher's personnel file. Each teacher is entitled to receive a written copy of the evaluation promptly on its completion. After receiving a written copy of the evaluation, a teacher is entitled to a second appraisal by a different appraiser or to submit a written rebuttal to the evaluation to be attached to the evaluation in the teacher's personnel file. The evaluation and any rebuttal may be given to another school district at which the teacher has applied for employment at the request of that district. In addition to conducting a complete appraisal as frequently as required by Subsection (c), a school district shall require that appropriate components of the appraisal process, such as classroom observations and walk-throughs, occur more frequently as necessary to ensure that a teacher receives adequate evaluation and guidance. A school district shall give priority to conducting appropriate components more frequently for inexperienced teachers or experienced teachers with identified areas of deficiency. A teacher may be given advance notice of the date or time of an appraisal, but advance notice is not required. A district shall use a teacher's consecutive appraisals from more than one year, if available, in making the district's employment decisions and developing career recommendations for the teacher. The district shall notify a teacher of the results of any appraisal of the teacher in a timely manner so that the appraisal may be used as a developmental tool by the district and the teacher to improve the overall performance of the teacher. TEC §21.3541 In appraising principals, each school district shall use either the appraisal system and school leadership standards and indicators developed or established by the commissioner under this section, or an appraisal process and performance criteria developed by the district in consultation with the district-level and campus-level committees established under Section 11.251 and adopted by the board of trustees. Each school district shall appraise each principal annually.

### **Innovative Strategy**

A committee of administrators and teachers would have the option to develop a local teacher and principal evaluation system which might include a combination of T-TESS, T-PESS, and other best practices.

## **TEACHER PROBATIONARY CONTRACTS**

(DCA LEGAL) TEC 21.102(b)

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.

### **Innovative Strategy**

Current legal policy allows experienced teachers new to the district to have a probationary period that 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. This time period is not sufficient to evaluate a teacher's effectiveness in the classroom. Relief from this law would allow time to sufficiently determine a staff member's effectiveness. Exemption from this requirement will allow ample time for campus administrators to determine the effectiveness of employees who have been a teacher in public education for at least five of the previous eight years thus providing a more stable and effective learning environment for students. Blum ISD would like to have the ability to renew the probationary contract one additional year period, for a maximum of two school years, for all teachers that are new to the district who have been employed as a teacher in public education for at least five of eight years preceding employment by the District.

## **TEACHER EMPLOYMENT CONTRACT DAYS**

(DCB Ed. Code 21.401(b))

Minimum Service Required. (b) An educator employed under a 10-month contract must provide a minimum of 187 days of service.

### **Innovative Strategy**

Blum ISD would like to have the freedom to consider the reduction in contract days to better align with the 75,600 minutes required of students. This potential decrease in days would have no effect on teacher salaries, which increase a teacher's daily rate and enhances teacher recruitment.

## **TEACHER CERTIFICATION REQUIRED**

(DK LEGAL) (Ed. Code 21.003(a))

Certification Required. (a) A person may not be employed as a teacher by a school district unless the person holds an appropriate certification or permit issued as provided by Subchapter B.

### **Innovative Strategy**

Blum ISD would like to make decisions regarding certifications locally and based on the needs of the campus and students. In the event that the district cannot locate a certified teacher for a position or teachers are teaching a subject outside of their certification, BISSD would like to be afforded the flexibility to consider entering into at-will employment agreements with non certified individuals that have field experience in a CTE, STEM field or vocational skill that would provide more options for students and flexibility in scheduling.

Blum ISD would also like to allow a certified teacher to teach one subject outside of their certified field in the event there is a need. BISD will locally document the reasoning for the request and the credentials the certified teacher possesses which qualify this individual to teach the subject. **Special education and Bilingual/ESL teachers must continue to be SBEC certified.**

### **CAMPUS BEHAVIOR COORDINATOR**

Designation of Campus Behavior Coordinator TEC §37.0012

A person at each campus must be designated to serve as the campus behavior coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline.

Board Goals Inhibited by TEC §37.0012

#### **Innovative Strategy**

Blum ISD will partner with and involve our diverse community to support BISD students and staff. Flexibility with regard to the designation of campus behavior coordinators allows for greater collaboration when addressing the social and emotional learning of students. Time and resources can be spent on fostering positive school culture and implementing multi-systemic prevention and intervention programs.

The district will decide which employees and systems to involve in maintaining student discipline instead of a single person designated as a campus behavior coordinator. Disciplinary responsibilities will be included in an employee's job description when applicable. The maintenance of student discipline will be appropriately addressed in the Student Code of Conduct

### **PROFESSIONAL DEVELOPMENT/MENTOR TEACHERS**

TEC §21.451;TEC §21.458

TEC 21.451 prescribes staff development requirements for educators. These requirements impede the District's ability to provide timely professional development to employees based on newly emerging issues, data, and student needs. TEC 21.458 sets eligibility requirements for teacher mentors and mentees. This provision states that the district may only assign a mentor to a teacher with less than two years of teaching experience, despite the fact that a teacher at any level of experience may benefit from a mentor-mentee relationship. The District needs the flexibility to assign mentors to more experienced teachers in need of assistance. The statute also sets eligibility requirements for mentor teachers, which limits the available pool of mentor teachers.

#### **Innovative Strategy**

The District will exercise local discretion in determining the areas of need, content, duration, and frequency for professional development for its instructional and non-instructional staff. The District will exercise local discretion in assigning teachers to serve as mentors based on a variety of factors, including experience, knowledge, and areas of instruction targeted for improvement or innovation.

## **CLASS SIZE IN KINDERGARTEN THROUGH 4TH GRADE**

(EEB LEGAL) (Ed. Code 25.112)

CLASS SIZE. (A) Except as otherwise authorized by this section, a school district may not enroll more than 22 students in a kindergarten, first, second, third, or fourth grade class. Notice of Class Size in Kindergarten through 4th Grade (Ed. Code 25.112 & 25.113) Notice of Class Size. (B) A campus or district that is granted an exception under Section 25.112(d) from class size limits shall provide written notice of the exception to the parent of or a person standing in parental relation to each student affected by the exception.

### **Innovative Strategy**

By gaining exemption from these statutes, Blum ISD would no longer have to submit redundant class size waivers that are continuously approved by TEA and prevent multiple communications to parents each time a new student enrolls. The district is experiencing steady growth; students continue to enroll after school has started and it is impossible to predict class size. BISD will continue to keep class sizes within the 22-1 limits, but will seek relief on paperwork.

## **SCHOOL DISTRICT DEPOSITORIES CONTRACT**

(BDAE Legal & Local) (Ed. Code Subchapter G. 45.206)

TERM OF CONTRACT. (A) Except as provided by Subsection (b), the depository bank when selected shall serve for a term of two years and until its successor is selected and has qualified. (B) A school district and the district's depository bank may agree to extend a depository contract for two additional two-year-terms. An extension under this subsection is not subject to the requirements of Section 45.206. (C) The contract term and any extension must coincide with the school district's fiscal year.

### **Innovative Strategy**

By gaining exemption from these statutes, BISD would be able to allow the district's existing bank contract to be extended beyond the total 6 year allowable contract term if the district determines contract pricing remains competitive and there is no operational or financial reason to send the district's banking services out to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP) when there is are no other banking institutions within district boundaries available to bid on the district's business. In addition, this would further mitigate any impact to employees that would have to alter their direct deposit instructions and afford district flexibility with respect to local banking relationships.

## **INTER-DISTRICT TRANSFER STUDENTS**

(FDA (LOCAL) & Ed. Code 25.036)

TRANSFER STUDENTS. Currently, under Texas Education Code 25.036, a district may choose to accept, as transfers, students who are not entitled to enroll in the district, but TEC 25.036, has been interpreted to require a transfer to be for a period of one school year.

### **Blum ISD Local Policy**

Blum ISD maintains a transfer policy under FDA (Local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history records, work habits, and attendance records are also evaluated. Transfer students are expected to follow the attendance requirements, rules, and regulations of the District. TEC 25.036



### **Innovative Strategy**

Blum ISD maintains a transfer policy under FDA (Local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history records, work habits, and attendance records are also evaluated. Transfer students are expected to follow the attendance requirements, rules, and regulations of the district. TEC 25.036 has been interpreted to establish the acceptance of a transfer as a one-year commitment by the district. The district is seeking exemption from the one-year commitment in accepting transfer applicants and allow the district to rescind a transfer at any time during the school year.

### **TEACHER CERTIFICATION REQUIREMENTS**

DBA (LEGAL), DBA (LOCAL) TEC 21.003, TEC 21.053

TEC 21.003 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. 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, or teacher if the educator does not hold a valid certificate at the time.

### **Innovative Strategy**

The district will maintain its current expectations for employee certification and will make every attempt to hire individuals with appropriate certifications for the position in question. However, when that is not reasonably possible, the district's exemption from TEC 21.003 would allow the district to have the flexibility to hire non-certified persons who are knowledgeable and equipped to teach industry-specific career and technical courses (CTE), (STEM) science technology engineering and math courses, dual credit courses, and courses in languages other than english, and all core academic courses. The superintendent will have the authority under this exemption to select and employ non-certified persons who meet district qualifications for such teaching assignments.

In addition, in grades 6-12, the campus principal may submit to the Superintendent a request for local certification that will allow a certified teacher to teach courses or grades for which he/she is not certified. The principal must specify in writing the reason for the request and document what credentials, or experience, the teacher possesses that would qualify this individual to teach the proposed subject.

The Superintendent will have the authority under this exemption to assign a certified teacher to a subject or grade level for which the teacher is not certified.

The Superintendent will report to the board any hiring or assignment made under this exemption.

Whenever possible, instructional planning for a non certified teacher's course will be undertaken in partnership with a certified teacher in the same field. Non Certified teachers will be provided teacher mentoring, increased observations and feedback, professional development or instructional resources, and other supports. **Special education and Bilingual/ESL teachers must continue to be SBEC certified.**

Under this exemption, the district will not be required to submit to TEA any teacher certifications waiver requests, state permit applications, or other such paperwork regarding these teachers. The district will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful.

## **STUDENT BEHAVIOR**

BISD FOD (LEGAL) and FOD (LOCAL) TEC 37.007 (c)

Exempt from: 37.007(c)

Serious misbehavior while in DAEP:

(33) Deliberate violent behavior that poses a direct threat to the health or safety of others

(34) Extortion, meaning the gaining of money or other property by force or threat

(35) Conduct that constitutes coercion

(36) Public Lewdness

(37) Indecent Exposure

(38) Criminal Mischief

(39) Personal Hazing

(40) Harassment of a student or employee

## **Innovative Strategy**

To implement this innovation, the district's Student Code of Conduct will authorize the principal at the DAEP campus to recommend expulsion to the JJAEP when a student has committed multiple offenses of verbal or physical insubordination or has otherwise repeatedly disrupted the educational environment of the DAEP. A principal's recommendation for expulsion to the JJAEP must be supported by specific, written documentation of each incident of such misbehavior, as well as behavioral interventions and corrective actions by the DAEP staff.