

DAC Public Meeting – April 18, 2022

The 84th Legislative Session passed House Bill 1842, allowing Texas public school districts to become Districts of Innovation and thus permitting exemption from certain provisions of the Texas Education Code (TEC). This distinction provides opportunities for increased local control over district operations and increased flexibility in academic programming to positively impact student achievement. It also empowers district leaders to innovate and transform systemically to improve the quality of services benefitting all educational stakeholders.

In order to best serve our students and align our learning to district goals, Spurger ISD developed a five-year District of Innovation Plan originally approved by the SISD Board of Trustees on May 30, 2017. This plan was in effect for a period of five years and expires in July 2022. The District Advisory Committee has reviewed and revised the plan to be renewed for another five-year period. We believe that the newly revised plan as outlined in this document will allow greater local consideration for the factors that uniquely impact the students of Spurger ISD. The term of the plan is for five years, beginning May 30, 2022 and ending May, 30, 2027, unless terminated or renewed by the Board of Trustees in accordance with the law. The plan will be formally reviewed annually and may be amended at any time by the District Advisory Committee with the approval of the Board of Trustees in accordance with Texas Education Code section 12A.007.

Note: While the law provides for flexibility through exemptions from certain provisions of the Texas Education Code (TEC), districts are not exempt from statutes related to curriculum, graduation requirements, academic accountability, or financial accountability.

SPURGER 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 the State Board of Education.

School Start and End Date

Exemption from: TEC 25.0811; 25.0812

Related Board Policies: EB (LEGAL)

Current Statutes

TEC 25.0811 states that a school district may not begin instruction for students for a school year before the fourth Monday in August. TEC 25.0812 states that a school district may not schedule the last day of school before May 15.

Challenge Created by Current Statutes

These statutes allow 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.

Innovation Strategies - Local Alternative Standard

SISD will continue collaborative local processes to create an annual academic calendar that aligns with the goals of balancing academic grading periods, considers local community and county events that impact student attendance, and includes regular professional learning opportunities for district personnel. The District will also work collaboratively with partnering school districts and Institutes of Higher Learning (IHL) to align academic calendars to benefit students participating in programs and/or activities provided through shared services, cooperatives, and other academic consortiums.

Teacher Certification

Exemption from: TEC 21.003; 21.051; 21.053; 21.055; 21.057; & 37.008(a)(7)

Related Board Policies: DBA (LEGAL)/(LOCAL); DK (LEGAL)/(LOCAL)

Current Statutes

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.

TEC 21.051 requires an individual to have completed at least 15 hours of filed-based experience that includes instructional or education activities before a school district can employ the individual as the teacher of record.

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 21.055 identifies the criteria a school district must comply with before issuing a school district teaching permit including solicitation of consent from the Commissioner of Education for core subject area certification.

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.

TEC 37.008(a)(7) requires teachers assigned to the District's Alternative Education Program be certified in accordance with Chapter 21 of the education code.

Challenge Created by Current Statutes

The identified sections relate to the certification of educators, and provide that a person may not be employed as a teacher by a school district unless the person holds the appropriate certificate or permit 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, a district may request emergency certification from the Texas Education Agency; a teacher must present his or her certificate to the district before their employment contract will be binding, and prohibits the district from paying an educator as a teacher if the educator does not hold a valid certificate at the time; the district is required to submit to the commissioner the names, qualifications, and teaching assignments for anyone issued a local teaching permit; if a teacher is not certified, the district may issue a teaching permit to employ the individual but again requires notice to the commissioner; the district is required to submit written notice to parents if an inappropriately certified teacher is assigned to a classroom for more than thirty consecutive instructional days.

The indicated statutes do not take into account the size, location and unique financial and instructional needs of Spurger ISD. While Spurger ISD strives to offer a market competitive salary for teachers, as a small rural school district it is not within the District's means to lead the scale of competitive salaries as compared to surrounding districts. This limits the ability of the District to recruit and retain highly effective personnel.

Additionally, Spurger ISD strives to offer freedom and flexibility to teachers in creative ways, including but not limited to, the opportunity to teach courses that they are passionate about and that align with student interests and strengths. This, however, may not always align with the teacher's area of certification and primary teaching assignment.

Spurger ISD values CTE and STEM related courses that offer students opportunities to explore and earn certifications that lead to workforce development and/or continuing

post-secondary education. The current certification requirement limits the ability of the district to recruit and hire individuals with demonstrated subject matter expertise, such as professional work experience, formal training and education, relevant industry license, certification, or registration, or any combination of these.

Finally, Spurger ISD seeks to cast a broad net with teacher recruitment beyond the state of Texas, yet this is hindered by the statute's failure to acknowledge the validity of out-of-state teaching certifications.

Innovative Strategies - Alternative Local Standard

The district will maintain high standards for teacher qualification and will make every attempt to hire individuals with appropriate certifications for the positions available in Spurger ISD. However, the district will have the flexibility to hire individuals who are knowledgeable in the subject area and equipped to effectively perform the duties of the position. Positions most likely to be filled with locally certified personnel include, but are not limited to, Career and Technology Education (CTE), English, and STEM.

Teachers with a minimum of 12 hours in a core subject area, industry experience, out-of-state certifications, and native languages other than English with qualified education and experience could be eligible to be employed as a teacher in Spurger ISD pending local certification requirements. **Career and Technology teachers may be hired based upon work or trade experience regardless of degree status. CTE educators will teach courses based upon their work or trade experiences.**

Additionally, teachers may be granted opportunities to teach courses outside of their standard certification area to teach to their passions and fulfill student interests.

Teachers with out-of-state certifications will be required to maintain a valid teaching certificate with a plan to achieve a Texas teaching certification within prescribed timelines.

The District will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful, including teaching mentoring, increased observations and feedback, professional development and/or other instructional supports as needed.

The district will issue local teaching permits for personnel based on locally established qualification requirements. Teacher certification waivers, state permit applications, or other paperwork will not be submitted to the Texas Education Agency. The district will maintain records on all teachers employed under local teaching permits for review upon request. Employees' credentials will continue to be available upon review through traditional processes under the Public Information Act.

Emergency Clause – In the event that a teacher position is vacated after the start of the school year, the District may hire the best applicant for the position with the intent to re-evaluate the details of the position at the end of the same school year.

Inter-District Transfers

Exemption from: TEC 25.036

Related Board Policies: FDA (LEGAL)/(LOCAL)

Current Statute

TEC 25.036 allows a district to accept, as transfers, students who are not entitled to enroll in the district; however, a transfer term is interpreted to be for a period of one school year.

Challenge Created by Current Statute

SISD maintains a policy that requires an annual application/renewal policy for inter-district transfers. In approving transfer requests, the following criteria are evaluated in consideration of each applicant: Transfer students are expected to follow the rules and regulations of the District. The one-year commitment in accepting transfer students prohibits the District from taking action to revoke the transfer during the school year.

Innovative Strategies - Alternative Local Standard

Spurger ISD will eliminate the provision of a one-year commitment in accepting transfer students in the following circumstances:

1. Violation(s) of the student code of conduct constitute persistent (documented over time) misbehavior; warrants suspension, placement in a disciplinary alternative program, or expulsion.
2. Student attendance falls below the TEA truancy standard despite due diligence on behalf of campus leadership.
3. Availability of programs and services; the student's grade reports; and STAAR and/or EOC performance history.

Non-residents accepted as transfer students may have their transfer status revoked at any time during the year under the circumstances outlined herein.