

Nixon-Smiley

Consolidated Independent School District

District of Innovation Plan



I. Introduction:

House Bill 1842 was passed by the 84th Texas Legislature in the spring of 2015. This bill allows public school districts to be designated as Districts of Innovation and obtain exemptions from certain provisions of the Texas Education Code. This designation will provide for more local control at the district level, providing the opportunity for Nixon-Smiley CISD to better serve our community and focus on the unique needs of each student.

To access these flexibilities, a school district must adopt an innovation plan, as set forth in Texas Education Code Chapter 12A.

Districts of Innovation may be exempted from a number of state statutes and will have:

- Greater local control as the decision makers over the educational and instructional model for students;
- Increased freedom and flexibility, with accountability, relative to state mandates that govern educational programming; and
- Empowerment to innovate and think differently.

Districts are not exempt from statutes including curriculum and graduation requirements, and academic and financial accountability.

Nixon-Smiley CISD believes this is a great opportunity for our local district to establish plans based on the unique needs of our students and community. All of the exemptions requested herein are in line with the vision and goals of Nixon-Smiley CISD.

II. Term

The District of Innovation plan will be in effect for the 2017-2018 school year, upon Board approval. This plan will remain in effect for five years, February 2018 through January 2023, unless amended, rescinded, or renewed earlier by the District of Innovation Committee and a two-thirds majority vote by the Board of Trustees in accordance with the law. The District of Innovation Committee will monitor the effectiveness of the plan and recommend to the Board of Trustees any suggested modifications to the plan.

III. Committee

Representing community, parents, faculty, and administrative staff:

Lundy Atkins.....	Elementary Principal
Brittany Rogers.....	Elementary Teacher
Vanessa Dyer	Elementary Parent
Anita VanAuken	Middle School Principal
Erica Jones.....	Middle/High School Teacher
Tasha Janicek.....	Middle/High School Teacher
Jennifer Ortiz.....	Middle School Parent
Dr. Wendy Fuller	High School Principal
Jaci Trammell.....	High School Counselor
Cindy Scarbrough	High School Teacher
Jeremy VanGundy	High School Parent
Michael Duffek.....	DAEP Principal
Dawn Bergquist.....	Curriculum & Data Specialist
Tera Thompson.....	Director of Federal Programs
Jane Dwyer	Director of Special Programs
Dr. Cathy Lauer.....	Superintendent of Schools

IV. Timeline

<i>October 16, 2017</i>	Board of Trustees signed resolution to consider a designation as a District of Innovation
	Public hearing to consider developing a District of Innovation Plan
	Board of Trustees appointed a District of Innovation Committee (DOI) to develop the District of Innovation Plan
<i>November 9, 2017</i>	DOI Committee meeting to develop the District of Innovation Plan
<i>November 13, 2017</i>	DOI Committee meeting to review the District of Innovation Plan
<i>November 20, 2017</i>	DOI Committee meeting to review the District of Innovation Plan
<i>December 4, 2017</i>	DOI Committee meeting to review the District of Innovation Plan

- December 8, 2017* DOI Committee posted final proposed innovation plan to Nixon-Smiley CISD website for 30 days for staff and community to review
- January 8, 2018* Propose District of Innovation Plan to the Board of Trustees and notify the Commissioner of intent to adopt a District of Innovation Plan
- February 7, 2018* Hold public hearing to review proposed final innovation plan
- February 12, 2018 Anticipate Board of Trustees voting to adopt the proposed final District of Innovation Plan
- February 13, 2018* Anticipate the District notifying the Commissioner of the Board of Trustees approval of proposed final District of Innovation Plan

V. Innovations:

Exemptions from Future TEC Mandates not specified in this current plan

To best serve our local Nixon-Smiley CISD community, staff, and students, Nixon-Smiley CISD includes a provision in our local District of Innovation Plan for the District to maintain control over any future, eligible Texas Education Code mandates, which may be exempted by a two thirds majority vote of the Nixon-Smiley CISD Board of Trustees.

Additionally, the following specific allowable exemptions have been developed for implementation beginning with the adoption of this District of Innovation Plan:

District-Level and Site-Based Decision-Making (TEC §11.251, §11.252, §11.253, & §11.255)

Proposed Flexibility: Nixon-Smiley CISD is claiming exemption from the specific provisions of Sec. 11.251, 11.252, 11.253, and 11.255 and shall determine the processes and memberships of its site-based management committees. While Nixon-Smiley CISD will continue to develop district and campus improvement plans based upon a comprehensive needs assessment, the District is claiming exemption from the specific mandates of these sections and shall determine the contents of its plans while honoring federal mandates that cannot be excluded. Regardless of whether any adjustments or changes are made to site-based decision-making rules and laws, Nixon-Smiley CISD believes this issue to be a local decision as opposed to a state mandate.

Teacher Certification (TEC §21.003, §21.053, & §21.057)

Requirement: State law 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.

Proposed Flexibility: The current state teacher certification requirements inhibit the District's ability to hire teachers to teach hard-to-fill, high demand, dual credit, as well as career and technical courses. Nixon-Smiley CISD is located in a rural area, which limits course offerings and utilizes creative instructional methods district wide. Allowing the local district control in order to better enable students to obtain the educational benefits of such course offering, the District seeks to establish its own local qualification requirements and its own requirements for training professionals and experts to teach such courses in lieu of the requirements set forth in law.

Probationary Contracts (TEC §21.102)

Requirement: 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.

Proposed Flexibility: 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 three years from the last date of district employment. This will allow the District to properly assess and assist new personnel in the acclimation to the District.

Teacher and Administration Evaluations (TEC §21.352, §21.354 & §21.3541)

Requirement:

The state issued a new teacher appraisal system in 2016-2017, called the Texas Teacher Evaluation and Support System (T-TESS) and the Texas Principal Evaluation and Support System (T-PESS). The domains within these systems are developed by the State to meet the needs of the entire State of Texas.

Proposed Flexibility: Nixon-Smiley CISD believes it is essential to maintain flexibility in using a variety of measurements, including goal setting, observations,

student growth progress toward learning objectives, and other formative assessments in determining the performance of its educators. By claiming exemption from Sec. 21.354, and 21.3541, the District can determine locally the most appropriate appraisal instrument to evaluate its educators. Regardless of whether any adjustments or changes are made to the state-mandated appraisal system and laws, Nixon-Smiley CISD believes this issue to be a local decision as opposed to a state mandate.

Teacher Contract Days (TEC §21.401)

Requirement: A contract between a school district and an educator must be for a minimum of 10 months' service. An educator employed under a 10-month contract must provide a minimum of 187 days of service.

Proposed Flexibility: The minimum required days of service, for an educator employed under a 10-month contract, will be determined on an annual basis. This exemption will allow the District to reduce teacher contract days, with a range of 182-187. This would provide flexibility to align teacher contract days to instructional days, which, would improve morale and help with recruitment efforts. This exemption would better align the number of teacher contract days to the required 75,600 minutes of instruction for students.

The number of contract days will be determined on an annual basis, per the approved district calendar. The decrease in the number of contract days will have no effect on teacher salaries. The reduced number of contract days will result in an increased daily rate.

Teacher Professional Development, Teacher Mentors, and Planning Time (TEC §21.404, TEC §11.253, & TEC §21.458)

Requirement: State law currently requires a specified number of minutes for teacher's planning and preparation time, oversight by the campus-level committee established under §11.253, as well as only allows districts to assign mentors to teachers with less than two years of teaching experience.

Proposed Flexibility: 1. The exemption from the required number of minutes in TEC §21.404 will allow for the District's teachers to participate in instructional meetings on a weekly or bi-weekly basis during the workday without compromising instructional time, where they can share best practices, critically examine student data, and plan collaboratively. 2. The exemption from the staff development requirements under TEC §11.253 will allow more oversight locally. The local committees will be allowed to make staff development decisions based on local need and will provide flexibility and responsiveness to newly emerging data. 3. The exemption from TEC §21.458 lays out several requirements for

teacher mentors. An exemption from these requirements would allow for teachers with more than two years of experience to be assigned a mentor that excels in areas that are targeted for improvement or innovation. In addition, mentors would be exempt from the qualifications described in Subsection (b), thus increasing the pool of teachers from which the district could draw for these targeted mentoring programs.

Inter-District Transfers (TEC §25.036)

Requirement: 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.

Proposed Flexibility: The District is seeking to eliminate the provision of a one school year commitment in accepting transfer students. Transfer students will be admitted upon District approval, following District requirements and procedures. Transfer students not meeting the local guidelines, may be subject to immediate revocation of the transfer status.

Transfers shall be granted for one school year at a time, based on the transfer requirements, available space, and instructional staff. A new, written application shall be required for each school year that a transfer is sought. Nonresident students, who voluntarily withdraw from Nixon-Smiley CISD during the school year, will not be permitted to reapply for transfer status during that same school year.

Transfer students may have their transfer status immediately revoked if they do not meet the District's attendance and conduct requirements.

Nixon-Smiley CISD will attempt to provide the same resources to transfer students, as all other students receive, prior to their transfer status being revoked. The resources include, academic tutorials and assistance, behavioral interventions, parent/guardian meetings, and private conversations with the campus counselor. A transfer student, whose transfer status is revoked, is not permitted to reapply for transfer status during that same school year. The principal and/or counselor, with teacher input, will review the parameters of the transfer student agreement each grading cycle to determine if there are any violation of the terms within the agreement.

Length of School Day (TEC §25.081)

Requirement: State law currently requires that all school days must be 420 minutes long each day in order to count for ADA calculations and funding purposes, and to accumulate instructional minutes towards the 75,600 minutes required annually.

Proposed Flexibility: Exemption from the 420-minute day requirement would allow Nixon-Smiley CISD the flexibility needed to alter the school day schedule on selected days whenever it was locally determined as necessary or beneficial to the district and its stakeholders. While there is a waiver process available to request exemption from this requirement, the waiver is limited to a 6-day maximum number for the school year.

Exempting completely from the 420-minute requirement would give the District a significant amount of local control over scheduling (above and beyond the 6-day maximum as needed) without the fear of diminishing state funding or losing credit for instructional time that might cause the District to fall out of compliance with annual minute requirements. This would allow the District the flexibility to schedule non-instructional days into the schedule providing time for teachers to analyze student data and engage in targeted, relevant professional development.

Nixon-Smiley CISD does not have any intentions to shorten the school day on a regular basis, or without specific purpose. To the greatest extent possible, “early release” days would be planned ahead of time and noted in the District calendar, which is approved by the Board of Trustees and published and distributed to stakeholders in advance of the school year and continuously publish using school media.

Uniform School Start and End Date (TEC §25.0811 & TEC 25.0812)

Requirement: Texas Education Code Section 25.0811 states that a school district may not begin instruction prior to the fourth Monday in August. TEC 25.0812 states a school district may not schedule the last day of school for students for a school year before May 15.

Proposed Flexibility: The flexibility in determining the start and end of the instructional calendar will increase student achievement, improve attendance, and better allow the District to meet the social and emotional needs of the students. Having the flexible start and end date will allow the District to balance the amount of instructional time in each semester, which allows for a more balanced approach to the scope and sequence of all classes, but greatly benefits single semester courses. It allows for a more equal distribution of the number of days in each grading period and for more flexibility in scheduling professional development during the school year.

School Day Interruptions (TEC §25.083(a))

Requirement: State law currently requires the Board of Trustees to 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.

Proposed Flexibility: While the District agrees that maximizing class time is crucial, this requirement is not practical. The District will continue to minimize classroom disruptions to the greatest extent possible.

School Day Interruptions (TEC §25.083(b))

Requirement: A district may not remove a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student's parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such purpose.

Proposed Flexibility: A greater flexibility of meeting the needs of individual students through targeted intervention programs is necessary. For students with learning gaps that are classified below grade level, the District will attempt to use regularly scheduled non-core course time to provide intervention strategies. These pullout programs may at times require a student to miss more than ten percent of the regularly scheduled class. This will not require parent's written consent.

Absences for College Visits (TEC §25.087 (b-2))

Requirement: 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.

Proposed Flexibility: Currently students are only allowed to have two excused school days to visit colleges or universities as college visit 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. The District 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. The counselor on a case-by-case basis would evaluate each situation.

Minimum Attendance for Class Credit or Final Grade (TEC §25.092)

Requirement: Texas Education Code Section 25.092, commonly referred to as the 90 percent rule, provides conditions for credit or a final grade for a class based on student attendance for at least 90 percent of the days a class is offered. The law also provides provisions for students who are in attendance at least 75 percent of the days a class is offered, in that he/she may be given credit or a final grade if the student completes a plan approved by the principal that meets the instructional requirements of the class.

Proposed Flexibility: One goal of the District is to provide a rigorous, active, and engaging K- 12 curriculum through innovative teaching and learning methods. These methods and strategies may require varied forms of delivery and be supported by problem-based, blended, and personalized learning for students and may require flexible scheduling in regards to where and how students learn. Students working independently or working on group projects may complete work in various locations, (including but not limited to labs, field trips, work-related areas, etc.) and varied timelines. Exemptions from Section 25.092 will benefit our students in the way that instruction will be delivered and ultimately in student learning outcomes. Nixon-Smiley believes that awarding a student credit or a final grade for a class based on content-based mastery rather than seat time will improve student achievement, student test scores, and graduation rates. Relief from Section 25.092 will not change or impact Section 25.085 in regards to compulsory attendance, Section 28.0214 in regards to finality of a grade by a teacher, and Section 28.0216 regarding the District's grading policy.

Class Size Requirement (TEC §25.112 & TEC §25.113)

Requirement: TEC §25.112 requires districts to maintain a class size of 22 students or less for Kindergarten-4th Grade classes. TEC §25.113 requires district to notify parents of waivers or exceptions to class size limits. Districts are required by state law to maintain a 22:1 student to teacher ratio for Kindergarten – 4th Grade classes.

Proposed Flexibility: Nixon-Smiley CISD recognizes that smaller class sizes are beneficial and will continue to use the 22:1 student/teacher ratio for Kindergarten-4th grade in projecting the number of staff needed for future school years. We also recognize that this fact must be balanced with the logistics of the

timing of adding staff and continuing to employ the best-qualified teachers. Many times it is not the number of the students but the makeup and chemistry of the classroom, which influence the learning environment. Most importantly, research clearly shows it is the teacher in the classroom that has the greatest impact on student learning, not absolute class size. Nixon-Smiley CISD would like local control in allowing a principal to get permission from the superintendent and School Board if a classroom has one or two students over the ratio rather than appealing to the Texas Education Agency.

Student Discipline Provisions (TEC §37.0012)

Requirement: A person at each campus must be designated to serve as the campus behavior coordinator. The person may be the principal of the campus or any other campus administrator selected by the principal.

Proposed Flexibility: The proposal is for the District to abstain from the state requirement that each school have a designated campus behavior coordinator. Nixon-Smiley CISD's approach to discipline is becoming more collaborative, with multiple people providing emotional and social support to students, rather than one person exclusively. Exemption from this requirement will allow the option of increasing collaboration in regard to student discipline. All certified campus administration will serve as joint behavior coordinators and work collaboratively with campus and district staff to promote campus goals.

DAEP Student Discipline (TEC §37.007(c))

Requirement: TEC 37.007c states that a student placed in DAEP who engages in documented serious misbehavior while on the DAEP campus despite documented behavioral interventions may be removed from class and expelled. Serious misbehavior includes deliberate violent behavior that poses a direct threat to the health and safety of others; extortion, meaning that gaining of money or other property by force or threat; conduct that constitutes the offense of: criminal mischief under Penal code 28.03, personal hazing under Penal code 37.152; indecent exposure under Penal code 21.08, public lewdness under Penal Code 21.07, and harassment, under Penal Code 42.07, of a student or district employee.

Proposed Flexibility: The Texas Code of Education makes no allowance for the expulsion of students whose persistent misbehavior disrupts instruction and is detrimental to the educational environment.

Nixon-Smiley DAEP has a strong and structured system of discipline.

- A. A student placed in DAEP who engages in documented serious misbehavior while on a DAEP campus despite documented behavioral interventions may be removed from the DAEP and expelled.
- B. A student placed in DAEP who engages in documented persistent misbehavior while on the DAEP campus despite documented interventions can be suspended or expelled.
- C. All students expelled from a DAEP campus will be given the option of attending night school or Saturday school one time per week for the term of his/her expulsion in order to gain and or maintain as many credits as possible during the period of expulsion.
- D. Transportation will not be provided.
- E. Days sent home or suspended will not count towards days served in DAEP.

DAEP Grouping (TEC §37.006(f))

Requirement: Elementary students may not be placed in a disciplinary alternative education program with any other student who is not an elementary student.

Proposed Flexibility: Due to the significantly small enrollment of elementary students in the DAEP and limited staff, students will be better served by allowing flexible grouping with certain older students. To provide the most effective learning environment for students in the DAEP, Nixon-Smilely DAEP will use flexible grouping to accommodate learning within upper elementary and lower secondary grade levels, as appropriate. The classroom teacher will continue to differentiate instruction to meet all student needs.

Teacher Certification in DAEP (TEC §37.008)

Requirement: Law currently provides that each school district shall provide a disciplinary alternative education program that: employs only teachers who meet all certification requirements established under Subchapter B, Chapter 21.

Proposed Flexibility: Nixon-Smilely seeks exemption from having a certified teacher in DAEP. Students assigned to our DAEP have classes provided using computer-based instruction. The campus administrators will ensure that the staff of the DAEP has the support necessary to properly supervise the students assigned to the program. Certified teachers will lend assistance as needed.

Assessment Program (TEC§39.022) – Not an allowable exemption by TEA

Requirement: The State of Texas Assessment of Academic Readiness (STAAR), implemented in the 2011-2012 school year, is the current assessment program used by the state. STAAR was developed in response to requirements set forth by the 80th and 81st Texas legislatures and was designed to measure the extent to which students have learned and are able to apply the knowledge and skills defined in the state-mandated curriculum. The STAAR and other standardized assessments, though, have evolved into an assessment designed to rank order students. Regardless of the effort put forth to learn and teach, there will always be students who fail to meet the minimum performance on STAAR because it does not measure student learning or measure the mastery of the Texas Essential Knowledge and Skills (TEKS), but rather tests a limited portion of TEKS inconsistently from year to year.

Proposed Flexibility: Nixon-Smiley CISD will adopt an assessment program that is truly designed to measure student learning and student progress. Students in grades three through eight will be administered interim assessments, such as the Measures of Academic Progress (MAP), which the District currently uses, or similar assessments, in mathematics and reading throughout the school year. These assessments will be administered to each student, to document and inform the individualized learning plans for each student. The advantages of interim assessments are to measure the growth of each student over time regardless of on, above, or below grade level performance, engage students and families in goal-setting, and inform instruction using valid, reliable, and real-time data. A science assessment instrument will be identified and implemented at the elementary, intermediate, and high school levels. This assessment approach is consistent with the Every Student Succeeds Act (ESSA).

Action Plan:

1. Form a local assessment committee to review available assessments that can be used to support learning, inform teachers, and provide meaningful information for students and their parents.
2. Instruct the committee to use the following assessment system characteristics as a guide: a. assessment of only a modest number of high-importance curricular standards; b. provision of clear descriptions of each assessed curricular standard; c. inclusion of enough items to measure each student's mastery of each assessed curricular aim; and d. creation and distribution of resources to support teachers' use of the formative assessment process.
3. Recommend assessments to the Board of Trustees for consideration.
4. Develop the calendar for local assessments and distribution of reports.
5. Provide professional learning for all teaching staff on using assessment results for personalizing student learning.

6. Communicate assessment changes to parents and the community explaining the reasons for the change and the benefits.
7. Expand the assessment system to include a history of student learning to be presented, collected, and stored to demonstrate mastery of standards.
8. Administer assessments at designated times throughout the school year.
9. Report student performance on assessments to students, parents, and teachers confidentially reporting individual strengths and weaknesses.
10. Provide campus level and district level reports of performance on assessments to community.
11. Provide campus level and district level reports of performance on assessments to the Texas Education Agency.