



## Chireno ISD District of Innovation Plan

Board Approved July 22, 2021, by 6-0 vote

Amended October 19, 2023, by a 6-0 vote

### Explanation

House Bill 1842, passed by the 84th Legislature, provides local school districts the flexibility to write exemptions from certain provisions of the Texas Education Code. This plan of exemptions gives school districts flexibility within the regulations and gives the school more local control. To meet the criteria for a District of Innovation, schools must hold an accountability rating of “Met Standard” and and a “Superior” rating on the FIRST Financial Report.

In an effort to provide more local control and to give Chireno ISD flexibility to meet community and district needs, the DOI Committee wrote the following exemption plan which will be implemented for a period of 5 years.

The DOI Committee will meet to discuss revisions and additions to the Chireno ISD District of Innovation Plan.

## 1. School Calendar

### Exemption from: TEC 25.0811, TEC 25.0812

TEC 25.0811 states a school district may not begin student instruction before the 4th Monday of August.

TEC 25.0812 states a school district may not schedule the last day of school for students for a school year before May 15th.

### Proposed Innovation:

Chireno ISD believes that local control of increased flexibility in the school instructional calendar will increase student achievement, improve attendance, and better allow the district to meet the needs of the students and the community. The calendar will be established with the start date and end date based on what is best for the district. Exempting from TEC 25.0811 and TEC 25.0812 will have the following benefits:

- \*The instructional days for grading periods are more equal and balanced. This allows for a more balanced approach to the scope and sequence of all classes.
- \*The increased number of days in the fall allows for more flexibility in breaks and holidays for the students and staff to meet the needs and preferences of the community.
- \*Allows teachers and students to participate in summer courses offered by colleges and universities.
- \*Allows more flexibility for more scheduled staff development during the school year.

### Local Guidelines:

- \*The required 75,600 minutes of student instruction will still be met by CISD each year.
- \*CISD will publish the start date and end date in the board approved school calendar by July each year.
- \*CISD will continue to seek stakeholder input as required by the yearly calendar development.
- \*Changing the calendar will not alter the University Interscholastic League (UIL) restrictions for the first day of practice for athletic and fine arts programs. CISD will continue to comply with the UIL calendar for practices, events, and performances.
- \*The District Improvement Committee will create calendar options that set the start date and end date based on the needs of the district. CISD will set the local limits for starting school no earlier than the 2nd Monday in August and ending no earlier than the 1st of May.

## 2. Transfers

### Exemption from: TEC 25.036

TEC 25.036 states a school district may choose to accept, as transfers, students who are not entitled to enroll in the district for a period of one school year.

### Proposed Innovation:

Chireno ISD will continue to accept transfers who meet the transfer criteria and are recommended by campus administration, superintendent, and approved by the Board of Trustees. The availability of space and instructional staff, discipline records, and attendance records will be considered for approval. Under this exemption, transfer students will be monitored throughout the year for meeting transfer criteria. If any of the components of their approval changes, their transfer can be revoked any time during the year. Exempting from TEC 25.036 will have the following benefits:

- \*Students will be held to high expectations for appropriate behavior and conduct on the campuses.
- \*Students will meet the attendance expectations for the campuses or be withdrawn.
- \*An unexpected increase in non-transfer enrollment will not put the district in a need for additional staff or programs.
- \*Transfer students will not add a hardship to the campuses or district.

### Local Guidelines:

- \*Transfer applications will be reviewed by an administrator on each campus prior to acceptance.
- \*Transfer student records will be reviewed as necessary.
- \*When a transfer student has two disciplinary incidents, a campus administrator will review the details of the incidents and determine the status of the transfer.
- \*If a transfer student receives a DAEP assignment, the transfer may be immediately revoked.
- \*If a transfer student's attendance rate drops below 90%, the transfer may be revoked.

### 3. 90% Rule

#### Exemption from: TEC 25.092

TEC 25.092 currently mandates a student may not be given credit or a final grade for a class unless the student is in attendance for at least 90% of the days the class is offered. In addition, if a student is in attendance greater than 75% and less than 90%, they may be given credit and a final grade if the student completes a plan approved by the campus administrator and meets instructional requirements for the class. If the attendance is less than 75%, credit cannot be given.

#### Proposed Innovation:

Chireno ISD is a small district and we encourage our students to be involved in multiple extracurricular and co-curricular activities. This level of involvement sometimes results in students falling below the 90% requirement in classes. Flexibility with this rule would allow our students to participate without fear of losing credit for classes where the student demonstrates mastery of the content. Exempting from TEC 25.092 will have the following benefits:

\*Students will be involved in multiple activities and events with approval of the administration without fear of losing credit.

\*Students will gain the knowledge of the content and still experience the positive experiences of events and activities.

#### Local Guidelines:

\*Absences for extracurricular and co-curricular and special school sponsored events will be excused from the 90% rule.

\*The campus administrator will have the final word on students missing instruction for school events or activities.

#### 4. Probationary Contract Length

##### Exemption from: TEC 21.102

TEC 21.102 states that teachers new to a school district who have taught five of the last eight years in another school district may only be placed on a probationary contract for one year.

##### Proposed Innovation:

Chireno ISD believes that one year is not always a sufficient amount of time to evaluate a teacher's effectiveness in the classroom and the appropriate fit for the campus and the district. Administrators make contract recommendations in the early spring each year which is prior to some observations and the summative conferences. Administrators will have a right to recommend renewing the probationary contract beyond the initial year. Exempting from TEC 21.102 will have the following benefits:

- \*Administrators will have more time to evaluate the effectiveness of new teachers in the classroom.
- \*Administrators will maintain highly qualified teachers in the classroom.
- \*Administrators will have more time to observe and coach the new teachers.
- \*Administrators will ensure the teacher is a positive addition to the staff.

##### Local Guidelines:

- \*New teachers to the district who have at least 5 years of the last 8 years of experience may be placed on a probationary contract for up to 3 years at the recommendation of the campus administration, the superintendent, and the approval of the school board.
- \*Administrators will inform the teacher of the recommendation prior to submission to the school board.

## 5. Staff Workdays

### Exemption from: TEC 21.401

TEC 21.401 requires a contract between a school district and an educator to be for a minimum of 10 months service with a minimum of 187 days.

### Proposed Innovation:

With the change in requirements for student instruction time, the calendar for educators became difficult. Chireno ISD believes that local control of increased flexibility in educator contracts will allow the district to continue providing days spread throughout the year for holidays and staff development; while not having too many days to require educators to fulfill when students are not in attendance. Exempting from TEC 21.401 will have the following benefits:

- \*Teachers and staff will have all days scheduled with purpose and intention.
- \*Teachers and staff will follow a calendar closer to and balanced with the student calendar.
- \*Teachers and staff will be motivated and morale will increase.
- \*Retention and recruitment will experience a positive impact.

### Local Guidelines:

- \*The District Improvement Committee will determine the staff days annually with the creation of the school calendar.
- \*There will be no change in salary as a result of a change in the required workdays.
- \*The educator contracts will remain Chapter 21 contracts with all other provisions and protections.
- \*The contracts will be based on 10 months and the number of minimum days established by the DIC each year.
- \*Non-contract employee days will be adjusted by the same number of days as the contracted employees.
- \*Contract and non-contract employees will have days adjusted without an impact on salary.
- \*Ten month contract days will not be above 187.

## 6. CTE Certification

Exemption from: TEC 21.002 and TEC 21.003

TEC 21.002 and 21.003 state a teacher employed by a district must hold an appropriate certificate or permit.

Proposed Innovation:

Chireno ISD needs the flexibility to hire professional and experienced individuals for CTE courses who do not have a Texas teaching certificate. Exempting from TEC 21.002 and 21.003 will have the following benefits:

- \*Hard to fill areas in career and technical fields will be filled by experts in those fields.
- \*Flexibility will be available for one or two class periods for industry courses.
- \*Students will have access to an increased number of courses and trainings.

Local Guidelines:

- \*As required for CTE funding, the individual will hold a bachelor's degree or industry recognized certification.
- \*The district will seek a fully certified person for the position first.
- \*The hired individual will complete training hours in classroom management techniques.
- \*The non-certified teacher will be an at-will employee until they meet the requirements and become certified.

## 7. Grade Level Certification

### Exemption from: TEC 21.003

TEC 21.003 states a teacher employed by a district must hold an appropriate certificate or permit.

### Proposed Innovation:

Chireno ISD needs the flexibility to move employees into positions of need within the district. Exempting from TEC 21.003 will have the following benefits:

- \*The need for quality instruction in all classrooms will be met.
- \*Campuses can make personnel hires or moves that meet the needs of the campus and the district.
- \*Students will benefit from experienced and effective teachers.
- \**Special education and bilingual teachers must continue to be SBEC certified.*

### Local Guidelines:

- \*Certified teachers in a specific grade level range may be moved or hired into another grade level without having that specific certification.
- \*The teacher and the campus administrator will be in agreement with the move or hire if it is outside of the current certification limits.
- \*The teacher must be determined to be highly qualified with the approval of the administration, the use of a locally developed rubric, and the approval of the superintendent and school board.



## 8. Content Certification

### Exemption from: TEC 21.003

TEC 21.003 states a teacher employed by a district must hold an appropriate certificate or permit.

### Proposed Innovation:

Chireno ISD needs the flexibility to move employees into positions of need within the district. Exempting from TEC 21.003 will have the following benefits:

- \*The need for quality instruction in all classrooms will be met.
- \*Campuses can make personnel hires and moves that meet the needs of the campus and district.
- \*Students will benefit from experienced and effective teachers.
- \*Special education and bilingual teachers must continue to be SBEC certified.

### Local Guidelines:

- \*Certified teachers in a specific content may be moved or hired into a content area without having that specific certification.
- \*The teacher and the campus administrator will be in agreement with the assignment if it is outside of the current certification limits.
- \*The teacher must be determined to be highly qualified with the approval of the administration, the use of a locally developed rubric, and the approval of the superintendent and school board.

## 9. School Health Advisory Council

### Exemption from: TEC 28.004

TEC 28.004 requires the local school health advisory council to meet at least four times annually.

### Proposed Innovation:

The local school health committee will meet at least once per year.

### Local Guidelines:

The CISD School Health Advisory Committee shall meet at least once per year. The district's size and the stability of the membership of the SHAC ensures that committee members are aware of the needs of the district's students and are often able to review and revise plans in fewer than four meetings. The members of the SHAC and the CISD Board of Trustees should determine how often the committee will meet.

## 10. Required Professional Development

### Exemption from: TEC 21.451

TEC 21.451 states the staff development provided by a school district to an educator other than a principal must be conducted in accordance with standards developed by the district and designed to improve education in the district.

### Proposed Innovation:

Chireno ISD faculty are well trained in required staff development. Mandating these trainings annually only serves to add redundancy to back to school work that can be better utilized in preparing for the students to return. Exempting from TEC 21.451 will have the following benefits:

- \*Faculty has more time to prepare and plan for students.
- \*Faculty is required to review and retrain every three years.

### Local Guidelines:

The district will set up and maintain a cycle system for all employees. All district employees will participate in the formal training following a three year schedule in the following areas:

- \*Harassment and sexual harassment
- \*Bullying prevention for teachers, administrators, and staff
- \*Child abuse, sexual abuse, sex trafficking, dating violence and other maltreatment of children
- \*FERPA (student privacy)
- \*Suicide prevention
- \*Anaphylaxis and Auto-Injectors, Food Allergies
- \*Blood Borne Pathogens
- \*Diabetes Overview
- \*Illegal Steroid Use
- \*CIPA (Children's Internet Protection Act)
- \*Texas Behavior Support
- \*Section 504

\*Dating Violence

\*Digital Learning, Technology Use and CIPA (Children's Internet Protection Act)

\*General Ed Teachers Implementing IEPs

\*Concussions-except for teachers, administrators and staff who are required to have annual training per UIL rules

All teachers, faculty, and staff new to the district will complete the compliance training during the first year of employment in the district. Everyone will complete the training during the first year of the three year cycle. District and campus administrators may assign compliance training to an employee or group of employees at any time as needed during the three year cycle.

Cycle years: 2021-2022 to 2023-2024 and 2024-2025 to 2026-2027

## 11. Transfer Request Made by Peace Officer

### Exemption from: TEC 25.0344

TEC 25.0344 (a) states that school boards must grant a transfer request made by a peace officer who is the parent/guardian of a student. The peace officer can request the student transfer to another district campus or to another school district under an agreement.

The lack of conditions and parameters in transfer requests made by peace officers may lead to an influx of transfer requests and create a burden on Districts to accommodate them. The District runs the possible risk of becoming overcrowded. Overcrowding occurs when the number of students enrolled in the school is larger than the number of students the school is designed to accommodate. When overcrowding occurs, it may contribute to less individualized instructions, disciplinary issues, poor building conditions and an increase in illness risk.

### Proposed Innovation:

The District will be exempt from granting a transfer request made by a peace officer who is the parent/guardian of a student. While the District remains committed to considering transfer requests made by peace officers, as it does any other parent/guardian, this exemption will ensure that the District campuses do not become overcrowded due to an influx of transfer requests by peace officers.

- The District will review transfer requests made by a peace officer who is the parent/guardian of a student.
- The District may grant a transfer request made by a peace officer who is the parent/guardian of a student. Decisions on peace officer transfer requests will be handled locally based on the basis provided in District policy and procedures.
- In the event a peace officer wants to grieve the denial of a transfer request, the peace officer can file a grievance under the FNG (LOCAL) policy.

## 12. Transfer Request Made by Servicemembers

### Exemption from: TEC 25.0344

TEC 25.0344 (a) states that school boards must grant a transfer request made by a servicemember who is the parent/guardian of a student. A servicemember is defined as an “active duty member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the Texas National Guard.” The servicemember can request the student transfer to another district campus or to another school district under an agreement.

The lack of conditions and parameters in transfer requests made by active-duty service members may lead to an influx of transfer requests. The District runs the possible risk of becoming overcrowded. Overcrowding occurs when the number of students enrolled in the school is larger than the number of students the school is designed to accommodate. When overcrowding occurs, it may contribute to less individualized instructions, disciplinary issues, poor building conditions and an increase in illness risk.

### Proposed Innovation:

The District will be exempt from granting a transfer request made by a servicemember who is the parent/guardian of a student. While the District remains committed to considering transfer requests made by servicemembers, as it does any other parent/guardian, this exemption will ensure that the District campuses do not become overcrowded due to an influx of transfer requests by servicemembers.

- The District will review transfer requests made by a servicemember who is the parent/guardian of a student.
- The District may grant a transfer request made by a servicemember who is the parent/guardian of a student. Decisions on servicemember transfer requests will be handled locally based on the basis provided for in District policy and procedures.
- In the event a servicemember wants to grieve the denial of a transfer request, the servicemember can file a grievance under the FNG (LOCAL) policy.

### 13. DAEP for Marijuana and E-Cigarettes

#### Exemption from: TEC 37.006

TEC 37.006 provides that a student must be removed from class and placed in a disciplinary alternative education program if the student has marijuana or an e-cigarette.

This will potentially lead the DAEP to become filled with students who have committed nonviolent mandatory offenses. It potentially increases discipline of students found in possession of a normal e-cigarette and removes campus discretion regarding appropriate discipline for student behavior.

#### Proposed Innovation:

The District will be exempt from mandatory removal to DAEP based on possession of marijuana and/or e-cigarettes. DAEP placement will be discretionary and subject to Administration's approval:

- The District will use discretion in disciplinary placement for students who possess, use, or deliver marijuana or e-cigarettes on or near public school property or at certain school events.
- A student may be placed in a DAEP if the student possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana, as defined by Section 481.002, Health and Safety Code, or tetrahydrocannabinol, as defined by rule adopted under Section 481.003 of that code.
- A student may be placed in a DAEP if the student possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health and Safety Code.