



# **Robert Lee Independent School District**

## **District of Innovation Plan**

### **Introduction**

The 84<sup>th</sup> Legislature passed House Bill (HB) 1842 which gives traditional independent school districts most of the flexibilities available to the state's open enrollment charter schools. HB 1842 provides Robert Lee ISD an opportunity to modify state requirements at the local level to better meet the needs of our student population, in order to prepare them for success and life-long learning. Our district must have an academic performance rating of at least Academically Acceptable to adopt an innovation plan.

Robert Lee ISD took the first step in exploring this opportunity when the RLISD Board of Trustees approved a resolution initiating the process in January 2017. The Board then held a public hearing to consider whether the district should develop an innovation plan, at which time the Board decided to move forward with the process. A committee was appointed to develop an innovation plan. The committee created a district of innovation plan. The plan was posted on-line for at least 30 days. The District Advisory Committee held a public meeting to approve the plan during a special called Board meeting and the plan was approved later in the meeting.

### **District of Innovation Team**

Tom Sawyer, Board of Trustee

Aaron Hood, Superintendent

David O'Dell, High School Principal

Denise Roberts, High School Teacher

Kellye Duncan, Elementary Teacher

Sterling Myers, Community Member

Natalie Clawson, Parent & Community Member

### **District of Innovation Timeline**

#### **January 17, 2017**

Board of Trustees approved resolution to hold a public hearing to discuss the possibility of becoming a District of Innovation.

**February 22, 2017**

Public Hearing on District of Innovation. School Board votes to pursue becoming a District of Innovation and Appoints a Committee to develop a District of Innovation Plan.

**February 27, 2017**

District of Innovation Committee meets to develop a plan to present to the community and School Board.

**February 28, 2017**

Draft of plan completed and posted to the website (TEC 12A.005(a)(1)). Commissioner of Education notified of District intent to become a District of Innovation.

**April 4, 2017**

Public Meeting and District of Innovation Committee Meeting within the special called School Board Meeting. Plan presented to public. School board approval of plan.

**Texas Education Code Requested Exemptions****Innovations**

Robert Lee ISD in conjunction with the District of Innovation Committee proposes the following flexibilities with the Texas Education Code to provide the best educational opportunities for students at Robert Lee ISD.

**Minimum Minutes of Instruction (TEC § 25.081)**

Sec. 25.081. OPERATION OF SCHOOLS. (a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses, for students.

(b) The commissioner may approve the instruction of students for fewer than the number of minutes required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.

(c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

(e) For purposes of this code, a reference to a day of instruction means 420 minutes of instruction.

#### Rationale for Exemption

Currently, each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses. The state requires 420 minutes for full day programming. Due to the distance of our Fairview Alternative campus, this causes a problem for RLISD.

#### Alternative Education Setting Exemption:

Alternative Campuses offer an alternative education program designed to meet the needs of non-traditional students. This program offers an opportunity for students to accelerate credit attainment, acquire credits at a faster rate, and mitigate credit deficiencies. Fairview Campus provides an alternate route to graduation for students who have not been successful in the traditional school due to special challenges. These challenges include (but are not limited to) parent or parenting students; over-age students; family hardships created by economic situations that result in the student having to work instead of attend school; being credit deficient for various reasons; and/or having difficulty passing STAAR End-of-Course exams.

#### Innovation Strategy

Exemption from the minimum minutes requirement will permit the District to offer alternative programming at the Fairview Campus with fewer minutes that focus on quality programming and cost savings, designed to fit the needs of these at-risk students without having to apply for an annual waiver or lose funding for full time students.

### **Uniform Start Date (TEC § 25.0811)**

Sec. 25.0811. 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. A school district may:

- (1) begin instruction for students for a school year before the fourth Monday in August if the district operates a year-round system under Section 25.084; or
- (2) begin instruction for students for a school year on or after the first Monday in August at a campus or at not more than 20 percent of the campuses in the district if:
  - (A) the district has a student enrollment of 190,000 or more;

(B) the district at the beginning of the school year provides, financed with local funds, days of instruction for students at the campus or at each of the multiple campuses, in addition to the minimum number of days of instruction required under Section 25.081;

(C) the campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board of trustees of the district; and

(D) a majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.

(b) Notwithstanding Subsection (a), a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer may start school on any date permitted under Subsection (a) or the law of the other state.

#### Rationale for Exemption

State law currently prohibits school districts from starting class before the fourth Monday in August, unless they are year-round districts. The flexibility of the start date allows the district to determine locally, on an annual basis, what best meets the need of the students, the school, and the community. In addition, this flexibility allows the district to better align its starting date to accommodate the start date of colleges the district uses for dual credit courses. Another benefit of exempting this restriction is it allows the school to look at starting classes as a short week which can ease the transition for students entering kindergarten, middle school, and high school. Additionally, the ability to change the school start date can also help to better balance the number of instructional days in each semester.

#### Innovation Strategy

Robert Lee ISD will develop a calendar that meets the needs of the local community, meets the minimum required minutes of 75,600 (except as exempted above), and not start prior to the second Monday in August.

### **Length of School Day (TEC § 25.081(e))**

Sec. 25.081. OPERATION OF SCHOOLS. (a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses, for students.

(b) The commissioner may approve the instruction of students for fewer than the number of minutes required under Subsection (a) if disaster, flood, extreme weather conditions, fuel curtailment, or another calamity causes the closing of schools.

(c) If the commissioner does not approve reduced instruction time under Subsection (b), a school district may add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.

(d) The commissioner may adopt rules for the application, on the basis of the minimum minutes of instruction required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section.

(e) For purposes of this code, a reference to a day of instruction means 420 minutes of instruction.

#### Rationale for Exemption

State law currently requires that all school days must be 420 minutes long each day in order to count for ADA calculations, funding purposes, and to accumulate instructional minutes towards the 75,600 minutes required annually. Exemption from the 420-minute day requirement would allow Robert Lee ISD the flexibility needed to alter the school day schedule on selected days, whenever locally determined 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 to allow our teachers to analyze student data and engage in targeted, relevant professional development.

#### Innovation Strategy

Robert Lee ISD will be exempt from the 7 hour school day requirement which would allow flexibility needed to alter the school day schedule whenever it was locally determined as beneficial to the district and its stakeholders. The District would still comply with the minimum requirement of 75,600 minutes. Robert Lee ISD 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, published, and distributed to stakeholders in advance of the school year and continuously published using school media. We will also stay within the state minimum of minutes required for funding for the year, with the exception noted above.

### **Teacher Certification (TEC §§ 21.003, 21.053 and 21.057)**

**Sec. 21.003. CERTIFICATION REQUIRED.** (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or

school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.

**Sec. 21.053. PRESENTATION AND RECORDING OF CERTIFICATES.** (a) A person who desires to teach in a public school shall present the person's certificate for filing with the employing district before the person's contract with the board of trustees of the district is binding.

(b) An educator who does not hold a valid certificate may not be paid for teaching or work done before the effective date of issuance of a valid certificate.

**Sec. 21.057. PARENTAL NOTIFICATION.** (a) A school district that assigns an inappropriately certified or uncertified teacher to the same classroom for more than 30 consecutive instructional days during the same school year shall provide written notice of the assignment to a parent or guardian of each student in that classroom.

(b) The superintendent of the school district shall provide the notice required by Subsection (a) not later than the 30th instructional day after the date of the assignment of the inappropriately certified or uncertified teacher.

(c) The school district shall:

- (1) make a good-faith effort to ensure that the notice required by this section is provided in a bilingual form to any parent or guardian whose primary language is not English;
- (2) retain a copy of any notice provided under this section; and
- (3) make information relating to teacher certification available to the public on request.

(d) For purposes of this section, "inappropriately certified or uncertified teacher":

(1) includes:

(A) an individual serving on an emergency certificate issued under Section 21.041(b)(2); or

(B) an individual who does not hold any certificate or permit issued under this chapter and is not employed as specified by Subdivision (2)(E); and

(2) does not include an individual:

(A) who is a certified teacher assigned to teach a class or classes outside his or her area of certification, as determined by rules proposed by the board in specifying the certificate required for each assignment;

(B) serving on a certificate issued due to a hearing impairment under Section 21.048;

(C) serving on a certificate issued pursuant to enrollment in an approved alternative certification program under Section 21.049;

(D) certified by another state or country and serving on a certificate issued under Section 21.052;

(E) serving on a school district teaching permit issued under Section 21.055; or

(F) employed under a waiver granted by the commissioner pursuant to Section 7.056.

(e) This section does not apply if a school is required in accordance with Section 1111(h)(6)(B)(ii), No Child Left Behind Act of 2001 (20 U.S.C. Section 6311), and its subsequent amendments, to provide notice to a parent or guardian regarding a teacher who is not highly qualified, provided the school provides notice as required by that Act.

#### Rationale for Exemption

State law maintains 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 process will make it easier for our school district to get a qualified individual to teach a class when certification cannot be found. We are a rural school district and it is sometimes difficult to find certified teachers for all subject areas.

#### Innovation 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, Robert Lee ISD would like the ability to make decisions locally regarding teacher certifications.

a. The district may allow a certified teacher to teach subject(s) out of their certified field if the certified teacher possesses credentials that would qualify the individual to teach the subject(s).

b. The district will have the flexibility to hire individuals with experience and who are knowledgeable in a CTE field and/or hold an industrial certification to teach a vocational skill or course through a local teaching certificate.

c. The district will also have the flexibility to hire individuals who are native speakers with qualified experience to teach a bilingual education course or languages other than English through a local teaching certification.

d. Noncertified individuals hired by the district to teach courses in a core subject, such as mathematics, English, history, or science, will be placed on a local plan outlining and monitoring progress toward completion of a teacher certification in the assigned teaching area or field.

e. Additionally, Robert Lee ISD will notify parents if a locally certified teacher is employed for their child's class. This process will allow more flexibility in our scheduling, and provide more options for our students in class offerings leading to industry recognized certifications.

## **Class Sizes and Student-Teacher Ratios (TEC §§ 25.111, 25.112, 25.113, and 25.114)**

**Sec. 25.111. STUDENT/TEACHER RATIOS.** Except as provided by Section 25.112, each school district must employ a sufficient number of teachers certified under Subchapter B, Chapter 21, to maintain an average ratio of not less than one teacher for each 20 students in average daily attendance.

**Sec. 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. That limitation does not apply during:

(1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or

(2) the last 12 weeks of any school year in the case of any other district.

(b) Not later than the 30th day after the first day of the 12-week period for which a district whose average daily attendance is adjusted under Section 42.005(c) is claiming an exemption under Subsection (a), the district shall notify the commissioner in writing that the district is claiming an exemption for the period stated in the notice.

(c) In determining the number of students to enroll in any class, a school district shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction.

(d) On application of a school district, the commissioner may except the district from the limit in Subsection (a) if the commissioner finds the limit works an undue hardship on the district. An exception expires at the end of the school year for which it is granted.

(e) A school district seeking an exception under Subsection (d) shall notify the commissioner and apply for the exception not later than the later of:

(1) October 1; or

(2) the 30th day after the first school day the district exceeds the limit in Subsection (a).

(f) If a school district repeatedly fails to comply with this section, the commissioner may take any appropriate action authorized to be taken by the commissioner under Section 39.131.



(g) Expired.

**Sec. 25.113. NOTICE OF CLASS SIZE.** (a) 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 person standing in parental relation to each student affected by the exception. The notice must be in conspicuous bold or underlined print and:

- (1) specify the class for which an exception from the limit imposed by Section 25.112(a) was granted;
- (2) state the number of children in the class for which the exception was granted; and
- (3) be included in a regular mailing or other communication from the campus or district, such as information sent home with students.

(b) The notice required by Subsection (a) must be provided not later than the 31st day after:

- (1) the first day of the school year; or
- (2) the date the exception is granted, if the exception is granted after the beginning of the school year.

**Sec. 25.114. STUDENT/TEACHER RATIOS IN PHYSICAL EDUCATION CLASSES; CLASS SIZE.** (a) In implementing the curriculum for physical education under Section 28.002(a)(2)(C), each school district shall establish specific objectives and goals the district intends to accomplish through the curriculum, including, to the extent practicable, student/teacher ratios that are small enough to enable the district to:

- (1) carry out the purposes of and requirements for the physical education curriculum as provided under Section 28.002(d); and
- (2) ensure the safety of students participating in physical education.

(b) If a district establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the district shall specifically identify the manner in which the safety of the students will be maintained.

#### Rationale for Exemption

State law requires districts to maintain an average student-teacher ratio at most of 20 to 1 for average daily attendance. For physical education, the student-teacher ratio cannot be greater than 45 to 1. In Kindergarten through grade fourth the class student-teacher ratio must not exceed 22 to 1. While small class sizes play a positive role in the classroom, they must be balanced with the logistics of the timing of adding staff, and the best teacher to student ratio that can be achieved given the total number of students. While it is often cited that smaller class sizes improve academic performance, the decision for what size is the appropriate size should be a local decision. 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. The provisions in the cited statutes puts a burden on the district due to excessive time for personnel to complete the waiver process. Exemption would allow for maximum use of staff time and most efficient operation of the district that will improve student performance. While Robert Lee ISD will continue to strive for a class ratio of 22:1 or less, the district will determine locally the adequate teacher/student ratio.

#### Innovation Strategy

Robert Lee ISD will make a determination locally when exceeding the 22:1 student-teacher ratio in K-4<sup>th</sup> grade. The district will determine if additional staff is needed without filing a waiver with TEA. Parents will be notified if the class exceeds the 22:1 ratio. Robert Lee ISD will also make a determination locally for Physical Education limitations to ensure the safety of all students are the priority.

### **Contract Service Days (TEC § 21.401(b))**

#### **Sec. 21.401. MINIMUM SERVICE REQUIRED.**

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

#### Rationale for Exemption

State law currently requires educators employed on a 10-month contract to provide a minimum of 187 days of service.

With the passage of § 25.081 which changed the required days of instruction to minutes, the law did not address contract days for 10-month contract employees. The determination of how many days are required to fulfill an employee's contract should be a local decision based on accomplishment of the standard of instructional time. Determination by the district to reduce the number of teacher contract days from 187 days of service will have no effect on teacher salaries.

#### Innovation Strategy

Robert Lee ISD will be able to reduce the number of contract service days for employees without reducing the salaries associated with the position.

### **Site-based Decision Making (TEC §§ 11.251 and 11.252)**

**Sec. 11.251. PLANNING AND DECISION-MAKING PROCESS.** (a) The board of trustees of each independent school district shall ensure that a district improvement plan and improvement plans for each campus are developed, reviewed, and revised annually for the purpose of improving the

performance of all students. The board shall annually approve district and campus performance objectives and shall ensure that the district and campus plans:

(1) are mutually supportive to accomplish the identified objectives; and

(2) at a minimum, support the state goals and objectives under Chapter 4.

(b) The board shall adopt a policy to establish a district- and campus-level planning and decision-making process that will involve the professional staff of the district, parents, and community members in establishing and reviewing the district's and campuses' educational plans, goals, performance objectives, and major classroom instructional programs. The board shall establish a procedure under which meetings are held regularly by district- and campus-level planning and decision-making committees that include representative professional staff, including, if practicable, at least one representative with the primary responsibility for educating students with disabilities, parents of students enrolled in the district, business representatives, and community members. The committees shall include a business representative without regard to whether the representative resides in the district or whether the business the person represents is located in the district. The board, or the board's designee, shall periodically meet with the district-level committee to review the district-level committee's deliberations.

(c) For purposes of establishing the composition of committees under this section:

(1) a person who stands in parental relation to a student is considered a parent;

(2) a parent who is an employee of the school district is not considered a parent representative on the committee;

(3) a parent is not considered a representative of community members on the committee; and

(4) community members must reside in the district and must be at least 18 years of age.

(d) The board shall also ensure that an administrative procedure is provided to clearly define the respective roles and responsibilities of the superintendent, central office staff, principals, teachers, district-level committee members, and campus-level committee members in the areas of planning, budgeting, curriculum, staffing patterns, staff development, and school organization. The board shall ensure that the district-level planning and decision-making committee will be actively involved in establishing the administrative procedure that defines the respective roles and responsibilities pertaining to planning and decision-making at the district and campus levels.

(e) The board shall adopt a procedure, consistent with Section 21.407(a), for the professional staff in the district to nominate and elect the professional staff representatives who shall meet with the board or the board designee as required under this section. At least two-thirds of the elected professional staff representatives must be classroom teachers. The remaining staff representatives shall include both campus- and district-level professional staff members. If practicable, the committee membership shall

include at least one professional staff representative with the primary responsibility for educating students with disabilities. Board policy must provide procedures for:

- (1) the selection of parents to the district-level and campus-level committees; and
  - (2) the selection of community members and business representatives to serve on the district-level committee in a manner that provides for appropriate representation of the community's diversity.
- (f) The district policy must provide that all pertinent federal planning requirements are addressed through the district- and campus-level planning process.

(g) This section does not:

- (1) prohibit the board from conducting meetings with teachers or groups of teachers other than the meetings described by this section;
- (2) prohibit the board from establishing policies providing avenues for input from others, including students or paraprofessional staff, in district- or campus-level planning and decision-making;
- (3) limit or affect the power of the board to govern the public schools; or
- (4) create a new cause of action or require collective bargaining.

**Sec. 11.252. DISTRICT-LEVEL PLANNING AND DECISION-MAKING.** (a) Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators adopted under Sections 39.053(c)(1)-(4). The district improvement plan must include provisions for:

- (1) a comprehensive needs assessment addressing district student performance on the achievement indicators, and other appropriate measures of performance, that are disaggregated by all student groups served by the district, including categories of ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter A, Chapter 29;
- (2) measurable district performance objectives for all appropriate achievement indicators for all student populations, including students in special education programs under Subchapter A, Chapter 29, and other measures of student performance that may be identified through the comprehensive needs assessment;
- (3) strategies for improvement of student performance that include:

- (A) instructional methods for addressing the needs of student groups not achieving their full potential;
  - (B) methods for addressing the needs of students for special programs, including:
    - (i) suicide prevention programs, in accordance with Subchapter O-1, Chapter 161, Health and Safety Code, which includes a parental or guardian notification procedure;
    - (ii) conflict resolution programs;
    - (iii) violence prevention programs; and
    - (iv) dyslexia treatment programs;
  - (C) dropout reduction;
  - (D) integration of technology in instructional and administrative programs;
  - (E) discipline management;
  - (F) staff development for professional staff of the district;
  - (G) career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; and
  - (H) accelerated education;
- (4) strategies for providing to middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:
- (A) higher education admissions and financial aid opportunities;
  - (B) the TEXAS grant program and the Teach for Texas grant program established under Chapter 56;
  - (C) the need for students to make informed curriculum choices to be prepared for success beyond high school; and
  - (D) sources of information on higher education admissions and financial aid;
- (5) resources needed to implement identified strategies;
- (6) staff responsible for ensuring the accomplishment of each strategy;
- (7) timelines for ongoing monitoring of the implementation of each improvement strategy;
- (8) formative evaluation criteria for determining periodically whether strategies are resulting in intended improvement of student performance; and

(9) the policy under Section 38.0041 addressing sexual abuse and other maltreatment of children.

(b) A district's plan for the improvement of student performance is not filed with the agency, but the district must make the plan available to the agency on request.

(c) In a district that has only one campus, the district- and campus-level committees may be one committee and the district and campus plans may be one plan.

(d) At least every two years, each district shall evaluate the effectiveness of the district's decision-making and planning policies, procedures, and staff development activities related to district- and campus-level decision-making and planning to ensure that they are effectively structured to positively impact student performance.

(d-1) Expired.

(e) The district-level committee established under Section 11.251 shall hold at least one public meeting per year. The required meeting shall be held after receipt of the annual district performance report from the agency for the purpose of discussing the performance of the district and the district performance objectives. District policy and procedures must be established to ensure that systematic communications measures are in place to periodically obtain broad-based community, parent, and staff input and to provide information to those persons regarding the recommendations of the district-level committee. This section does not create a new cause of action or require collective bargaining.

(f) A superintendent shall regularly consult the district-level committee in the planning, operation, supervision, and evaluation of the district educational program.

#### Rationale for Exemption

Robert Lee ISD seeks exemption from the site-based decision making process and the convening of the school health advisory committee and the many accompanying requirements falling under the governance of those two bodies. The statutory requirements as set forth in the Texas Education Code in Chapter 11 are burdensome, time consuming, and ultimately cause a misdirection of resources from the primary focus of schools: the education of students. Stakeholders will continue to be involved in the process, but one that meets the needs of this district, school, and community as opposed to the broad brush of statutory requirements leveled down from a one size fits all approach as detailed in the code. This will consolidate the number of meetings and the number of committees required by law and will better serve this community.

#### Innovative Practice:

The board shall adopt a policy to establish a district- and campus-level planning and decision-making process that will involve the professional staff of the district, parents, and community members in establishing and reviewing the district's and campuses' educational plans, goals, performance

objectives, and major classroom instructional programs. The board shall establish a procedure under which meetings are held regularly by district- and campus-level planning and decision-making committees that include representative professional staff, including, if practicable, at least one representative with the primary responsibility for educating students with disabilities, parents of students enrolled in the district, business representatives, and community members. The committees shall include a business representative without regard to whether the representative resides in the district or whether the business the person represents is located in the district. In place of the SBDM and the SHAC, a Superintendent's Advisory Council (SAC) will be established, meet, review, analyze, and respond to both qualitative and quantitative data regarding the district's success and most importantly, students' success. This council will convene at least two times per year and generate the general direction of district resources and efforts. This consolidation of committees will yield greater opportunity for one council to address a multiple of needs as opposed to having one meeting after another throughout the year.

### **Designation of Campus Behavior Coordinator (TEC § 37.0012)**

**Sec. 37.0012. DESIGNATION OF CAMPUS BEHAVIOR COORDINATOR.** (a) 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.

(b) The campus behavior coordinator is primarily responsible for maintaining student discipline and the implementation of this subchapter.

(c) Except as provided by this chapter, the specific duties of the campus behavior coordinator may be established by campus or district policy. Unless otherwise provided by campus or district policy:

(1) a duty imposed on a campus principal or other campus administrator under this subchapter shall be performed by the campus behavior coordinator; and

(2) a power granted to a campus principal or other campus administrator under this subchapter may be exercised by the campus behavior coordinator.

(d) The campus behavior coordinator shall promptly notify a student's parent or guardian as provided by this subsection if under this subchapter the student is placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled, or placed in a juvenile justice alternative education program or is taken into custody by a law enforcement officer. A campus behavior coordinator must comply with this subsection by:

(1) promptly contacting the parent or guardian by telephone or in person; and

(2) making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.

(e) If a parent or guardian entitled to notice under Subsection (d) has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, a campus behavior coordinator shall mail written notice of the action to the parent or guardian at the parent's or guardian's last known address.

(f) If a campus behavior coordinator is unable or not available to promptly provide notice under Subsection (d), the principal or other designee shall provide the notice.

#### Rationale for Exemption

Current law requires 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 and allows duties imposed on a campus principal or other campus administrator to be performed by the campus behavior coordinator. The district believes it can better meet the needs of its students by implementing a more personal discipline approach. This approach allows the campus principal to collaborate with and/or delegate assistant principals the responsibilities of the campus behavior coordinator. This enables administrators to spend the necessary time with students to develop a rapport that can hold students accountable while teaching them how to more effectively monitor their own behavior in the future.

#### Innovation Strategy

The proposal is for the District to seek exemption from the statute requiring each school to have a designated Campus Behavior Coordinator. 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.

## **Probationary Contracts (TEC § 21.102(c))**

### **Sec. 21.102. 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.

(c) An employment contract may not extend the probationary contract period beyond the end of the third consecutive school year of the teacher's employment by the school district unless, during the third year of a teacher's probationary contract, the board of trustees determines that it is doubtful whether the teacher should be given a continuing contract or a term contract. If the board makes that determination, the district may make a probationary contract with the teacher for a term ending with the fourth consecutive school year of the teacher's employment with the district, at which time the district shall:



- (1) terminate the employment of the teacher; or
- (2) employ the teacher under a continuing contract or a term contract as provided by Subchapter D or E, according to district policy.

#### Rationale for Exemption

Currently State law states that 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. This time period is not sufficient to evaluate the five-of-eight teacher's effectiveness in the classroom since teacher contract timelines demand that employment decisions must be made prior to state assessment results and end of year progress testing.

#### Innovation Strategy

Experienced teachers and counselors new to Robert Lee ISD 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. This allows Robert Lee ISD more time to evaluate a staff member's effectiveness.

### **Transfer of Student (TEC § 25.036(a))**

**Sec. 25.036. TRANSFER OF STUDENT.** (a) Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

#### Rationale for Exemption

Note: The statute has been interpreted to require a transfer to be for a period of an entire school year. Flexibility with regard to transfer of students will allow the district to create an educational environment that is more conducive to learning. Flexibility allows revocation of a transfer agreement when the student exhibits conduct that disrupts the educational environment or warrants disciplinary action such as suspension, placement in a disciplinary alternative education program, or expulsion. It allows revocation of a transfer agreement when the student exhibits attendance problems that impact the performance of the student or school district. Additionally, it allows an efficient way to remove barriers to the high-quality learning environment that other students deserve. Flexibility with regard to transfer of students allows the district to create a safer educational environment for the reasons noted above.

Innovation Strategy

Robert Lee ISD will be able to revoke transfers at any time during the school year.

### **School Day Interruptions (TEC § 25.083)**

**Sec. 25.083. 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 and sales promotions. At a minimum, the policy must limit announcements other than emergency announcements to once during the school day.

(b) The board of trustees of each school district shall adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. 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.

Rationale for Exemption

Currently, 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. While the district agrees with maximizing class time is crucial, this requirement is not practical.

Innovation Strategy

Robert Lee ISD will have the freedom to make announcements as needed during class time for picture days and other days that are not routine. The district will continue to minimize classroom disruptions to the greatest extent possible.

### **Retire/Rehire minimum salary (TEC §§ 21.002, 21.402(a), 21.415)**

**Sec. 21.002. TEACHER EMPLOYMENT CONTRACTS.** (a) A school district shall employ each classroom teacher, principal, librarian, nurse, or school counselor under:

- (1) a probationary contract, as provided by Subchapter C;
- (2) a continuing contract, as provided by Subchapter D; or
- (3) a term contract, as provided by Subchapter E.

(b) A district is not required to employ a person other than an employee listed in Subsection (a) under a probationary, continuing, or term contract.

(c) Each board of trustees shall establish a policy designating specific positions of employment, or categories of positions based on considerations such as length of service, to which continuing contracts or term contracts apply.

**Sec. 21.402. MINIMUM SALARY SCHEDULE FOR CERTAIN PROFESSIONAL STAFF.**

Text of subsection effective until September 01, 2017

(a) Except as provided by Subsection (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

Text of subsection effective on September 01, 2017

(a) Except as provided by Subsection (e-1) or (f), a school district must pay each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience in addition to other factors, as determined by commissioner rule, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of the basic allotment as provided by Section 42.101(a) or (b) for a school district with a maintenance and operations tax rate at least equal to the state maximum compressed tax rate, as defined by Section 42.101(a).

(c-1) Notwithstanding Subsections (a) and (b), each school district shall pay a monthly salary to each classroom teacher, full-time speech pathologist, full-time librarian, full-time school counselor certified

under Subchapter B, and full-time school nurse that is at least equal to the following monthly salary or the monthly salary determined by the commissioner under Subsections (a) and (b), whichever is greater:

Years of Experience	Monthly Salary
0	2,732
1	2,791
2	2,849
3	2,908
4	3,032
5	3,156
6	3,280
7	3,395
8	3,504
9	3,607
10	3,704
11	3,796
12	3,884
13	3,965
14	4,043
15	4,116
16	4,186
17	4,251
18	4,313
19	4,372
20 & Over	4,427

(c-2) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

(c-3) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

(d) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 8, Sec. 21(2), eff. September 28, 2011.

(e) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 4, Sec. 57.31(1), eff. September 28, 2011.

Text of subsection effective on September 01, 2017

(e-1) If the minimum monthly salary determined under Subsection (a) for a particular level of experience is less than the minimum monthly salary for that level of experience in the preceding year, the minimum monthly salary is the minimum monthly salary for the preceding year.

(f) Notwithstanding Subsection (a), a teacher or librarian who received a career ladder supplement on August 31, 1993, is entitled to at least the same gross monthly salary the teacher or librarian received for the 1994-1995 school year as long as the teacher or librarian is employed by the same district.

(g) The commissioner may adopt rules to govern the application of this section, including rules that:

(1) require the payment of a minimum salary under this section to a person employed in more than one capacity for which a minimum salary is provided and whose combined employment in those capacities constitutes full-time employment; and

(2) specify the credentials a person must hold to be considered a speech pathologist or school nurse under this section.

(h) In this section, "gross monthly salary" must include the amount a teacher or librarian received that represented a career ladder salary supplement under Section 16.057, as that section existed January 1, 1993.

**Sec. 21.415. EMPLOYMENT CONTRACTS.** (a) A school district shall provide in employment contracts that qualifying employees may receive an incentive payment under an awards program established under Subchapter O if the district participates in the program.

Rationale for Exemption:

Currently, all districts, when hiring a retired educator must keep the retired educator on a term or continuing contract and pay them their salary based upon the TEA minimum salary pay scale; in addition, the districts are required to pay a TRS surcharge. By hiring a retired educator, who is already receiving pension payments from the Texas Teacher Retirement System, at a salary that is equivalent to the salary the educator would have received had the educator *not* retired, plus paying a surcharge for health insurance the retired educator receives from TRS, the retired educator is too expensive for the district to hire.

## Innovation Strategy

Robert Lee ISD would like the opportunity to hire an eligible retired educator without the burden of a term contract and pay them below the TEA minimum pay scale while also paying the required TRS surcharge. The salary for retire/rehire will be negotiable between the district and employee. Robert Lee ISD believes that by hiring an eligible retired educator our students, campuses, and district will reap the rewards of having a veteran educator who is still involved and passionate in the education process. In addition, the district will be able to have an experienced educator at a significantly less cost than had we paid them based upon the TEA minimum pay scale plus the TRS surcharge. Thus, by hiring an eligible retired educator Robert Lee ISD will be adding value in the schools and will be making sound fiscal decisions for our district's stakeholders.

## **Term**

The term for this plan is for five years from the date of the Board resolution unless amended or terminated earlier by the Board of Trustees in accordance with Texas Law. In the event Robert Lee ISD feels other exemptions would benefit the district, community, and/or students, the Board of Trustees will follow procedures to amend the plan.