

**2019/2020 –  
2023/2024**

**Driscoll Independent School District**



**District of Innovation Plan  
April 16, 2019**



# Driscoll Independent School District

315 West Dragon Street, Texas 78351

Phone 361-387-7349

[www.driscollisd.us](http://www.driscollisd.us)

---

## District of Innovation Committee

### Leadership Team:

Cynthia M. Garcia, Superintendent of Schools

Lynn Landenberger Driscoll Elementary and Middle School, Principal

Monica Morin, Assistant Principal

Shana Vasquez, District Counselor

Patricia Myers, Technology Coordinator

Annette Vasquez, Business Manager

Minerva Zapata, Child Nutrition Director

### Faculty and Staff:

Carol Pierce, Early Childhood Grade Level Teacher

Jessica Contreras, Intermediate Grade Level Teacher

Amanda Short, Middle School Grade Level Teacher

Jennifer Killion, District Nurse

Sandra Muniz, Staff Member

### Parent and Community Members:

Cynthia Lopez, Parent

Joy Saenz, Parent

Mike Owen, Parent

## Timeline

January 2019	Researched District of Innovation Cynthia M. Garcia    Shana Vasquez Lynn Landenberger    Patricia Myers Monica Morin
February 13, 2019	Administrative Team Meeting feasibility of pursuing DOI designation Cynthia M. Garcia    Shana Vasquez Lynn Landenberger    Patricia Myers Monica Morin        Annette Vasquez Minerva Zapata        Mark Gonzalez
February 19, 2019	Board Meeting Presentation Public Hearing to consider the proposed local Innovation Plan Driscoll ISD Board voted to pursue the designation and appointed an advisory committee to develop the plan
March 8, 2019	First District of Innovation Committee meeting held
April 1, 2019	Second District of Innovation Committee meeting held to finalize the list of exemptions to be proposed in the District Innovation Plan
April 11, 2019	District of Innovation Committee to approve proposed innovation plan and schedule consideration at upcoming SBDM Committee meeting
April 12, 2019	Plan posted online on DISD website for 30 days
May 1, 2019	District of Innovation Committee Meeting to prepare for Public Hearing on May 14, 2019
May 14, 2019	SBDM vote to approve the posted Plan of Innovation
May 14, 2019	District of Innovation Plan Committee holds Public Hearing Board of Trustees Vote on District of Innovation Plan by 2/3 Majority Vote Request to update all policy changes required by plan submitted to TASB
May 15, 2019	Driscoll ISD Innovation Plan posted and TAC Checklist submitted to Commissioner of Education

\* Dates are subject to change

## District of Innovation

The District of Innovation (DOI) concept was passed into law by the 84<sup>th</sup> Legislative Session in House Bill 1842, which created Texas Education Code chapter 12A.

Driscoll ISD is pursuing the DOI designation due to the following benefits:

- **Flexibility:** Districts will have the flexibility to implement practices similar to open enrollment charter schools, including exemptions from certain mandates including the uniform school start date and required minutes of instruction.
- **Local control:** Districts will decide which flexibilities best suit their local needs, therefore, providing more local control.

### *What is a “District of Innovation”?*

The District of Innovation concept was passed into law by the 84<sup>th</sup> Legislative Session that gives traditional independent school districts most of the flexibilities available to open enrollment charter schools, including exemption from many requirements mandated in the Texas Education code. To create a DOI, a school district must adopt an innovation plan for its district.

### *Why choose a District of Innovation?*

Flexibility to make decisions about Driscoll ISD at the local level. A local school district may want to pursue specific innovations in curriculum, instruction, governance, parent or community involvement, school calendar, budgeting, or other ideas. Essentially, innovation plan will be about local control. Driscoll ISD’s innovation plan will be unique to the school district and the Driscoll community.

### *What impact could the designation as a District of Innovation have on district policy?*

Policy changes will correlate with innovation plan changes. As a DOI, revisions to local policies may be required as well as adjustments to legal policies to reflect that some legal provisions may be affected by the District’s Innovation Plan. As the innovation plan is developed by the committee, the District will evaluate necessary changes to Driscoll ISD policies.

### *How long does an innovation plan stay in effect?*

Under the current law, the plan may have a term of up to five years, and it may be amended, rescinded, or renewed during that time period.

### Exemption from Laws?

#### **What areas of flexibility can Driscoll ISD consider in its District of Innovation development?**

A DOI may adopt a plan that includes exemptions from most of the same state laws that are not applicable to open enrollment charter schools. These laws could include among others:

- Uniform school start date
- Class size ratio
- Minimum minutes of instruction
- The 90 percent attendance rule (but compulsory attendance still applies)

- Student discipline provisions (with some key exceptions, like the requirement to have a code of conduct and restrictions on restraint and seclusion)
- Teacher appraisal system
- Teacher certification (except as required by federal law)
- Teacher contracts
- Teacher benefits
- Site-based decision making processes (to the extent required by state law)

*Not all of these possibilities will be right for Driscoll ISD.* It is up to the DOI committee to determine what laws to exempt ourselves from and which to leave in place.

### **Term**

In accordance with TEC §2A.006, this Comprehensive Local Innovation Plan shall remain in effect for a period of five years (2018 – 2023 school years) unless terminated by the commissioner pursuant to TEC §12A.008. Following adoption by the Board of Trustees, the Driscoll ISD Local Innovation Plan for District of Innovation designation will be reported to the Texas Education Agency (TEA).

## **EXEMPTIONS REQUESTED**

### **Certification**

(DBA LEGAL, DBA LOCAL, DK LEGAL, DK LOCAL, DK EXHIBIT) (TEC §21.003, §21.053, §21.057, 21.002 and 19 TAC Chapter 231)

### **Currently**

Texas Education Codes state a person may not be employed as an educator by a school district unless the individual holds an appropriate certificate or permit issued by the appropriate state agency. In the event a school district cannot locate a certified teacher for a position, or a teacher is teaching a subject outside her or his certification, the district must request emergency certification from the Texas Education Agency and/or the State Board of Educator Certification. This system is complicated and does not take into account the unique financial and/or instructional needs of the district, especially for innovative classes where certification may not exist or educators with those credentials may not be readily available.

### **Proposed**

Driscoll ISD is committed to hiring high quality teachers in every classroom. In order to best serve Driscoll ISD students, decisions on certification will be handled locally. With the current teacher shortage, this exemption from teacher certification requirements will enable greater flexibility in staffing and will enrich applicant pools in specific areas of need. In order to enable more students to obtain the educational benefit of a variety of course offerings, the District seeks to establish its own local qualification requirements for such elective courses in lieu of the requirements set forth in law. Often there are experienced certified teachers in our district that could teach a course outside of their certification are due to their education, background and/or experience. Local decisions outside of state certification requirements would allow innovation and flexibility in scheduling to meet student needs.

## **Class Size Ratio**

(EEB Legal) (TEC §25.111, §25.112, and §25.113)

### **Currently**

Kindergarten – 4<sup>th</sup> Grade classes are to be kept at a 22 students to 1 teacher ratio according to state law. When a class exceeds the limit, the district must complete a waiver with Texas Education Agency. While these waivers are seldom, if ever rejected by TEA, this requirement creates additional administrative requirements. Along with the waiver, it is required that a letter is sent home to each parent in the section that exceeds the 22:1 ratio, informing them the waiver has been submitted. Many times soon after the waiver is submitted, students move out of the district and we are below the 22:1 ratio.

### **Proposed**

While we believe that small class size plays a positive role in the classroom, it must be balanced with the logistics and 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 that the teacher in the classroom has the greatest impact on student learning, not absolute class size.

Driscoll ISD will strive to maintain the 22:1 ratio for Kindergarten – 4<sup>th</sup> Grade classes; however, if it is deemed appropriate to exceed the limit, a TEA waiver will not be necessary. The decision will be made by the administration and presented to the Board of Trustees for approval. Parents do not need to be formally notified, as a parent can request a class size at any time. This exemption only allows Driscoll ISD the local control over class size ratios and requirements contained in the Education Code, not a disregard for the intent of the ratio requirements.

## **Contracts**

(DCA LEGAL) and (Chapter 21, Subchapter C)

### **Currently**

For experienced employees new to the district, the probationary period may not exceed one year if the person has been employed as an employee in public education for at least five of the previous eight years. A one-year probationary period is not sufficient to evaluate the employee's effectiveness in the classroom since teacher contract renewal timelines demand that employment decisions be made prior to District receipt of state assessment results.

### **Proposed**

Considering the expectation of student engaged learning experiences in Driscoll ISD, this period of time is not sufficient to evaluate the employee's effectiveness in the classroom since the employee contract timeline demands that employment decisions must be made prior to the availability of end-of-year classroom and student data. Upon exemption from TEC Section 21.102 (b), all contract employees (including experienced teachers, counselors, or nurses new to the district) will be subject to the probationary period set out in TEC Section 21.102 (c) (three consecutive school years), in order to allow

more time for the district to fairly and thoroughly assess an employee's performance. Partial years will not count toward the full year requirement.

## **Designation of Campus Behavior Coordinator**

(FO LEGAL & LOCAL) (TEC §37.0012)

### **Currently**

The Texas Education Code requires the designation of a campus behavior coordinator on each campus. This designee is responsible for maintaining student discipline and the implementation of Chapter 37, Subchapter A. The person designated may be the principal of the campus or any other campus administrator selected by the principal.

### **Proposed**

Driscoll ISD seeks exemption from the statute requiring each school to have a designated campus behavior coordinator. The discipline decisions of students is made by the Campus Principal or Assistant Principal when appropriate, otherwise the discipline decision is made by the appropriate administrator OR campus principal designee.

## **Disciplinary Alternative Education Program (DAEP)**

(FOCA LEGAL, TEC §37.008, §103.1201)

### **Currently**

Current law requires students who are placed in a Disciplinary Alternative Education Program (DAEP) to be separate from their regular instructional setting, be under the supervision of a certified teacher, and not be allowed to be with other students who are not in the program.

### **Proposed**

Driscoll ISD proposes to provide continuous supervision of DAEP students by a non-certified para-professional who has been trained in behavior management techniques. The district would require a certified teacher to assist the DAEP instructor for at least forty-five minutes per day for content specific classroom instruction. The requested exemption would, at the administrator's discretion, allow all students who are in other disciplinary instructional arrangements such as In School Suspension, Time-Out or Lunch Detention to be housed with DAEP students and supervised by the same DAEP personnel. DAEP may be housed in the same facility as the regular campus, as long as students who are not in a discipline placement have no access to the student(s) in the DAEP placement.

## **District Depository**

(BDAE LEGAL) (TEC §45.206)

### **Currently**

Districts are required to bid depository banking services at a minimum of every six years.

### **Proposed**

As a small rural school district, there are a limited number of banking entities with the interest in serving and/or the ability to serve the financial needs of the District. In addition, the required bid process uses the time and efforts of district personnel that is better spent on other activities given our limited ability to change banks. Driscoll ISD administration will continue to review banking services every two years, monitor the availability of services and pricing that local banks may offer, and bid for services as needed to support the District's financial needs.

### **Exemptions from Future TEC Mandates**

To best serve our local Driscoll ISD community, staff, and students, Driscoll ISD includes a provision in our local Innovation Plan for the District to maintain control over any future, eligible Texas Education Code mandates, which may be exempted by a 2/3 majority vote of the Driscoll ISD Board of Trustees.

### **Improvement Plans and Site-Base Decision-Making Committees**

(BQ LEGAL & LOCAL) (TEC §11.251 & §11.253)

### **Currently**

Texas Education Code 11.251 requires the local board of trustees to ensure that a district improvement plan and an improvement plan for each campus are developed, reviewed and revised annually. In addition to improvement plans, TEC 11.253 requires the District to establish campus-level planning and decision-making committees as provided in Sections 11.251(b)-(e).

### **Proposed**

Driscoll ISD is a small rural community consisting of approximately 800 residents. The District has an enrollment of 300 students in Pre-Kindergarten through grade eight. The campus is located on the same block as the Administration Building and communication between the superintendent and principal occurs on a daily basis. With only one campus serving all 300 students in grades PK-8, the campus and district improvement plans are identical documents with two different names; Driscoll ISD District Improvement Plan and Driscoll Elementary and Middle School Campus Improvement Plan. All goals, performance objectives and strategies are identical resulting in a waste of both consumable and staff resources. In addition to duplicate improvement plans, resources for persons serving as members of the District Planning Committee and the Campus Planning Committee are limited without asking the same people to serve on several. The proposed exemption to allow for only one improvement plan, Driscoll ISD District and Campus Improvement Plan. Additionally, the Campus Planning Committee would become synonymous with the District Level Planning Committee and would be known as the Driscoll ISD District Improvement and Planning Committee with the same duties as required by law of the District Planning Committee. Driscoll ISD would be able to develop a more cohesive plan that establishes continuity of programs and performance for Pre-Kindergarten through eighth grades.



## **Minimum Minutes of Instruction and School Day Length**

(EC LEGAL & EB LEGAL) (TEC 25.083)

### **Currently**

House Bill (HB) 2610, passed by the 84<sup>th</sup> Texas Legislature, amends the Texas Education code (TEC), §25.081, by striking language requiring 180 days of instruction and replacing this language with language requiring districts and charter schools to provide at least 75,600 minutes of instruction or 7 hours each day (including intermissions and recess). The bill also allows school districts and charter schools to add minutes as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, or another calamity.

### **Proposed**

The flexibility to adjust minutes of instruction will assist with personalizing learning to better meet individual student needs. It also has the added benefit of allowing the possibility of an altered length of a school day, which may include, for example, a later start/early release time which will accommodate additional professional development/collaboration opportunities for teachers to perfect their craft, deepen their content knowledge and analyze student data.

## **School Health Advisory Council**

(TEC §28.004)

### **Currently**

The School Health Advisory Council is required to meet four times a year.

### **Proposed**

The Driscoll ISD School Health Advisory Council (SHAC) will meet a minimum of one time per year. Additional meetings will be held if the SHAC committee, district administration, or the Board of Trustees feel there is a need for additional meetings.

## **Teacher/Administrator Evaluations**

(DNA LEGAL & DNA LOCAL) (DNB LEGAL & DNB LOCAL) (TEC §21.352)

### **Currently**

The Commissioner of Education shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers and principals. The criteria must be based on observable, job-related behavior that includes the performance of students.

### **Proposed**

The Driscoll ISD District Site-Based Decision-Making committee will develop and adopt a local teacher and administrator appraisal system that can be used in place of T-TESS and T-PESS. Both newly developed instruments will not include a student growth measure, nor will it require annual on-line certification for appraisers.

## **Transfer Policy**

(FDA LOCAL) (TEC §25.036)

### **Currently**

A district may choose to accept students as transfers, even if they are not entitled to admission in district. The District wishes to continue accepting transfer students under this law. This provision, however, has been interpreted to require a student transfer to be for a period of one school year, and to restrict a district's ability to revoke a transfer approval mid-year.

### **Proposed**

Driscoll ISD maintains a transfer policy under FDA(Local) requiring nonresident students wishing to transfer into the District to file a transfer application along with a transfer agreement each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary records, work habits and attendance are evaluated. Additionally, transfer students and their parents are informed and agree that they are expected to follow attendance requirements, rules and regulations of Driscoll ISD through the Transfer Agreement. The District is seeking flexibility to revoke a student's enrollment status at any time of the year when the Superintendent determines that the student is assigned discipline consequences (in or out of school), has not met the attendance requirement or whose behavior interferes with the school district's ability to educate our student body. The decision to revoke a transfer student's enrollment can be made at any time of the instructional calendar. Students are welcomed to reapply for transfer admission the following school year.

## **Summary**

The flexibility provided by the District of Innovation Plan is a step in the right direction to ensure Driscoll ISD develops and supports our students, employees and families in a more effective and strategically aligned way. Through HB 1842, Driscoll ISD will be positioned to leverage increased flexibility to make the best decisions for our children because we will be able to make them locally.

Specific implementation plans will be developed by the appropriate personnel. Adjustments to Driscoll ISD Board Policy and other district policies will be researched, reviewed, and adopted by the Board of Trustees.