



## District of Innovation Plan

### Introduction

House Bill 1842, created and passed during the 84<sup>th</sup> Texas Legislative Session in Spring 2015, provides a unique opportunity for Texas public school districts to exempt themselves from some parts of the Texas Education Code. In order to do this, a public school district must adopt an innovation plan, as set forth in Texas Education Code Chapter 12 A.

As a District of Innovation, Dickinson ISD may be exempted from a number of state statutes and will have:

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

HB 1842 does not allow exemptions from statutes including curriculum and graduation requirements or academic and financial accountability.

### District of Innovation Process and Timeline

- March 31, 2016 – Special presentation for Dickinson ISD district and campus administrators by David Anthony, Raise Your Hand Texas
- April 27, 2016 – District of Innovation presentation with David Anderson at Region IV for district administrators
- Fall 2016 – Review of district plans submitted for District of Innovation
- November 15, 2016 – CAPE meeting to review and discuss District of Innovation Plans developed by districts in the Gulf Coast area of Region IV
- December 12, 2016 – District of Innovation Resolution passed by Dickinson ISD Board of Trustees and the District Educational Improvement Committee designated as the local innovation committee
- December 12, 2016 – Public Hearing to discuss purpose for District of Innovation
- December 13, 2016 – Letter from Superintendent to all district employees and teacher professional organizations informing of the district's intent to pursue District of Innovation
- December 13, 2016 – DOI process and timeline shared with DEIC members and posted on district website

- December 15, 2016 – DOI process and timeline shared with campus and district administrators
- January 3-6, 2017 – Draft plan developed by DOI subcommittee
- January 9, 2017 – District of Innovation update provided to Board of Trustees
- January 10, 2017 – DISD District of Innovation Public Meeting
- January 10, 2017 – Draft District of Innovation Plan reviewed by DISD District Educational Improvement Committee
- January 12, 2017 – February 12, 2017 – Dickinson ISD’s District of Innovation Plan posted on the DISD website; concurrently, the plan will be submitted to Texas Education Agency Commissioner, Mike Morath
- February 21, 2017 – DISD District of Innovation Plan submitted to DISD Board of Trustees for approval
- March-April 2017 – Updates of all DOI related local and legal policies will be reviewed, revised and submitted to the Dickinson ISD Board of Trustees for approval.

Dickinson ISD administration recommended the renewal of the district’s plan for an additional five (5) year term to allow Dickinson ISD the continued flexibility and local control to make decisions in the best interest of the Dickinson ISD community. The proposed renewal included the original DOI Plan with updates to incorporate changes in law since the original adoption in 2017. The proposed DOI renewal and updated plan was presented to the Dickinson ISD Education Improvement Committee for consideration on October 19, 2021, and it was approved by a majority of the committee. The DISD Board of Trustees reviewed and approved the renewal of the DOI Plan for an additional five (5) year term at the action meeting held on February 7, 2022.

## Term

Dickinson ISD will be recognized as a District of Innovation for a term of five years, renewable within six months of the plan’s expiration date of February 2027. If, within the term of the plan, other areas of operations are to be considered for flexibility as part of HB 1842, the Board of Trustees will appoint a committee to consider and propose additional exemptions in the form of an amendment. The plan is amendable by a majority vote of the District Educational Improvement Committee and Board of Trustees. Any amendment adopted by the Board will adhere to the same term as the original plan. Dickinson ISD will not implement two separate plans at any one time.

## Amendments

The proposed amended DOI was presented to the Dickinson ISD Education Improvement Committee for consideration on May 9, 2023, and it was approved by a majority of the committee. The DISD Board of Trustees reviewed and approved the amended DOI Plan at the action meeting held on May 11, 2023. The amended plan retains the expiration date of February 21, 2027.

# Innovation Plan

Dickinson ISD proposes flexibility and seeks an exemption in the following areas:

<b>Teacher Certification</b>	<b>AMENDED SEPTEMBER 2022 (SEE PAGES 7-8)</b>
Texas Education Code §21.003, §21.044, §21.053 19 Texas Administrative Code: 231	DBA(LEGAL), DBA(LOCAL), DK(LEGAL), DK(LOCAL), DK(EXHIBIT)
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>● In the event a certified teacher cannot be hired for a position or a teacher is assigned to a subject outside his/her certification, the district must submit an emergency certification/exception/waiver to TEA.</li> <li>● Many of the career pathways set forth by HB 5 require very specialized certification.</li> <li>● Statutes and regulations inhibit the development of post high school plans and improvement of workforce skills to the extent these laws limit the District's ability to hire teachers to teach hard to fill, high demand career and technical courses when quality certified teachers are not available.</li> </ul>	
<p><b>Innovation:</b></p> <p>Dickinson ISD Human Resources Department will submit a written request for approval to fill a teaching position to the Superintendent or designee for a degreed, non-certified professional with career/industry experience to teach a CTE subject within his/her area of expertise</p> <p>The written request will outline the reason for the request, and it will document the credentials the recommended teacher possesses which qualify him/her to teach the subject. In addition, the written request must be submitted to the Superintendent or designee for approval prior to recommending to the Board of Trustees.</p> <p>In order to enable more students to obtain the educational benefit of career and technical course offerings, the District seeks to establish its own local qualification requirements for such courses in lieu of the requirements set forth in law. This exemption will afford the District the flexibility to hire professionals in certain trades and vocations to teach the crafts of those trades and vocations, such as welding, health sciences, architecture and construction, in career and technical courses.</p>	

<b>First Day of Instruction</b>	
Texas Education Code §25.0811	EB(LLEGAL)
<p><b>Rationale:</b> Texas Education Code states that a school district may not begin student instruction before the 4<sup>th</sup> Monday in August. This forces the district into a calendar that has minimal opportunity for teacher professional development, causes shortened grading periods when the first semester ends in December, and provides negligible time for summer school before state mandated assessment re-takes in the summer.</p>	
<p><b>Innovation:</b> To best serve the students in Dickinson ISD, we will move the school start date for students to no earlier than the third week of August. Starting earlier will allow for creative scheduling that allows for more intentional teacher professional development throughout the school year and also allows students to have a schedule that is more conducive to their learning.</p>	

<b>Teacher Contracts (Probationary)</b>	
Texas Education Code §21.102	DCA(LLEGAL)
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>● Currently, a person who is employed as a teacher by a school district for the first time, or who has not been employed by the district for two consecutive school years, shall be employed under a probationary contract.</li> <li>● DISD is a fast-growing district and at times our staffing model is not able to accurately project class size enrollment.</li> <li>● Non-certified teachers and/or teachers that are hired after the first instructional day are not always the most qualified for the position.</li> </ul>	
<p><b>Innovation:</b> In an effort to provide quality educational opportunities for all students throughout the district, DISD would like the option of offering non-certified teachers and/or late hires (after the first day of instruction) an agreement rather than a contract. This will allow for flexibility in taking timely employment actions that, in turn, would provide students with a quality teacher.</p>	

<b>Student/Teacher Ratios; Class Size</b>	
Texas Education Code §25.111-13, §25.112(A-G), §25.113(A-B)	EEB(LLEGAL)
<p><b>Rationale:</b> A 22 to 1 student/teacher ratio is required by State law for Prekindergarten to 4<sup>th</sup> grade classes. When a class exceeds this limit, the district must complete and file a waiver with the Texas Education Agency, and the district must notify parents of waivers to class size limits.</p>	
<p><b>Innovation:</b> Dickinson ISD is a fast-growth district, and for the past several years, a class size waiver to TEA has been required. Based on our observations, we believe it is not the number of students but the relationship of the teacher to students and make-up of the classroom which most directly influence the learning environment. Dickinson ISD will continuously monitor enrollment at the elementary campuses. When elementary classes exceed 22 students, district and campus administrators will collaborate to develop a plan to support those classes. A TEA waiver will not be submitted; however, the Superintendent will report enrollment to the Board of Trustees.</p>	

Professional Development	
Texas Education Code §21.451, §21.458	DMA(LEGAL)
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>With a diverse student population, Dickinson ISD’s educators must be well equipped to meet the unique needs of each student. Currently, the district is required to implement state-mandated professional development that may not be beneficial to our staff needs.</li> <li>The state currently lays out specific requirements for teacher mentors. An exemption from these requirements would allow DISD to determine qualified mentors based on classroom performance rather than on seniority.</li> </ul>	
<p><b>Innovation:</b></p> <ul style="list-style-type: none"> <li>Dickinson ISD believes that the district level committee (DEIC) is better equipped to determine professional development that will best meet the needs of local staff so that staff development can remain flexible and responsive to newly emerging data.</li> <li>As a fast-growth district, Dickinson ISD employs many new teachers each year. It is very important that mentors be effective classroom teachers who can support new teachers in their first years in the profession. Being exempt from this requirement would increase the pool of teachers from which the district could draw for our mentoring program.</li> </ul>	

Designation of Campus Behavior Coordinator	
Texas Education Code §37.0012	FO(LEGAL)
<p><b>Rationale:</b></p> <p>Senate Bill 107 requires the designation of a Campus Behavior Coordinator on each campus. This person is responsible for maintaining student discipline and the implementation of Chapter 37, Subchapter A.</p>	
<p><b>Innovation:</b></p> <p>Dickinson ISD believes in a collaborative approach to discipline, with multiple people providing emotional social support to students, rather than just one person. All campus principals and assistant principals handle student discipline. Each campus administrator will serve as a Campus Behavior Coordinator in regard to student discipline, as outlined in the Dickinson ISD Student Code of Conduct.</p>	

School District Depositories	
Texas Education Code §45.205-45.209	BDAE(LEGAL)
<p><b>Rationale:</b></p> <p>Districts are required to bid depository banking services at minimum every 6 years.</p>	
<p><b>Innovation:</b></p> <p>There are a limited number of banking entities with the interest in serving the district’s financial needs. In addition, changing banks requires a burdensome administrative effort. DISD already monitors the availability of services and the pricing. Newer banking regulations are making local-government-entity business unattractive to banks, so the options are expected to remain limited in the near future.</p>	

## Summary

Through HB 1842, Dickinson ISD will have increased flexibility and local control to make decisions. The Dickinson ISD Innovation Plan identifies current State laws from which the district seeks relief in order to best meet the needs of all stakeholders. Adjustments to Board policy will be reviewed, updated, and presented to the DISD Board of Trustees.

## September 2022 Amendments

<b>Teacher Certification (Revised September 2022)</b>	
<p>Texas Education Code §21.003, §21.044, §21.051, §21.053, §21.057 19 Texas Administrative Code § 231</p>	<p>DBA(LEGAL), DBA(LOCAL), DK(LEGAL), DK(LOCAL), DK(EXHIBIT)</p>
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>● Dickinson ISD is committed to providing students with the highest level of academic instruction possible. Currently, in the event the district cannot locate a certified teacher for a position, or a teacher is assigned to a subject outside of his/her certification, the district must submit a request to the Texas Education Agency and wait for an approval or denial to be issued from the Commissioner of Education.</li> <li>● Dickinson ISD wants decisions regarding certification to be handled locally and approved by the Superintendent and/or designee.</li> <li>● The goal of Dickinson ISD will be to continue to hire certified teachers; however, flexibility is needed in areas that are difficult to find highly effective candidates with the required teacher certification. For example, many of the career pathways established by House Bill 5, 83rd Texas Legislature, Regular Session, 2013, require very specialized certification.</li> <li>● Statutes and regulations inhibit the development of post high school plans and improvement of workforce skills to the extent these laws limit the District’s ability to hire teachers to teach hard-to-fill, high-demand career and technical courses when quality certified teachers are not available.</li> <li>● This provision will provide Dickinson ISD flexibility in hiring professionals from technical fields, college instructors, and internal applicants seeking assignments outside of their certification areas. This exemption also applies to the associated requirements of field experience and parental notification, and it negates the need to request approval from the Commissioner of Education.</li> </ul>	
<p><b>Innovation:</b></p> <p>For Career and Technical Education (CTE) (including STEM - Science, Technology, Engineering, and Math) and Dual Credit certification areas:</p> <ul style="list-style-type: none"> <li>● Dickinson ISD Human Resources Department will submit a written request for approval to fill a teaching position to the Superintendent or designee for a degreed, non-certified, yet highly qualified, professional with career/industry experience to teach a CTE subject within his/her area of expertise.</li> <li>● The written request will outline the reason for the request, and it will document the credentials the recommended teacher possesses which qualify him/her to teach the subject. In addition, the written request must be submitted to the Superintendent or designee for approval prior to recommending to the Board of Trustees.</li> <li>● In order to enable more students to obtain the educational benefit of career and technical course offerings, Dickinson ISD seeks to establish its own local qualification requirements for such courses in lieu of the requirements set forth in law. This exemption will afford Dickinson ISD the flexibility to hire professionals in certain trades and vocations to teach the crafts of those trades and vocations, such as welding, health sciences, architecture, and construction, in Career and Technical Education courses.</li> </ul>	

For allowing teachers to teach one subject outside of their certification area, but inside their grade level cluster:

- The campus principal may submit a request to allow for a certified teacher to teach one subject out of their certified field, yet still within their certification grade cluster, with written consent from the teacher. The principal must specify in writing the reason for the request and document what credentials or experience the certified teacher possesses to teach the subject (e.g., an elementary principal may submit a request for a 4th grade teacher who is certified EC-4th ELAR to teach 4th grade Social Studies).

For allowing teachers to teach outside of their grade level cluster, but inside their certification area:

- The campus principal may submit a request to allow for a certified teacher to teach outside of their certification grade cluster, yet within their certified field, with written consent from the teacher (e.g., a junior school principal may submit a request to allow for a teacher who is certified 7-12 Science to teach 6th grade Science).

For a teacher who is fully certified in another state, they will be considered a certified teacher in Dickinson ISD for one year on a probationary status if:

- The employee creates a Texas Educator TEAL account and applies for and pays for their:
  - review of out of state credential, one-year temporary certification, and fingerprints; and
- The employee agrees to register for appropriate certification examinations.

For a teacher applicant who is in the process of obtaining certification, they may be hired in an “at will” capacity and paid as a teacher before the effective date of the issuance of a valid certificate if the following apply:

- The individual is recommended for hire no more than 20 days before the first day of instruction or after the start of the instructional year; and
- The candidate will be issued a certificate by the deadline set annually by the Human Resources Department.



**Removal of Unwanted Visitors (New September 2022)**

Texas Education Code §37.105  
19 Texas Administrative Code §103.1207

GKA(LEGAL), GKA(LOCAL)

**Rationale:**

- Texas Education Code §37.105, applies to removing visitors from campuses and school events. This applies to parents and community members, not students. In 2017, the Texas Legislature changed the law on how school administrators can eject unruly guests from school events. Under the law, the guest must be given a warning before he or she is ejected. Upon ejection, the guest must also be given notice of how he can appeal the ejection.
- Given the heightened awareness of school safety, there may be instances where providing a warning and written notice of the appeal process is not in the best interest of student and spectator safety.

**Innovation:**

- A school/district administrator, school resource officer, or school district peace officer may refuse to allow persons to enter on or may eject a person from property under the district's control immediately without warning and written notice of appeal if:
  - The person poses a substantial risk of harm to any person; or
  - The person behaves in a manner that is inappropriate for a school setting.
- A person refused entry to or ejected from property controlled by the district may appeal such refusal of entry or ejection in accordance with Board policy [see FNG, GF].

## February 2023 Amendment

School Health Advisory Council [SHAC] (New February 2023)	
Texas Education Code §28.004	BDF(LEGAL), FFA(LOCAL), EHAA(LEGAL), EHAA(LOCAL)
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>Texas Education Code Section 28.004 States that a district shall establish a health advisory committee to ensure that local values are reflected in the district’s health education instruction.</li> </ul>	
<p><b>Innovation:</b></p> <ul style="list-style-type: none"> <li>This change would allow members of the DISD District Educational Improvement Council (DEIC) to address the district’s health education needs as they are aware of the needs of the district and the students. This will decrease the number of meetings and the number of committees required by law and will better serve this community. The DEIC will convene at least three times per year to address these needs as well as any other necessary items.</li> </ul>	

## May 2023 Amendment

Resignations Under Probationary or Term Contracts (New May 2023)	
Texas Education Code §21.105 and §21.210	DFE(LEGAL)
<p><b>Rationale:</b></p> <ul style="list-style-type: none"> <li>Texas Education Code Sections 21.105 and 21.210 state that a teacher may resign without penalty not later than the 45<sup>th</sup> day before the first day of instruction. This date usually falls around the end of the first week of July. When teachers resign this late in the summer, it is difficult to find a suitable replacement.</li> </ul>	
<p><b>Innovation:</b></p> <ul style="list-style-type: none"> <li>This exemption is to change the penalty-free resignation date to not later than the 60<sup>th</sup> day prior to the first day of instruction of the following school year. This exemption provides flexibility so that the district has an extended opportunity to recruit and hire highly effective, qualified teachers.</li> </ul>	