

Kress Independent School District Plan of Innovation

Original Plan:
July 11, 2017-July 11, 2021

Adopted on July
11, 2017

Amended
03/09/2020-03/09/2025

Renewed
April 12, 2022-April 12, 2027

**Districts of Innovation and Exemptions from
Provisions of the Texas Education Code under House Bill 1842**

House Bill 1842, passed in the 84th Texas Legislative Session, provides an opportunity for Texas public school districts to modify state requirements at the local level to better meet the needs of their unique student populations, in order to prepare them for success and lifelong learning. The adoption of this plan seeks to increase the District's flexibility in order to improve educational outcomes for the benefit of students and community.

As a District of Innovation, Kress ISD will be able to implement our District Improvement Plan with the increased flexibility and freedom necessary to personalize learning experiences. An essential tenet of personalization is that every child experiences school differently. In a way, personalization provides a unique "school" for every child. Thus, we must have the ability to make important educational decisions for our students at the local level.

KISD seeks exemption from the following permissible provisions of the TEC as allowed in the statute.

- **Uniform School Start Date**
- **Minimum Minutes of Instruction and School Day Length**
- **Class Size Ratio**
- **90 Percent Attendance Rule**
- **Teacher Certification Updated 2022**
- **Probationary Contracts for Experienced Teachers (2022)**
- **Designation of Campus Behavior Coordinator**
- **Length of Teacher Contracts**
- **Alternative Health Plan offered (2020; removed 2022)**
- **Number of SHAC Meeting per year (2022)**
- **Student Transfers (2022)**

District of Innovation Committee

The members of the District Innovation Committee are the members of Kress Independent's District Educational Improvement Committee.

Kristi Crump	Parent
Addison Clark	Counselor
Kimberely Couch	Lead Counselor
Gloria Guzman	Community Member
Yvonne Hernandez	Teacher
Kenny Hughes	Community Member
Sarah Langston	Teacher
Shawn Langston	Elementary Principal
Sheri Warren	Teacher
Mary Walker	Teacher
Leah Zeigler	Superintendent
Phil Zolman	High School Principal

Timeline

Thursday, April 13, 2017 - Board Meeting

- Board of Trustees approve resolution to hold a public hearing to discuss the possibility of using HB 1842 to become a District of Innovation.

Thursday, May 16, 2017 - Public Hearing and Board Meeting

- Public Hearing - Conduct a public hearing to explain and discuss the possibility of becoming a District of Innovation.
- Board Meeting
- Approve a motion to pursue local “District of Innovation” plan.
- Board of Trustees approve the members of the District of Innovation (DOI) Committee.

Conduct District of Innovation Committee Meetings

- May 23, 2017 - 1st District of Innovation Committee Meeting
- May 25, 2017 - 2nd District of Innovation Committee Meeting meet to write the plan.
- June 1, 2017 Post the proposed District of Innovation Plan on the district website for 30 days
- Notify Commissioner of Education of the board’s intention to vote on adoption of proposed plan
- July 11, 2017 - District of Innovation Public Hearing and Board Meeting
- July 10, 2017 - DOI Committee conducts a Public Hearing regarding the proposed DOI Plan July 10, 2017
- DOI Committee takes final vote to approve the DOI plan July 10, 2017
- July 11, 2017 7:00 pm - Board Meeting
- July 11, 2017 District of Innovation Committee presents final committee approved District of Innovation Plan to the School Board
- Board consider/ approve the District of Innovation plan - 2/3rd vote to approve July 11, 2017
- Notify the Commissioner of Education of the board approval of the DOI Plan July 12, 2017

July 13, 2017 - Begin the process of updating all policy changes with Texas Association of School Boards (TASB)

District of Innovation

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

Kress 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 decide which flexibilities best suit their local needs.
- **Autonomy:** Districts must submit a district of innovation plan to the Texas Education Agency, but approval is not required.

Term

In accordance with TEC §12A.006, this Comprehensive Local Innovation Plan shall remain in effect for a period of five years (2022 through 2025 school years) beginning April, 12 2022 and ending April 12, 2027 UNLESS terminated by the commissioner pursuant to TEC §12.A.008. Following adoption by the Board of Trustees, the Kress ISD Comprehensive Local Innovation Plan for District of Innovation designation will be reported to the Texas Education Agency (TEA).

EXEMPTIONS REQUESTED

Uniform School Start Date

(TEC § 25.0811) (TEC § 25.0812)

Board Policies affected [EB(LEGAL) EB(LOCAL)]

Currently

Students may not begin school before the 4th Monday of August or end prior to May 15th. For many years this was the rule: however, districts had the option of applying for a waiver to start earlier. The vast majority of districts applied for the waiver and would begin the 3rd Monday, some even going as early as the 2nd Monday. The Texas tourism groups lobbied to have this stopped because they believed it was detrimental to the tourism business. Therefore, several years ago the legislature took away all waivers and dictated that districts may not begin until the 4th Monday, with no exceptions.

Proposed

This flexibility of start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and local community. This empowers us to personalize learning, increase college and career readiness, and balance the amount of instructional time per semester. In addition, by having the flexibility in the start and end of the school year, students will be able to enroll in college courses that start in early June, thereby increasing college and career readiness. Removing the uniform

start date could also let the KISD start classes as a short week, easing the transition for students entering kindergarten, middle school, and high school. This will also allow for more flexible professional development opportunities for our staff.

This Plan gives the District the flexibility to change the date of the first and last days of school.

Local control of the instructional calendar affords the District the following advantages:

- It allows the District to determine locally, on an annual basis, what start and end dates best meet the needs of students, the school, and the community.
- It allows for the alignment of the school calendar with college semester exams and STAAR/EOC timelines
- It allows the District to better align its start date with the start date of colleges, which the District uses for dual credit courses
- It allows the District to look at starting classes in the middle of the week as opposed to the first day of the week in order to provide a short first week of school, which can ease the transition for students entering kindergarten, middle school, and high school.
- It gives the District the ability to better balance the amount of days in each semester.

Minimum Minutes of Instruction and School Day Length

(TEC §25.081 , TEC §25.082)

Board Policies affected [EC(LEGAL) EC(LOCAL)]

Currently

House Bill (HB) 2610, passed by the 84th 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, fuel curtailment, or another calamity.

The bill also requires a district to provide a minimum of 210 minutes per day to student's eligible for Pre-Kindergarten. KISD is currently on a one-year waiver (2016-17) that allows us to offer less than 210 minutes for the Pre-Kindergarten program. This is the final year the Pre-Kindergarten waiver is allowed.

Proposed

The flexibility to adjust minutes of instruction will assist with personalizing learning to better meet individual student needs. This Plan gives the District the flexibility to reach the annual goal of 75,600 minutes of instruction for funding purposes but without being limited by the "420 instructional minutes" and "seven hour day" requirements of the statutory provisions listed above.

Local control of the length of the school day affords the District the following advantages:

- It provides the District with the flexibility needed to alter the length of the school day on selected days, as locally determined to be necessary or beneficial to the District and its stakeholders.
- It gives the District a significant amount of local control over scheduling and would, in turn, give the District added flexibility to work non-instructional days into the schedule to allow for teachers to analyze student data and engage in targeted, relevant, professional development.

Kress ISD does not have any intention to shorten the school day on a regular basis, or without

specific purpose, but reserves the right to shorten days as may be required or permitted by law and as the Board determines to be in the best interest of the District and its students, staff, and the community. 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 and published and distributed to stakeholders in advance of the school year and continuously published using school media. The District would not schedule early release days under this exemption that were shorter than 240 minutes (4 hours), except in accordance with law.

Class Size Ratio

(TEC § 25.112, TEC §25.113)

Board Policies affected [BFLEGAL) EEB(LEGAL)]

Currently

Kindergarten – 4th Grade classes are to be kept at a 22 student to 1 teacher ratio according to state law. When a class exceeds this limit, the district must complete a waiver with the Texas Education Agency. These waivers are never rejected by TEA. This is a bureaucratic step that serves no purpose. 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 certainly believe that small class size plays a positive role in the classroom, this 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. We do not believe it has a negative effect when a district adds only one or two more students. 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.

In the event the class size exceeds the 22:1 ratio for Kindergarten – 4th grade classes the following procedures would be followed.

1. A Texas Education Agency waiver will not be necessary.
2. The principal will notify the superintendent of enrollment over 22 in any class (k-4th grade) and the superintendent will report to the Board of Trustees for approval.
3. The campus principal will notify the parents of the students in the classroom of the enrollment ratio.

This exemption only allows KISD the local control over class size ratios, not a disregard for the intent of the ratio requirements. Communication with parents is key in protecting the intent of the ratio requirements.

This plan also emphasizes the importance of flexible learning environments and student learning based upon student driven passions and needs. This grants flexibility in class size at all times-regrouping for success, small groups, large groups, etc. It also works to minimize paperwork requirements in order to free up time to place additional focus on student success. An exemption in meeting Texas Education Code (TEC), §25.112, will allow the ability to group students based academic, social, and emotional needs without adding ongoing filings of waivers when the need arises.

90 Percent Attendance Rule

(TEC§ 25.092)

Board Policies affected [FEC(LEGAL)(LOCAL)]

Currently

State law currently requires students attend class 90 percent of the school days in order to earn credit. The law currently requires the District to award class credit to students based on "seat time" rather than based on *content mastery*.

Proposed

The 90 percent rule is an arbitrary percentage, which means school districts award credit based on seat time rather than based on content mastery. Abstaining from the requirement means the district won't have to penalize students who miss class due to extra/co-curricular activities, academic activities, or other extenuating circumstances. This exemption will allow the District to promote student engagement, as well as social and emotional development, by encouraging more students to participate in such activities. It will also allow KISD administrators to award credit to students because they can show they understand the concepts, rather than because they've attended a certain number of school days.

The proposal would allow counselors and administrators to refocus efforts on students who are truly at risk, while simultaneously providing rigor and relevance in the curriculum. Exemption from this requirement will provide educational advantages to students of the District by promoting learning through innovation in the methods, locations, and times instruction may be delivered to students, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and increasing the number of qualifying graduates. KISD will also explore other innovative ways to demonstrate mastery, given this exemption.

This exemption supports overarching goals in the District Education Improvement to implement tools, resources, and training that support personalized learning for both students and teachers.

Relief from Section 25.092 does not in any way impact or alters existing compulsory attendance requirements or University Interscholastic League ("UIL") rules. Moreover, opting out of Section 25.92 in no way limits or modifies a teacher's right to determine the finality of a grade in accordance with Texas Education Code Section 28.0214, nor does it restrict or alter a teacher's right to assign grades in accordance with Texas Education Code Section 28.0216.

Teacher Certification

(TEC §21.003, §21.053, §21.057)

Board Policies Affected [DBA (LEGAL) (LOCAL), DK (LEGAL)(LOCAL) (EXHIBIT)]

Currently

Section §21.003, §21.053, §21.057 of the Texas Education Code state the following:

- TEC §21.003: Requires that a person may not be employed as a teacher by a district unless the person holds an appropriate certification or permit issued by the State Board of Educator Certification (SBEC).
- TEC §21.0031. FAILURE TO OBTAIN CERTIFICATION; CONTRACT VOID. (a) An

employee's probationary, continuing, or term contract under this chapter is void if the employee: (1) does not hold a valid certificate or permit issued by the State Board for Educator Certification; (2) fails to fulfill the requirements necessary to renew or extend the employee's temporary, probationary, or emergency certificate or any other certificate or permit issued.

- TEC §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.
- TEC §21.055 states that if a teacher is not certified, the District may issue a teaching permit to employ the individual. This process requires notice to the Commissioner and its usefulness is extremely limited. Additionally the language of this section could be construed to prohibit the issuance of a local teaching certificate.

These laws limit the District's ability to hire teachers to fill hard-to-fill positions, i.e., high demand dual credit, career and technical/STEAM (applied Science, Technology, Engineering, and Arts & Mathematics) and hard to fill content area teachers courses when high quality certified teachers are not available.

Flexibility to establish local teacher certification requirements allows the district to:

- Select from a larger and more experienced candidate pool for courses.
- Establish requirements for professionals transitioning to education from other careers.
- Hire teaching staff with industry-standard professional certifications, or those not currently certified in accordance with TEA standards.
- Utilize the talents and skills of those in our community who would benefit the needs of our students.
- Provide engaging and the challenging learning the KISD District Education Improvement Plan sets forth in specific goals under the initiative to improve college and career readiness options.

Proposed

Kress Independent School District is committed to placing the right teacher in every classroom. In order to best serve KISD students, decisions on certification will be handled locally.

Implementation Considerations

Exemption from TEC §21.003, TEC §21.0031, TEC §21.053, and TEC §21.055, is limited to provide hiring flexibility in the specific instructional area of hard to fill, and/or high demand dual credit, and/or Career and Technical (applied Science, Technology, Engineering, and Art and Mathematics) courses. All other instructional staff are required to hold valid SBEC certificates and will receive Chapter 21 contracts in accordance with policy and law. This exemption excludes special education and bilingual/ESL teachers. *Special education and bilingual/ESL teachers must continue to be SBEC certified.*

The District will maintain its current expectations for employee certification. The District will make every effort attempt to hire individuals with appropriate certification for the position in question; however, where that is not reasonably possible, the District will have the flexibility to hire individuals who are knowledgeable in the area and equipped to effectively perform the duties of the position in question.

For grades 7-12, the campus principal may submit to the superintendent a request for local certification that will allow an already certified teacher to teach a course or grade level for which he/she is not certified. The principal must specify in writing the reason for the request and document what credentials or life experience the teacher

possesses that would qualify this individual to teach the proposed subject. By obtaining exemption from existing teacher certification requirements, the District will have the flexibility to offer an additional period to reduce class sizes, allow more options for a required class to be available at various times during the day, or open up a pathway for CTE classes that would increase our number of CTE student certifications.

For secondary grades 7-12, an individual with experience in the content of an elective course could be eligible to teach a vocational skill or elective course through a local teaching certification. The principal must specify in writing to the Superintendent the reason for the request and document what credentials or life experience the teacher possesses that would qualify this individual to teach the proposed subject. Examples include an experienced homebuilder teaching a trades course, a licensed correction officer teaching a criminal justice course, or a retired CPA teaching an entry level accounting course.

Kress ISD will develop required professional development opportunities in the areas of student management, instructional strategies, curriculum, and parent engagement for individuals hired for such positions.

Kress ISD will utilize the standard teacher salary schedule for teaching positions of hard to fill, high demand dual credit, and Career and Technical (applied Science, Technology, Engineering, and Art and Mathematics) courses.

Teacher certification waiver requests, state permit applications, or other paperwork will not be submitted to the Texas Education Agency. The District will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful.

Parents will be notified when students are instructed by personnel without SBEC certification.

By obtaining exemption from existing teacher certification requirements for career and technical teachers, the District will have the flexibility to hire credentialed community college instructors, university professors in specific content areas in order to 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, fine arts, etc.) in career and technical courses if certified teachers are not available.

- The campus principal may submit to the superintendent a request to allow a certified teacher to teach one subject out of their certified field. The principal must specify in writing the reason for the request and document what credentials the certified teacher possesses which qualify this individual to teach this subject.
- The district will have the flexibility to hire credentialed community college instructors or university professors in specific content areas in order to afford more students the opportunity to take dual credit courses if certified teachers are not available to teach those courses. The campus principal will submit the request to the superintendent to allow the hiring of the credentialed community college instructor or university professor.
- An individual with experience in a CTE field could be eligible to teach a vocational skill or course through a local teaching certificate. The principal will submit the request to the superintendent with all the individual's credentials. The superintendent will then approve the request if they feel the individual could be an

asset to students. The superintendent will then report this action to the Board of Trustees prior to the individual beginning any employment. Local teaching certificates will be for one year. The employee will be at-will.

The District shall establish local criteria for training and locally certifying individuals rather than adhere strictly to mandates outlined in Section 21.053. In doing so, parental notification of “inappropriately certified or uncertified teachers” under Section 21.057 would no longer be necessary. The exemption would also allow internal applicants seeking assignments outside of their traditional certification area to be considered. This exemption directly supports the move from “highly qualified” requirements in the Every Student Succeeds Act (ESSA).

Designation of Campus Behavior Coordinator (TEC § 37.0012)

Board Policies Affected: [FO(LEGAL)(LOCAL)]

Currently

Senate Bill 107 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.

Proposed

The proposal is for the District to seek exemption from the statute requiring each school to have a designated campus behavior coordinator. The relationships that are established between the campus administrator, counselor, student, and parent are the foundation for promoting and maintaining positive behavior. Utilizing a local district process allows the administrator who currently has a relationship with the parent and student to be the person to make parental contact. The administrator notifies the parent of discipline or behavior concerns, rather than having contact by a campus behavior coordinator, who may not know all the students, providing a much more individual and personal approach.

Length (number of days) of Teacher Contracts (TEC § 21.401)

Board Policies Affected [DC(Legal)]

Currently

Under current education law, a teacher’s contract is 10-months or more specifically, 187 days in length.

Proposed

Kress ISD would like to have the flexibility to set its teacher contract days from a range of 177 to 187 days with no negative effect on teacher salaries. This reduction in contract days would make our salaries more competitive.

- This plan will increase the daily rate of district teachers.
- This plan should enhance our ability to recruit teachers to our district.
- This plan will provide our teachers more flexibility during the summer months to find professional development opportunities that, personally, benefits them.
- In each year of the plan, the exact number of days (up to 187) a teacher’s contract may be

will be determined by the calendar planning committee. The minimum number of days a 10-month teacher's contract will be is 177 days, and the maximum it will be is 187 days.

Probationary Contracts (DCA Legal) **(TEC § 21.102)**

Currently

For experienced teachers new to the district, the probationary period may not exceed one year if the person has been employed as a teacher in public education for at least five of the previous eight years. A one year probationary period is not a sufficient amount of time to evaluate the teacher's effectiveness in the classroom. Currently, contracts for Kress ISD employees occur in March or April which demands that employment decisions must be made with very little time for evaluating teacher effectiveness and prior to state assessment results.

Innovation Strategy

For experienced teachers, counselors, librarians, or nurses new to the district that have been employed as a teacher in public education for at least five of the eight previous years, a probationary contract may be issued for up to two years.

Transfer Students **(FDA) (25.036)**

Under Texas Education Code 25.001, a district may choose to accept, as transfers, students who are not entitled to enroll in the district. Under TEC 25.036, a transfer is interpreted to be for a period of one school year.

Innovation

TEC 25.036 has been interpreted to establish the acceptance of a transfer student as a one-year commitment by the district.

The district is seeking to eliminate the provision of a one-year commitment in accepting transfer applications. On rare occasions that include but are not limited to the following: suspensions, (in or out of school), DAEP assignment, expulsion, habitual code of conduct violations, and attendance issues. Kress ISD will seek exemption from the one-year transfer commitment. By having this exemption Kress ISD may consider a high risk transfer student in hopes that permitting a school change, for the student, will help in areas such as grades, attendance, and discipline.

Courses of Study; Advancement - School Health Advisory Council **(BDF Legal) (TEC§28.004) TEC 28.004 d-1)**

The local school health advisory council shall meet at least four times each year.

Innovation

Kress ISD will be exempt from the requirement to hold a minimum of four meetings per year. The HISD SHAC committee shall meet at least once per year. The district's size and the stability of the membership of the SHAC committee ensures that committee members are aware of the needs of the district's students and are often able to review, advise, and revise plans in fewer than four meetings. The KISD Board of Trustees and the members of the SHAC committee should determine how often the committee should meet. Kress ISD seeks exemption from 28.004 d-1.

Summary

The direction provided by this District of Innovation Plan is an important step forward to ensure KISD develops and supports our students, employees and families in a more

personalized, more effective, and strategically aligned way. Moving our system toward the more personalized environment our students deserve will enable us to better prepare them according to their individualized needs and their unique passions, gifts, and talents. Through HB 1842, KISD will be positioned to leverage increased flexibility to make the best decisions for our children because we will be able to make them locally.

In most cases, activation of exemptions from the TEC will require the revision of KISD policies. KISD will implement an enhanced local policy development process that is rigorous, transparent, and inclusive of stakeholder input through the District Education Improvement Committee (DEIC). The district has developed and communicated a detailed implementation plan for the current Kress Independent District's Education Improvement Plan.; a similar process will occur with the District of Innovation Plan and it will be seamlessly implemented as part of the Kress Independent District's Education Improvement Plan.

We are grateful to the legislators who championed Districts of Innovation through HB 1842 and to Commissioner Morath and his team for expediting rules to help implementation. We are committed to the children of our community and pledge to implement this plan with their best interests at heart.

