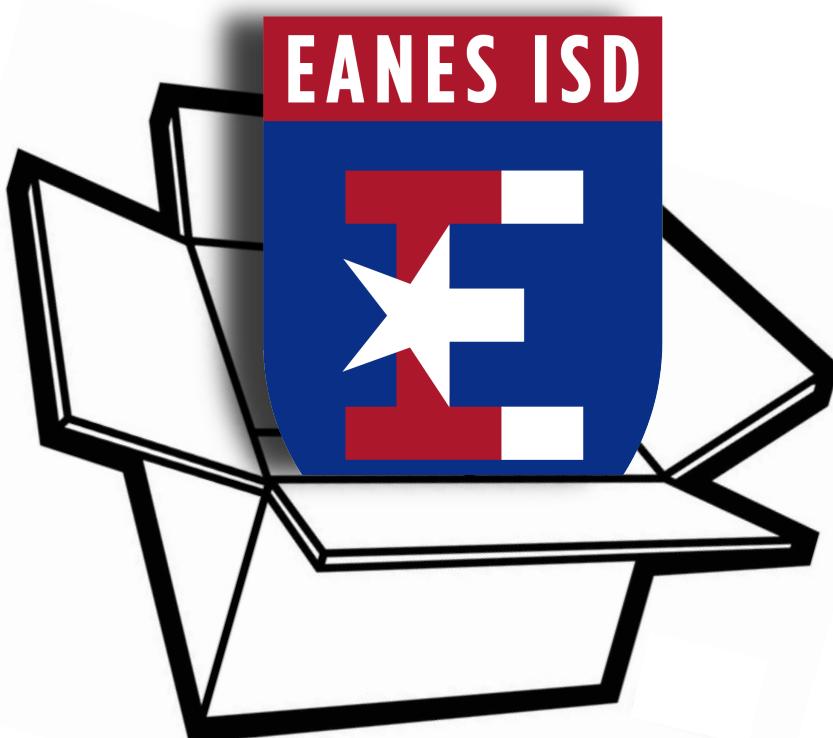


# A DISTRICT PLAN FOR INNOVATION & LOCAL CONTROL

2017 thru 2022

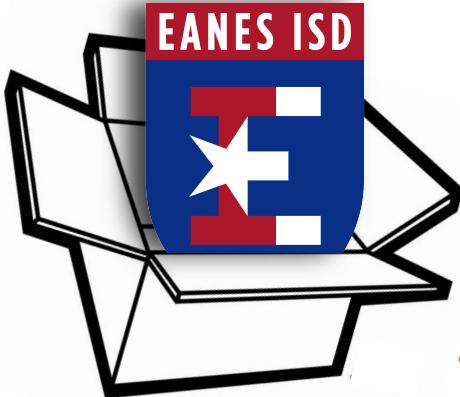


Approved by the  
Board of Trustees  
Dec. 13, 2016

Amended  
March 31, 2020

*In accordance with  
Texas HB 1842  
and  
Chapter 12A of the  
Texas Education Code*

***“Innovation is generated by  
thinking outside the box.”***



# SUMMARY POINTS: A DISTRICT PLAN FOR INNOVATION & LOCAL CONTROL

***"Innovation is generated by thinking outside the box."***

## Districts of Innovation may be exempt from state statutes to:

- The 84th Texas Legislature passed House Bill 1842 in Spring 2015, providing public school districts the opportunity to become *Districts of Innovation*. To qualify, an eligible school district must adopt a five-year innovation plan according to the Texas Education Code.

- take greater local control in decision-making about the educational and instructional model for students;
- have increased autonomy from state mandates that govern educational programming; and
- be empowered to innovate and plan differently – to think and dream outside the box.

## Why is Eanes ISD seeking the state's official designation as a District of Innovation?

- The Eanes ISD Board of Trustees resolved in June 2016 to seek designation as a District of Innovation.
- This plan supports exemplary practices and local decision-making processes to improve student learning.
- The board appointed a District of Innovation Committee to represent teachers, parents, campus administrators and local community members. The committee worked on this plan from September to December 2016

## Under this plan, what might innovation look like in Eanes ISD?

- In this case, innovation does not necessarily mean ambitious new initiatives beyond the school district's current strategic plan. Instead, it would signify Eanes ISD has achieved the privilege and flexibility to exercise more creative local control over existing quality programs without some statutory constraints.

## This plan will:

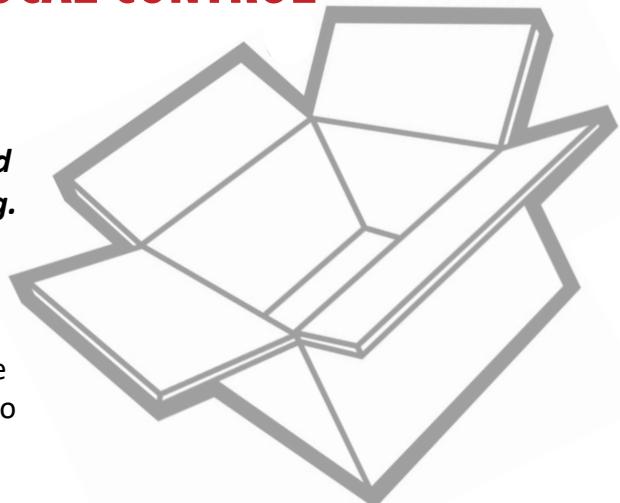
- **Maintain reasonable class sizes in grades K-4.** Except in unique and extenuating circumstances and only with the Board of Trustees' consent, Eanes ISD will make every effort to begin each school year with enough teachers to preserve an important student-to-teacher ratio of 22:1 per K-4 homeroom class.
- **Determine a flexible school start date.** Eanes ISD will determine on an annual basis its own local starting date for the first semester, not to precede the second Monday in August of any given year, instead of the Texas statute that requires districts to begin a new school year on the fourth Monday of August.
- **Allow alternatives to educator certification for distinctive subjects.** When a certified educator is not found for a unique or innovative class, the school district may allow a non-certified professional to teach OR a certified educator to teach a subject in a related field without the traditional state credentials.
- **Adjust instructional minutes and school day length.** Eanes ISD will make every effort to meet the goal of 75,600 instructional minutes per year, but may want to approach this total more creatively without being confined to either 420 minutes or seven hours of instruction every day.
- **Implement a local teacher and administrator appraisal system.** Eanes ISD has developed a localized Teacher Growth and Appraisal Process (TGAP) and is in the process of creating an Administrator Growth and Appraisal Process (AGAP). These new and local appraisal systems are better aligned with the Eanes ISD strategic goals.

# EANES ISD PLAN FOR INNOVATION & LOCAL CONTROL

## INTRODUCTION

***In Eanes ISD we believe in open boxes, where innovation and dreaming transcend the boundaries of conventional thinking.***

Dreaming, after all, is a form of planning. Yet, innovation is never exemplified or defined solely by a single document, especially a plan focused mostly on a few allowable exceptions to a handful of state statutes. While the flexibility to think outside this box may be considered innovative, the real origination occurs in the freedom to transcend traditional parameters and create a culture that values imagination, innovative instruction and local control.



For example, House Bill 1842 passed during the 84th Texas Legislative Session in Spring 2015 provides Texas public school districts the opportunity to be designated as *Districts of Innovation*. To qualify and access allowable exemptions, an eligible school district must adopt an innovation plan, as set forth in Texas Education Code, Chapter 12A.

Districts of Innovation may be released from several statutes to have:

- greater local control in making decisions about the educational and instructional model for students;
- increased autonomy and flexibility, with accountability, relative to state mandates that govern educational programming; and
- empowerment to innovate and think differently.

Districts are not exempt from statutes that address curriculum, assessment and graduation requirements as well as academic and financial accountability.

## THE PROCESS

On June 21, 2016, the Eanes Independent School District's Board of Trustees passed a resolution to initiate the process of designation as a District of Innovation. This plan augments exemplary practices and local decision-making processes that can improve student learning.

The board also appointed a District of Innovation Committee on June 21 to represent various stakeholders, including teachers, parents, campus administrators and local community members. The committee met on Sept. 8, 2016, to discuss and begin drafting this local innovation plan. Based on direction provided by the board and the perspectives of various constituencies, the committee endorses this plan of innovation and local control. The District Leadership Team, comprised of representatives from all schools and stakeholder groups within the district's community, met in September, October and December 2016 to draft, review and submit the plan of innovation for the Board of Trustees' approval.

## **COMMITTEE MEMBERS**

Bill Bechtol, Interim Principal, Barton Creek	Kirsten Luke, Parent, West Ridge
Teresa Bowerman, Teacher, West Ridge	Casey Ryan, Asst. Principal, Westlake
Sheri Bryant, Asst. Principal, Bridge Point	Heidi Sauer, Counselor, Westlake
Allyson Collins, General Counsel	Todd Washburn, Assoc. Supt., Curr. & Instruction
Michelle Garner, Teacher, Barton Creek	Sarah Yurko, Teacher, Hill Country
Lalitha Hegde, Parent, West Ridge	Anjali Kaul Zutshi, Parent, Westlake
	Dr. Jeff Arnett, Deputy Superintendent

## **DISTRICT OF INNOVATION TIMELINE**

June 7	Board of Trustees approved resolution to develop an innovation plan
June 21	Board of Trustees held a public hearing in accordance with the statute
June 21	Board of Trustees appointed a committee to develop a local innovation plan
Sept. 8	District of Innovation committee held initial meeting
Sept. 19	District Leadership Team meeting
Sept. 20	Update to Board of Trustees ( <i>community communication afterwards</i> )
Oct. 6	District of Innovation committee met to review draft of proposed plan
Oct. 17	District Leadership Team meeting
Oct. 18	Update to Board of Trustees ( <i>community communication afterwards</i> )
Nov. 1-30	Posted proposed plan on the district's Website for 30 days for staff and community review
Dec. 5	District Leadership Team approved the proposed innovation plan in a public meeting
Dec. 6	School district notified the Texas Commissioner of Education of the board's intent to vote on adoption of the proposed innovation plan
Dec. 8	Posted proposed innovation plan with agenda for Dec. 13 Board of Trustees meeting
Dec. 13	Board of Trustees formally approved the innovation plan
Dec. 14	Board of Trustees formally notified Texas Commissioner of Education the plan was adopted

*As a result of this plan, Eanes ISD will apply the following innovative governance guidelines to the unique, local and instructional needs of its students and community.*

## **1. MAINTAIN REASONABLE CLASS SIZES IN GRADES K-4**

(TEC 25.112a-g) (TEC 25.113a-b) (EEB LEGAL)

*Manner in which the statute inhibits the plan:*

The Texas Education Code requires districts to maintain 22 students or less in kindergarten through 4<sup>th</sup>-grade classes. A school district must complete and file a waiver with the Texas Education Agency (TEA) for each class that exceeds this limit. These waivers are rarely rejected by TEA, making the process primarily for awareness purposes and to preserve a more personal instructional environment.

State law also requires districts to notify parents of waivers or exceptions to class size limits. Sometimes during the course of a school year, due to shifting enrollments, a class may return to a smaller student-to-teacher ratio before or after the waiver is formally granted, thus negating the notice or causing parents and staff unnecessary concern.

Eanes ISD certainly recognizes reasonable class size plays a positive role in the classroom, and acknowledges the intent of the state requirements. However, class size must be balanced with the logistics and timing of adding staff, available campus resources or space, and the optimal teacher-to-student ratio given the total number, age and needs of students. Often, it is not the number of the students but the makeup and chemistry of the classroom which create a more personal instructional environment. Most importantly, research shows the teacher in the classroom has the greatest impact on student learning, not absolute class size. This exemption does not disregard the intent of class size ratio requirements, but rather, allows Eanes ISD the local control to determine class size.

***Local Innovation Strategies:***

- A. In compliance with TEC §25.112, Eanes ISD will make every effort to begin each school year with enough teachers to establish a student-to-teacher ratio of 22:1 per K-4 homeroom class. Also consistent with TEC §25.113, if, after consideration of the factors outlined below, any class size exceeds this ratio during the school year, the superintendent will inform and obtain consent from the Board of Trustees – in accordance with district policy, procedure and practice – AND will notify parents of affected students.
- B. If, during the school year, a K-4 homeroom exceeds 22:1, the administration will have 30 school days to consider:
  1. The subject/age to be taught, the teaching methodology to be used and any need for individual instruction in the class;
  2. Available space and resources;
  3. Whether another teacher should be hired (thus creating a new classroom);
  4. Whether a teaching assistant could be added to the homeroom class; or
  5. Whether keeping the class intact is more advantageous than separating students, in which case the class size may slightly exceed 22:1.

- C. Consistent with TEC §25.112, TEC §25.114 and TEA guidance, the 22:1 ratio does not apply to physical education or fine arts classes. In such subjects, Eanes ISD will consider student/teacher ratios appropriate to carry out the curriculum and ensure student and staff safety.
- D. Additionally, consistent with TEC §25.112, Eanes ISD will not be required to seek consent from the Board of Trustees for a homeroom classroom that may exceed 22:1 during the last 12 weeks of the school year.
- E. A TEA waiver will no longer be filed when a K-4 classroom exceeds the 22:1 ratio, although the Eanes ISD Board of Trustees must still consent – in accordance with district policy, procedure and practice – AND parents must still be notified.

## **2. DETERMINE A FLEXIBLE SCHOOL START DATE**

(TEC §25.0811a) (EB LEGAL)

*Manner in which the statute inhibits the plan:*

The Texas Education Code states a school district may not begin student instruction before the fourth Monday of August. For many years this was the rule; however, districts had the option of applying for a waiver to begin earlier, even as early as the second Monday in August.

The start-date waiver was eventually removed when the legislature determined school districts should begin the first semester no earlier than the fourth Monday of August, with no exceptions. The current process allows no flexibility in the design and balancing of instructional semesters to meet the needs of students or the wishes of the local Board of Trustees, who represent community interests in this matter.

### ***Local Innovation Strategy***

- A. Eanes ISD will determine on an annual basis the local starting date of the first semester, not to precede the second Monday in August of any given year.
- B. The annual calendar will be submitted by the District Leadership Team and approved by the Board of Trustees – in accordance with district policy, procedure and practice.

## **3. ALLOW ALTERNATIVES TO EDUCATOR CERTIFICATION FOR DISTINCTIVE SUBJECTS**

(TEC §21.003a) (TEC §21.057a-e) (DK LEGAL)

*Manner in which the statute inhibits the plan:*

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 burdensome 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.

***Local Innovation Strategies:***

- A. In exceptional circumstances, when a certified educator is not found for a unique or innovative class, the campus principal may submit to the superintendent a request for *local* certification that will allow a non-certified yet highly qualified professional to teach OR a certified educator to teach a subject in a related field for which she or he is not credentialed by the state.
- B. The principal must specify in writing the reason for the request and document what qualifications the individual possesses to teach the proposed subject. Emergency or financial situations creating the need for this assignment should also be noted.
- C. Whenever possible, lesson plans or curriculum guides to support the uncertified yet highly qualified educator will be developed or provided in partnership with certified teachers in the same field.
- D. In the event an uncertified yet highly qualified educator or professional is assigned to a course, the superintendent will inform and obtain consent from the Board of Trustees – in accordance with district policy, procedure and practice – AND will notify parents of students who gain from this decision.
- E. A teacher certification waiver, state permit applications or other paperwork will not be submitted to the Texas Education Agency.

**4. ADJUST INSTRUCTIONAL MINUTES AND SCHOOL DAY LENGTH**

(TEC §25.081) (TEC §25.082) (EB LEGAL)

*Manner in which the statute inhibits the plan:*

The Texas Education Codes define the length of the instructional day as “420 minutes of instruction” or “seven hours each day including intermissions and recesses.” The intent of this code is to standardize across all districts the amount of time students engage in classroom learning. The school code 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.

Eanes ISD believes flexibility in use of minutes as well as the length of the school day will support teachers and staff who participate in Professional Learning Communities, perfecting their craft, deepening their content knowledge and analyzing student data. In addition – particularly at the elementary level – flexibility in both instructional minutes and the length of the school day will protect all-important parent-teacher conferences especially in the event of inclement weather days, which may impact cumulative instructional minutes allocated over the course of a school year.

***Local Innovation Strategies:***

- A. Eanes ISD will make an effort to maintain the total of 75,600 minutes of instruction per year, but seeks an exemption from these statutes as necessary so it may approach the 75,600-minute goal in a more creative manner without being confined to either 420 minutes or seven hours of instruction every day.
- B. The flexibility to adjust minutes of instruction can reinforce personalized learning through the increasing use of advanced instructional technology, and will better meet individual student needs.
- C. This exemption will also allow Eanes ISD to alter the length of a school day or a school year, which could include additional professional development and collaboration opportunities for educators, social-emotional benefits for students, and will allow for accommodations during parent-teacher conferences and in case of inclement weather.

## **5. IMPLEMENT A LOCAL TEACHER AND ADMINISTRATOR APPRAISAL SYSTEM**

(TEC §21.203) (TEC §21.352) (DNA LEGAL)

*Manner in which the statute inhibits the plan:*

New state-wide teacher appraisal systems, the Texas Teacher Evaluation and Support System (T-TESS) and the Texas Principal Evaluation and Support System (T-PESS), are being introduced for the first time since 1997. While these systems are designed to meet the needs of the entire state, they do not adequately align with the standards and expectations in Eanes ISD. These systems also require state standardized test scores be used as the primary evaluation measure for both teachers and administrators.

*Local Innovation Strategies:*

- A. Eanes ISD has developed a new localized Teacher Growth and Appraisal Process (TGAP) and an Administrator Growth and Appraisal Process (AGAP), which are better aligned with the Eanes ISD strategic goals and student assessments. This exemption would allow local flexibility to evaluate various performance measures, including classroom observations, goal setting and tracking, and *collective* (not individual) student growth progress toward identified learning objectives.

## **AMENDMENTS AS OF MARCH 31, 2020**

### **1. LOCAL CONTROL OF CAMPUS AND DISTRICT-LEVEL PLANNING AND DECISION-MAKING**

(Texas Education Code §11.251, 11.252, 11.253, 11.255) (Board Policies  
BQ(LEGAL) and (LOCAL), BQA(LEGAL) and (LOCAL), BQB(LEGAL) and (LOCAL))

*Manner in which the statute inhibits the plan:*

The Texas Education Code (TEC) requires district-level and campus-level planning and decision-making as described in Sections 11.251, 11.252, 11.253, and 11.255. Under these prescriptive laws, each school district appoints committees of stakeholders to engage in a defined process of developing, evaluating and revising District and Campus Improvement Plans annually, in accordance with district policy and state law.

This site-based decision-making requirement has existed in Texas for over 30 years. The original intent of the law (including the involvement of classroom teachers in the campus and district planning process) now consists of several compliance measures that affect the local meaning and relevance of the campus and district decision-making process. The bureaucratic requirements in content and format of the improvement plans shift an otherwise important planning initiative into a process that detracts from the importance of local design and meaningful implementation.

While Eanes ISD will continue to develop district and campus planning documents based on Board priorities and administrative goals, the content and format of such plans should be a local decision. Eanes ISD has a strong history of involving teachers, administrators, parents, community members and students in the decision-making process. Eanes ISD believes the process and membership of district and campus planning should be a local decision rather than a response to a state mandate.

*Local Innovation Strategies:*

- A. Increase local control over district planning to allow Eanes ISD to replace a prescriptive list of

compliance requirements in Campus and District Improvement Plans with relevant strategic plan components, including action steps, resources, and metrics aligned with local Board priorities as well as administrative and campus goals. Required state and federal mandates will continue to be included in reporting documents but may no longer be represented in District and Campus Improvement Plans.

- B. Attempt to comply with requirements detailing the selection of representatives for the District and Campus Leadership Teams. Under this exemption, the duties, membership and frequency of such committees will align first with Board policies, administrative regulations, campus priorities and goals.

## **2. LOCAL CONTROL OF BENEFITS FOR STAFF**

(Texas Education Code §22.004(i)) (Board Policies CRD(LEGAL) and (LOCAL))

*Manner in which the statute inhibits the plan:*

Under Texas Education Code section 22.004, school districts must participate in TRS-ActiveCare (health insurance) in accordance with provisions of the Texas Insurance Code: "A district shall participate in the uniform group coverage program established under Chapter 1579, Insurance Code, as provided by Subchapter D of that chapter." The Texas Education Code prohibits offering comparable group healthcare to employees through a self-funded plan once a district has elected to enter TRS-ActiveCare. A TRS rule prohibits discontinuation of TRS-ActiveCare unless a district is authorized by TRS.

The current process allows no flexibility in the design of group health insurance benefits to fit the needs of all Eanes ISD employees. This provision also prohibits a district from procuring group health insurance benefits that may provide better coverages for its employees and at a lower cost.

Districts of Innovation (DOI) may seek an exemption from Texas Education Code section 22.004. Districts may not, however, use a DOI plan to seek an exemption from provisions in the Insurance Code. Even if a district is exempt from Section 22.004, Texas Insurance Code Chapter 1579 continues to apply. Consequently, even for a DOI, the Insurance Code does not permit a district to opt out of TRS-ActiveCare. However, for a DOI, the Insurance Code does not explicitly indicate a district is prohibited from offering an alternative health care plan. The statutory prohibition on offering an alternative health care plan is located in the Education Code.

*Local Innovation Strategies:*

- A. Increase local control of the group health benefits plan to allow the district to be responsive to employee and community needs.
- B. If feasible, the district will offer an alternative health plan option to district employees, in addition to TRS-ActiveCare.

## **3. PROBATIONARY CONTRACT TERM FOR CERTAIN TEACHERS**

(Texas Education Code §21.102(b)) (Board Policies DCA(LEGAL) and (LOCAL))

*Manner in which the statute inhibits the plan:*

The Texas Education Code requires that teachers newly-hired by the district who have five years of experience in public education within the last eight years can only be placed on a one-year probationary

contract and, after the first year, must be placed on a term contract. In contrast, newly-hired teachers without the five to eight years of experience can be hired by the district on a one-year probationary contract for a total of three years. This law limits the district's ability to sufficiently assess and determine whether a newly-hired teacher is a good fit for the district. The one-year probationary period is insufficient to evaluate the teacher's effectiveness in the classroom because teacher contract renewal timelines require employment decisions to be made before the end of the school year.

Exemption from this requirement will provide campus administrators and hiring officials with the time needed to fully assess and support a teacher before making decisions to move the employee beyond a probationary contract when the employee has only been with the district one year.

***Local Innovation Strategies:***

- A. To create equity in new hires, to give Eanes ISD the opportunity to serve students better, to allow administrators time to evaluate performance, and to provide opportunities for improvement, growth and professional development, the district will implement the following contract requirements:
  - 1) Beginning with the 2020-2021 academic year, all teachers newly hired by Eanes ISD or those rehired by the school district after a break in service will be issued a one-year probationary contract for a total of three years, and may be issued a fourth year probationary contract under the same rules as applied in Texas Education Code 22.102(c).
- B. Teachers employed by Eanes ISD prior to the 2020-2021 school year are not subject to the proposed contract changes.

**4. CREDIT BY EXAMINATION WITHOUT PRIOR INSTRUCTION**

(Texas Education Code §28.023) (Board Policies EHDC(LEGAL) and (LOCAL))

*Manner in which the statute inhibits the plan:*

Texas Education Code Section 28.023 allows an elementary student to skip a grade if he or she earns a score of 80 percent or above on an approved exam for acceleration. Similarly, a student in sixth grade and above must be given course credit if the student earns a score of 80 percent or above on an approved exam.

Prior to the 83<sup>rd</sup> Legislative Session (2013), the passing score for credit by exam without prior instruction was 90 percent, rather than 80 percent. Several districts comparable to Eanes ISD have returned to the 90 percent standard for student acceleration.

***Local Innovation Strategies:***

- A. Relief from this statute permits the district to increase the standard required to be eligible for acceleration from 80 percent to 90 percent.
- B. Requiring a higher passing score ensures a student who accelerates a grade or course has more thoroughly mastered the content and is prepared to succeed in the next grade or series of courses.
- C. This new passing standard is applicable beginning with credit by examinations administered after the start of the 2020-2021 school year.