

Bishop Consolidated Independent School District



District of Innovation Plan

School Board Approved:

April 22, 2024

District Leadership Team

| School Board Trustees | |
|------------------------------|----------------|
| Dawn Cavanaugh | President |
| Judy Murdoch | Vice-President |
| Jeanette Gonzalez | Secretary |
| Rosie Elizondo | Member |
| Marc Morales | Member |
| Rey Longoria | Member |
| Robert Ochoa | Member |

| Administration | |
|-----------------------|---|
| Christina Gutierrez | Superintendent |
| Dr. Eden Hernandez | Assistant Superintendent |
| Manuel Tamez | Director of Finance |
| Andrew Smith | Business Manager |
| Sheri Hayes | Director of Instructional Technology |
| Joe Garcia | Director of Network |
| Dr. Jennifer Trice | Director of Special Education |
| Jay Scott | Director of Maintenance & Transportation |
| Dr. Claudia Esquivel | BHS Principal |
| Desiree Martinez | BHS Assistant Principal |
| Courtney Mrazek | BHS Assistant Principal |
| Ray Garza | LJH Principal |
| Yvette Rodriguez | LJH Assistant Principal |
| Rosie Trevino | BE Principal |
| Debra Garcia | BE Assistant Principal |
| Emily Salazar | BP Principal |
| Christy Griffith | BP Assistant Principal |
| Rick Gutierrez | PE Principal |

District of Innovation Planning Committee Members

| Representation | Name | Role |
|----------------------|---------------------|--------------------------|
| Petronila Elementary | Kassie Rivas | Teacher |
| | Cristina Silvas | Teacher |
| Bishop Primary | Megan Cross | Teacher |
| | Kristianna Andrade | Teacher |
| Bishop Elementary | Bonnie Kinsel | Teacher |
| | Gloria Saenz | Teacher |
| Luehrs Junior High | Johnnieanne Lopez | Teacher |
| | Audy Perez | Teacher |
| Bishop High School | Jonas Quintanilla | Teacher |
| | Rigo Morales | Teacher |
| | Mike Medina | College Readiness |
| | Desiree Martinez | Administrator |
| | Courtney Mrazek | Administrator |
| DAEP | Haskel Buff | Teacher |
| BCISD Curriculum | Tracy Smith | Curriculum |
| | Shirley Barrington | Curriculum |
| | Belinda Ortegon | Distance Learning |
| | Dr. Eden Hernandez | Assistant Superintendent |
| | Dr. Jennifer Trice | Special Education |
| | Flory Rivera | Community Member |
| | Barbara Escobar | Parent |
| | Noemi Gonzalez | Parent |
| | Rosie Valdez | Community Member |
| | Manuel Tamez | Non voting member |
| | Christina Gutierrez | Non voting member |

DOI Timeline

| Date | Event | Action Taken |
|---------------------------------|-----------------------------------|---|
| February 12, 2024 | School Board Meeting | Presentation <ul style="list-style-type: none"> • DOI Overview |
| February 21, 2024 | DEIC Committee | Presentation <ul style="list-style-type: none"> • DOI Overview |
| March 14, 2024 | Email to Commissioner Morath | Email the commissioner about the intent to pursue DOI designation |
| March 18, 2024 | School Board Meeting | <ul style="list-style-type: none"> • Approval of resolution to pursue DOI plan • Naming DEIC as DOI committee |
| March 20, 2024 | DOI committee meeting | Consider DOI exemptions to develop plan |
| March 22, 2024 | Plan on district website | Post proposed plan on district website (30 day minimum) |
| March 27, 2024 | DOI committee meeting | Prepare for public hearing |
| March 28, 2024 April 4, 2024 | Kingsville Record Announcement | Advertisement of DOI public hearing in local newspaper |
| April 10, 2024 | DOI Public Hearing | Share DOI plan with community |
| April 22, 2024 | School Board Meeting | Approval DOI plan |
| April 26, 2024 | Email to Commissioner Morath | Email DOI link to the commissioner. |

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

This plan is specific to the exemptions as outlined. The district intends to follow the Texas Education Code in all other areas. If at some point it is decided that changes or additional exemptions should be considered, as per the Districts of Innovation process, the district will reconvene the District of innovation Planning committee to explore the request.

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 population, in order to prepare them for success and lifelong learning. As a District of innovation, Bishop CISD will be able to implement our Strategic 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.

Our strategic Plan requires CISD to evolve and think radically differently about such critical systemic components as how we are organized, and how we deliver instruction, how we recruit and retain top talent, how we engage and support our families, what experiences we provide, and how we grow continually as a learning organization. To think differently, we must be able to respond differently. Leveraging the limited freedom and flexibility afforded by the Districts of innovation designation will assure we are empowered to do so.

Under HB 1842, districts may identify certain requirements imposed by the Texas Education Code (TEC) “that inhibit the goals of the plan and from which the district should be exempted on adoption of the plan. . .” Because CISD’s Strategic Plan and its local Innovation Plan are comprehensive and touch numerous areas in the TEC, and because BCISD seeks to maximize local control of educational decisions for students, BCISD seeks exemption from the following permissible provisions of the TEC as allowed in the statute.

- School calendar
- Class-size ratios
- Educator certification
- Probationary contracts
- SHAC committee
- Inter-district transfers
- 90% attendance rule
- Campus Behavior Coordinator
- Ejection of Individuals
- Depository contracts
- Removal for conduct
- School counselor duties
- Retire/Rehire salary
- Suspension limitations
- Discipline: Law & Order
- Student attendance

Bishop CISD is pursuing the 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 is not required

Autonomy: Districts must submit a district of innovation plan to the Texas Education Agency, but approval is not required.

What is a “District of Innovation”?

A District of Innovation (DOI) is a concept passed by the 84th Texas Legislative that gives traditional independent school districts most of the flexibilities available to open enrollment charter schools, including exemptions 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?

Freedom to make decisions about Bishop CISD at the 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 plans are about local control. Bishop CISD’s innovation plan will be unique to the school district and the community.

What impact could 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 revisions may be affected by the District’s innovation plan. As the innovation plan is sculpted by the committee, the District will evaluate necessary changes to Bishop CISD’s policies.

How long does an innovation plan stay in effect?

Hopefully as long as it benefits the District! Under 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.

TERM

In accordance with TEC §12A.006, this Comprehensive Local Innovation Plan shall remain in effect for a period of five years (2024 through 2029 school years) unless terminated by the commissioner pursuant to TEC§ 12.A.008. Following adoption by the Board of Trustees, the Bishop CISD Comprehensive Local Innovation Plan for District of Innovation designation will be reported to the Texas Education Agency (TEA).

Exemptions

1. School Start Date

(TEC§25.0811a)

Currently

TEC Section 25.811 states that a school district may not begin instruction for students for a school year before the fourth Monday in August.

Innovation Plan

Benefit of exemption for Bishop CISD will:

- 1) allow for balance in instructional days between first and second semester and to create more instructional time to prepare for STAAR/EOC/AP exams;
- 2) benefit from an earlier start date by allowing practices to coincide with school days and not summer break for all UIL activities including academic, fine arts and athletics;
- 3) allow additional days to recover students before “drop-out/no show” date;
- 4) maximize student performance and combat student regression over the summer;
- 5) allow flexibility in planning Professional Development days throughout the school year as opposed to placing all days prior to the beginning of instructional days.

2. Class Size Ratio

(TEC§25.111, §25.112, and § 25.113)

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 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.

Innovation Plan

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, a TEA waiver will not be necessary but the superintendent will report to the Board of Trustees for approval. In the event a K-4 core classroom reaches 25:1, the campus will notify the parents of students in the classroom and inform them of the situation. This exemption only allows Bishop CISD the local control over class size ratios, not a disregard for 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 need without adding ongoing filings of waivers when the need arises.

3. Teacher Certification

(DBA LEGAL, DBA LOCAL, DK LEGAL, DK LOCAL, DK EXHIBIT) (Ed. Code 21.003, 21.053, 21.057, and 19 TAC Chapter 231).

Currently

In the event a district cannot locate a certified teacher for a position or a teacher is teaching a subject outside of their certification, the district must submit a request to the Texas Education Agency, TEA then approves or denies this request. In certain circumstances, a district can use a local one-year permit.

Innovation Plan

Bishop CISD is committed to placing the right teacher in every classroom. In order to best serve Bishop CISD 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 area of need. The district's exemption from TEC Section 21.003 would allow the district to consider part-time professionals to teach courses, allow industry expert professional to transition into the teaching profession in Career & Technology, and also assist in staffing high need STEAM and dual credit course offerings. Often there are experienced certified teachers in our district that could teach a course outside of their certification area 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. This proposal will provide more flexibility in our scheduling and more options for our student in class offerings. The district shall establish local criteria for training and locally certifying individuals rather than adhere strictly to mandates outlined in TEC Section 21.053. In doing so, parental notification of "inappropriately certified or uncertified teachers" under TEC Section 21.057 would longer be necessary. Special education and bilingual/ESL teachers must continue to be SBEC certified.

4. Probationary Contracts

(DCA LEGAL) (Ed. Code Chapter 21, Subchapter C)

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 sufficient to evaluate the teacher's effectiveness in the classroom since teacher contract renewal timelines demand that employment decisions be made prior to District receipt of state assessment results.

Innovation Plan

Considering the initiatives and processes in Bishop CISD, the period of time may not be sufficient to evaluate the employee's effectiveness in the classroom since teacher contract timelines demand that employment decisions must be made prior to the availability of end-of-year classroom and student data. Upon exemption from TEC§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§21.102(c) in order to allow more time for the district to fairly and thoroughly assess an employee's performance.

5. School Health Advisory Council (SHAC)

(TEC§28.004)

Currently

Current law states that the SHAC committee shall meet four times each year to discuss and evaluate the local community's values and priorities in the district's health education curriculum. State law also imposes strict notice and recording requirements of all meetings. The district proposes full exemption from this statute.

Innovation Plan

The small size of Bishop CISD and the community makes a SHAC committee redundant as the members of the community, parents and teachers are often the same individuals and the SHAC requirements are restrictive for a small District.

6. Inter-District Student Transfers

(TEC§25.036)

Currently

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 and mid-year revocation is not permitted based on student discipline, attendance, or academic performance. Being granted a transfer to the district is a privilege and not a right; however, the district currently cannot remove transfer students on failure to meet expected standards.

Innovation Plan

Nonresident students who have been accepted as inter-district transfers may have such transfer statue revoked by the Superintendent at any time during the school year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, or expulsion. Students that fail to meet the districts academic performance standards as well as meet the state's 90% attendance standard for a course may also be subject to immediate revocation of the transfer statue.

7. 90 Percent Attendance Rule

(TEC§25.092)

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.

Innovation Plan

The 90 percent rule is an arbitrary percentage, which means school Districts award credit by 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 Bishop CISD 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. Exemptions from this requirement will provide educational advantages to students of the District by promoting learning through innovation in the methods, locations, and times instruction maybe delivered to students, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and increasing the number of qualifying graduates. Bishop CISD will also explore other innovative ways to demonstrate mastery, given this exemption.

The exemption supports overarching goals in the strategic plan 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 alter the 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.

8. Designation of Campus Behavior Coordinator

(TEC§37.0012)

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.

Innovation Plan

The proposal is for the District to seek exemption from the statute requiring each school to have a 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 coordinator, who may not know all the students, providing a much more individual and personal approach.

9. Unauthorized Persons: Refusal of Entry, Ejection, Identification

(TEC§37.105)

Currently

A district must maintain a record of each verbal warning issued under 37.105 (a) (2) (A), including the name of the person to whom the warning was issued and the date of issuance. At the time a person is refused entry or ejected from a school district property under Section 37.105 the district must provide the person a written information explaining how to appeal. Each school board must adopt a policy that uses the district's existing grievance process to permit a person ejected or denied entry to address the Board of Trustees in person within 90 days of the commencement of the appeal, unless the appeal is granted sooner.

Innovation Plan

TEC§37.105 includes a process for ejecting or denying entry to a visitor who presents a substantial risk of harm or behaves in a manner inappropriate for the school setting. To better ensure safety and security of students and staff in Bishop CISD, we propose that the District not be required to maintain a record of each verbal warning of potential removal from district property/facilities, nor be required to provide written information explaining the appeal process to those who have been refused entry to district property/facilities or removed from district property/facilities. The District currently attempts to provide written notice to persons who are subject to potential refusal for entry or for removal from district property/facilities. Should an exemption from TEC§37.105 be granted, the District shall continue to provide written notice to persons who are subject to potential refusal for entry or for removal from district property or facilities in situations where the administrator on site feels it is reasonable and safe to do so. Campus and district administrators, as well as school resource offices and District police officers if applicable, may refuse to allow a person to enter or may eject a person from property under the District's control in accordance with law. An appeal notice must be filed with the Superintendent, in writing, and submitted to the Administration Office for review.

10. School District Depositories Contract

(TEC§45.205, §45.206)

Currently

Currently, the district must renew its depository contract every two years. The two-year contract term begins and ends in odd-numbered years. In accordance with the Texas Education Code, the District must use a uniform bid or proposal blank in the form prescribed by the State Board of Education.

Innovation Plan

The District is seeking an exemption from TEC§45.205 and §45.206. By gaining exemption from these statutes, Bishop CISD would be able to allow the district's existing bank contract to be extended beyond the total 6-year allowable contract term if the district determines contract pricing remains competitive and there is no operational or financial reason to send the district's banking services out to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP). In addition, this would further mitigate any impact to employees that would have to alter their direct deposit instructions and afford district flexibility with respect to local banking relationships. At the end of each two-year term, the District and depository bank agree to extend the contract for an additional two-year period. The District must review the contract to ensure the best value and support for the District and obtain Board approval for each extension and contract renewable. This exemption does not hinder the District's ability to release a formal procurement for depository contract services, in lieu of negotiating an extension to the existing bank contract, if deemed necessary based on operational or financial reasons.

11. Removal from Certain Conduct – Possession and Use of Nicotine E-Cigarettes

(TEC§37.006 (a) (2) (C) C-2)

Currently

TEC§37.006 requires districts to remove a student from class and place in a disciplinary alternative education program as provided by Section 37.008 if the student possesses, uses, sells, gives, or delivers to another person, an e-cigarette, as defined by Section 161.081, Health and Safety Code. The district seeks to prioritize student education in all subject areas and provide instruction on the harmful effects of nicotine and general wellness. Under the new provisions of the statute, students would be mandatorily placed at the DAEP for possessing or using an e-cigarette (vape) containing nicotine. However, a student possessing or using an actual cigarette containing nicotine would face other, lesser consequences under the student code of conduct. The district believes that students possessing or using nicotine e-cigarette (vape) would be best served by providing educational support regarding nicotine's harmful effects and appropriate consequences rather than removing the student from DAEP. The removal of students to the DAEP, a much more restrictive setting, is done cautiously. Our primary goal is to keep student at their assigned campuses with the teachers and staff who know them best and provide the necessary support.

Innovation Plan

Bishop CISD wholly supports efforts to fight the rising use and e-cigarettes and vapes. However, we believe the District can more effectively combat these habits through proactive educational techniques and disciplinary options other than mandatory DAEP placements. The district believes students possessing or using e-cigarettes containing nicotine would be best supported by providing additional wellness education and remaining on the campus with appropriate consequences. The district is not requesting exempt provisions under Section 37.006, which require mandatory removal to DAEP for possessing controlled substance such as marijuana and THC.

12. Counselor Duties

(TEC§33.0006)

Currently

TEC§33.006 (d)-(h) passed during the 87th legislative session, requires a school counselor to spend at least 80 percent of the school counselor's work time on duties that are components of a counseling program, requires the Board to adopt a related policy and requires the District to provide documentation relating to compliance to the Commissioner of Education. To comply with this new mandate and ensure the ability to provide requested documentation to the Commissioner, District counselors track their daily time in 15- minute increments.

Innovation Plan

Bishop CISD would be provided the opportunity to utilize counselors in a manner that best meets student and District needs, without concern as to whether there is strict compliance with 33.006 (d)-(h). In addition, exemption from the statute would eliminate the administrative burden of requiring counselors to track their time daily and eliminate the administrative burden of responding to requests from the State regarding compliance with 33.006 (d)-(h).

13. Retire/Rehire Minimum Salary

(TEC§21.402)

Currently

Districts, when hiring a retired teacher, must pay their salary based upon the TEA minimum salary pay scale; in addition, districts are required to pay a TRS surcharge. In this code, a “teacher” includes teacher, librarian, counselor, and nurse.

Innovation Plan

As Bishop CISD faces budget constraints, local control for negotiating salaries for retired hires would benefit the district. In the negotiation, the salary may drop below the state minimum to allow district funds to be available to pay the surcharge to TRS. Exempting from TEC§21.402 will have the following benefits:

- Retired teachers can be employed and reap the benefits from a salary in addition to their retirement compensation.
- Students will benefit from the experience and knowledge of retired teachers
- The district can hire retired teachers without an increase to the budget
- The funds to pay the TRS surcharge would be available through the negotiated decrease in salary.

Local Guidelines:

- This negotiated salary will only be for situations in hiring retired educator.
- The negotiated salary will be in writing.
- The negotiated salary will be decreased by the TRS surcharge.

14. Three Day Limitation on Suspensions

(TEC§37.005)

Currently

TEC§37.005(b) states a suspension may not exceed three school days. The law has been interpreted to apply to both in and out of school suspensions.

Innovation Plan

The maximum three-day suspension limits disciplinary options for moderately serious offenses. Additional days of in-school suspension allows administration to implement disciplinary consequences in lieu of disciplinary alternative education placement (DAEP) while benefitting students by ensuring a continuity of instruction.

15. Discipline; Law and Order

(TEC§37.008)

Currently

TEC currently states “a DAEP shall be provided in a setting other than the students’ regular classroom. It may be located on or off a regular school campus.” Students occasionally need to stay connected to their courses such as a dual credit course or AP course.

There are barriers to learners always being able to take the course at the DAEP building. Relief from this law would look at rewording the location section of the policy to provide some exceptions for learners to be able to continue in specific courses in their regular classroom while assigned to DAEP.

Innovation Plan

Exemption from this requirement will provide campus staff freedom in terms of choosing discipline techniques that best suit the situation and the student. This change will provide greater opportunities for academics (access to special education classes, some CTE courses, dual credit, and Advance Placement courses on campus).

16. Minimum Minutes of Instruction and School Day Length

(TEC§25.081 and §25.082)

Currently

Although the district may be exempt from the 25.081 provision and serve less than the required annual minutes of operation, Bishop CISD will meet the required operational and/or instructional minutes/days as defined in the Student Attendance Accounting Handbook (SAAH). 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.

Innovation Plan

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 later start/early release time which will accommodate additional professional development collaboration opportunities for teacher to perfect their craft, deepened their content knowledge and analyze student data.