

Whitney ISD

District of Innovation Plan

Operation of Schools and School Attendance	
§TEC 25.0811	First Day of Instruction
Requirement	
Students may not begin school before the 4 th Monday of August. Where there were once waivers to enable school districts to begin earlier, now there is no exception to this date, unless a district becomes a District of Innovation.	
Rationale for Exemption	
<p>Having a flexible start date allows the district to determine locally, on an annual basis, the instructional time that meets the needs of its students and community</p> <p>Enables us to personalize learning</p> <p>Increases college and career readiness time</p> <p>Allows for more flexible professional development opportunities</p> <p>Ability to frontload our Curriculum and Instruction</p> <p>Enables us to end the first semester before the Winter Break</p> <p>Ability to have a complete week of high-quality professional development as well as a week of Campus Team Building and Classroom Preparation</p> <p>Gives more time to prepare for testing, especially for those students taking the End of Course tests</p> <p>Allows more instructional time before taking end of year exams</p> <p>WISD is 62% Economically Disadvantaged and students would gain access to another week of meals after the summer break</p>	
Innovation	
The current law that prohibits the district from starting school before the fourth Monday of August forces the district into a calendar that has minimal opportunity for teacher professional development. Starting school even one week earlier can help minimize the negative impacts the district sees in this area. Starting early 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.	
Approved: April 10, 2017 Renewed: April 10, 2022	

Duties and Benefits	
§TEC 21.053	Minimum Service Required
Requirement	
Current law states: (a) A contract between a school district and an educator must be for a minimum of 10 months' service. (b) Except as provided by Subsection (c-1), an educator employed under a 10-month contract must provide a minimum of 187 days of service.	
Rationale for Exemption	
<p>The district is unable to match the teacher salary schedules of more adequately funded districts; therefore, it is often problematic for the district to attract and retain teachers with limited funding. This exemption should enhance teacher recruitment, provide for improved teacher morale, and permit the district to adjust the calendar to the needs to the educational programming, which in turn would provide improved student attitudes about school and their school work.</p>	
Innovation	

The number of days for an educator on a 10-month contract would be reduced from the 187 required days to a minimum of 182 days. The number of days would be determined annually and would be dependent on staff development needs. This reduction will have no effect on teacher salaries for the 10-month period. The teacher's daily rate would be based on 187 days no matter if the total number of days of service is more or less than 187.

Approved: March 19, 2018
Renewed: April 10, 2022

General Provisions	
§TEC 21.003	Certification of Educators
Requirement	
<p>Current law states: (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B. (b) Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.</p>	
Rationale for Exemption	
<p>Address teacher shortage Manage vacancies</p>	
Innovation	
<p>The district will maintain its current expectations for employee certification and will make every attempt to hire individuals with appropriate certifications for the position in question. However, when that is not reasonably possible, the district's exemption from TEC 21.003 would allow the district to have the flexibility to hire non-certified persons who are knowledgeable and equipped to teach industry specific career and technical courses (CTE), {STEM} science, technology, engineering and math courses, dual credit courses, and courses in languages other than English, and all core academic courses. The Superintendent will have the authority under this exemption to select and employ non-certified persons who meet district qualifications for such teaching assignments.</p> <p>In addition, in grades 6-12, the campus principal may submit to the Superintendent a request for local certification that will allow a certified teacher to teach courses or grades for which he/she is not certified. The principal must specify in writing the reason for the request and document what credentials, or experience, the teacher possesses that would qualify this individual to teach the proposed subject.</p> <p>The Superintendent will have the authority under this exemption to assign a certified teacher to a subject or grade level for which the teacher is not certified.</p> <p>The Superintendent will report to the board any hiring or assignment made under this exemption.</p> <p>Whenever possible, instructional planning for a noncertified teacher's course will be undertaken in partnership with a certified teacher in the same field. Noncertified teachers will be provided teacher mentoring, increased observations and feedback, professional development or instructional resources, and other supports.</p>	

Under this exemption, the district will not be required to submit to TEA any teacher certification waiver requests, state permit applications, or other such paperwork regarding these teachers. The district will ensure that all individuals assigned to teach have the knowledge and resources necessary to be successful.

Approved: November 12, 2018

Renewed: April 10, 2022

Certification of Educators	
§TEC 21.053	Presentation and Recording of Certificates
Requirement	
Current law states: (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.	
Rationale for Exemption	
<ul style="list-style-type: none"> Address teacher shortage Manage vacancies 	
Innovation:	
When a teacher is hired under the DOI exemption for TEC 21.003, this exemption will allow WISD to pay the teacher without requiring proof of certification.	
Approved: November 12, 2018	
Renewed: April 10, 2022	

Certification of Educators	
§TEC 37.007 (c)	Student Behavior Exemption
Requirement	
Current law states: (c) A student may be expelled if the student, while placed in a disciplinary alternative education program, engages in documented serious misbehavior while on the program campus despite documented behavioral interventions. For purposes of this subsection, "serious misbehavior" means:	
<ul style="list-style-type: none"> (1) deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat; (3) conduct that constitutes coercion, as defined by Section 1.07, Penal Code; or (4) conduct that constitutes the offense of: <ul style="list-style-type: none"> (A) public lewdness under Section 21.07, Penal Code; (B) indecent exposure under Section 21.08, Penal Code; (C) criminal mischief under Section 28.03, Penal Code; (D) personal hazing under Section 37.152; or (E) harassment under Section 42.07(a)(1), Penal Code, of a student or district employee. 	
Rationale for Exemption	
<ul style="list-style-type: none"> Address teacher shortage Manage vacancies 	
Innovation:	
To implement this innovation, the district's Student Code of Conduct will authorize the principal at the DAEP campus to recommend an expulsion to the JJAEP when a student has committed multiple offenses of verbal or physical insubordination or has otherwise repeatedly disrupted the educational environment of the DAEP. A principal's	

recommendation for expulsion to the JJAEP must be supported by specific, written documentation of each incident of such misbehavior, as well as all behavioral interventions and corrective actions by the DAEP staff.

Approved: November 12, 2018

Renewed: April 10, 2022

Admission, Transfer, and Attendance

§TEC 25.036

Transfer of Student

Requirement

Current law states: (a) Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer. (b) A transfer agreement under this section shall be filed and preserved as a receiving district record for audit purposes of the agency. (c) In the case of a transfer under this section, a child's school district of residence shall provide the receiving district with the child's disciplinary record and any threat assessment involving the child's behavior conducted under Section 37.115.

Rationale for Exemption

Attendance Issues with transfer students

Discipline Issues with transfer students

Innovation:

Under this exemption, the Superintendent may revoke a student's transfer status at any time during a school year if the student fails to meet the statutory

90 percent attendance standard or if the student's conduct results in suspension (in-school or out- of-school), placement in a disciplinary alternative education program (DAEP), or expulsion.

Approved: April 10, 2022

Parental Rights and Responsibilities

TEC, CHAPTER 26A AND TEC §26.011

Grievances

Requirement

Current law states: (a) The board of trustees of each school district shall adopt a grievance procedure under which the board shall address each complaint that the board receives concerning violation of a right guaranteed by this chapter. (b) The board of trustees of a school district is not required by Subsection (a) or Section 11.1511(b) (13) to address a complaint that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter. This subsection does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability.

Rationale for Exemption

During the 89th Texas Legislative Regular Session, the Texas Legislature passed Senate Bill 12, creating Chapter 26A of the Texas Education Code. This new chapter requires school districts to adopt a grievance policy that addresses "grievances received." Most notably, Senate Bill 12 significantly alters many portions of school districts' grievance policies. For example, grievances may now be filed up to ninety (90) days after the date on which a parent or person knew or should have known of the facts giving rise to the grievance.

In addition:

- Conferences must be held within ten (10) days after a grievance or appeal is filed—regardless of when the grievance was filed—and the district must issue a decision within twenty (20) days after the conference.
- Grievants must be allowed to add "additional claims," and a grievance may be remanded to a lower level of review to develop the record.
- A grievance must "relate back" to the date on which an earlier, insufficient grievance was filed.

- Senate Bill 12, along with House Bill 2, requires that grievance procedures adopted under Chapter 26A must also provide notice to teachers when a complaint is filed against them (TEC § 26.011).

These new mandates extend timelines far beyond current requirements, substantially increasing the likelihood of multiple grievances being processed at once. Combined with remand requirements, additional claims, and relation-back rules, smaller districts in particular may face strained administrative resources and disruption of otherwise effective grievance systems.

Exemption from Chapter 26A and TEC § 26.011 would allow WISD to:

- Avoid multiple, overlapping grievances and conferences that could overburden limited administrative resources.
- Dedicate more time to teaching and student services, rather than extended grievance proceedings.
- Encourage timely filing of grievances, which improves witness recollection, access to documents, and scheduling of interviews.
- Preserve community confidence in the district's existing, efficient grievance process.
- Ensure Level I and Level II investigators continue to build a complete and reliable record for Board or Commissioner review, without complications from untimely claims.

Innovation:

Because TEC § 26.011 requires districts to adopt grievance policies that comply with Chapter 26A, and WISD is exempting itself from Chapter 26A, § 26.011 is likewise inapplicable. However, WISD will continue, when appropriate, to provide teachers with notice if they are the subject of a grievance.

WISD will continue to operate under its current grievance policies—DGBA (LOCAL), FNG (LOCAL), and GF (LOCAL)—as adopted by the Board of Trustees. WISD will exempt itself from the requirements of Chapter 26A and TEC § 26.011 and will maintain its established, efficient grievance process.

Approved: September 8, 2025