

# TORNILLO INDEPENDENT SCHOOL DISTRICT

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*Educating Children Today to be the Leaders of Tomorrow.*



2018 - 2023

District of Innovation Plan

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## District of Innovation Overview

The District of Innovation concept, passed by 84<sup>th</sup> Legislative Session in House Bill 1842, gives traditional independent school districts like Tornillo Independent School District most of the flexibilities available to Texas open-enrollment charter schools.

Some of the benefits of becoming a District of Innovation:

- **Local control:** Districts decide which flexibilities best suit their local needs.
- **Customization:** Districts can create an innovation plan for a level of school (e.g., only high schools), grade level, or a single campus.
- **Autonomy:** Districts must submit a district of innovation plan to the commissioner of education, but approval is not required.
- **Flexibility:** Districts will have the flexibility to implement practices similar to charter schools, including exemptions from mandates such as:
  - School start date
  - 90% attendance rule
  - Class-size ratios
  - Site-based decision-making processes
  - Certain student discipline provisions
  - Use of planning and preparation periods
  - Teacher appraisal requirements

This innovation plan was developed by twenty-two members that included teachers, administrators, parents, and community members in an effort to improve the academic and programmatic systems influencing student growth. The DOI Committee focused on exploring PK-12 innovative pathways and identifying which benefits of this house bill would provide the district the flexibilities to give additional time to teachers for planning, preparation, and professional development to fulfill the needs of identified pathways within a five-year plan.

On December 19, 2017, the Tornillo ISD Board of Trustees approved a resolution to initiate the process of becoming a District of Innovation (DOI). On January 11, 2018, Tornillo ISD held a District of Innovation Public Hearing during Evening with the Superintendent. On January 17, 2018 during Leadership Meeting, the District of Innovation process was shared with all campus principals and district personnel. On January 31, 2018, the Board of Trustees approved the District of Innovation Committee. On February 6, 2018, the DOI Committee met to review and brainstorm the possible exemptions and innovations to meet the needs of our students and learning community. Plan drafting began from February 6, 2018. From March 6, 2018-March 9, 2018, the DOI plan was finalized for approval with input from the DOI Committee and district personnel. This five-year District of Innovation Plan is intended to begin with the 2018-2019 school year and concluding at the end of the 2022-2023 school year, unless terminated or amended earlier by the Board of Trustees in accordance with law. The District of Innovation Committee will continually monitor the effectiveness of the plan and make recommendations to the board accordingly.

## District of Innovation Committee

<p style="text-align: center;">District</p>	<p>Maria Hernandez, TES teacher            Paloma Santillana, TES teacher            Elizabeth Carreto, TJH teacher            Claudia del Valle, TIS teacher            Isela Alvidrez, THS Teacher            Paula Garcia, TJH Teacher            Georgina Miramontes, Educational Diagnostician            Linda Rivero, Registered Nurse            Jorge Heras, Security Manager            Luis Guerra, Finance Director            Lizeth Carroll, HR/Compliance Director            Claudia Castro, Parent Liaison            Mirna Avalos Vasquez, THS Student            Karla Rodriguez, THS Student            Myrna Lopez, TES Principal            Nadia de la Rosa, TMS Principal            Marco Tristan, THS Principal            Loretta Aguilar, TJH Assistant Principal            Angie Morales, At-Risk District Coordinator            Rodrigo Portillo, District Academic Coordinator</p>
<p style="text-align: center;">Parents / Community</p>	<p>Carmen Bonilla, Community Member            Lilia Aguilar, Parent</p>

## District of Innovation Timeline

- December 19, 2017:  
Board of Trustees approved the resolution to consider designation of Tornillo ISD as a District of Innovation.
- January 31, 2018:  
Board of Trustees approved the District of Innovation Committee.
- February 6, 2018:  
Held initial District of Innovation (DOI) Committee meeting to discuss what options were available as a District of Innovation.
- March 7, 2018:  
Held second DOI Committee meeting to review and discuss draft of DOI plan.
- March 8, 2018:  
DOI Committee presents plan to campus personnel for feedback.
- March 9, 2018:  
Held third DOI Committee meeting to complete plan to be presented at the Public Hearing and Board of Trustees.
- March 9, 2018:  
Post the DOI plan on the district website for 30 days & Inform TEA Commissioner.
- April 16, 2018:  
DOI Committee Reviewed Proposed Academic Calendars & Approved 2 out of 3 Calendars for Surveying.
- April 25, 2018:  
Public Hearing for DOI & Present to Board of Trustees for approval.
- April 26, 2018  
Tornillo ISD will submit DOI Plan to Commissioner of Education; and update all policy changes with TASB based on legal counsel's recommendation.
- January 22, 2020  
Amendment to adopt Secondary Content Subject Teacher Certification and Local Control of the Group Health Benefits.
- April 28, 2021  
Amendment to adopt Depository Contract.

- August 23, 2021  
Amendment to adopt use of alternative personnel to Deliver both Regular Education Remote Instruction and Supplemental Face-to-Face Accelerated Instruction.

## Areas of Innovation

### 1. First and Last Day of Instruction/Early Release

(Exemption from TEC §25.0811, TEC §25.0812, TEC §25.081)

**Current:** TEC §25.0811 states that a school district may not begin student instruction before the 4th Monday of August. For many years this was the rule; however, districts had the option of applying for a waiver to start earlier, even as early as the 2nd Monday in August.

TEC §25.0812 states that a school district may not schedule the last day of school before May 15th.

TEC §25.081 requires that a school district provide at least 75,600 minutes of instruction each school year, including intermission and recess. School districts must seek a waiver of this requirement from TEA in order to provide fewer than the required number of instructional minutes in the case of natural disaster or calamity. This requirement restricts the District in the development of the academic calendar, including the scheduling of early release days and staff development days.

**Proposal:** These laws restrict flexibility in the design of academic calendars to fit the instructional needs of the school district. The flexibility to begin instruction earlier in August (no earlier than the first Monday in August) will enable the district to develop a calendar that best meets the needs of the students in Tornillo ISD. An earlier start date allows a better balance between semesters, more instructional days prior to mandatory state testing, and a school end date no later than the last day in May. By ending earlier, TISD can support students who need remediation, as well as students who are entering college or trade school. An earlier school start date allows these students to register for summer classes and attend new student orientation meetings without missing instructional time.

The district seeks relief from TEC §25.081 in order to provide staff development before the start of instruction, as well as additional days throughout the school year. These non-instructional days have been purposefully placed throughout the calendar to allow for teachers to plan instruction based on student instructional data in addition to engaging in relevant, targeted professional development. The district seeks additional flexibility to schedule early release days in the calendar in order to provide for student and district needs.

### 2. Teacher Certification

(Exemption From: TEC §21.003(a) TEC §21.053, TEC §21.057)

**Current Law:** TEC §21.003(a) states that a person may not be employed as a teacher by a school district unless the person holds an appropriate certificate or permit issued by the appropriate state agency. 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 request emergency certification from the Texas Education Agency and/or 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.

TEC §21.053 requires a teacher to present his or her certificate to the District before their employment contract will be binding, and prohibits the District from paying an educator for teaching if the educator does not hold a valid certificate at the time.

TEC §21.057 requires that the District provide written notice to parents if an inappropriately or uncertified teacher is assigned to a classroom for more than 30 consecutive instructional days.

**Proposal:** Tornillo ISD will continue to seek traditionally certified candidates for all teaching positions. A waiver would allow a certified teacher to teach one subject outside his/her certified field. This would require the submission of credentials and superintendent approval. However, for Dual Credit, Secondary Content Subjects, and/or CTE courses for which a traditionally certified candidate is not identified, the District will recruit instructors with an appropriate Master's degree (dual credit) reasonable pedagogical experience and content area knowledge (secondary content subjects), or industry certifications/experience in the field of need (CTE). Tornillo ISD can extend the employee a one year local certificate approved by the superintendent. The District will develop minimum required qualifications for persons hired for such positions and will also identify required professional development in the areas of student management, instructional strategies, curriculum and more. After thoroughly vetting candidates for hire, Tornillo ISD will consider the instructors hired for these positions to be appropriately qualified and will provide notification to board of trustees and parents of students in their classes that the instructor does not hold a traditional teaching certificate. This innovation will allow Tornillo ISD to consider broader applicant pools and to broaden the district's course offerings or fill hard-to-staff positions while maintaining a high quality of instruction.

**Local Guidelines:** TISD will continue to comply with TEC §21.003(a), TEC §21.053, TEC §21.057 by allowing non-certified instructors to provide instruction for Dual Credit, Secondary Content Subjects, and/or CTE courses.

### 3. Minimum Attendance Required

Exemption from: TEC • §25.092 Minimum Attendance Required for Class Credit

**Current:** State law currently requires students to be physically in attendance in class at least ninety percent of the school days on the district calendar to earn credit. The law requires districts to award class credit to students based on the time a student is present in a classroom for instruction, rather than mastery of the content and subject proficiency.

**Proposal:** The ninety percent rule is an arbitrary percentage based upon seat time rather than content mastery. The district would like the flexibility to utilize options such as "blended learning", instruction conducted with both face to face class time and online instruction and resources. The district's intent is to award students credit for courses based on content mastery, not the amount of time the student spends in the classroom. This supports the district's goal of high quality academic performance while utilizing real world learning experiences.

**Guidelines:** Relief from TEC Section 25.092 does not in any way impact or alter the existing compulsory attendance requirements. In addition, opting out of Section 25.092 in no way limits or modifies a teacher’s right to determine the finality of a grade in accordance with the TEC Section 28.0214, nor does it restrict or alter a teacher’s right to assign grades in accordance with TEC 28.0216.

#### **4. Student/Teacher Ratios and Class Size**

TEC Code Requiring Exemption TEC §25.111, §25.112 and §25.113, Class Size and Notice of Class Size

**Proposal:** While we acknowledge that the student-teacher ratio influences the classroom and student achievement, the mobility rate and financial standing of Tornillo ISD must be considered, along with the challenge of hiring quality staff in a timely manner to be in compliance. Also, the addition of one or two students beyond the recommended ratio may not hinder the learning environment; however, moving students can be detrimental to the continuity and stability of their academic and emotional growth.

**Local Guidelines:** TISD strives to adhere to the current Texas Education Code (TEC), §25.112 of the 22:1 ratio in grades K-4. In the event a classroom exceeds the 22:1 ratio in grades K-4, campus and district administration in collaboration with the teacher would request an exemption from the Superintendent of Schools.

The District requests flexibility to make the best possible decisions regarding the academic and emotional needs of our students. The classroom size would not exceed 23 students per section. The Superintendent will then report to the Board of Trustees the number of exemptions granted.

#### **5. Student Discipline Provisions**

TEC Sec. 37.0012

**Current:** 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.

**Proposal:** TISD will be exempt from TEC Sec. 37.0012 related to the designation of a (singular) campus behavior coordinator for each campus. Three of the four campuses in TISD have only one campus administrator; therefore, TISD will designate campus administrative personnel assigned to a campus as the behavior coordinator for their campus. TISD is asking for an exemption from the TEC guidelines that require one person to sign all discipline paperwork on a campus.

**Local Guidelines:** TISD will continue to follow Texas Education Code Chapter 37 for student discipline procedures including a teacher’s right to remove a student from class (TEC Sec. 37.002). Allowing administrators to be part of a discipline team, and the responsibility for paperwork would depend on the administrator’s assigned grade level and their relationship with the student and family.

#### **6. Minimum Minutes of Instruction –**

TEC §25.081 Minimum Minutes of Instruction- 75,600 minutes/year, 420 Minutes/Day

**Current:** Each school year each school district must operate so that the district provides for at least 75,600 minutes of instruction for students.

**Proposal:** TISD seeks to establish an alternative education program designed to meet the needs of non-traditional students. These students will be provided customized individual learning plans to meet their needs exempting the District from the minimum minutes of instruction requirement and allowing for the necessary flexibility to help these students. Students will only attend school for the classes that are necessary to complete the requirements for passing STAAR/ EOC exams. The goal is to provide an opportunity for students who may have difficulty being successful in a traditional school setting due to special circumstances. In order to better meet the needs of individual students, the District requests the flexibility to adjust minutes of instruction. This exemption will provide educational advantages to students by promoting innovative learning with flexible methods, locations, and times instruction may be delivered to students.

**Local Guidelines:** The district will remain in compliance of TEC §25.081 Minimum Minutes of instruction with option of providing students with the opportunity for mentorships, educational workforce opportunities and local work study.

## 7. Local Control of Group Health Benefits –

TEC §22.004(i) Preclusion from Exiting Uniform Group Coverage Program Established under Chapter 1579, Insurance Code.

**Current:** TEC 22.004(i) states that a school district may not make group health coverage available to its employees pursuant to TEC 22.004(b) after the date a District implements the program of coverages provided under Chapter 1579 of the Texas Insurance Code.

**Proposal:** The current process allows no flexibility in the design of the group health insurance benefits to fits the needs of all Tornillo ISD employees. This provision also prohibits the District from procuring group health insurance benefits that may provide better coverages for its employees and at a lower cost. This provision is in direct contradiction to the wishes of the local Board of Trustees who represent community interests in this matter. Our Innovation plan is to increase local control of the group health benefits plan to allow the District to be responsive to employee and community needs.

**Local Guidelines:** Texas Education Code 22.004 is not in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to Texas Education code 12A.004 and the list of the Commissioners prohibited exemptions in Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309

## 8. Depository Contract –

TEC §45.205 Term of Contract (a) Except as provided by Subsection (b), the depository bank when selected shall serve for a term of two years and until its successor is selected and has qualified.

**Current:** TEC §45.205(b) states that a school district and the district's depository bank may agree to extend a depository contract for three additional two-year terms. The contract may be modified for each two-year extension if both parties mutually agree to the terms. An extension under this subsection is not subject to the requirements of Section 45.206.(c) The contract term and any extension must coincide with the school district's fiscal year.

**Proposal:** Exemption of TEC §45.205 and TEC §45.206 to allow the District's banking contract to be extended beyond the allowable contract term. In a small district and a small town, the District's choices for its depository bank are limited. Historically, no other financial institutions has ever successfully bid for the District's business as the District's depository. This exemption is 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 for bid. This exemption lessens the administrative burden related to preparing and reviewing a Request for Proposal (RFP) when there is a limited number of banking institutions available to bid on the District's business. This will further mitigate any impact to employees that would have to change direct deposit instructions each time a new depository occurs and allows the district flexibility with respect to banking relationships. The time saved by the superintendent and the board of trustees by not having to deal with this ministerial duty every two years will allow the superintendent and the board more time for studying and planning for student progress, instructional strategies, and innovative options for the district educational goals.

**Local Guidelines:** The District will only send depository services out to bid if the district determines contract pricing becomes uncompetitive or there is some operational or financial reason to send the district's banking services out for bid. With this exemption in place, none of the additional requirements related to the bid or request for proposal detailed in Sec 45.206 through 45.209 would be applicable.

## 9. – Use of Alternative Personnel to Deliver Regular Education Remote Instruction

Changes to the *Student Attendance Accounting Handbook* to add flexibility to rules of Remote Conferencing.

**Current:** Since March 2020, virtual instruction has been delivered by certified teachers due to the pandemic emergency. Depending on the conditions, teachers would either teach virtual students to all students or implement hybrid instruction consisting of delivering instruction to students face-to-face and students in virtual setting concurrently.

**Proposal:** Students in the state of Texas were required to physically return to school at the beginning of school year 2021-2022. Yet, there are medical situations in which students can receive remote instruction according to the “*General Education Homebound Updates*” released by TEA on August 19, 2021. Tornillo ISD, who counts with limited staffing options will designate substitute teacher, a paraprofessional, tutor, or other non-teacher of record staff member to provide remote conferencing support to students as needed.

**Local Guidelines:** TISD will adhere to the provisions that TEA has proposed to the *Student Attendance Accounting Handbook* to add flexibility to rules for the instruction delivery via remote conferencing.

## 10. Use of Alternative Personnel to Deliver Supplemental Face-to-Face Accelerated Instruction

**Current:** House Bill 4545 relates to accelerated instruction practices required for the school year 2021-2022 for all students based on results from Spring 2021. Below are the supplemental instruction requirements under this bill:

- Deliver targeted Texas Essential Knowledge and Skills (TEKS)-aligned instruction for the applicable grade level and subject areas.
- Be provided *in addition to* instruction normally provided to students in the grade level in which the student is enrolled.
- Be designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area
- Not be scheduled such that a student is removed from any of the following:
  - Instruction in grade-level content for the foundation curriculum
  - Instruction in enrichment curriculum for the grade level in which the student is enrolled
  - Recess or physical activity that is available to other students enrolled in the same grade level.
- Be provided for no less than 30 hours total during the summer or subsequent school year. If provided during the subsequent school year, it should include instruction no less than once per week.
- If a student does not pass both math and reading STAAR tests, they will need to meet the 30-hour requirement for each of the two subject areas.
- Utilize effective instructional materials designed for supplemental instruction.
- Be delivered in a 1-on-1 or small group environment, with no more than 3 students in a small group.
- Be provided by an individual with training in aligned instructional materials and under the LEA's oversight. Ideally, the same individual provides tutoring continuously for the student's entire supplemental instruction period.

**Proposal:** Due to the intensity of HB 4545 requirements, Tornillo ISD will make use of substitute teachers, paraprofessionals, tutors, and other non-teacher of record staff member to deliver supplemental face-to-face accelerated instruction support to students as needed to comply with the time frames, ratios and requirements.

**Local Guidelines:** Tornillo ISD will revise Master Schedules to determine the best manner to provide accelerated instruction. TASB will release Update 118 on the fall of the school year 2021 which will include a provision in policy EHBC (LOCAL), Compensatory/Accelerated Services that will point parents to the district's FNG (LOCAL) should they have a concern about the content or implementation of the educational plan developed by the accelerated learning committee.