

# Goose Creek Consolidated Independent School District

## District of Innovation Plan Renewal

District of Innovation Committee Meeting: March 20, 2024  
Posted on Website: March 28, 2024 – April 27, 2024  
District of Innovation Committee Public Meeting: May 1, 2024  
Board of Trustees Adopted Plan: May 6, 2024

## DISTRICT OF INNOVATION

### INTRODUCTION

House Bill 1842, passed during the 84th Texas Legislative Session, and codified in Texas Education Code Chapter 12A, provides public school districts the opportunity to seek designation as a District of Innovation (“DOI”) to obtain exemption from certain provisions of the Texas Education Code. As a DOI, a school district’s board of trustees gains greater local control in its decision-making. DOI districts are also better positioned to be innovative and forward-thinking while continuing to comply with the state’s fiscal, instructional, and academic accountability requirements.

### PROCESS

In 2019, Goose Creek Consolidated Independent School District (“GCCISD”) became a DOI and exempted itself from several provisions in the Texas Education Code. GCCISD amended its DOI plan in May 2021, June 2022, and August 2023. The maximum term of a DOI is 5 years. To maintain its DOI designation, GCCISD must review and renew its plan.

The DOI Committee is comprised of members from the Instructional Leadership Council (“ILC”), which includes GCCISD stakeholders including educators, administrators, parents, and community members. The DOI Committee held a meeting on March 20, 2024, to review the DOI plan and propose an updated plan for renewal. The DOI Committee voted on which Code provisions it wanted to keep, remove, and add to the updated plan. The DOI Committee approved the plan for posting on the GCCISD website. The DOI plan was posted on the website for the required 30 days beginning March 28, 2024. The DOI Committee posted notice and held a public meeting on May 1, 2024, at which a majority of the committee approved the plan. The plan was presented to the GCCISD’s Board of Trustees at its board meeting on May 6, 2024, and approved by at least two-thirds of the board members. GCCISD notified the commissioner of its renewed DOI plan as required by Chapter 12A. The renewed DOI plan is posted on GCCISD’s website.

### TERM

In accordance with 19 TAC §102.1313(a)(3), the District renewed its DOI plan within six months subsequent to the original DOI plan’s date of expiration. The renewed plan will have a term not to exceed five calendar years beginning on the date of expiration of the original plan. Accordingly, the renewed plan’s term is February 5, 2024 through February 5, 2029. The exemptions marked below with an asterisk are exemptions added during the renewal process and may be implemented no sooner than the date of the Board’s approval on May 6, 2024.

## COMPREHENSIVE EDUCATIONAL PROGRAM

The following DOI plan allows GCCISD to create an innovative and comprehensive educational program for its students, parents, and staff that includes innovative curriculum and instructional methods, local control and governance of its campuses, modifications to the school year, and other innovations prescribed by the GCCISD Board of Trustees.

## INNOVATIONS

### First Day of Instruction

Texas Education Code, Section 25.0811 prohibits a school district from beginning instruction for students prior to the fourth Monday in August.

**Local Innovation** – GCCISD will have the flexibility to start school before the fourth Monday in August, but no earlier than the second Monday in August.

**Benefit of Exemption** – The ability to adjust the school calendar based on the district's needs allows for more balanced semesters, more instructional time before testing, and increased instructional time for remediation.

### Teacher Certification

Texas Education Code, Section 21.003 prohibits a person from being 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.

Texas Education Code, Section 21.0031 imposes the requirement that an employee's probationary or term contract is void if the employee does not hold a valid certificate or permit issued by SBEC. Further, if the district has knowledge that an employee's contract is void under this section, the district may terminate, suspend, or retain the employee at will.

Texas Education Code, Section 21.051 imposes the requirement that before a district can hire a "teacher of record," the candidate must complete 15 hours of field-based experience under supervision.

Texas Education Code, Section 21.057 requires parental notification when an inappropriately certified or uncertified teacher is assigned to the same classroom for more than 30 consecutive days.

Texas Education Code, Section 21.053 requires that an individual's teaching certificate must be filed with the hiring district before the individual's contract is binding and prohibits a district from paying a non-certified individual for teaching or work done prior to the effective date of the issuance of a valid certificate.

**Local Innovation** – GCCISD is committed to providing students with the highest level of academic instruction possible. Currently, in the event the district cannot locate a certified teacher for a position, or a teacher is assigned to a subject outside of his/her certification, the district must submit a request to the Texas Education Agency and wait for approval or denial to be issued from the Commissioner of Education.

GCCISD's decisions regarding certification will be handled locally and approved by the Superintendent of Schools and/or his designee.

GCCISD may hire uncertified individuals as follows:

1. For Career and Technical Education (CTE) (including Science, Technology, Engineering, and Math (STEM)) and Dual Credit certification areas.
2. For certified teachers to teach outside of their certification area or grade level cluster in hard-to-fill positions or as determined to be in the best interest of the district.
3. For a teacher who is fully certified in another state, they may be considered a certified teacher in GCCISD for one year on a probationary status, with the option of extended at the discretion of the district.
4. For a teacher who is fully certified in another country, they may be considered a certified teacher in GCCISD for one year on probationary status, with the option of extending at the discretion of the district.
5. For a teacher applicant who is in the process of obtaining certification, they may be hired in an at-will capacity and paid as a teacher before the effective date of the issuance of a valid certificate.
6. For a teacher applicant who holds a degree in a closely related field but does not yet have a teaching certification, he/she may be hired in an at-will capacity and paid at a rate lower rate until the individual obtains certification.

District administration will develop administrative regulations to provide further processes and procedures related to the hiring of uncertified individuals through this plan.

District administration will develop administrative regulations establishing local requirements for notification to parents when a non-certified teacher is employed for their child's class.

**Benefit of Exemption** – The goal of GCCISD will be to continue to hire certified teachers; however, flexibility is needed in areas that are difficult to find highly effective candidates with the required teacher certification. This provision will provide GCCISD flexibility in hiring professionals from technical fields, college instructors, degreed but not yet certified, applicants seeking assignments outside of their certification areas, or applicants with out-of-state or out-of-country certifications. This exemption also applies to the associated requirements of field experience and parental notification and negates the need to request approval from the Commissioner of Education.

## Probationary Contracts

Texas Education Code, Section 21.102(b) allows for a probationary contract to be renewed for two additional one-year periods, except that a probationary contract may not exceed one year for a person who has been employed as a teacher in public education for at least five of the eight years proceeding employment by the district.

**Local Innovation** – All teachers new to GCCISD will be placed on a one-year probationary contract for three consecutive years before being offered a term or continuing contract.

**Benefit of Exemption** – Extending probationary contracts for teachers new to GCCISD provides campus administration ample time to evaluate the employee's proficiency and determine whether the employee is the best fit for the campus and/or district. It also gives time to provide additional support and training to a teacher before deciding if the teacher should receive a term or continuing contract.

## Class Size Waivers and Notification

Texas Education Code, Section 25.111 requires that class sizes not exceed a ratio of not less than 1 teacher for every 20 students in average daily attendance.

Texas Education Code, Section 25.112 prohibits more than 22 students from being enrolled in Pre-K through 4<sup>th</sup> grade without express authorization from the Commissioner of Education.

Texas Education Code, Section 25.113 requires notification to parents of each student in a class where the district obtained an exemption from the class size restriction.

**Local Exemption** - To best serve the needs of GCCISD students and staff, GCCISD will continue to maintain the 22:1 student-to-teacher ratio in PK through 4th grades and will continue to follow the process of thoughtful planning, assignments of teachers to the schools with growing student enrollment, reviewing staffing ratios, and making decisions in the best interests of students while taking into consideration the financial capacity of the district. However, the district will no longer submit annual class size waivers for approval by TEA.

GCCISD will provide parents with written notification of class size requirements and procedures at the beginning of each year. If a PK-4th grade core content classroom exceeds a 22:1 ratio for at least 5 school days, the Superintendent will report the circumstances to the Board of Trustees. If a K-4th grade core classroom ratio reaches 24:1, the campus will contact the parents of the students in the classroom and inform them of the situation. GCCISD will make every effort to provide support through balancing of sections, "freezing" enrollment in the affected grade level, transferring teachers/staff from other campuses, and/or any other measures as appropriate.

**Benefit of Exemption** When a class exceeds the statutory class size limit, the district must complete a waiver with TEA. These waivers are rarely rejected by TEA, making the process of applying for a waiver no more than an administrative step of putting TEA on notice. The exemption allows for local flexibility and decision-making without the administrative burden.

## Teacher Planning and Preparation Time

Texas Education Code, Section 21.404 requires each teacher to be provided at least 450 minutes within a two-week period for instructional preparation time, including parent-teacher conferences, evaluating students' work, and planning. A planning period under this section may not be less than 45 minutes within the instructional day. The statute further prohibits a classroom teacher from being required to participate in any other activity during this planning and preparation time.

**Local Innovation** - GCCISD is committed to maintaining and honoring the planning and preparation time requirements outlined in TEC 21.404; however, it seeks an exemption from the restriction on teachers being able to voluntarily give up their planning time. The Commissioner of Education's interpretation of this section in the Education Code currently allows a teacher to voluntarily give up planning and preparation time for non-teaching activities (e.g., staff development training) as long as attendance at the activity is not mandatory. However, the Commissioner interprets this section to prevent teachers from voluntarily waiving their planning and preparation time for teaching activities. GCCISD would like to allow teachers the option to take on other assignments during their planning and preparation time to address the District's needs during that time.

Teachers in GCCISD will be allowed to give up their planning time under the following conditions:

1. The teacher must voluntarily agree to give up their planning time and take on an additional assignment/class in writing.
2. This decision must be made voluntarily by the teacher and a teacher may not be coerced or forced into giving up their conference period for an additional teaching assignment.
3. Any teacher who chooses to give up their planning and preparation time must receive additional pay for this added assignment/class.
4. Any teacher who chooses not to give up their conference time MAY NOT be punished or penalized for this decision in any way.

**Benefit of Exemption** – Exemption from this provision, to the extent it prevents teachers from voluntarily waiving planning and preparation time, will allow teachers to earn extra compensation and will provide the district more flexibility for covering vacancies and ensuring students are instructed by qualified staff.

### School Day Interruptions\*

Texas Education Code, Section 25.083(b) limits the ability of a district to remove a student from regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless a parent otherwise provides written consent.

**Local Innovation** – GCCISD will allow for a waiver of the ten percent cap as determined necessary and appropriate for each student's individual circumstances and needs.

**Benefit of Exemption** - While the District recognizes the importance of keeping students in regularly scheduled classes, this restriction imposes limitations on otherwise critical support and teaching necessary for students who may be struggling or in need of more individualized support and assistance. Exempting out of this provision allows for more individualized decision-making based on student needs.

### Minimum Attendance for Class Credit or Final Grades (90% Rule)\*

Texas Education Code, Section 25.092 prohibits students from receiving credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered. A district must convene attendance committees and create principal plans for students who do not meet this threshold.

**Local Innovation** – GCCISD will develop administrative regulations addressing expected student attendance for purpose of earning class and course credit and how students can make up credit when attendance is not at expected levels.

**Benefit of Exemption** – GCCISD needs the flexibility to award class credit to students based on content mastery rather than seat time. The district does not wish to penalize students who miss class due to extra/co-curricular activities, academic activities, field-based experiences, distance learning activities, or other extenuating circumstances. Freedom from the minimum attendance required rule will allow the district to implement the best and most appropriate methods for recovery of missed classes.

### Designation of Campus Behavior Coordinator\*

Texas Education Code, Section 37.0012 requires each campus to designate a person to serve as a "campus behavior coordinator" and be responsible for maintaining student discipline and implementing Chapter 37.

**Local Innovation** – GCCISD is seeking a more collaborative approach to behavior management through the utilization of a coordinated team of professionals collaborating to address student behavior needs. The student discipline structure in GCCISD schools utilizes assistant principals, typically assigned by grade level or alphabet, to be responsible for the discipline of students assigned to them. This allows administrators to build relationships with students and their families in case there is a discipline issue, as well as ensuring the administrator will have a better understanding of the student and his or her situation. Decisions regarding student behavior and discipline are collaborative to ensure student needs are met and District schools are safe. Campus administrators, primarily assistant principals, will be responsible for implementing Chapter 37 and the District's Student Code of Conduct.

**Benefit of Exemption** – Having a single person at each campus responsible for student discipline is not feasible due to the size of the schools and the necessity for the person administering discipline to have knowledge and understanding of each student's unique circumstances. Having only one person at each campus designated as a "campus behavior coordinator" is not in the best interest of the students, staff, or campus safety.

### **Ejection of Individuals from Facilities\***

Texas Education Code, Section 37.105 allows a school administrator, school resource officer, or school district peace officer to refuse to allow a person to enter on or may eject a person from district property if the person refuses to leave peaceably on request and either the person poses a substantial risk of harm to any person or the person behaves in a manner that is inappropriate for a school setting and persists in the behavior despite being given a verbal warning. Under current law, the administrator, resource officer, or peace officer must maintain a record of each verbal warning of potential removal from a school facility that is issued, 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 to or ejected from a school district's property, the district shall provide the person written information explaining the appeal process. And, under the commissioner's rules, 19 Texas Administrative Code, Section 103.1207, adopted under the authority granted in the Education Code, the person refused entry or ejected from the facility must be given the opportunity to appeal the decision to the board of trustees within 90 calendar days.

**Local Innovation** – GCCISD administrators, school resource officers, or school peace officers will retain their authority to refuse to allow a person to enter on or may eject a person from district property if the person refuses to leave peaceably on request and either (1) the person poses a substantial risk of harm to any person or (2) the person behaves in a manner that is inappropriate for a school setting and persists in the behavior despite being given a verbal warning. However, the following requirements will no longer be applicable: maintaining a written log of verbal warnings; providing written notice of the appeal process at the time of ejection; internet posting of the requirements and appeal process; and the ability to appeal the decision to the board of trustees within 90 calendar days. Exemption from these requirements will allow the district to exercise appropriate authority and processes related to unruly individuals on campuses and at other facilities in an effective and efficient manner but do so without conducting the unnecessary and administratively burdensome requirements and avoiding potential escalation of already difficult situations.

**Benefit of Exemption** – These additional, administratively burdensome requirements are impractical and potentially impossible to fulfill when an individual is dealing with an unruly individual. It is reasonable to believe that requesting such information could also escalate a situation that is already proving to be disruptive. Further, it is impractical to provide written notice of an appeal process at many events, like athletic events or public meetings, when the removal is only for the immediate event and there is not ready access to forms or

a computer or printer. Furthermore, the district already has a process for taking grievances to the board of trustees and there is no justified need for a unique process or timeline.

### **Notification Upon Placement in DAEP\***

Texas Education Code, Section 37.006(p) requires on the placement of a student in a disciplinary alternative education program (DAEP), the district shall provide information to the student's parent or other person standing in parental relationship to provide information regarding the process for requesting a full individual and initial evaluation.

**Local Innovation** – GCCISD will provide appropriate information and notification of a parent's and student's right to request a full individual and initial evaluation through the already existing requirements found in the Individuals with Disabilities Educational Act (IDEA) and other state law provisions.

**Benefit of Exemption** – Exemption from this requirement will continue to allow for administrators to provide the information and notices under the circumstances required under federal and state law.