

RENEWED and REVISED  
Fort Stockton ISD  
District of Innovation (DOI) Plan  
for  
2022- 2027



# District Mission

The mission of the Fort Stockton Independent School District is to remain totally committed to the development of students as lifelong learners and productive, self-sustaining contributors to society.

## Fort Stockton ISD Board Goals

Fort Stockton ISD is driven by Five Board Goals developed in conjunction with our parents, community, and stakeholders. These goals drive all decisions regarding teaching and learning in FSISD.

### **-Academics-**

The Fort Stockton ISD will engage students in active learning by providing curriculum and instruction to make the classroom environment a safe, positive place where students are supported to achieve.

### **-Career-**

The Fort Stockton ISD will prepare and encourage students to be ready for college or the workplace.

### **-Communication-**

The Fort Stockton ISD will provide effective and efficient communication among board members, administration, teachers, parents, students and the community.

### **-Financial Management-**

The Fort Stockton ISD will monitor and manage finances in order to sustain educational program priorities over the long term.

### **-Participation-**

The Fort Stockton ISD will promote a positive climate for extra-curricular activities resulting in more participation.

# Fort Stockton ISD District of Innovation Renewal Timeline 2022

Timeline	Activity/Task	Date Completed/ Due Date
<b>January</b>	Board Meeting- FSISD Board of Trustees discuss rules and process for renewal of District of Innovation Plan	<b>January 19, 2022</b>
<b>January</b>	District Innovation Committee (DIC) meets to discuss innovative ideas for the school district, reviews data, determines focus area, and drafts Local Innovation Plan (LIP)	<b>January 27, 2022</b>
<b>February</b>	District posts District Local Innovation Plan (LIP) on district website	<b>February 1, 2022</b>
<b>February</b>	FSISD Board of Trustees votes to notify Commissioner of its intention to vote on adopting final Local Innovation Plan (LIP) Renewal	<b>February 16, 2022</b>
<b>March</b>	District Innovation Committee (DIC) hosts public meeting to consider final version of FSISD Local Innovation Plan (LIP) and approves it by a majority vote of the District Innovation Committee (DIC)	<b>March 3, 2022</b>
<b>March</b>	District presents the proposed Local Innovation Plan (LIP) to FSISD Board of Trustees for approval with 2/3 vote	<b>March 28, 2022</b>
<b>March</b>	District sends approved Local Innovation Plan (LIP) to Commissioner of Education	<b>March 29, 2022</b>

## District Innovation Committee (DIC)

Name	Position	Name	Position
Roy Alvarado	Principal, High School & Assistant Superintendent	Tatiana Vidal	Campus Curriculum Director/Teacher, High School
Emilia Pallanez	Special Ed. Teacher, High School	Robert Inlow	Teacher, High School
Karina Pacheco	Principal, Apache	Melissa Calderon	Teacher, Apache
Danielle Saler	Special Ed. Teacher, Apache	Arlene Pando	Teacher, Apache
Sabrina Cordova	Associate Principal, Middle School	Alva Morales	Teacher, Middle School
Lilia Forst	Teacher, Middle School	Celina Portillo	Teacher, Middle School
Amanda Urias	Principal, Intermediate School & Assistant Superintendent	Karen Caswell	Teacher, Intermediate
Lizet Holguin	Teacher, Intermediate	Raquel Mishnick	Special Ed. Teacher, Intermediate
Linda Chavez	Principal, Alamo	Ruben Gonzales	Bilingual/ELAR Teacher, Alamo
Vandela Corral	Teacher, Alamo	Bridgette Kelley	Math/SpEd Teacher, Alamo
Catherine Estrada	Campus Curriculum Director/ELAR Teacher, Alamo	Mike Peters	Athletic Director/Head Football Coach
Gil-Ray Madrid	Principal, Middle School & Assistant Superintendent	Ron Cline	Assistant Superintendent
Adrienne Horton	Assistant Superintendent	Dr. Zana Hanson	Director of Special Education and Special Services
Aimee Bislar & Isaii Rojas	Parent Representatives	Melba Montoya & Sal Salazar	Community Representatives
Bert Rainwater & Jay Garvin	Business Representatives	Dr. Gabriel Zamora	Superintendent

Term of Plan: March 2022 - March 2027

Plan applies to:  Entire District  
 Campus (list) \_\_\_\_\_  
 Other (please describe) \_\_\_\_\_

## Chapter 11 – School Districts

### Subchapter D. Powers and Duties of Board of Trustees of Independent School Districts

- §11.1511 (b)(5), (14) Specific Powers and Duties of Board
- §11.162 School Uniforms

### Subchapter F. District-Level and Site Based Decision-Making

- §11.251 Planning and Decision-Making Process
- §11.252 District-Level Planning and Decision-Making
- §11.253 Campus Planning and Site-Based Decision-Making
- §11.255 Dropout Prevention Review

## Chapter 21 – Educators

### Subchapter A – General Provisions

- §21.002 Teacher Employment Contracts
- §21.003 Certification Required
- §21.0031 Failure to Obtain Certification; Contract Void

### Subchapter B – Certification of Educators

- §21.051 Rules Regarding Field-Based Experience and Options for Field Experience and Internships.
- §21.053 Presentation and Recording of Certificates
- §21.057 Parental Notification

**Subchapter C – Probationary Contracts**

**Subchapter D – Continuing Contracts**

**Subchapter E – Term Contracts**

### Subchapter H – Appraisals and Incentives

- §21.352 Local Role
- §21.353 Appraisal on Basis of Classroom Teaching Performance
- §21.354 Appraisal of Certain Administrators
- §21.3541 Appraisal and Professional Development System for Principals

### Subchapter I – Duties and Benefits

- §21.401 Minimum Service Required
- §21.402 Minimum Salary Schedule for Certain Professional Staff
- §21.4021 Furloughs

- §21.4022 Required Process for Development of Furlough Program or Other Salary Reduction Proposal
  - §21.403 Placement on Minimum Salary Schedule
  - §21.4031 Professional Staff Service Records
  - §21.4032 Reductions in Salaries of Classroom Teachers and Administrators
  - §21.404 Planning and Preparation Time
  - §21.405 Duty-Free Lunch
  - §21.406 Denial of Compensation Based On Absence for Religious Observance Prohibited
  - §21.407 Requiring or Coercing Teachers to Join Groups, Clubs, Committees, or Organizations: Political Affairs
  - §21.408 Right To Join or Not To Join Professional Association
  - §21.409 Leave Of Absence for Temporary Disability
  - §21.415 Employment Contracts
- Subchapter J – Staff Development**
- §21.451 Staff Development Requirements
  - §21.452 Developmental Leaves of Absence
  - §21.458 Mentors

**Chapter 22 – School District Employees and Volunteers**

**Subchapter A – Rights, Duties, and Benefits**

- §22.001 Salary Deductions for Professional Dues
- §22.002 Assignment, Transfer, or Pledge of Compensation
- §22.003 Minimum Personal Leave Program
- §22.006 Discrimination Based on Jury Service Prohibited
- §22.007 Incentives for Early Retirement
- §22.011 Requiring or Coercing Employees to Make Charitable Contributions

**Chapter 25 – Admission, Transfer, and Attendance**

**Subchapter C – Operation of Schools and School Attendance**

- §25.0811 First Day of Instruction
- §25.0812 Last Day of School
- §25.083 School Day Interruptions
- §25.092 Minimum Attendance for Class Credit or Final Grade

**Subchapter D – Student/Teacher Ratios; Class Size**

- §25.111 Student/Teacher Ratios
- §25.112 Class Size
- §25.113 Notice of Class Size
- §25.114 Student/Teacher Ratios in Physical Education Classes; Class Size

**Chapter 37 – Discipline; Law and Order**

**Subchapter A – Alternative Setting for Behavior Management**

- §37.0012 Designation of Campus Behavior Coordinator
- §37.002 Removal by Teacher

**Chapter 44 –Fiscal Management**

**Subchapter B – Purchases; Contracts**

- §44.031 Purchasing Contracts
- §44.0331 Management Fees Under Certain Cooperative Purchasing Contracts
- §44.0352 Competitive Sealed Proposals
- §44.042 Preference to Texas and United States Products
- §44.043 Right To Work
- §44.047 Purchase or Lease of Automated External Defibrillator

**Subchapter Z – Miscellaneous Provisions**

- §44.901 Energy Savings Performance Contracts
- §44.902 Long-Range Energy Plan to Reduce Consumption of Electric Energy
- §44.903 Energy-Efficient Light Bulbs in Instructional Facilities
- §44.908 Expenditure of Local Funds

**Chapter 45 – School District Funds**

**Subchapter G – School District Depositories**

- §45.205 Term of Contract
- §45.206 Bid Or Request for Proposal Notices; Bid and Proposal Forms
- §45.207 Award of Contract
- §45.208 Depository Contract; Bond
- §45.209 Investment of District Funds

**Other**

Please list any additional exemption required for your Innovation District Plan:

# Fort Stockton ISD Renewal as a District of Innovation

House Bill 1842, passed during the 84<sup>th</sup> Legislative Session, allows Texas public schools with sufficient academic ratings to obtain exemptions from certain provisions of the Texas Education Code (TEC). The allowable exemptions are for those sections of code that do not apply to charter or private schools in an attempt to reduce the extra administrative or operational burdens placed on public schools.

To obtain exemptions, the District must create a Local Innovation Plan (LIP) detailing the code requirements that inhibit the goals of the District and the benefits to the District expected from the exemption. Fort Stockton ISD seeks exemption from the following permissible provisions of the TEC as allowed in the statute:

## **First Day of Instruction/Last Day of Instruction (TEC § 25.0811, TEC § 25.0812)**

Texas Education Code § 25.0811 states that a school district may not begin student instruction before the 4th Monday of August.

Innovation Strategy: Flexible Calendar - Fort Stockton ISD will begin instruction no earlier than August 1 in an effort to create greater flexibility in the school calendar. The flexibility to begin instruction earlier in August that results from exemption from Sec. 25.0811 will enable the district to develop a calendar that best meets the needs of the students in FSISD.

Texas Education Code § 25.0812 states that a school may not schedule the last day of school before May 15.

Innovation Strategy: To meet local and community needs, exemption from Sec. 25.0812 will allow a more balanced number of instructional days per semester and more instructional days prior to state assessments given in early May. With minute requirements at 75,600 and the state assessments given in early May, it might be possible to finish the school year prior to May 15.

## **Appraisal for Teachers & Administrators (TEC § 21.352, TEC § 21.354, TEC § 21.3541)**

The Texas Education Code §§ 21.352, 21.354, 21.3541 establishes the basic standards for teacher and administrator appraisal.

Innovation Strategy: Fort Stockton ISD believes it is essential to maintain flexibility in using a variety of measurements, including goal setting, observations, student growth progress toward learning objectives, and other formative assessments in determining the performance of its educators. By claiming exemption from Secs. 21.352, 21.354, and

21.3541, the district can determine locally the most appropriate appraisal instrument to evaluate its educators. Regardless of whether any adjustments or changes are made to the state-mandated appraisal system and laws, Fort Stockton ISD believes this issue should be a local decision as opposed to a state mandate.

### **Teacher Certification** **(TEC § 21.003, TEC § 21.057)**

Currently, school district teachers are only authorized to teach courses in their certified teaching areas. Exceptions to this are contingent upon TEA approving a request for probationary certification. Texas Education Code § 21.003 states 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. In addition, Texas Education Code § 21.057 requires that a district notify parents if an inappropriately certified or uncertified teacher is assigned to the same classroom for more than 30 consecutive instructional days during the same school year.

Innovation Strategies: As a small rural district, Fort Stockton ISD teachers are often required to teach in different subject areas. In order to facilitate the transition of an ever-expanding course load, Fort Stockton ISD reserves the right to locally approve teachers to teach one core subject outside of their current certified area for a period of one school year based on superintendent approval. After the first year, this arrangement may be extended on an annual basis *for an additional year* if approved by the board of trustees. A teacher certification waiver, state permit applications or other paperwork will not be submitted to the Texas Education Agency. In these situations the district will not be penalized for failure to notify parents of any certification issues.

- The campus principals may submit to the superintendent a request to allow a certified teacher to teach a subject(s) out of his or her certified field. The principals must provide reasoning for the request and document what credentials the certified teacher possesses which qualify this individual to teach this subject. The superintendent will report this action to the Board of Trustees at the first board meeting following the assignment.
- An individual with experience in a CTE field could be eligible to teach a vocational skill or course through a local teaching certificate. The principal will submit the request to the superintendent with all of the individual's credentials. The superintendent will then approve the request if he or she believes that the individual could be an asset to the students and the district. The superintendent will then report this action to the Board of Trustees prior to the individual beginning employment. Local teaching certificates will require an employment agreement rather than a contract.
- An individual with a college degree or certification in a trade could be eligible to teach a course related to his or her expertise or experience through a local teaching certificate. The principal will submit the request to the superintendent with all of the individual's credentials. The superintendent will then approve the request if he or she believes that the individual could be an asset to the students and district. The superintendent will then report this action to the Board of Trustees prior to the individual beginning employment. Local teaching certificates will require an employment agreement rather than a contract. applicants seeking assignments outside of their certifications. In addition, this exemption would

allow the district the flexibility to hire professionals in certain trades, vocations, or fields to teach those trades, vocations, or languages (such as welding, fine arts, health science, criminal justice, law, journalism, Spanish, etc.) if certified teachers are not available.

FSISD is also looking to allow consideration of part-time professionals to teach courses – specifically trade related professionals the ability to teach related courses. The superintendent will determine whether it is in the best interest of the district to certify the individual. The superintendent will notify the school board.

FSISD is also looking to allow experienced teachers to be able to, when needed, to teach one course outside of their existing teaching field(s). These would be primarily in the area of elective courses. When this takes place in CTE courses, our DOI plan would still allow for the district to receive CTE funding for these courses.

FSISD is aware that the above exemption does not apply to Special Education and/or bilingual/ESL teachers and that they have to continue to be SBEC certified.

### **Minimum Attendance for Final Credit (90% Rule) (TEC § 25.092)**

Currently, Texas Education Code § 25.092 requires students attend class 90 percent of the school days in order to earn credit.

Innovation Strategy: The 90 percent rule is an arbitrary percentage, which means school districts award credit based on 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, COVID, 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 FSISD 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. Exemption from this requirement will provide educational advantages to students of the District by promoting learning through innovation in the methods, locations, and times instruction may be delivered to students, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and increasing the number of qualifying graduates. The district will also explore other innovative ways to demonstrate mastery, given this exemption.

Relief from Section 25.092 does not in any way impact or alter existing compulsory attendance requirements or University Interscholastic League ("UIL") rules. Moreover, 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 Texas Education Code § 28.0214, nor does it restrict or alter a teacher's right to assign grades in accordance with Texas Education Code § 28.0216

## **Planning and Preparation Time (TEC 21.404)**

Texas Education Code 21.404 states that each teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity.

The Commissioner of Education has determined that the instructional schedule at the school to which the teacher is assigned determines the "instructional day". This has been interpreted by some to mean the time when students are receiving instruction at the school where the teacher is located. What remains unclear is when some, but not all, of the students are receiving instruction. For example, when Band instruction begins at 7:00am, but most other students don't start receiving instruction until 8:00am, is the time between 7:00am and 8:00am part of the "instructional day" or not? What percentage of the student body has to be receiving instruction in order for that same time period be used for the required 45 minute planning and preparation period? We believe that the "instructional day" is best determined locally.

Innovation Strategy: Due to the nature of our school district, teachers often undertake additional duties or utilize their planning/preparation time to conduct parent conferences, ARD meetings, etc. Teachers performing additional duties may at times be required to conduct activities during their planning preparation time. It is not the intent of Fort Stockton ISD to abolish planning/preparation time, instead the district reserves the right to grant the minimum 450 minutes per two week period as the district determines.

Innovation Strategy: Presently, in the Fort Stockton Independent School District, instruction takes place daily at five separate schools and that number may be increasing for the 2022-2023 school year and beyond. Each campus has its own times when instruction begins and ends. Not all campuses end instruction at the same time either and student dismissal and transportation issues also make it impractical to have various "instructional days" at different campuses in the same district.

The campuses also share several employees between them resulting in some instructional personnel needing to plan for instruction, parent conferences,... on more than one campus. This makes it impractical for the "instructional day" to differ from one campus to another within the same district.

The Fort Stockton Independent School District would like to have local control over our schedule and when our teachers will be participating in their conference/planning periods.

The Fort Stockton High School campus presently requires all of its employees to be at work by 7:45am. Employees are not allowed to leave until 4:30pm. However, with athletics, band and the numerous other student activities that take place at any Texas High School it is difficult to have times when teachers (including those that coach) to plan together. Student academic success is however served best when teachers can plan together. Restricting conference times to only those times when students are receiving instruction reduces the "instructional day" and restricts our ability as a district to best serve our teachers and students.

The Fort Stockton Independent School District is therefore requesting relief from TEC 21.404 by being able to exercise local control and set our own district-wide definition of the “instructional day” as approved annually by the Fort Stockton ISD Board of Trustees.

**Class Size in Pre-Kindergarten through 4th Grade  
(EEB LEGAL) (Ed. Code 25.112) (Ed. Code 25.113) (Ed. Code 25.114)**

Currently, Texas Education Code § 25.112 requires enrollment in Pre-Kindergarten through 4th Grade classes to be limited to 22 students. In the case of PE classes the ratio can be as much as 45:1.

If maintaining this limit creates an undue hardship, the District may request a waiver from the Texas Education Agency. Texas Education Code § 25.113 requires written notice to be sent home to parents each time a waiver is granted. Many times, soon after the waiver is submitted, situations change, students are enrolled and/or withdrawn and the class in question is again below the 22:1 ratio.

Innovation Strategy: While we believe that a small class size plays a positive role for students, this must be balanced with the logistics of the timing of adding staff, and mindfulness must be given to the best teacher to student ratio that can be achieved given the total number of students. Many times it is not the number of the students, but the makeup and chemistry of the classroom that most influence the learning environment. Research shows that the teacher in the classroom has the greatest impact on student learning, as opposed to absolute class size. Under our district of innovation plan, in the event the class size exceeds the 22 student limit for pre-kindergarten through 4th grade classes, a TEA waiver will not be necessary. This plan emphasizes the importance of flexible environments and student learning based upon student needs. It grants flexibility in class size at all times for 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 from the class size ratio requirements of Texas Education Code (TEC), §25.112, will allow the ability to group students based upon academic, social, and emotional needs without adding ongoing filings of waivers when the need arises.

When exceeding a 22:1 student-teacher ratio in a PK-4th grade classroom, district policy will be to constantly evaluate the possible need to add additional staff.

We are also asking for a waiver to cover the size of our PE classes. Being a small school with limited facilities and personnel, we often have PE classes that combine multiple classes/grade levels. For example, our Pre-K students and our Kindergarten students often go to PE together. Multiple classes of our first graders, second graders,... go to PE together as well. Depending on the combination, and the coaches/teachers assigned to be with these students we could exceed the 45:1 ratio. In our larger PE classes we often provide other school personnel to help monitor the students along with a certified teacher/coach. We are looking for a district of innovation waiver for situations where our PE classes may exceed the 45:1 ratio.

## **Probationary Contracts (DCA Legal) (Ed. Code 21.102(b))**

Under current guidelines, probationary periods for newly hired teachers who have been in public education for at least five of the previous eight years cannot exceed one year.

A newly hired teacher who has not been in public education can be placed on a probationary contract for as much as four years in certain situations before being placed on a term contract.

Innovation Strategy: This limited probationary time period is insufficient in some cases to fully determine the teacher's effectiveness in the classroom. Relief from Texas Education Code 21.102 will permit the district the option to issue a probationary contract for a period of up to five years for either experienced and/or inexperienced teachers, counselors, nurses,... or other TEC Chapter 21 personnel newly hired in FSISD.

## **School Day Interruptions & Limits on Time for Remedial Tutorials (Ed. Code 25.083b) (Ed. Code 25.092)**

Students across Fort Stockton ISD have individual needs throughout their educational career. A portion of our responsibility is to tailor instruction to students in a manner that meets their needs to the maximum extent possible. Texas Education Code 25.083(b) is related to guidelines for school day interruptions and limits the amount of time students can be removed from a class for remedial tutorials to ten percent. Section 25.092 stipulates that a student in any grade level may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days that the class is offered.

In addition, the law requires that the board of trustees of each school district adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities such as announcements, drills, etc.. At a minimum, the policy must limit announcements other than emergency announcements to once during the school day.

Innovation Strategies: The foundational purpose of education in Fort Stockton ISD is to provide challenging, meaningful instruction in each classroom. However, a contradiction in policy and practice arises from the policies referenced above. The State of Texas requires all students to pass STAAR Reading and Math assessments during their 5th and 8th grade years (Student Success Initiative) and 5 End of Course (EOC) assessments to be eligible for graduation.

Students that either fail to meet the passing standard or show a trend (based on data) towards not passing one or more of the high stakes tests are required to receive intense remediation. Therefore, in specific situations, students need the assistance of instructional specialists during the school day. Exemption from the policies referenced above will provide students the opportunity to register for classes of their choice, while at the same time receiving the necessary supplemental instruction needed for academic success. The exemption will provide Fort Stockton ISD the opportunity to ensure that our students are prepared for transition to subsequent grade levels, and ultimately to obtain eligibility for high school graduation.

\*These actions in no way alter policies related to compulsory attendance requirements.

Class interruptions need to be kept to a minimum and instructional time is to be kept sacred, however, there are times when flexibility is both needed and justified. FSISD is requesting that the campus principals be allowed to utilize their own professional judgment in regulating the instructional interruptions that occur on their respective campuses each day. As the instructional leader of their campuses, the principals are in the best place to regulate and oversee this endeavor/priority.

**District-Level Planning & Decision Making  
(Education Codes 11.251, 11.252 & 11.253)**

Currently, Texas Education Code 11.252 establishes the make-up of district and campus site-based decision making committees.

Innovation Strategy: Fort Stockton ISD would like flexibility in TEC 11.252 as the committee's make-up limits the degree of parent involvement in the district decision-making process. We would like flexibility in the make-up of the committee for district decision-making to give opportunity for greater parental involvement. The district would also like to explore the possibility of receiving student involvement into the process.

**Disciplinary Alternative Education Programs/Suspensions  
(Education Codes 37.005, 37.006 & 37.008)  
FOCA (LEGAL); FOB (LEGAL)**

TEC 37.008 requires each school district to provide a disciplinary alternative education program that provides for the students who are assigned to that program to be separated from students who are not assigned to the program.

TEC 37.006 states that an elementary student may not be placed in a DAEP with any other student who is not an elementary student. However, students younger than 10 may only be placed in a DAEP if they commit an expellable offense under 37.007.

TEC 37.008 requires Disciplinary Alternative Education Programs to employ only teachers who meet all certification requirements.

Innovative Strategies: While Fort Stockton ISD will make every attempt to comply with the existing education code, exemption from this requirement would allow the district to better utilize staff and facilities by allowing junior high (grades 6-8) and high school (grades 9-12) DAEP students to attend the same classroom as junior high and high school In School Suspension (ISS) students when necessary.

Exemption from this requirement (Ed. Code 37.006) would allow the district to make common sense decisions about which students are age appropriate to be in the same room together and allow the district to better utilize existing staff and facilities in the event of an elementary DAEP placement. This exemption would allow us to continue to use both rooms for ISS and DAEP. It also allows us flexibility regarding school/student safety procedures. For example, it allows us to separate two students from one another for a period of time (one in DAEP and the other at a campus based ISS room) in order to avoid fights and/or other conflicts. The safety of our students and faculty/staff is always our primary concern.

Exemption from this requirement (Ed. Code 37.008) would allow the district to better utilize staff. Although we do currently have all certified staff for DAEP assigned to our DAEP campus, we utilize teacher aides for a portion of the day with ISS. In the event that we need to combine DAEP and ISS students, that room would be staffed by non-certified staff

for most of the day, but certified teachers would still provide work and work directly with the students at various times during the day.

### **Teacher Mentors (Education Code 21.458)**

Currently, under Texas Education Code 21.458, a district may only utilize as mentor teachers those teachers that have three or more years teaching experience.

Innovation Strategies: Texas Education Code 21.458 limits the number of teachers who can serve as mentors and restricts teachers with exceptional skills or experience in the subject matter from sharing their knowledge with novice teachers. We want to remove the restriction as to how many years a person must teach before being able to serve as a mentor teacher.

### **Drug-Free School/Student Drug Testing (Education Code 37.006, 37.007)**

Texas Education Law (Education Code 37.006) states that a student may be placed at a DAEP or expelled (Education Code 37.007) if he/she “sells, gives, or delivers to another person or possesses or uses or is under the influence of marijuana or a controlled substance...”. However, it is vague on the consequences for a student that tests positive for such drug use that is not “under the influence of”, in “possession of”, currently “using” said drug on school grounds, at school activities, or within 300 feet of said school grounds/property.

It may be argued that students may test positive for drug use even though they were not using, in possession or under the influence on or near school property. Students that do test positive for illegal drugs, at some point in time used said drugs, or at the very least were in close contact with said drugs. Regardless though, the school has a vested interest in promoting the health and well-being of each and every one of its students and has a duty to the parents of these students to both notify them of concerns and work with them to help their student/child. Schools, parents, students, and the community are all negatively affected by students using illegal drugs regardless of whether it is at or away from school.

Programs like D-Fy-It and others have proven that when schools and communities take an active role in discouraging drug use among teenagers they can improve the lives of those students and their communities. Effective programs to keep students off drugs include an education component, a counseling component, a reward system for positive behavior, consequences for negative behaviors, positive alternatives to take part in and the ability to empower the student him/herself to avoid situations where drugs are available and used.

When students know that they will be randomly tested for drugs and that their continued ability to be in extra-curricular activities is contingent upon testing negative, they are more likely to avoid drugs and situations where others are consuming/providing drugs. It gives them “an out” when someone asks if they want to do drugs. They can say “I can’t... my school drug tests us... I’m not going to let down my team/teammates”.

Parents want to give their child the opportunity to stay off drugs. They want to have their children attend school in a drug-free environment.

Texas and Federal law does not allow a public school district to test ALL of its students for drug use. However, the courts have held that extra-curricular programs at a public school are voluntary and thus a public school district can randomly drug test all of its students that participate in extracurricular activities. At FSISD, we have developed a plan to randomly drug test our students in grades 7-12 that participate in extra-curricular activities including football, volleyball, band, basketball, cross country, golf, tennis, track, student council, NHS, DECA, FCCLA, FFA, cheerleading, etc.. At Fort Stockton High School and Fort Stockton Middle School most students participate in extracurricular activities of some kind or another.

Innovation Strategy: FSISD wants to be able to establish its own policies and procedures with regards to a student who tests positive for an illegal drug during a drug screening under Texas Education Code 37.006, because “the continued presence of the student in the regular classroom threatens the safety of other students... or will be detrimental to the educational process”. Students who may be using illegal drugs are clearly “detrimental to the educational process”. We are not asking TEA for permission to drug test, legally we don’t need TEA’s permission. What we are asking for through the “District of Innovation” process is clarification with regards to student discipline measures when it comes to a student that may test positive for illegal drug usage that they may be placed in the DAEP the same as if they had been caught “under the influence” or in possession of those same illegal drugs. This would be for students who receive repeated positive illegal drug test results.

FSISD wants to establish a student drug testing program where all students that participate in extracurricular activities in grades 7-12 will be tested for drug use. Students that test positive will be provided an opportunity to retest within five days to screen out any “false positives”. Students that test positive for illegal drugs may be placed in DAEP. Students that test positive will also be suspended from all extra-curricular programs and referred for drug/substance abuse counseling at their own expense. The student's parent(s) will be informed of all testing and test results for their child/children only. Every student who participates in extracurricular activities will be tested at least once a year with additional random testing taking place throughout the year.

### **School District Depositories Contract (Education Code 45.205, 45.206, & 45.208)**

TEC Code: Subchapter G. School District Depositories Sec. §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.

(b) A school district and the district's depository bank may agree to extend a depository contract for two additional two-year 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.

Innovation Strategy: FSISD seeks an exemption of the laws regarding the terms of Depository contracts. Rationale for the Exemption:

- 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). 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.

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. Refer to FSISD Board Policy BDAE.

## **Energy Efficient Light Bulbs in Instructional Facilities**

### **(Education Codes 44.901 & 44.903)**

TEC Code: Subchapter A- School District Fiscal Management Sec. 44.903. ENERGY-EFFICIENT LIGHT BULBS IN INSTRUCTIONAL FACILITIES. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) A school district shall purchase for use in each type of light fixture in an instructional facility the commercially available model of light bulb that:

- (1) uses the fewest watts for the necessary luminous flux or light output;
- (2) is compatible with the light fixture; and
- (3) is the most cost-effective, considering the factors described by Subdivisions (1) and (2).

Innovation Strategy: Rationale for the Exemption:

Removal of this mandate prevents unnecessary financial obligation to retrofit older bulbs and fixtures for facilities not undergoing renovation.

The district is currently organizing a bond proposal to go to the voters for approval. Once approved, bids will be put out on projects to update the buildings throughout the district. Updating all of the lighting and electrical systems is an extremely costly process. As the buildings and electrical systems are being updated, we are putting in modern energy efficient lighting systems. The energy savings are one of the beneficial reasons for the modernization, but safety is our first priority. The costs to update the systems all at once is prohibitive for our rural district.

## **Summary**

This District of Innovation Plan will reduce restrictions and help FSISD to better support our students, employees, and families in more innovative ways. Nudging our district toward the locally-customized environment our students deserve will enable us to better prepare them according to their individualized needs and their unique talents and traits. Through HB 1842, FSISD will be able to utilize innovative approaches to making the best decisions for our children because we will be able to make them locally.

In many cases, the implementation of exemptions from the TEC will require the revision of FSISD policies. FSISD will utilize a local policy development process that includes stakeholder input. This District of Innovation Plan will be implemented upon Board approval and will be in effect for 5 years (March 28, 2022 - March 28, 2027). Where necessary, the superintendent of schools or designee will promulgate regulations, policies, and procedures to govern the areas for which local flexibility has been sought.

We are grateful to the legislators who campaigned for Districts of Innovation through HB 1842 and to Commissioner Morath and his team for furthering our ability to create innovative strategies. We are committed to the children of our community and pledge to implement this plan with their best interests at heart.

Fort Stockton ISD reserves the right to modify the District of Innovation plan as needed as the district continues to grow and evolve, through time, population and/or culture. Future District of Innovation plan exemption modifications will be determined by the district's local committee and approved by the Fort Stockton ISD Board of Trustees.

Fort Stockton ISD's District of Innovation plan is designed to support the district philosophy through providing expanded opportunities to focus on distinct areas of identified student and faculty needs. Specific plans of implementation will be developed as appropriate by campuses and departments in collaboration with the district's existing strategic planning process. The plan will be continuously monitored and reviewed at the local level.

## **TERM**

The term of the district's original DOI plan was from March 27, 2017, and will terminate on March 27, 2022. This Revised and Renewed DOI plan will go into effect on March 28, 2022, and will terminate five years later on March 28, 2027, unless amended, rescinded or renewed by the District Innovation Committee (DIC) and the Board of Trustees. The District Innovation Committee (DIC) will review the plan annually to confirm consistent alignment with the needs of the District. Any recommended plan changes will be posted to the District website for 30 days and require the approval of the District Innovation Committee (DIC) and the Board of Trustees.