

# HAYS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES

Date: April 15, 2024

Agenda Item: K.1

Board Goal: Student Achievement

Subject: Second Reading and Possible Adoption of Proposed Hays CISD District of Innovation Plan – Amendment 8

Administrator Responsible/Position: Christina Courson, Chief Human Resources Officer

**A. Purpose of Agenda Item:**

☒ Action needed

☐ Information only

☐ Receive input

**B. Authority for This Action:**

☐ Local Policy:

☒ Law or Rule TEC §12A.007 &  
19 TAC §102.1313

☐ N/A

**C. Goal or Need Addressed:**

Hays CISD's current DOI Plan exists to support district goals aligned with student achievement for every student. A recommendation to amend our current DOI Plan is proposed to leverage additional tools to assist in achieving our goals.

The commissioner has held that TEC § 21.404 prohibits a district from assigning teaching duties during a teacher's planning period, even if the teacher agrees to the duties. The commissioner reasoned that a district can't contract for teaching duties in exchange for monetary compensation outside of a Chapter 21 contract (Bledsoe v. Huntington Indep. Sch. Distr., Tex. Comm'r of Educ. Decision No. 033-R10-1103 (Sept. 18, 2014)).

- A teacher is prohibited from assuming teaching duties during the planning period even if he or she volunteers to do so with pay. While schools sometimes ask a teacher to take on an extra class or period due to staffing shortages or other seemingly viable reasons, this isn't allowable. This includes substituting.

The district would like to add an amendment to the DOI Plan that would exempt the district from TEC § 21.404 to enable teachers who wish to volunteer to cover classes during conference or planning periods in exchange for monetary compensation to be able to do as part of the district's strategic efforts to provide class coverage when a substitute cannot be secured. The district would ask teachers who are interested in volunteering to do this to register their interest on a form prior to the school year. This list would be provided to principals as a list of volunteers. At any time, a teacher can decline an opportunity if they would rather plan. The intent is to provide the teacher an option and choice at any time.

The amendment would enable campuses to provide support to classes with certified teachers when a substitute is not available.

**D. Summary:**

☒ Previous board action relating to this item – DOI Plan. The Board of Trustees held a First Reading of DOI Amendment 8 at the March 18, 2024 Board meeting.

☒ Future action anticipated –

☒ Background information

A designated District of Innovation may choose to amend its plan at any time pursuant to applicable sections of Texas Education Code (TEC) and Texas Administrative Code (TAC). The process is as follows:

1. An amendment may be made to a DOI plan at any time during the term of the plan.
2. An amendment to a DOI plan does not require the district to repeat the adoption process in its entirety.
3. An amendment to a DOI plan does not change the date of the term of the plan; the original adopted term must remain the same

As part of TEA requirements, Hays CISD has or will engage in the following:

1. February 22, 2024: Presented to teacher org representatives for feedback.
2. March 7, 2024: To be presented to DLT for feedback and approval.
3. March 18, 2024: First Reading of the proposed Amendment 8
4. March 25, 2024: To be presented to the Board for consideration and approval.
5. March 26, 2024: If approved, notify the commissioner that the board has approved an amendment to the plan.

**E. Comments Received:**

☒ Cabinet    ☒ DLT    ☐ FBOC    ☒ Teacher Org. Reps.    ☒ Other: Legal Counsel

**F. Administrative Recommendation:**

Administration recommends the approval of the amendment, as presented.

**G. Fiscal Impact and Cost: N/A**

☐ Budget    ☐ Bond    ☐ Grant/Special Funds    ☐ Other

**H. Monitoring and Reporting Time Line:**

Person responsible for evaluating this decision or action – Christina Courson

**I. Suggested Motion**

I move that the Hays CISD Board of Trustees adopt the proposed amendment to the District of Innovation Plan, as presented..