



DUNCANVILLE INDEPENDENT SCHOOL DISTRICT
LOCAL INNOVATION PLAN 2022-2027
(Amended)

Texas Education Code, Chapter 12A

Passed during the 84th Legislative Session, Texas Education Code, Chapter 12A allows Texas school districts to pursue the designation of 'District of Innovation', a provision that enables traditional independent school districts to access many of the flexibilities currently available to open-enrollment charter schools. Through the development and approval of a 'Local Innovation Plan', a district may obtain certain exemptions from the Texas Education Code.

District of Innovation Renewal

Duncanville Independent School District became a District of Innovation on May 8, 2017, when the District's Board of Trustees unanimously approved the Local Innovation Plan. The term of the Local Innovation Plan continued for five years and was reviewed by the District Educational Improvement Committee (DEIC) on February 28, 2022. Under the law, it was amended and renewed. The DEIC will review the plan annually to ensure that it continues to support the needs of the District. If the Committee recommends changes, the Plan would be amended in the manner required by law.

The term of the current Local Innovation Plan began on April 12, 2022, and will end on April 11, 2027.

Per TAC §102.1313, Amendment, Recission, or Renewal, which specifies:

(a) A district innovation plan may be amended, rescinded, or renewed if the action is approved by a majority vote of the district-level committee established under the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempt from that section, and a two-thirds majority vote of the board of trustees.

Please be advised that the Duncanville ISD Board of Trustees voted to adopt seven amendments to the local innovation plan on May 19, 2025.

Innovations

The District proposes flexibility and seeks an exemption in the following areas:

1. Minimum Attendance for Class Credit or Final Grade (90% Rule)

Current law: Texas Education Code §25.092:

FEC (Legal)

A student in any grade level from kindergarten through grade 12 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 the class is offered.

Exemption from this code would provide flexibility for students where one or more of the following apply:

- Are unable to attend class in the traditional brick and mortar building because of illness or family concerns.
- Would benefit from a different time structure to the school day.
- Would benefit from virtual and online classes in addition to or in place of the traditional classroom setting.
- Have excused absences and have completed all makeup work.

Innovation: TEC Ch. 12A.003(b)(1)(A) innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement.

Exemption from this requirement will provide the district with the flexibility it needs to consider instruction and gaining credits in ways that make sense for students, especially our students who have unique needs. This exemption can be used to craft programs for nontraditional students, students with special needs, and even our youngest students to best meet their needs. Instruction does not always have to take place in a classroom seat, and this exemption will allow the district to explore more learning opportunities for various groups of students.

2. Length of Instructional Day

Current law: Texas Education Code §25.081:

EC (Legal)

For each school year, a school district must operate so that the district provides at least 75,600 minutes of instruction, including intermissions and recesses. (A full school day is considered to be 420 minutes, and a half school day is considered 210 minutes.)

Relief from this statute could potentially allow the following:

- Individual campus flexibility, independence and creativity
- Additional opportunities for teacher professional development and collaboration
- Reduced number of minutes for pre-kindergarten students without the need for a TEA waiver
- Individualized, flexible opportunities for Alternative High School students

While the District seeks freedom from this law, the following should be considered:

- There should be guidelines to establish minimum/maximum school day lengths
- Any potential cost to the district, especially relating to pre-kindergarten
- Flexible scheduling could be a challenge, especially for working parents

Innovation: TEC Ch. 12A.003(b)(1)(B) Modifications to the school day or year

Exemption from this requirement will provide the district with the ability to make creative decisions regarding professional development and teacher collaboration time. Flexibility in this area will also give the district the ability to consider options for individualized plans for students who have life circumstances that prevent them from attending traditional high schools (e.g. full-time work, pregnancy/parenting, etc.) and for early childhood learning opportunities.

3. Uniform School Start Date: First Day of Instruction

Current law: Texas Education Code §25.0811 and 25.0812:

EB (Legal)

A school district may not begin instruction before the 4th Monday in August.

Relief from this statute could potentially allow the following:

- First semester complete before Winter Break; instructional pacing is more beneficial
- More instructional days before State Assessments; flexibility for different types of learners and learning needs
- More professional development opportunities during the school year for teachers
- Full days for professional development opportunities as opposed to half days
- The calendar could be more aligned with college schedules, providing our students with additional opportunities

While the District seeks freedom from this law, the following should be considered:

- Cost of starting early (e.g. cooling cost in August) should be considered
- All administrative regulations and policies would be followed in relation to extreme heat during recess
- Adjustments to professional development calendar will need to be addressed
- Start date should be no earlier than August 15th, the second week in August, and preferably no later than the third week of August

Innovation: TEC Ch. 12A.003(b)(1)(B) Modifications to the school day or year

The current law that prohibits the district from starting school before the third Monday of August forces the district into a calendar that has minimal opportunity for teacher professional development, requires the semester to possibly end after the winter break, and provides negligible time for summer school before state-mandated assessment re-takes in the summer. Starting school even one week earlier can help minimize the negative impacts the district sees in this area. Starting early will allow for creative scheduling that allows for more intentional teacher professional development throughout the school year and allows students to have a schedule that is more conducive to their learning.

4. Campus Behavior Coordinator

Current law: Texas Education Code §37.0012:

FO(Legal)

A person at each campus must be designated to serve as the campus behavior coordinator.

Rationale:

- The campus behavior coordinator (CBC) is primarily responsible for maintaining student discipline and the implementation of Education Code Chapter 37
- On large campuses (Duncanville High School – more than 4,000 students) one individual is designated as CBC to manage discipline
- It is necessary to have additional administrators provide notice to parents about disciplinary incidents

Exception to law sought to no longer require a single administrator, but to allow multiple administrators.

The recommendation is to change wording in Campus Behavior Coordinator, Duties, and Notice to Parents section, and to change the number/who are CBSs on each campus

Innovation: TEC Ch. 12A.003(b)(1)(E) any other innovations prescribed by the board of trustees

Exemption from this requirement will provide campuses the opportunity to allow campus administrators to fully understand and get to know the students in their caseload rather than sourcing all discipline matters to one employee designated as a campus behavior coordinator. While it is imperative that all employees work together and be informed as to the discipline that is occurring on a campus, it is just as crucial for students to depend on an administrator they know and trust in all facets of their education, including their discipline. Each campus should have the freedom to designate more than one campus behavior coordinator to best meet the needs of their students and teachers.

5. State Certification Requirements for Teachers and Other Educators

Current law: Texas Education Code §21.003, §21.053:

DBA (Legal)

A person may not be employed as a teacher by a district unless the person holds an appropriate certificate or permit issued by the appropriate state agency.

Rationale: By exempting the District from this law, the District:

- will have the flexibility to hire university and college instructors to provide more dual credit courses in the district
- will have the flexibility to hire those with industry expertise to provide more CTE courses (e.g. HB 5 and CTE courses)
- will have the flexibility to hire teachers on a part-time basis for secondary courses

Innovation: TEC Ch. 12A.003(b)(1)(E) any other innovations prescribed by the board of trustees

Exemption from this requirement will provide much needed flexibility to hire the most qualified candidate for teaching positions. With an increasing number of innovative courses created after implementation of HB5, finding exceptionally qualified applicants in specific fields for CTE courses who are also certified teachers is increasingly difficult and, in some cases, impossible. This flexibility will allow the District to provide more dual credit and CTE courses, as well as hire teachers on a part-time basis to support secondary courses. The district will continue to seek traditionally certified candidates for all teaching positions, however this exemption will allow the district to offer more courses and opportunities for our students.

6. Probationary Contracts for Teachers Under 5 of 8 Rule:
(specifically, second probationary year for teachers hired under 5 of 8 rule)

Current law: Texas Education Code §21.102(b)

DCA (Legal)

Probationary Contracts for first year teachers cannot exceed a maximum of three years, and for teachers new to district that have been in public education for at least 5 of last 8 years cannot exceed a maximum of one year.

By exempting the District from this law, the District:

- will have the flexibility of hiring a probationary teacher for a second year to provide for more growth and coaching when the teacher is hired under the 5 of 8 rule

Innovation: TEC Ch. 12A.003(b)(1)(E) any other innovations prescribed by the board of trustees

Exemption from this requirement will provide campus administrators and hiring officials with the additional time to fully assess and support a teacher before making decisions regarding moving the employee from a probationary contract when that employee has only been with the district for one year. It is the goal of the District to offer a term contract after the first year to teachers under the 5 of 8 Rule, but this exemption will provide more flexibility to continue to work with first year teachers under the 5 of 8 Rule that may otherwise not receive a Chapter 21 term contract for the second year in the District.

7. Transfer of Student

Current law: Texas Education Code §25.036

FDA(Local)

Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

By exempting the District from this law, the District:

- will be able to better ensure a safe and secure learning environment, high expectations and accountability, by establishing a process that out of district students request enrollment by completing an agreement annually.
- May revoke the transfer of a student during the school year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, or expulsion. In addition, students not meeting the State's 90% attendance standard may also be subject to immediate revocation of the transfer status.

Innovation: TEC Ch. 12A.003(b)(1)(E) any other innovations prescribed by the board of trustees

Duncanville ISD maintains a transfer policy under FDA (Local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history records, work habits, and attendance records are also evaluated. Transfer students are expected to follow the attendance requirements, rules and regulations of the District. TEC 25.036 has been interpreted to establish the acceptance of a transfer as a one year commitment by the District. The District is seeking to eliminate the provision of a one-year commitment in accepting transfer applicants. On rare occasions, student behavior warrants suspension (in or out of school), placement in a disciplinary alternative program, or expulsion. In addition, student attendance may fall below the TEA truancy standard. In these rare cases, Duncanville ISD seeks exemption from the one-year transfer commitment.

Amendments

Duncanville Independent School District has determined a need to apply for an amendment to its Local Innovation Plan to allow exemptions for flexibility. The District's Innovation Plan Amendment Committee met on March 6, 2025, to review the current plan and propose the following amendments. The Duncanville ISD Senior Leadership Team reviewed and provided feedback on March 18, 2025. Duncanville ISD Principals provided feedback on April 2, 2025. On April 21, 2025, the Duncanville ISD Board of Trustees heard the first reading of the proposed amendments and approved the following amendments on May 19, 2025:

- Certification Requirements for Teachers and Other Educators. (Texas Education Code §§ 21.003, 21.051, 21.053, 21.057).
- Certification requirements for counselors. (Texas Education Code § 33.002(b)).
- Requirements regarding probationary contracts—the “5-of-8” rule. (Texas Education Code § 21.102(b)).
- Mandatory DAEP placement for vaping/e-cigarette related offenses. (Texas Education Code §§ 37.006(a)(2)(C-1) & (C-2)).
- Requirements regarding minimum attendance for class credit or final grade. (Texas Education Code § 25.092).
- Requirements regarding class size, class size ratio, and parent notification. (Texas Education Code §§ 25.111, 25.112, 25.113).
- Requirements regarding term of depository contract. (Texas Education Code §§ 45.205, 45.206).

State Certification Requirements for Teachers and Other Educators

Current law: Texas Education Code §§ 21.003, 21.051, 21.053, 21.057

Texas Education Code §21.003 states that a person may not be employed as a teacher, teacher intern, or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a district unless the person holds an appropriate certificate or permit issued by the appropriate state agency.

Texas Education Code §21.053 requires a person who desires to teach in a school district to present the person's certificate for filing with the district before the person's contract with the board of trustees of the district is binding.

Texas Education Code § 21.051(b) requires that before a school district can employ a candidate for certification as a teacher of record, and after the candidate's admission to an educator preparation program, the candidate must complete at least 15 hours of field-based experience.

Exemption: Sections 21.003 and 21.053 limit the District's ability to hire teachers when individuals certified by the State Board of Educator Certification (SBEC) are not available. The District seeks an exemption to allow the District to hire teachers, if necessary, who are not certified by SBEC. Teachers who are certified by SBEC must still present their SBEC certification to the District before their employment contract with the District is binding. The District also seeks exemption from Section 21.051(b)'s field experience requirement to allow the District to employ candidates who have recently enrolled in an educator preparation program but do not yet have the requisite 15 hours of field experience.

Rationale and Benefits of Exemptions: The District's expanded approach to teacher certification enables strategic hiring practices that address diverse instructional needs and optimize student learning experiences. This flexibility allows the district to:

- **Employ Uncertified Teachers When Necessary:** Hiring uncertified educators to deliver instruction across various classes ensures timely staffing solutions, particularly in hard-to-fill positions or emergent situations requiring immediate coverage.
- **Assign Certified Teachers Beyond Their Certification Areas:** Certified teachers can be reassigned to subjects outside their SBEC certifications/specializations, leveraging existing staff and mitigating instructional shortages in key academic areas.

Expand Dual Credit Course Offerings: Collaborating with postsecondary instructors facilitates an increase in dual-credit opportunities, preparing high school students for college rigor and enhancing postsecondary success.

- Incorporate Career and Technology Education (CTE) Experts: Industry- experienced professionals can deliver specialized, career-focused instruction aligned with workforce demands, thereby enriching the district's CTE programs with practical, hands-on knowledge.
- Staff Critical World Language Positions: Recruiting highly proficient individuals to teach world languages addresses the challenge of filling Languages Other Than English (LOTE) roles, providing students with essential global language skills.
- Hire Out-of-State Certified Instructors: Engaging out-of-state educators with active teaching certifications in relevant content areas expands the district's hiring pool, infusing fresh expertise and diversifying the instructional workforce.

These measures collectively enhance the District's ability to offer a robust and comprehensive education tailored to meet the evolving needs of students and prepare them for academic and professional success.

Implementation: The District must first seek to hire high-quality, certified teachers. For non-certified candidates, the District must establish clear selection criteria and provide comprehensive training and support. This exemption does not include the requirement to hire certified special education and bilingual teaching staff under Texas Education Code chapter 29.

**** Duncanville Independent School District complies with the requirements under the Every Student Succeeds Act, 20 U.S.C. § 6312(e)(1)(B)(ii) (ESSA), to provide notice to a parent or guardian regarding a teacher who does not meet certification requirements at the grade level and subject area in which the teacher is assigned. The provisions of Texas Education Code §§ 21.507(a)–(d), therefore, do not apply.*

Certification Requirements for Counselors

Current law: Texas Education Code § 33.002(b)

Texas Education Code §33.002(b) states that a school district with 500 or more students enrolled in elementary school grades shall employ a school counselor certified under the rules of the State Board for Educator Certification for each elementary school in the district.

Exemption: The District seeks exemption from the certification requirements for elementary school counselors. The District does not seek exemption from the requirements regarding employing a counselor or the number of counselors for each 500 elementary school students.

Rationale and Benefits of Exemption: This exemption would allow the District to have a larger pool of applicants to serve as elementary school counselors by allowing the District to employ uncertified counselors who are in the process of earning their Texas School Counseling Certificate. It would also allow the District to employ counselors who are Licensed Professional Counselors (LPC), or who possess other similar qualifications, rather than a SBEC-certified counselor.

Probationary Contracts

Current law: Texas Education Code § 21.102

Texas Education Code §21.102 addresses when a district shall or may employ a person as an educator under a probationary contract. Under Section 21.102(b), the probationary period 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 preceding employment by the district.

Exemption: Duncanville ISD seeks exemption from the “5-of-8” rule in Section 21.102(b). This exemption would apply only to newly-hired teachers and would allow the District to employ the person under a probationary contract for up to 3 years.

Rationale and Benefits of Exemption: By exempting the District from this law with respect to teachers hired by the District in the future, the District will gain the flexibility to extend a probationary contract for two additional years for teachers or employees hired under the “5-of-8” rule. This allows additional time for growth, coaching, and comprehensive assessment by campus administrators and hiring managers before deciding on a term contract.

This exemption does not apply to District teachers employed during or before the 2024– 2025 school year.

In accordance with the District’s Local Innovation Plan, amended on February 28, 2022, for teachers who met the 5-of-8 rule that were employed under a probationary contract beginning in the 2024-2025 school year, their probationary period may be extended one additional year (i.e. they may receive one more probationary contract for the 2025-2026 school year).

Mandatory Vape/E-Cigarette DAEP Placement

Current law: Texas Education Code §§ 37.006(a)(2)(C-1) & (C-2)

Texas Education Code § 37.006, specifically Texas Education Code §§ 37.006(a)(2)(C-1) & (C-2), mandates that a student who possesses, gives, or sells an e-cigarette, marijuana, or tetrahydrocannabinol (THC) to another student must be sent to a Disciplinary Alternative Education Program (DAEP).

Exemption: Duncanville ISD is seeking an exemption for mandatory DAEP placement for vaping-related offenses.

Rationale and Benefits of Exemption: These new provisions of Texas Education Code § 37.006 provides no flexibility in handling or disciplining students who violate these rules. The zero-tolerance policy requires removal based on a first offense and does not allow for discretion based on the offense's nature. Duncanville ISD believes this will unnecessarily remove students from the classroom, adversely impact student achievement, and reverse progress on behavior and discipline in our schools. The District seeks to restore decision-making authority to educators and District leadership, as student learning and progress are disrupted when students are removed from their home campus.

Moreover, students assigned to disciplinary exclusion centers are statistically less likely to graduate than their peers. A recent study shows that students assigned to in-school suspension once had a 71% chance of graduating on time, while students assigned to a DAEP center just once had only a 44% chance of graduating within four years.

Duncanville ISD will ensure that vaping and similar offenses are addressed appropriately through the Board-approved Student Code of Conduct, as well as through local interventions or counseling.

Duncanville ISD may still place a student in DAEP for first-time offenses if the student possesses, uses, or is under the influence of marijuana or first-time vaping-related offenses involving THC. Duncanville ISD may also place a student in DAEP for subsequent vaping offenses not involving THC.

Implementation Guidelines: In requesting this exemption, Duncanville ISD commits to:

- Document all related offenses.
- Report any offenses to parents and guardians.
- Develop a comprehensive plan to guide local disciplinary interventions.
- Educate students and families on the dangers of vaping and addiction.

Minimum Attendance for Class Credit or Final Grade

Current law: Texas Education Code § 25.092(a)

Texas Education Code §25.092(a) states that except as provided by this section, a student in any grade level from kindergarten through grade 12 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 the class is offered.

Exemption: Duncanville ISD seeks exemption from the 90% attendance requirement for giving a student credit or a final grade for a class.

Rationale and Benefits of Exemption: Duncanville ISD aims to enhance student learning by adopting a flexible attendance policy that emphasizes content mastery over traditional seat-time requirements. By obtaining an exemption from specific attendance regulations, the District seeks to provide innovative educational opportunities, including virtual and blended learning environments. This furthers Duncanville ISD's ability to provide a comprehensive educational program for the District that includes "innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement," under the Texas Education Code § 12A.003(b)(1)(A).

The traditional 90% attendance rule can limit flexibility in learning. This exemption would allow Duncanville ISD to:

- Implement blended and problem-based learning, as well as partnerships with the community.
- Support active learning beyond seat time, accommodating students involved in extracurricular activities, academic events, or internships.
- Provide flexibility to students with unique circumstances, such as illnesses, family obligations, special needs or employment.
- Develop individualized learning paths that blend classroom, online, and field-based experiences.

Flexible Attendance Tracking: If students attend a class virtually, Duncanville ISD will use alternative methods to track attendance, including:

- Assignment completion
- Online participation
- Coursework progress

These flexible methods accommodate various student schedules and reflect engagement accurately.

Guiding Principles:

- High Expectations: Proactive dropout prevention and high attendance standards.
- Local Determination: Campus-specific attendance and credit decisions based on local needs.

Implementation Considerations:

- Accountability: Mastery-based assessments to ensure academic standards.
- Communication: Clear guidelines provided to students, parents, and staff.
- Support Systems: Access to resources, technology, and instructional support for student success.

Class Size, Class Size Ratio, Parent Notification

Current law: Texas Education Code §§ 25.112, 25.113

Texas Education Code §25.112 caps student enrollment at 22 students in a prekindergarten, kindergarten, first, second, third, or fourth-grade class.

Texas Education Code §25.113 provides that a campus or district granted an exception from class size limits for pre-kindergarten through fourth-grade classes must provide written notice of the exception to the parent or person standing in parental relation to each affected student.

Exemption: Duncanville ISD is seeking an exemption from the 22:1 class size limit for pre-kindergarten through fourth-grade classes. Because the District seeks this exemption, it will not be required to submit a request for an exception or be granted an exception under Texas Education Code §25.113(d) such that written notice of an exception is required.

Rationale and Benefits of Exemption: Duncanville ISD seeks this exemption to provide the District with greater flexibility in managing class sizes without impacting student achievement. This exemption means the District will not need to submit a waiver to the Texas Education Agency, allowing the District to make timely, local decisions that best serve our students and community.

Duncanville ISD's goal is to maintain reasonable class sizes to support student success, with a target of not exceeding a 24:1 ratio, whenever possible. This flexibility helps students remain in their neighborhood schools, reducing the need for transfers across the District. This approach prioritizes classroom stability, minimizes disruption, and enables us to make thoughtful adjustments that benefit both students and teachers.

Finance: Relief from Term of Depository Contract

Current law: Texas Education Code §§ 45.205, 45.206, and BDAE (Legal)

Texas Education Code § 45.205 provides certain requirements regarding the term of a school district's contract with a depository bank—two years and until its successor is selected and has qualified—and the extension of such contracts for three additional two-year terms.

Texas Education Code § 45.206 provides that not later than the 60th day before the date of a school district's current depository contract expires, the district shall choose whether to select a depository through competitive bidding or through requests for proposals. Section 45.206 also provides certain requirements regarding the competitive bidding or request for proposal process.

Exemption: Duncanville ISD seeks an exemption from the Texas Education Code §§ 42.205 and 45.206 to allow the District's banking contract to be extended beyond the allowable contract term. At least once every two years, the District will evaluate the performance of the current depository bank. Should the District determine that the contracted services are provided effectively, and the quality of service is acceptable, the District will seek to negotiate terms to extend the contract for one additional two-year period. 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, the District will not select a depository at that time through competitive bidding or requests for proposals.

With this exemption, the District will only go out for bid for a depository contract if it is determined that contract pricing is not competitive and there is an operational or financial reason to send the District's banking services out for bid. The District will continue with two-year contracts for its banking depository.

Rationale and Benefits of Exemption: Duncanville ISD believes this exemption will decrease disruption to campus operations and ensure District resources are concentrated on student achievement. 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.