

# DISTRICT OF INNOVATION PLAN

Update and Renewal Workshop  
October 26, 2021



# FIRST DAY OF INSTRUCTION

## **Texas Education Code:**

Sec. 25.0811. FIRST DAY OF INSTRUCTION

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.25.htm#25.0811>

*“A school district may not begin instruction for students for a school year before the fourth Monday in August.”*

## **Rationale:**

Denton ISD believes the local community should decide what is best for its students in setting the first day of instruction. By claiming exemption from Sec. 25.0811, the district shall determine the first day of instruction for its students on an annual basis with input from stakeholders. Regardless of whether any adjustments or changes are made to the current start date law, Denton ISD believes this issue to be a local decision as opposed to a state mandate.

# CERTIFICATION

## Texas Education Code:

Sec. 21.003. CERTIFICATION REQUIRED

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.003>

*“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 school district unless the person holds an appropriate certificate or permit issued.”*

Sec. 21.044. EDUCATOR PREPARATION

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.044>

Sec. 21.053. PRESENTATION AND RECORDING OF CERTIFICATES

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.053>

Sec. 21.055. SCHOOL DISTRICT TEACHING PERMIT

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.055>

Sec. 21.057. PARENTAL NOTIFICATION

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.057>

## Rationale:

Denton ISD believes school district leadership should decide what is best for its students in determining the candidate best suited to teach **certain courses, including American Sign Language**, and career and technical education (CTE) courses; science, technology, engineering, and mathematics (STEM) courses; dual credit coursework; etc. By claiming exemption from Sec. 21.044 the district shall have the right to recruit individuals from certain **skill sets including individuals with expert knowledge of sign language**, trades, industries, and vocations with industry knowledge and real world experience and consider qualifications based on experience, industry certification, etc. District leadership including principals, CTE administrators, human resource department members, etc. shall determine whether it is in the best interest of its students to certify individuals based on these factors rather than appeal to the Commissioner of Education as stated in Sec. 21.055. Further, the district shall establish local criteria for training and locally certifying individuals rather than adhere strictly to mandates outlined in Sec. 21.053. In doing so, parental notification of “inappropriately certified or uncertified teachers” under Sec. 21.057 would no longer be necessary. Regardless of whether any adjustments or changes are made to the certification laws, Denton ISD believes this issue to be a local decision as opposed to a state mandate.

**\* On September 1, 2021, the Denton ISD Educational Improvement Council passed motion to amend the current Denton ISD DOI by adding American Sign Language to this exception to certification requirements.**

# SITE-BASED DECISION MAKING

## **Texas Education Code:**

Sec. 11.251. PLANNING AND DECISION-MAKING PROCESS

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.11.htm#11.251>

Sec. 11.252. DISTRICT-LEVEL PLANNING AND DECISION-MAKING

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.11.htm#11.252>

Sec. 11.253. CAMPUS PLANNING AND SITE-BASED DECISION-MAKING

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.11.htm#11.253>

Sec. 11.255. DROPOUT PREVENTION REVIEW

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.11.htm#11.255>

## **Rationale:**

Denton ISD is claiming exemption from the specific provisions of Sec. 11.251 – 11.255 and shall determine the processes and memberships of its site-based management committees. While Denton ISD will continue to develop district and campus improvement plans based upon a comprehensive needs assessment, the district is claiming exemption from the specific mandates of these sections and shall determine the contents of its plans while honoring federal mandates that cannot be excluded. Regardless of whether any adjustments or changes are made to site-based decision-making rules and laws, Denton ISD believes this issue to be a local decision as opposed to a state mandate.

# MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL GRADE

## Texas Education Code:

Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL GRADE  
<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.25.htm#25.092>

### Rationale:

Denton ISD believes 90% is an arbitrary percentage emphasizing “seat time” over content mastery. By claiming exemption from Sec. 25.092, the district can abstain from penalizing students who miss class time due to extra- and co-curricular activities, academic activities, and/or other extenuating circumstances enabling the district to accommodate students with legitimate scheduling conflicts while reducing dropouts and increasing the number of qualifying graduates. Note that relief from Sec. 25.092 does not in any way impact or alter existing compulsory attendance requirements or University Interscholastic League (UIL) rules. Furthermore, in no way does this exemption limit a teacher's right to determine the finality of a grade in accordance with Texas Education Code Sec. 28.214 nor does it restrict or alter a teacher's right to assign grades in accordance with Texas Education Code Sec. 28.216. Regardless of whether any adjustments or changes are made to the minimum attendance for class credit or final grade laws, Denton ISD believes this issue to be a local decision as opposed to a state mandate.

# RECOMMENDED APPRAISAL PROCESS & PERFORMANCE CRITERIA

## **Texas Education Code:**

Sec. 21.351. RECOMMENDED APPRAISAL PROCESS AND PERFORMANCE CRITERIA

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.351>

*“The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers.”*

Sec. 21.354. APPRAISAL OF CERTAIN ADMINISTRATORS

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.354>

*“The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of various classifications of school administrators.”*

Sec. 21.3541. APPRAISAL AND PROFESSIONAL DEVELOPMENT SYSTEM FOR PRINCIPALS

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.21.htm#21.3541>

*“The commissioner by rule shall establish and shall administer a comprehensive appraisal and professional development system for principals.”*

## **Rationale:**

Denton 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 Sec. 21.351, 23.354, and 23.3541, 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, Denton ISD believes this issue to be a local decision as opposed to a state mandate.

## DENTON ISD AMENDMENT TO CURRENT LOCAL INNOVATION PLAN

With regard to each area of innovation, the District declares exemption from the listed statutory provision, as well as any implementing rules or regulations promulgated pursuant to those statutory provisions by any state agency or entity, including but not limited to the Commission of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

### **Texas Education Code §22.004(i) Inhibits the Goals of the Local Innovation Plan**

*TEC §22.004(i) Group Health Benefits for School Employees states that a school district may not make group health coverage available to its employees pursuant to TEC §22.004(b) after the date a district implements the program of coverages provided under Chapter 1579 of the Texas Insurance Code. The current process allows no flexibility in the design of group health insurance benefits to fit the needs of all district employees. This provision also prohibits the district from procuring group health insurance benefits that may provide better coverages for its employees at a lower cost. This provision does not give the district the flexibility needed to acquire benefits packages that would potentially be more attractive to prospective employees.*

### **Exemption from Texas Education Code §22.004(i)**

TEC §22.004 is not included in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to TEC §12A.004 or the list of the Commissioner's prohibited exemptions in the Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309. Therefore, in order to have the option to offer additional benefits options to employees and to increase local control of the group health benefits plan to allow the District to be responsive to employee and community needs, the district proposes that the District of Innovation Plan be amended to exempt the district from the health insurance requirements in TEC §22.004(i).

AMENDMENT APPROVED: DATE: April 14, 2020 by the Denton ISD Board of Trustees

