

# District of Innovation Plan Marble Falls ISD



Love and Inspire

**APPROVED BY MARBLE FALLS ISD BOARD OF TRUSTEES ON FEBRUARY 19, 2018**

**The term of the Plan is for five years, beginning at the beginning of the 2018-2019 school year, after the Texas Commissioner of Education is notified that the Innovation Plan has been approved by the Board of Trustees and ending at the end of the 2022-2023 school year.**

**AMENDED BY MARBLE FALLS ISD BOARD OF TRUSTEES ON MARCH 21, 2022**

**The term of the Plan is for five years, beginning at the beginning of the 2018-2019 school year, after the Texas Commissioner of Education is notified that the Innovation Plan has been approved by the Board of Trustees and ending at the end of the 2022-2023 school year.**

## INTRODUCTION

House Bill 1842 passed during the 84<sup>th</sup> Legislative Session, permits Texas public school districts to become a District of Innovation, and to obtain exemptions from certain provisions of the Texas Education Code. On October 16, 2017, the Marble Falls Independent School District's Board of Trustees (Board) approved action to initiate the process of designation as a District of Innovation in order to increase local control over school district operations. The process supported innovation and local initiatives to improve educational outcomes for the benefits of students and the community.

On October 16, 2017, the Board of Trustees appointed a Local Innovation Committee (Committee) comprised of diverse leaders representing a cross-section of the District's various stakeholders, including teachers, principals, parents, community members and administrators. The Committee met on the following dates, to discuss and draft the Local Innovation Plan (Plan):

- November 1, 2017
- November 8, 2017
- November 29, 2017
- December 6, 2017
- January 10, 2018
- January 17, 2018 (Public Meeting when the full Committee voted to approve the Proposed Plan)

The Proposed Plan was posted on district website, in a prominent location on January 18, 2018 and was posted until February 18, 2018. The Board of Trustees met on February 19, 2018 to formally discuss, consider, and approve the Proposed Plan.

The Committee sought input on the Plan from teachers, principals, administrators, other District employees, parents, students and community members. Based on the direction provided by the Board and input from various district stakeholders, the Committee proposed this plan.

## THE MARBLE FALLS ISD LOCAL DISTRICT OF INNOVATION COMMITTEE

Arredondo, Diane  
Belk, Brenda  
Berkman, John  
Barry, Stephanie  
Clark, Lee Ann  
Cox, Stacey  
DeBons, Joe  
DeBons, Marla  
Fruge, Jodi  
Gage, Bryce  
Goodman, Adam  
Graham, Cristi  
Green, Bobbie  
Groth, Mary  
Hampton, Allie  
Herrington, Nancy  
Hickingbottom, Kelsy  
Jenkins, Judie  
Koenig, Amy  
Long, Chess  
Marburger, Jennifer  
McCord, Kelli

Packer, Kevyn  
Patterson, Clatyon  
Patterson, Emily  
Powell, Joe  
Rodgers, Heather  
Rowland, Shelli  
Sierra, Ray  
Stephens, Karla  
Taylor, Jacob  
Taylor, Jake  
Virdell, Jennifer  
Weihs, Lenore  
Young, Rhonda  
Zinsmeyer, Pattie  
*EX OFFICIO MEMBERS:*  
*Baty, Leslie*  
*Cunningham, Wes*  
*Fields, Melissa*  
*Metzgar, Heather*  
*Puga, Soor-el*  
*Walker, Cindy*

## **TERM**

The term of the Plan is for five years, beginning at the beginning of the 2018-2019 school year, after the Texas Commissioner of Education is notified that the Innovation Plan has been approved by the Board of Trustees and ending at the end of the 2022-2023 school year, unless terminated or amended earlier by the Board of Trustees in accordance with the law. An ad-hoc committee appointed by the MFISD Local District of Innovation Planning Committee will annually review and monitor the effectiveness of the Plan and recommend to the Board any suggested modifications to the Plan.

## **COMPREHENSIVE EDUCATIONAL PROGRAM**

The Plan's comprehensive educational program is guided by and aligned with the Board's Vision, Mission, and Goals.

## **MARBLE FALLS ISD VISION STATEMENT**

Marble Falls ISD has an unyielding commitment to love every child and inspire them to achieve their fullest potential.

## **MARBLE FALLS ISD MISSION STATEMENT**

The mission of the Marble Falls ISD is to inspire and empower all students to lead extraordinary lives and embrace the possibilities of the 21st century through relevant, engaging learning experiences led by inspirational and nurturing educators.

## **MARBLE FALLS ISD BOARD of TRUSTEE GOALS**

### **Academic Achievement:**

The District will ensure academic performance and achievement levels reflect excellence in learning and attainment of both high expectations and high standards.

### **Leadership Development:**

The District will identify and invest in the continuous development of leaders who will inspire and support others to improve student achievement.

### **Communications and Community Relations:**

The District will foster a culture of trust by providing accurate, timely, and interactive communication to all stakeholders and by encouraging parents, students, and the community at-large to be involved in our schools.

### **Safe and Healthy Environment:**

The District will provide a safe and healthy environment conducive to student learning.

### **Human Capital:**

The District will recruit, develop, and retain highly qualified and effective personnel.

### **Financial and Operations Management:**

The District will exercise fiscal responsibility to maintain financial strength and provide the financial resources for educational programs.

## **INNOVATION PLAN BASED ON NEEDS**

A District of Innovation Plan will allow Marble Falls ISD to have the flexibility to implement practices innovative to our students and in alignment with our community values and beliefs. It will allow Marble Falls ISD to exercise local control over certain decisions about education and governance that are more appropriate for the individual needs of the district and its stakeholders. Becoming a District of Innovation will allow Marble Falls ISD to customize appropriate plans district-wide, school-wide, or even grade level wide. As we turn our community's goals for our children into reality, we must be positioned to minimize the barriers that could otherwise preclude us from doing our best work on their behalf. Our work will require Marble Falls ISD to evolve, to think differently about critical systemic components such as how we are organized, how we evaluate our staff, how we spend our time with students and staff, how we recruit and retain the best staff, and how we grow as a learning organization. To think differently, we must respond differently. Leveraging the freedom and flexibility afforded as a District of Innovation will assure that we are empowered to do so.

## **PROPOSED AREAS OF INNOVATION FOR MARBLE FALLS ISD**

- **Instructional Calendar**
- **Minimum Attendance for Class Credit**
- **Teacher Appraisal System**
- **Minimum Minutes**
- **Designation of Campus Behavior Coordinator**
- **Probationary Teacher Contracts**
- **Site Based Decision Making Process**

**REQUIREMENTS OF THE EDUCATION CODE THAT INHIBIT THE GOALS OF THE PLAN FROM WHICH THE DISTRICT WILL BE EXEMPT UPON ADOPTION OF THE PLAN:**

**Instructional Calendar**

**Exemption from: §§ TEC 25.0811; Board Policies: EB (LEGAL), EB (LOCAL)**

**Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code requires that students may not begin school before the fourth Monday of August. For many years this was the rule; however, districts had the option of applying for a waiver to begin school earlier. The waiver process was eliminated several years ago, mandating that all schools begin school no earlier than the fourth Monday of August, with no exceptions. This requirement inhibits the District's flexibility to develop a calendar that best meets students', staff, and community needs. Research has found that a catalyst to accelerating student learning and improving teacher practice is allowing for structured time for educators to prepare, lesson plan, and receive professional development.

**Local Guidelines and Applicable Guidelines:**

Current statute prevents the District from designing calendars that best meet the needs of students. Having the flexibility to set the start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and our community. This empowers us to personalize and customize learning for all District learners, including teachers and staff through professional learning, and allows us to more efficiently balance the amount of instructional time per semester. In addition, by having the flexibility in the start and end of the school year, students and staff will be able to enroll in college courses that start in early June, thereby increasing college and career readiness.

Removing the constraints of the current uniform start date will allow Marble Falls ISD to implement a possible short first week, easing the transition for students entering kindergarten, middle school, and high school. This will ultimately allow for more flexible professional development opportunities and preparation time for our staff. The District, through the recommendation of the District Educational Improvement Committee (DEIC), will determine locally, on an annual basis, the upcoming school year calendar. The District, through the recommendation of the DEIC, will design and adopt a calendar with a school start date that begins no earlier than the second Monday of August and ends no later than the first full week of June.

## Minimum Attendance for Class Credit or Final Grade

**Exemption from: §§ TEC 25.092; Board Policies: FEC (LEGAL), FEC (LOCAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

Texas Education Code Section 25.092 mandates students must be in attendance for at least 90% of the school days the class is offered in order to receive credit. In other words, the law currently requires districts to award class credit to students who passed the course in conjunction with "seat time." Exemption from this requirement will allow the district to provide active learning opportunities to students regardless of time, location, and method, thereby allowing students more voice and choice in determining their learning goals and path to success.

### **Local Guidelines and Applicable Guidelines:**

One of the overarching goals for our students is providing students with the curriculum, tools, resources, and pedagogy to achieve their full potential by taking ownership of their learning and setting high academic goals. This will be accomplished by designing and implementing more responsive learning environments where blended and personalized learning opportunities are available. Blended learning, where instruction is delivered through a combination of time in class and time spent learning online, is only one example where exemption will likely foster greater innovation to promote active learning and improve student outcomes. In addition, exemption from this requirement will allow the District to not penalize students who miss class due to legitimate school activities and/or family issues that may prevent students from meeting the 90% class attendance rule, as long as mastery of content can be documented. Finally, this will limit issues related to seat time and allow further pursuit of dual credit opportunities.

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 Section 28.0214, nor does it restrict or alter a teacher's right to assign grades in accordance with Texas Education Code Section 28.0216.

## Teacher Appraisal Systems

**Exemption from: §§ TEC 21.352(a); Board Policies: DNA (LEGAL), DNA (LOCAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

Marble Falls ISD believes that all staff members can and must continually improve in their role of supporting student learning. In each of the board goals and in each of the corresponding goals in the District Improvement Plan and Campus Improvement Plans, the expectation that all staff members embrace growth opportunities for the purpose of student learning is evident. Teachers and administrators should be evaluated fairly and assessed on the entire scope of their job functions. While student learning is the ultimate measure of teacher and principal effectiveness, multiple metrics should be utilized. We believe that our current state-suggested evaluation tool, T-TESS, places too heavy an emphasis on STAAR scores. We are equally concerned that our current systems will require the district to give additional assessments in subject areas that do not have a STAAR test simply for the sake of testing to use on a teacher's evaluation. Further, evaluations should target progress made on student learning and in reaching local goals and aspirations identified by our educators.

### **Local Guidelines and Applicable Guidelines:**

In subsequent school years a new appraisal system may be developed by a committee consisting of but not limited to teachers and administrators. Currently, Marble Falls ISD intends to use Texas Commissioner of Education's approved instrument (T-TESS) for evaluation of campus teachers. However, we will not utilize the portion of the evaluation instrument related to using singular assessments, STAAR scores, and/or STAAR growth to help calculate the overall effectiveness of the teacher's role in student achievement. While the District seeks freedom from this portion of the provision noted in the commissioner's rules, the following should be considered:

- Administrators will continue to examine individual student academic progress with teachers to ensure student learning growth is being achieved.
- Student achievement and academic progress will be reviewed in a variety of ways. Examples include, but are not limited to: Benchmark testing, pre-tests and post-tests, portfolios, formative assessments, etc.
- Goal-setting based on student growth will not be prohibited, if deemed necessary by an administrator who follows the prescribed T-TESS process.



## Minimum Minutes for Operation of Schools

**Exemption from: §TEC 25.081, 25.082(a); Board Policies: EC (LEGAL); EC (LOCAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

House Bill (HB) 2610, passed by the 84th Texas Legislature, amended the Texas Education Code (TEC), §25.081, by eliminating the required 180 days of instruction and replacing this language with the requirement that schools provide at least 75,600 minutes of instruction annually and 420 minutes of instruction daily. While the bill allowed schools to add minutes as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity; it eliminated any options to pursue state waivers to reduce the minimum number of minutes per day to provide teachers with professional learning time beyond an early release waiver currently used by schools. Additionally, Texas Education Code §25.082(a) requires that each school day be at least seven hours long including intermissions.

### **Local Innovation and Applicable Guidelines:**

The flexibility to adjust minutes of instruction within a designated school day will assist with personalizing learning to better meet student needs. This flexibility has the added benefit of allowing the possibility of an altered length of a school day, which may include, for example, a later start/early release time which will accommodate professional learning/collaboration opportunities for teachers. The District, through the recommendation of the DEIC, shall determine locally, on an annual basis, the upcoming school year calendar. MFISD would not reduce the annual total amount of minutes below 75,600.

## Designation of Campus Behavior Coordinator

**Exemption from: § TEC 37.0012; Board Policy: FO (LEGAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

This statute came out of the 84th Legislative Session and places this duty on one administrator, rather than allowing administrators to be responsible for this duty with the students assigned to him/her as was done previously in Marble Falls ISD. It can create inefficiencies and limit the effectiveness of our administrators. The burden of placing this on one person is not sustainable, and the additional stress it creates to staff, students and families should be avoided. The assistant principals are building relationships with the students and families assigned to them and are best equipped to handle discipline concerns and the management of behavior issues and consequences. This change will allow the District to promote the social and emotional learning of its students and foster the connection between actions and consequences.

### **Local Guidelines and Applicable Guidelines:**

The principal may delegate the duties of the Campus Behavior Coordinator to campus administrator(s) to best serve the needs of students and families. The District will provide the training and guidance necessary for them to execute the expectations, practices and protocols of Marble Falls ISD that also meet all other provisions of this code, including but not limited to Chapter 37, S.B. 107 and the Student Code of Conduct. This will ensure consistency and adherence to policy and legal requirements. A collaborative disciplinary approach will be developed at the campus level. Each campus will undergo a development plan process that collaboratively creates a chain of communication that best meets the needs of the campus.

## Probationary Teacher Contracts

**Exemption from: §TEC 21.102(b); Board Policies: DCA (LEGAL), DCA (LOCAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code requires that teachers newly-hired by the District who have five years of experience in public education in Texas within the last eight years can only be placed on a one-year probationary contract, and after the first year, must be placed on a term contract. In contrast, newly-hired teachers without the 5 of 8 years of experience can be hired by the District on a one-year probationary contract for a total of three years. This law limits the District's ability to sufficiently assess and determine whether a newly-hired teacher is a good fit for the District. The one-year probationary period is insufficient to evaluate the teacher's effectiveness in the classroom because the teacher contract renewal timelines demand that employment decisions be made before the end of the school year.

### **Local Innovation and Applicable Guidelines:**

To create equity in new hires, to give Marble Falls ISD the opportunity to serve students better, to allow administrators time to evaluate performance, and to provide opportunities for improvement, growth and professional development, the District will implement the following contract requirements:

Beginning with the 2018-2019 instructional calendar year and beyond, all teachers hired in Marble Falls ISD with experience in public education for at least five of the eight years preceding employment may be issued, on an annual basis, a one-year probationary contract for up to two years. Administrators will be key in assessing the effectiveness of teachers and professional staff. They will provide opportunities for growth and development on an individualized basis to determine probationary status. This innovation does not, however, require an extended probationary period. Campus and district administrators will retain the option to make annual employment decision recommendations based on teacher proficiency and potential.

## Site-Based Decision Making Process

### **Exemption from: §TEC 11.251(a) (2); 11.251(e)**

#### **Manner in which the statute(s) inhibits the goals of the plan:**

Currently, the makeup of school committees may limit the number of teachers and community members who are able to serve in this capacity. The nature of the components indicated in the standards references often make the campus improvement plans cumbersome compliance documents rather than workable guides for actionable goals.

#### **Local Innovation and Applicable Guidelines:**

The leadership in Marble Falls ISD, both at campuses and at the district level, has a history of collaboratively involving multiple stakeholders in the processes of annually assessing campus and district needs when establishing and monitoring short and long term goals. Our leadership will strive to provide sufficient and appropriate percentage of teacher and paraprofessional members on each of the required site based committees, but will not be required to limit the percentages to the targets listed in the education code. With additional teacher and paraprofessional representation available, MFISD will continue to move forward with our collaborative improvement plans being reflective of action-oriented tasks and measurable goals. Further, the committees will no longer restrict and overburden the content of the required written plans to encompass the previously included items relative only to compliance rather than relevant actions aimed at progress toward established goals. Portions of the improvement plans required by ESSA obligations will not be affected by this exemption.

## SUMMARY

### **Exemption from:**

Marble Falls ISD seeks exemption from the permissible provisions of the TEC and Board Policies as allowed by HB 1842, 84th Session of the Texas Legislature and TEC §12 A as listed in this Local Innovation Plan.

### **Manner in which statutes inhibit the goals of the plan:**

It is in the best interest of Marble Falls ISD to maximize our adaptability in meeting the needs of our community. In order to adapt in a timely manner, we also need the flexibility to minimize barriers that preclude us from the necessary adaptations. Requesting local control by relieving the District from the encumbrances of permissible statutes places the responsibility for improvements into the hands and minds of our local educators and community members. Indeed, these stakeholders have the most to gain from our improvement efforts as they pinpoint and strategically act upon the immediate needs of our students each and every year.

### **Local Guidelines and Applicable Guidelines:**

Upon approval by the Marble Falls ISD Board of Trustees, Marble Falls ISD will begin implementation of the Local Innovation Plan in the upcoming school year, beginning with specific exemptions addressed in this plan above, i.e.:

- TEC 25.0811 – Instructional Calendar
- TEC 25.092 – Minimum Attendance
- TEC 21.352(a) – Teacher Appraisal System
- TEC 25.081, 25.082(a) – Minimum Minutes of Instruction
- TEC 37.0012 – Campus Behavior Coordinator
- TEC 21.102(b) – Probationary Teacher Contracts
- TEC 11.251(a)(2), 11.251 (e) – Site-Based Decision Making Process

Marble Falls ISD will implement an enhanced local policy development process that is rigorous, transparent, and inclusive of stakeholder input when seeking any edits or changes to the approved District of Innovation Plan. The process for discussion or approving future changes to the District of Innovation Plan shall include an ad-hoc committee made up of teachers, district staff, and community members. Any new changes would be presented by this committee to the District Educational Improvement Committee and then to the Board of Trustees.

As of the date of approval by the MFISD Board of Trustees, should the current Superintendent of Schools depart from MFISD, the board will appoint an ad-hoc Local District of Innovation Planning Committee to consult with the successive Superintendent of Schools in order to assure the staff members of MFISD that the current plan, as approved by the Board of Trustees, remains implemented per TEC §12 A.

Unless and until the Marble Falls ISD Board of Trustees takes action to enact a particular exemption from the Texas Education Code and related regulations, and follows the process outlined in the Texas Education Code regarding the District of Innovation Process, there will be no further change in the District's compliance with state laws and local policies.

A list or index of exemptions enacted as a District of Innovation will be kept in Policy AF (LOCAL) – INNOVATION DISTRICTS.

This District of Innovation Plan was unanimously approved by the Marble Falls ISD Board of Trustees at a public meeting on: February 19, 2018.

## AMENDMENTS TO PLAN

### DOI Plan Amendments:

- Certification of Staff
- Transfer Students
- Removal of Unruly Visitors
- Suspension of Students Below Grade 3
- Class Size Waiver for DAEP
- Expulsion from DAEP for Persistent Misconduct

### Timeline of Events to Approve Amended DOI Plan:

- October 13, 2021: Joint DOI Committee and DEIC meeting
  - Reviewed current DOI Plan exemptions.
    - Consensus by membership to keep all current exemptions when renewing plan for 2023-2024 school year.
  - Agreement to explore further a possible amendment regarding Certification of Teaching Staff.
    - Consensus to try to amend in time for 2022-2023 hiring season.
- November 3, 2021: Joint DOI Committee and DEIC meeting
  - Discussion around possible amendment areas
    - Certification of Staff
    - Transfer Students
    - Removal of Unruly Visitors
    - Three-Day Limit on Suspensions
    - Suspension of Students in Grades Below 3
    - Class Size Waiver for DAEP
    - Expulsion from DAEP for Persistent Misconduct
- December 1, 2021: Joint DOI Committee and DEIC meeting
  - Discussion around possible amendment areas
  - Eliminated “Three-Day Limit on Suspensions” from the list of possible amendments based on additional feedback from campus administrators
  - Voted to approve wording on all other proposed amendments.
    - Certification of Staff
    - Transfer Students
    - Removal of Unruly Visitors
    - Suspension of Students in Grades Below 3
    - Class Size Waiver for DAEP
    - Expulsion from DAEP for Persistent Misconduct
  - Voted to move forward with process to amend DOI Plan
- December 13, 2021: Marble Falls ISD Board of Trustees meeting
  - Presentation of proposed amendments
- December 14, 2021: Proposed amendments posted to Marble Falls ISD

- District of Innovation website for the required 30 days.
- January 12, 2022: Joint DOI Committee and DEIC meeting
  - Reviewed feedback submitted online.
  - Voted to adjust wording on the following to provide clarification
    - Removal of Unruly Visitors
- January 18, 2022: Public Hearing regarding proposed amendments was held during the Marble Falls ISD Board of Trustees meeting.
- February 16, 2022: Joint DOI Committee and DEIC meeting
  - Reviewed feedback submitted online
  - Voted on final adjusted wording on the following to provide clarification based on feedback.
    - Removal of Unruly Visitors
    - Suspension of Students Below Grade 3
    - Expulsion from DAEP for Persistent Misconduct
- February 16, 2022: Proposed final adjusted amendment wording posted to Marble Falls ISD District of Innovation website.
- February 22, 2022: Marble Falls ISD Board of Trustees meeting
  - Final wording of proposed amendments presented to the Marble Falls ISD Board of Trustees for first reading.
- March 21, 2022: Marble Falls ISD Board of Trustees meeting
  - Marble Falls ISD Board of Trustees approved amended plan.

## AMENDMENTS:

### **Local Guidelines and Applicable Guidelines:**

Upon approval by the Marble Falls ISD Board of Trustees, Marble Falls ISD will begin implementation of the amended Local Innovation Plan immediately upon the approval from the Texas Education Agency:

- TEC §21.003, §21.0031, §21.053 – Certification of Staff
- TEC §25.036 – Transfer Students
- TEC §37.105 & TAC §103.1207 – Removal of Unruly Visitors
- TEC §37.005 – Suspension of Students Below Grade 3
- TEC §37.008 & TAC§103.1201– Class Size Waiver for DAEP
- TEC §37.007(c) & TEC §37.010(b) – Expulsion from DAEP for Persistent Misconduct



## Certification of Staff

**Exemption from: TEC §21.003, TEC §21.0031, TEC §21.053; Board Policies: DK(LEGAL), DK (LOCAL), DK (EXHIBIT), DBA (LEGAL), DBA (LOCAL), DF (LEGAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code requires a public school employee to have the appropriate certification for his or her current assignment unless the appropriate permit has been issued. The credentials appropriate to each assignment are set forth in the State Board for Educator Certification (SBEC) rules at 19 Administrative Code Chapter 231. In the event an appropriately certified teacher cannot be found, the District must request an emergency certification from TEA and SBEC. These rules are burdensome and do not take into account the unique needs and circumstances of the district. Certain subject areas, in particular, are often very difficult to find properly-certified teachers.

### **Local Innovation and Applicable Guidelines:**

Relief from this statute could potentially allow the following:

- Allow a non-certified yet highly qualified professional to teach OR a certified educator to teach in a related field for which he or she is not credentialed by the state.
- Allow the district to establish its own local qualification requirements for hard to fill positions or positions with no applicants.

All decisions on teacher certification and assignments will be handled locally.

Examples may include the following:

- Allow an elementary certified teacher with expertise in early grades such as first and/or second to teach kindergarten.
- Allow a teacher certified to teach through grade 6 to teach courses in grades seven and/or eight.
- Allow a teacher certified to teach elementary level that has specific training in a specific content area to be teacher of record in that content area for middle and/or high school students.
- Allow a teacher certified in middle school or high school in a specific content area to teach that content at the elementary or middle school level.

The District will always first seek to hire a certified and highly qualified teacher. All open teaching positions will be posted. Certified teachers will be considered first. However, the candidate who is considered of highest quality may be selected regardless of certification.

While this exemption would be exercised in a limited way for specific situations, it would allow the District to recruit teachers with a strong knowledge base,

including individuals from certain trades and/or vocations with industry knowledge and real world experience.

In order to best serve students, certain decisions on certification would be handled locally, within the following parameters:

- Will require teachers who teach Special Education, Bilingual, and English as a Second Language grades/courses to be certified.
- Certain industry-based experts will not be required to obtain a teaching certificate. Examples could be computer science, carpentry, health science.
- Experienced college instructors or professors will not be required to obtain a teaching certificate if hired for a dual credit teaching position that contains only dual credit classes.
- Candidates for non CTE or dual credit positions must hold a Bachelor's Degree. Teachers hired under this exemption must complete the Texas teacher certification process and present documentation of valid certification to Human Resources within three years of hire. The three year period for those hired after January 1 would not start until the next school year.
- Out-of-state certified staff must complete the Texas teacher certification process and present documentation of valid certification to Human Resources within three years of hire.

Staff hired under this exemption will be provided with district identified training and resources, and the support of a mentor to ensure their success.

In the event that the District is unable to find a certified teacher, the following procedures would be implemented:

After the required posting period and candidate interviews, if the principal desires to hire a candidate with other qualifications, the principal must specify in writing, to Human Resources, the reason for the request and document what specific credentials (i.e. experience, expertise, and/or industry certifications) the candidate possesses that would qualify the individual to teach that subject(s).

Human Resources will submit a request for a district permit to the Superintendent or designee for the candidate and will include the following locally determined criteria:

- A. College teaching experience; or
- B. Industry experience; or
- C. TEA educator certification to teach a subject in a related field; or
- D. Any combination of work experience, training, education, or industry-related credentials related to the subject matter he/she will be teaching.

The written request will outline the reason for the request and it will document the

credentials possessed by the recommended teacher which will qualify him/her to teach the subject.

Parents will be notified in writing if students are being taught by a teacher hired under this exemption. Chapter 21 contracts vs teacher agreements will be established.

The Superintendent or designee will approve all local certifications and will report to the Board of Trustees.

---

## Transfer Students

**Exemption from: TEC §25.036; Board Policies: FDA (LEGAL), FDA (LOCAL)**

**Manner in which the statute(s) inhibits the goals of the plan:**

Currently, under Texas Education Code 25.036, a district may choose to accept, as transfers, students who are not entitled to enroll in the District. The transfer policy for non-resident students must be a one-year commitment on the part of the District.

**Local Innovation and Applicable Guidelines:**

Relief from the code governing this policy would eliminate the provision of a one-year commitment in the event of an exceptional circumstances which would include, but are not limited to: student misbehavior warranting in or out of school suspension, placement in DAEP or expulsion; or attendance which falls below the TEA truancy standard including absences from school, and or multiple instances of late arrival, early dismissal or late pickup. This exception would not apply to McKinney Vento students due to federal law. Transfer revocation will be handled by the Deputy Superintendent.

---

**Removal of Unruly Visitors**

**Exemption from: TEC §37.105 & TAC §103.1207; Board Policies: GKA (LEGAL), GKA (LOCAL), GF (LEGAL), GF (LOCAL), FNG (LOCAL)**

**Manner in which the statute(s) inhibits the goals of the plan:**

State law requires that a guest (parent or visitor) attending a school event must be given a warning before he/she is ejected. Upon ejection, the guest must also be given notice of how he/she can appeal the ejection.

**Local Innovation and Applicable Guidelines:**

Relief from the code governing this area would allow designated staff members the authority to remove parents or visitors whose behavior is deemed inappropriate without warning or written notice. Behavior deemed inappropriate under this amendment includes extreme behavior which creates an unsafe environment or perceived threat to the safety of students and staff. The Superintendent and/or Deputy Superintendent will approve removals. The Deputy Superintendent will oversee this process.

---

## Suspension of Students Below Grade 3

**Exemption from: TEC §37.005; Board Policies: FOB (LEGAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code restricts a campus administrator's ability to place a student in a grade below third in out-of-school suspension, unless while on school property or while attending a school-sponsored or school-related activity on or off school property the student engages in certain dangerous conduct (weapons, violent offenses, or drugs). This limitation prohibits campus administrators from taking the sometimes necessary action of removing a student from the campus, regardless of age, for the safety of the student, other students, and/or the staff.

### **Local Innovation and Applicable Guidelines:**

This flexibility will allow for MFISD administrators to exercise their professional judgment when assigning discipline to students and place students of any grade in out-of-school suspension when the administrator determines that such action is necessary for safety and/or in order to maintain an orderly learning environment for all students. The Executive Director of Special Services would be consulted if a student below grade 3 is being considered for out-of-school suspension and would approve/deny the suspension. Factors considered when a student below grade 3 may receive suspension include a review of interventions provided, identified disabilities, Child Find history, previous incidents, and severity of classroom disruption. If a student receives suspension, a team will meet and develop a re-entry plan including additional interventions and structures to be implemented upon the student's return to school.

---

## Class Size Waiver for DAEP

**Exemption from: TEC §37.008 & TAC §103.1201; Board Policies: FOCA (LEGAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code requires the certified teacher-to-student ratio in a DAEP shall be one certified teacher to 15 students.

### **Local Innovation and Applicable Guidelines:**

Relief from this code would allow MFISD to exercise flexibility in serving students at the DAEP to best meet the needs of students academically and behaviorally. MFISD will be able to place students in rooms according to behavior and restorative discipline needs to better serve them academically. Instances where a classroom would be over 15 students with one teacher would consist of students with minimal behavior instances and motivated to complete work so that those who need additional behavioral support can reside in a separate classroom with intense behavioral support. MFISD intends to maintain a ratio of one staff member to 15 students for total enrollment at the DAEP. At times it is difficult to find additional certified temporary staff and substitutes willing to work at the DAEP when placement numbers increase. Thus, this relief will also allow MFISD to best utilize various staff and substitutes to staff the DAEP based on student enrollment and needs. The Assistant Superintendent of Curriculum & Instruction and the Deputy Superintendent will assist the campus principal through this process.

---

## Expulsion from DAEP for Persistent Misconduct

**Exemption from: TEC §37.007(c) & TEC §37.010(b); Board Policies: FOE (LEGAL), FO (LEGAL), FOD (LEGAL)**

### **Manner in which the statute(s) inhibits the goals of the plan:**

The Texas Education Code states that a student placed in a DAEP who engages in documented serious misbehavior while serving a DAEP placement despite documented behavior interventions may be removed from class and expelled. However, "serious misbehavior" is limited to: (1) Deliberate violent behavior that poses a direct threat to the health and safety of others; (2) Extortion, meaning the gaining of money or other property by force or threat; (3) Conduct that constitutes coercion, as defined by Penal Code 1.07; or (4) Conduct that constitutes the offense of: (a) Public lewdness under Penal Code 21.07; (b) Indecent exposure under Penal Code 21.08; (c) Criminal mischief under Penal Code 28.03; (d) Personal hazing under Penal Code 37.152; or (e) Harassment, under Penal Code 42.07(a)(1), of a student or district employee.

The Texas Education Code makes zero allowance for students whose daily, repeated, and intentionally persistent misbehavior disrupts the instruction of the DAEP to the point that it is detrimental to the other students in the DAEP.

### **Local Innovation and Applicable Guidelines:**

Placements at the DAEP have increased because of students who continually disrupt the educational environment at the main campus and then continue to disrupt the educational environment at the DAEP. Relief from this would allow the DAEP principal to work with district administration to expel a student for persistent misconduct at the DAEP. The Executive Director of Special Services and Assistant Superintendent of Curriculum & Instruction would be involved in the decision to expel a student at the DAEP. A student who is expelled from the DAEP would continue to receive services, in an alternative setting, from Marble Falls ISD.