

**Odem-Edroy  
Independent School District**



**District of Innovation Plan  
April 2022-April 2027**

A District of Innovation Plan is a concept passed by the 84<sup>th</sup> Legislative Session in House Bill 1842 that allows school districts greater local control and flexibility regarding certain state-level regulations in an effort to utilize the designation to better serve students.

The proposed plan, once adopted, will remain in effect of the next five years (July 2017-May 2022). The plan may be amended at any time by the District of Innovation Committee with the approval of the school board.

### **District of Innovation Committee**

Yolanda Carr	Superintendent	Dr. Lidamar Yruegas	Administration
Maribell Gomez	Junior High	Lillie O'Canas	HR
Pam Brewer	Parent	Dora Sturgeon	Administration
Esmeralda Martinez	Administration	Elizabeth Sanchez	Elementary
Calvin Bowers	Administration	Amy Rogers	Intermediate
Ron Schulze	High School	LeeAnn Boehme	Intermediate
Jesse Marinelarena	High School	Tonya Romero	Business Manager
Erica Tapia	Administration		
Tai Keyster	Junior High		
Lisa Flores	Administration		

## **Odem-Edroy ISD**

### **District of Innovation**

#### **TEACHER PROBATIONARY CONTRACTS**

(DCA Legal and Local) TEC 21.102.(b)

PROBATIONARY CONTRACT. (b) A probationary contract may not be for a term exceeding one school year. The probationary contract may be renewed for two additional one-year periods, for a maximum permissible probationary contract period of three school years, except that the probationary period may not exceed one year for a person who has been employed as a Chapter 21 certified employee teacher in public education for at least five of the eight years preceding employment by the district.

#### **Proposed:**

In order to support teacher growth and gather performance data, a one-year time period is not always sufficient to evaluate a Chapter 21 certified employee's effectiveness as an employee, especially since Chapter 21 contract timelines demand that employment decisions must be made prior to the availability of end-of-year classroom and student data and state assessment results.

Experienced Chapter 21 certified employees new to Odem-Edroy ISD that have been employed in public education for at least five of the previous eight years may be issued a probationary contract up to three years from the date of district employment to fairly assess an employee's performance. Partial years would not count toward the full year requirement.

#### **TEACHER CERTIFICATION REQUIRED**

(DK Legal and Local) TEC 21.003

Certification Required. (a) A person may not be employed as a teacher by a school district unless the person holds an appropriate certification or permit issued as provided in Subchapter B.

#### **Proposed**

In order to best serve Odem-Edroy ISD students, decisions on certification will be addressed locally.

- A. The campus principal may submit to the superintendent a request to allow a certified teacher to teach one subject out their certified field. The principal must specify in writing the reason for the request and document what credentials the certified teacher possesses which qualify this individual to teach this subject.
- B. 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 the individual's credentials. The superintendent will then approve the request if they feel the individual could be an asset to students. The superintendent will then report this action to the Board of Trustees prior to the individual beginning any employment. Local teaching certificates will be for one year. The employee will be classified as an at-will employee.
- C. This will allow more flexibility in our scheduling and more options for our students in class offerings. This exemption will not apply to Special Education or Bilingual teachers.

## **TEACHER EMPLOYMENT CONTRACT DAYS**

(DC and DEA Legal and Local) TEC 21.401

Minimum Service Required. 21.401(b) An educator employed under a 10 –month contract must provide a minimum of 187 days of service.

### **Proposed**

Odem-Edroy I.S.D. would like to have the flexibility to consider the reduction in contract days to better align with the 75,600 minutes required of students. This potential decrease in days would have no effect on teacher salaries, which increase a teacher’s daily rate and enhances teacher *recruitment and retention*.

## **SCHOOL START DATE**

(EB LEGAL) TEC 25.0811

FIRST DAY of INSTRUCTION 25.0811(a) Except as provided by this section, a school district may not begin instruction for students for a school year before the fourth Monday in August.

### **Proposed**

This flexibility of start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and our local community. Flexibility to start earlier in August would help our district plan for balanced instructional time in the semesters that would support semester course curriculum.

In addition, flexibility in the start and end date of the school year would allow students to enroll in college courses that begin in early June, thereby increasing college and career readiness. Removing the uniform start date could also allow Odem-Edroy I.S.D. to begin the first week of classes with a shortened week, easing the transition for students entering Kindergarten, Middle School and High School. This will also allow for more flexibility with professional development opportunities for our staff.

## **TRANSFER STUDENTS**

(FDA Legal and Local) TEC 25.036

TRANSFER STUDENTS. 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, but TEC 25.036, has been interpreted to require a transfer to be for a period of one school year.

Odem-Edroy I.S.D. 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 records, work habits and attendance are evaluated. Transfer students are expected to follow the attendance requirements, rules, and regulations of the District. TEC 25.036

### **Proposed**

The District is seeking flexibility 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. Also, occasionally a student’s work habits decline and is evidenced in their academic success. In these rare cases, Odem-Edroy I.S.D. seeks exemption from the one year transfer commitment

in accepting transfer applicants including to allow the district to rescind a transfer at any time during the school year.

## **ABSENCES FOR COLLEGE VISITS**

(FEC (Legal and Local) TEC 25.087(b-2))

**EXCUSED ABSENCES.** (b-2) A school district may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student's junior and senior years of high school for the purpose of determining the student's interest in attending the institution of higher education, provided that:

- (1) The district may not excuse for this purpose for more than two days during the student's junior year and two days during the student's senior year; and
- (2) The district adopts: (A) a policy to determine when an absence will be excused for this purpose; and (B) a procedure to verify the student's visit at the institution of higher education

### **Proposed**

Currently students are only allowed to have two excused school days to visit college or universities as college days. In some cases, where students are visiting colleges out of state, students need more than the two days that are currently allowed to safely visit a college they are interested in attending or doing comparative visits to multiple colleges.

Odem-Edroy I.S.D. is seeking flexibility for an exemption from the two-day excused absence limit for students visiting institutions of higher education. Students would be allowed more than the current two-day excused absence limit. Each request and situation would be evaluated by the high school counselor on a case by case basis.

## **CAMPUS BEHAVIOR COORDINATOR**

Designation of Campus Behavior Coordinator

(FO Legal and Local) TEC 37.0012

A person at each campus must be designated to serve as the campus behavior coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal. The campus behavior coordinator is primarily responsible for maintaining student discipline.

### **Proposed**

Odem-Edroy I.S.D. is seeking flexibility and an exemption to abstain from the state requirement that each school have a designated campus behavior coordinator. Odem-Edroy I.S.D.'s approach to discipline is becoming more collaborative, with multiple people providing emotional and social support to students, rather than just one person. An exemption from this requirement will allow the option of increasing collaboration in regard to student discipline, as outlined in the Odem-Edroy I.S.D. Student Code of Conduct.

## **Teacher Certification**

(DK Legal) (Ed. Code 21.003)

CERTIFICATION REQUIRED. (a) 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 as provided by Subchapter B.

### **Proposed**

Odem-Edroy ISD would like to have the flexibility to recruit non-certified teachers in hard-to-fill positions. Although having the most qualified teacher in every classroom is of the utmost importance to Odem-Edroy ISD, due to our location, we struggle to recruit certified teachers to our community. There are times and circumstances when a non-certified individual might have certain knowledge and skills that might be beneficial to students, but lacks the certification to teach.

Odem-Edroy will maintain its current expectation for employment and make every effort to hire certified individuals. In the event that the district cannot retain the services of a certified teacher for a position, Odem-Edroy will have the flexibility to make decisions regarding certifications locally and based on the needs of the campus and students. This exemption will permit district leadership to set local criteria while maintaining standards of excellence in hiring.

Local Guidelines:

1. The District will establish local criteria to qualify for a local (district) teaching certificate.
2. Principals and District Leadership will determine whether the individual meets the criteria. The Superintendent will determine whether it is in the best interest of the district to certify the individual.
3. The Superintendent will notify the Board prior to employment.

## **Uniform Group Health Coverage (TEC §22.004)**

TEC 22.004 (i) 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 Odem-Edroy ISD employees. This provision also prohibits the District from procuring group health insurance benefits that may provide better coverage for its employees and at a lower cost.

### **Proposed** (Amended)

By gaining an exemption from these statutes, Odem-Edroy ISD would increase local control of the group health benefits plan to allow the District to be responsive to employee and community needs.

## ***Bank Depository Contract Term (Ed. Code 45.206 and Ed. Code 45.205)***

(TEC §45.205) Board Policy BDAE (Legal and Local)

The current statute requires school districts to enter into a two-year contract with a depository bank and allows for two additional two-year terms. At the end of the 6- year period, Districts are required to process a Request for Proposal (RFP).

### **Proposed** (Amended)

Odem-Edroy ISD would like to gain exemption from these statutes. Terminating our banking agreement at the end of this period does not provide stability to the district and can allow the depository banks to limit options of service, interest rates, and fees. Relief from this mandate would allow the District to continue

with a depository bank as long as it is beneficial to the District. It would 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 to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP). In addition to costs and time involved in the request for proposal process, a district incurs costs and labor to update all electronic banking transactions and account signatory should the district be forced to change depositories.

### **Counselor Work Time**

Exemption from: TEC 33.006(d) - (h)

Relevant Board Policies: DP LEGAL, LOCAL

Manner in which statute inhibits the goals of the plan

TEC 33.006 subsections (d) - (h) places restrictions on the duties that can be fulfilled by school counselors, requires policy adoption and annual review by the school board, and limits contracting options with counselors in the District. OEISD wishes to maintain flexibility in its school counseling and guidance program by waiving compliance with the requirement of TEC 33.006(d) that a counselor spend 80 percent of total work time on duties identified by statute, as well as removing burdens imposed by subsections (e) - (h) related to policy adoption, annual review, and counselor employment contracts.

The requirements of TEC 33.006(d)- (h) impede the District's ability to meet the ever-changing needs of its students and school operations by restricting the ability of OEISD counselors to fulfill other important roles throughout the District, including but not limited to, special education/504 monitoring, scheduling, and student assessment. While it is still the intent and goal of OEISD that its certified counselors focus on the school counseling program, temporal restrictions and time logging/tracking requirements, which would be necessary to confirm strict adherence to an 80/20 duty a/location, are an ineffective use of employee time and impedes the District's ability to use its counseling staff in a variety of roles to best serve the needs of OEISD students and community.

### **Proposed**

In order to best serve Odem-Edroy ISD students, decisions will be made locally.

- A. The District will exercise local discretion in determining the additional duties fulfilled by certified counselors in the District, by taking into account each individual counselor's professional education, certifications, experience, and knowledge, and will also consider the specific needs of the students and staff on each campus.
- B. The District will exercise local discretion in determining how counselors allocate their work time to perform all duties, including those duties that are not identified in TEC 33.006, enabling the District to meet student needs and address local challenges as they arise.

### **Armed Security Officer (TEC 37.0814)**

Texas Education Code § 37.0814 states that school boards must ensure that at least one armed security officer is present during regular school hours at each district campus. A security officer must be a school district peace officer, a school resource officer, or a commissioned peace officer employed as security personnel. If the School District's Board of Trustees finds that the District is unable to comply with this section due to the availability of funding or shortage of available commissioned peace officers in the District's geographical area, the Board can establish alternative standard as outlined in the statute.

**Proposed:** Due to fiscal limitations and shortages of qualified armed security officers, guardians and other persons qualified to fill the role outlined in Texas Education Code, the District anticipates having problems with fulfilling the requirements outlined in this section. The Board of Trustees has adopted an alternative standard to comply with this statute; however, the District anticipates that there may be times when an armed security officer will not be available on each campus, each day during regular school hours. Therefore, the District deems it necessary to include an exemption from the requirement to provide an armed security officer at each campus during regular school hours pursuant to Texas Education Code 37.0814. The District has implemented a School Guardian Program and entered into an Interlocal Agreement with the County for an armed security officer to best comply with the intent of this statute. Efforts will be made to ensure that an armed security officer or School Guardian is assigned to each campus to the extent possible.

### **DAEP for Marijuana and E-Cigarettes (TEC 37.006)**

Texas Education Code § 37.006 provides that a student must be removed from class and placed in a disciplinary alternative education program if the student has marijuana or an e-cigarette. This will potentially lead the DAEP to become filled with students who have committed non-violent mandatory offenses. It potentially increases discipline of students found in possession of a normal e-cigarette, and removes campus discretion regarding appropriate discipline for student behavior. Further, it is important for school safety that the DAEP have capacity for students who commit more serious infractions.

**Proposed:** the District will be exempt from mandatory removal to DAEP based on possession of marijuana and/or e-cigarettes. DAEP placement will be Discretionary and subject to Administration's approval:

- The District will use discretion in disciplinary placement for students possess, use, or deliver marijuana or e-cigarettes on or near public school property or at certain school events.
- A student may be placed in a DAEP if the student possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marijuana, as defined by Section 481.002, Health and Safety Code, or tetrahydrocannabinol, as defined by rule adopted under Section 481.003 of that code.
- A student may be placed in a DAEP if the student possesses, used, sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health, and Safety Code.

### **Grade Retention (TEC 28.02124)**

Amendments to TEC 28.02124 provide that a parent or guardian may elect for a student in grades one through eight, to repeat the grade in which the student was enrolled during the previous school year. In addition, for courses taken for high school credit, a parent or guardian may elect for a student to repeat any course in which the student was enrolled in during the previous school year. A parent or guardian may not elect for a student to repeat a course under this subsection if the school district determines the student has met all of the requirements for graduation.

**Proposed:** While the District respects the rights of parents to request that their child repeat a grade or course, the District believes that this should be a joint decision with District educators made in the best interest of students. Additionally, this provision of the Education Code does not state when or how often these requests can be made, which could create disruption on District campuses and to the child's education. As such, the District will be exempt from TEC 28.0214. The District will work with parents and consider requests that a child repeat a year, provided the request is made \_\_\_ days before the start of school, in order to avoid disruption for the student and staff involved. At least one conference must be held by campus administration and with the parent prior to a request being granted. Requests will be granted if they are in the best interest of the student and made in good faith due to concerns regarding the students well-being. Requests made for the purposes of allowing student participation in sports or other UIL programs or for class rank will not be granted.



## **Parent Notification of Threat Assessments (TEC 37.115)**

Amendments to the TEC 37.115 include new requirements that before a team may conduct a threat assessment of a student, the team must notify the parent or guardian for the student regarding the assessment. In addition, the team shall provide an opportunity for the parent or person to: participate in the assessment, either in person or remotely; to be able to submit to the team information regarding the student; and after the threat assessment, the parent must be provided with the teams' findings regarding the student.

**Proposed:** Due to concerns related to FERPA, confidentiality and possible retaliation, the District will be exempt from these additional notice and participation requirements. The District remains committed to parent involvement and notification with regard to threat assessments. Efforts will be made to keep parents informed with regard to the need for a threat assessment; opportunity to provide information to the team regarding the student; as well as the teams' findings regarding the student.