



SAISD Local Innovation Plan

Introduction

In 2015, the 84th session of the Texas Legislature passed HB 1842 which allows districts to pursue a **District of Innovation Designation**. This designation allows districts freedom from state-level regulations to deliver instructional and support services in novel ways that improve student educational outcomes. The bill provides districts with opportunities similar to those previously enjoyed by charter schools and prompts districts to determine how exactly to best utilize the designation to better serve students.

Our Process

Originally, the district chose to pursue this designation to inspire innovative practices and increase autonomy at the campus level. Campuses were asked to meet with their individual school communities to discuss the creation of a campus innovation plan and determine whether their students would benefit from state law exceptions. These plans were used to inform the development of the district's Local Innovation Plan.

The process by which campuses developed their plans was as important as the plans themselves. The district acknowledged that an anticipated consequence of engaging in the planning process was that campuses might identify additional areas in which greater flexibility was desired. Campus innovation plans were required to include the following:

- Identify the challenge the campus hopes to overcome.
- Describe how the campus will utilize state law exception(s) to address the identified challenge(s).
- Discuss how the plan assists in achieving the campus' goals.
- List any budget considerations/requests the plan requires.
- Determine the outcomes that will be used to measure whether the plan assists in meeting the campus goals
- Explain the process used to develop the plan.
- Describe how the plan is being shared with the campus community.

The District Leadership Team, a body composed of elected representatives from all stakeholder groups within the district community, reviewed the statutes within Texas Education Code that, if waived, could result in greater student achievement. They voted and approved the plan on Thursday, May 12, 2016. The Board of Trustees held a public hearing and approved the plan on June 13, 2016.

The district renewed its Local Innovation Plan on February 8, 2021 to maintain its District of Innovation designation through February 8, 2026. Going forward, the renewal of existing exemptions will be used to sustain and scale conditions for innovation and continuous improvement to accelerate student achievement.

The District of Innovation status will have no effect on the district's per campus funding allocations nor affect the rights and protections afforded by current District employment contracts or agreements between the District and its contract employees pursuant to TEC §11.174(c).

Requirements Imposed by the Education Code from which SAISD Seeks Exemption

a. **§25.112 (Class Size) and §25.113 (Notice of Class Size)**

§25.112 addresses the number of students that may be in a single kindergarten, first, second, third, or fourth grade class and limits that number to 22. The intent of this statute was to ensure that classrooms maintained a small teacher/student ratio under the belief that smaller classes led to improved achievement for students who benefited from more individualized teacher attention. While the maximum number of students in K-4 classrooms may be addressed by a state waiver, said waivers must be applied for annually and must be applied for by each district, each year. Historically, the district has applied for these waivers annually. By seeking an exception from §25.112 the district would have flexibility for all campuses and classrooms for the duration of the District of Innovation Designation and would not be required to seek waivers annually.

Research has shown that students with additional needs such as English Language Learners, students in poverty, and those with IEPs tend to benefit the most from smaller class sizes. The district believes this arrangement will benefit student achievement more than the current situation. An example of this could be an SAISD elementary school whose leadership team is concerned that their 5th grade bilingual teacher has a class size of 34 students while the K-4 classrooms are capped at 22 due to the 22:1 class size rule. An exemption from this rule allows flexibility to increase class sizes in a K-4 grade level to free up a teaching position that could be reassigned to 5th grade, thereby creating smaller class sizes for English Language Learners and other students with additional needs.

Waiver §25.113 is only sought as its notice requirements relate to §25.112.

b. **§25.0811 (First Day of Instruction)**

SAISD seeks an exemption from the implementation of 25.0811 to obtain flexibility, should campuses or the district as a whole seek it, to begin instruction for students before the fourth (4th) Monday in August. Texas has debated the school start date for three decades beginning in 1984 when the Legislature established September 1 as the uniform start date. In 1991, the Legislature repealed the uniform start date but reinstated it in 2001. In 2004, the Legislature amended the uniform start date to its current form. The argument has been that with schools starting earlier and earlier students and teachers are no longer getting a true summer break; however, districts such as SAISD have seen that there is significant student regression over the summer and to truly have continuous learning and maximize student performance, districts should have the flexibility to begin school earlier than the 4th Monday in August.

Most of the charters within the district's boundaries start two to three weeks earlier than SAISD. By moving up the start of the school year, the fall semester can be completed before Winter Break. Therefore, the first few weeks of January are not taken up by review and testing. That arrangement would benefit teachers and students.

c. **§21.003 (Certification Required)**

§21.0031 (Failure to Obtain Certification; Contract Void)

§21.051 (Rules Regarding Field-Based Experience and Options for Field-Based Experience and Internships)

§21.053 (Presentation and Recording of Certificates)

The district is seeking exemption of the above-named sections in Texas Education Code related to educator certification to the extent applicable to individuals teaching courses in the following hard to recruit and retain areas:

- Fine Arts
- Career and Technical Education (CTE)
- Mathematics
- Science
- Languages Other Than English (LOTE)
- Advanced Academics, i.e, Advanced Placement and Dual Credit, for the above content areas (Fine Arts, CTE, Mathematics, Science, and LOTE)

The availability of subject matter experts or quality teachers who are certified to teach these courses is limited by both the lack of such individuals and competition with other South Central Texas area school districts for these individuals. The teacher certification requirements in the foregoing sections of the Texas Education Code inhibit the district's ability to hire non-certified but otherwise highly skilled individuals to teach Fine Arts, CTE, Mathematics, Science, and LOTE courses.

A reasonable effort to hire certified teachers in the areas of Fine Arts, CTE, Mathematics, Science, and LOTE will be conducted. However, when such effort does not result in the hiring of necessary personnel, the district requires flexibility to hire other qualified individuals or allow a certified teacher to teach up to two courses outside of his/her certification area in Fine Arts, CTE, Mathematics, Science, and/or LOTE. The district will provide individuals with opportunities to enhance their subject matter expertise with knowledge in pedagogy as well as classroom management. Additionally, the district will ensure individuals are aware of the pathways to becoming a certified teacher should they choose to pursue a certification and will support candidates through the certification process. Candidates will still be required to follow the district's hiring and evaluation policies and procedures and will be placed on a non- Chapter 21 contract.

The district is committed to sustaining and expanding its Fine Arts, CTE, Mathematics, Science, LOTE, and Advanced Academics programs. To best serve district students, decisions on certification for these areas will be handled locally. Henceforth, students will be afforded greater course options, fluidity in scheduling, and exposure to specialized practitioners (i.e., artists, mariachi instructors, health science professionals, mathematicians, scientists, and other expert individuals).

d. **§37.006 (a)(2)(C-1) (Marihuana)**

§37.006 (a)(2)(C-2) (E-cigarettes/Vape Pens)

§37.006 (a)(2)(D) (Alcohol)

The District is seeking exemption of the above-named sections in Texas Education Code.

Texas Education Code §37.006 (a)(2)(C-1) requires that a student shall be removed from class and placed in a disciplinary alternative education program if the student possesses, uses, or is under the influence of, or sells, gives, or delivers to another person marihuana, as defined by Section [481.002](#), Health and Safety Code, or tetrahydrocannabinol, as defined by rule adopted under Section [481.003](#) of that code.

Texas Education Code §37.006 (a)(2)(C-2) requires that a student shall be removed from class and placed in a disciplinary alternative education program if the student possesses, uses, sells, gives, or delivers to another person an e-cigarette, as defined by Section 161.081, Health and Safety Code.

Texas Education Code §37.006 (a)(2)(D) requires that a student shall be removed from class and placed in a disciplinary alternative education program if the student sells, gives, or delivers to another person an alcoholic beverage, as defined by Section [1.04](#), Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.

In the 2023-2024 school year, SAISD implemented the listed provisions of §37.006 as written, resulting in an interruption in instruction to 993 students. The District found that the current code does not allow the flexibility to tailor the response for use of vape pens, THC/ marihuana, or alcohol to meet the differing needs of students. Each day of placement in a Disciplinary Alternative Education Program (DAEP) results in an interruption of instruction, increases a student's risk for failure and school dropout. (Lenderman & Hawkins, 2021.) Additionally, DAEP placement creates barriers to advanced placement or dual credit courses in high school due to the gaps in knowledge created by the interruption of instruction.

SAISD is committed to both meeting the mental and physical health of students as well as ensuring that they are college, career and military ready, and must be able to respond to these types of violations of TEC §37.006(a)(2)(C-1), (C-2), and (D) through a variety of methods based on the unique needs of the student.

In response to the threat to student health and safety that vaping, THC/ marihuana, or alcohol pose, the District commits to:

- Documenting and monitoring all related offenses
- Reporting offenses to parents/guardians
- Implementing a progressive response to these offenses such as:
 - Refine existing regulations to guide local disciplinary measures
 - Campus level response to include drug and alcohol counseling
 - Discipline hearing to consider placement at DAEP
 - Placement at DAEP with drug and/or alcohol counseling
- Continuing to offer student and parent education programs

Lenderman, K. & Hawkins, J. (2021). Out of the classroom and less likely to graduate: The relationship between exclusionary discipline and four-year graduation rates in Texas. Texas Education Review, 9(2), 6-20. <http://dx.doi.org/10.26153/tsw/13913>