



Jeanne Cezanne "Cezy" Collins
General Counsel for the Office of Legal and Legislative Affairs

May 15, 2019

VIA CERTIFIED MAIL RRR
and ELECTRONIC MAIL

Mike Morath
Commissioner of Education
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701
commissioner@tea.texas.gov

RE: Notice to the Commissioner of Education of El Paso Independent School District
Adoption of Amendment to Final Local Innovation Plan (as revised)

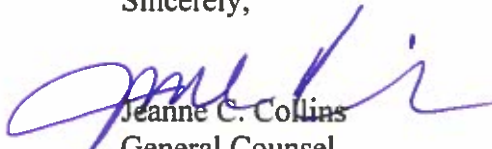
Dear Commissioner Morath:

On February 12, 2019, the Board of Trustees of the El Paso Independent School District (EPISD) adopted a Resolution to initiate the process of amending its Local Innovation Plan (as revised). On April 2, 2019, the District posted on its website, the Resolution and the Proposed Amendment to the Plan (as revised). On April 9, 2019, the District notified you of the Board's intention to vote on the Proposed Amendment to the Plan (as revised) on May 14, 2019. On April 5, 2019, the district-level committee, the EPISD Districtwide Educational Improvement Council (DEIC) held a public meeting to discuss and vote on the Proposed Amendment to the Plan (as revised). The EPISD DEIC passed the Proposed Amendment to the Plan (as revised) unanimously.

On May 14, 2019, at its regularly scheduled meeting, the EPISD Board of Trustees adopted the Proposed Amendment to the Plan (as revised). At the meeting, five of the seven Trustees were present. Trustee Al Velarde moved that the Board adopt the Amendment to the Plan (as revised). Trustee Diane Dye seconded the motion. The motion passed unanimously 5-0. Enclosed is a copy of the Amendment to the Plan (as revised). Also enclosed is the completed form from TEA's website identifying the requirements imposed by the Education Code from which the District is exempted under the Plan (as Revised) and Amendment thereto. The link to the EPISD website where the Amendment is located is <https://www.episd.org/Page/542>.

If you have any questions, please contact me directly at (915) 230-2561.

Sincerely,



Jeanne C. Collins
General Counsel

cc: accred@tea.gov
Juan Cabrera, Superintendent
Jose Lopez, Chief of Staff
Vince Sheffield, Deputy Superintendent
Carmen Arrieta Candelaria, Deputy Superintendent

Enclosures:

Resolution

Amendment

Final Local Innovation Plan (As Revised)

EPISD Exemption Form – May 14, 2019

El Paso Independent School District Resolution

Whereas, Pursuant to 12A.001 and 12A.007 of the Texas Education Code the El Paso Independent School District (EPISD or the District) Board of Trustees wishes to begin the process for EPISD to amend the District's current District of Innovation Plan

Whereas, Texas Education Code 12A.007 provides that a local innovation plan may be amended if the action is approved by a vote of the district-level committee established under Texas Education Code 11.251, or comparable committee if the district is exempt from that section, and the Board of Trustees in the same manner as required for initial adoption of a local innovation plan under Texas Education Code 12A.005;

Whereas, The Board of Trustees is requesting that the District-Level Committee review a possible amendment of the District's current Local Innovation Plan to include exemption from Texas Education Code 22.004 (i) and to consider other possible amendments necessary to carry out the purpose of this Resolution;

Whereas, a local innovation plan must provide for a comprehensive educational program for the district, which program may include:

- **innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement;**
- **modifications to the school day or year;**
- **provisions regarding the district budget and sustainable program funding;**
- **accountability and assessment measures that exceed the requirements of state and federal law; and**
- **any other innovations prescribed by the board of trustees; and**
- **identify requirements imposed by this code that inhibit the goals of the plan and from which the district should be exempted on adoption of the plan, subject to Section 12A.004.**

Whereas, Texas Education Code 12A.004 provides that a local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

- **a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12;**
- **(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;**
- **(3) state curriculum and graduation requirements adopted under Chapter 28; and**
- **(4) academic and financial accountability and sanctions under Chapters 39 and 39A.**

Whereas, Texas Education Code 12A.004 provides that the commissioner shall: maintain a list of provisions of this title from which school districts designated as districts of innovation are exempt under this chapter; and notify the legislature of each provision from which districts enrolling a majority of students in this state are exempt.

Whereas, Texas Administrative Code Title 19 Chapter 102 Subchapter JJ Section 102.1309 provides an innovation district may not be exempted from the following sections of the Texas Education Code (TEC) and the rules adopted thereunder:

- a state or federal requirement, imposed by statute or rule, applicable to an open-enrollment charter school operating under the TEC, Chapter 12, Subchapter D, including, but not limited to, the requirements listed in the TEC, §12.104(b), and:
- TEC, Chapter 22, Subchapter B;
- TEC, Chapter 25, Subchapter A, §§25.001, 25.002, 25.0021, 25.0031, and 25.004;
- TEC, Chapter 28, §§28.002, 28.0021, 28.0023, 28.005, 28.0051, 28.006, 28.016, 28.0211, 28.0213, 28.0217, 28.025, 28.0254, 28.02541, 28.0255, 28.0258, 28.0259, and 28.026;
- TEC, Chapter 29, Subchapter G;
- TEC, Chapter 30, Subchapter A;
- TEC, §30.104;
- TEC, Chapter 34;
- TEC, Chapter 37, §§37.006(l), 37.007(e), 37.011, 37.012, 37.013, and 37.020; and
- TEC, Chapter 39;
- TEC, Chapter 11, Subchapters A, C, D, and E, except that a district may be exempt from the TEC, §11.1511(b)(5) and (14) and §11.162;
- TEC, Chapter 13;
- TEC, Chapter 41;
- TEC, Chapter 42;
- TEC, Chapter 44, §§44.0011, 44.002, 44.003, 44.004, 44.0041, 44.005, 44.0051, 44.006, 44.007, 44.0071, 44.008, 44.009, 44.011, 44.0312, 44.032, 44.051, 44.052, 44.053, and 44.054;
- TEC, Chapter 45, §§45.003, 45.0031, 45.005, 45.105, 45.106, 45.202, 45.203; and
- TEC, Chapter 46.

Whereas, in addition to the prohibited exemptions specified above of this Resolution, an innovation district may not be exempted from:

- a requirement of a grant or other state program in which the district voluntarily participates;
- duties that the statute applies to the execution of that power if a district chooses to implement an authorized power that is optional under the terms of the statute; and
- requirements imposed by provisions outside the TEC, including requirements under the Texas Government Code, Chapter 822.

Whereas, Texas Insurance Code Section 1579.152 provides that effective September 1, 2005, a school district with more than 500 employees may elect to participate in the program. A school district that elects to participate under this section shall apply for participation in the manner prescribed by the trustee by rule.

Whereas, EPISD elected to participate in the program in 2011.

Whereas, Texas Education Code 22.004 (i) provides notwithstanding any other provision of this section, a district participating in the uniform group coverage program established under Chapter 1579, Insurance Code, may not make group health coverage available to its employees under this section after the date on which the program of coverages provided under Chapter 1579, Insurance Code, is implemented;

Whereas, Texas Education 22.004 (i) precludes the EPISD from providing alternative group health coverage available to its employees under this section after the date on which the program

of coverages provided under Chapter 1579, Insurance Code, is implemented "program" (TRS ActiveCare) established by 1579 of the Insurance Code.

Whereas, Texas Education Code 22.004 is not in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to Texas Education Code 12A.004 and the list of the Commissioner's prohibited exemptions in Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309.

Whereas, if an exemption to Texas Education Code 22.004(i) is adopted by the District Level Committee and subsequently the Board of Trustees pursuant to Texas Education Code 12A.005, EPISD may be able to provide alternative group health coverage to its employees in addition to the health coverage made available by TRS ActiveCare without opting out of the "program" as described in 34 Texas Administrative Code § 41.30(a)(4), thus, possibly giving itself the ability to provide better and cheaper health coverage to its employees without violating any State statute or regulation;

Now, Therefore, Be It Resolved that the Board of Trustees of the El Paso Independent School District, by adoption of this resolution, finds all of the above to be true.

Be It Further Resolved that after this resolution is signed by the Board, the appropriate committee appointed shall develop amendments to the current District Local Innovation Plan consistent with the findings contained in this resolution and with all statutes, regulations, and local board policies.

ADOPTED THE 12TH DAY OF FEBRUARY, BY THE BOARD OF TRUSTEES



~~TRENT HATCH~~ BOB GESKE
SCHOOL BOARD PRESIDENT
EL PASO INDEPENDENT SCHOOL DISTRICT



AL VELARDE
SCHOOL BOARD SECRETARY
EL PASO INDEPENDENT SCHOOL DISTRICT

EL PASO INDEPENDENT SCHOOL DISTRICT INNOVATION PLAN AMENDMENT TO CURRENT LOCAL INNOVATION PLAN

AREA OF INNOVATION

With regard to each area of innovation, the District declares exemption from the listed statutory provisions, 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 Commissioner of Education, Texas Education Agency, State Board for Educator Certification, and State Board of Education.

1. **Preclusion from providing alternative Uniform Group Coverage Program once the program of coverages under Chapter 1579, Insurance Code is implemented.**

Exemption from: TEC §22.004(i)

Related Board Policies: EPISD CRD (LEGAL) and CRD (LOCAL)

Manner in which statute inhibits the goals of the plan

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 El Paso ISD employees. This provision also prohibits the District from procuring group health insurance benefits that may provide better coverages for its employees and at a lower cost. This provision is in direct contradiction to the wishes of the local Board of Trustees who represent community interests in this matter.

On February 12, 2019 the Board of Trustees adopted findings declaring that Texas Education Code 22.004 is not in any of the prohibited exemptions that can be included in a District's local innovation plan pursuant to Texas Education Code 12A.004 and the list of the Commissioner's prohibited exemptions in Texas Administrative Code Title 19, Chapter 102, subchapter JJ, Section 102.1309.

Innovation Strategies

- a. Increased local control of the group health benefits plan to allow the District to be responsive to employee and community needs.

2. **Amendment to Paragraph II. TERM on current Local Innovation Plan.**

Exemption from: N/A

Related Board Policies: EPISD AF (LEGAL) and AF (LOCAL)

Manner in which statute inhibits the goals of the plan

This proposed amendment is to correct a typographical error in the term stated in EPISD's current local innovation plan. The current language in Paragraph II of the current local innovation plan states:

"The term of the Plan is for five years, beginning at the start of the 2016-2017 school year and ending at the end of the 2021-2022 school year, unless terminated or amended earlier by the Board of Trustees in accordance with the law. The Committee will continually monitor the effectiveness of the Plan and recommend to the Board any suggested modifications to the Plan."

The 2016-2017 school year to the end of 2021-2022 school year is six years. In order to ensure compliance with statute the paragraph is amended to state:

"The term of the Plan is for five years, beginning at the start of the 2016-2017 school year and ending at the end of the 2020-2021 school year, unless terminated or amended earlier by the Board of Trustees in accordance with the law. The Committee will continually monitor the effectiveness of the Plan and recommend to the Board any suggested modifications to the Plan."

Innovation Strategies

To correct typographical error.

Adopted by the Board of Trustees on May 14, 2019.

El Paso Independent School District

Local Innovation Plan

April 15, 2016

Local Innovation Committee Members:

Name	Appointment
Dr. Royce Avery	Superintendent
Jaime Barceleau, LMSW	Board Vice President Al Velarde
Karen Blaine	Superintendent
Ingrid Brown	Board Secretary Trent Hatch
Dr. Tamekia Brown	Superintendent
Norma De La Rosa	Board Secretary Trent Hatch
Dr. David DeMatthews	Superintendent
Michael Devine	Trustee Diane Dye
Ivonne Durant	Superintendent
Laila Ferris	Superintendent
Lynn Gill	Trustee Charles Taylor
Scott Gray	Superintendent
Nancy Hanson	Trustee Diane Dye
Dana Hamilton	Board President Dori Fenenbock
Dr. Elena Izquierdo	Trustee Susie Byrd
Ross Moore	Board Vice President Al Velarde
Melanie Mullings	Board President Dori Fenenbock
Elizabeth O'Hara Williams	Trustee Susie Byrd
Amy O'Rourke	Trustee Bob Geske
Debbie Trexler	Trustee Charles Taylor
Dr. Michael Warmack	Trustee Bob Geske

I. INTRODUCTION

House Bill 1842, passed during the 84th Legislative Session, permits Texas public school districts to become Districts of Innovation and to obtain exemption from certain provisions of the Texas Education Code. On December 15, 2015, the El Paso Independent School District's Board of Trustees ("Board") passed a Resolution to Initiate the Process of Designation as a District of Innovation in order to increase local control over District operations and to support innovation and local initiatives to improve educational outcomes for the benefit of students and the community. In its resolution, the Board clarified that it did not desire the District to be exempted from any existing laws relating to teacher contracts or teacher benefits.

On January 19, 2016, the Board appointed a twenty-one member 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 February 4, 11, 18, 23, and March 3, 2016, to discuss and draft this Local Innovation Plan ("Plan"). The Committee sought and considered input on the Plan through a survey distributed to teachers, principals, administrators, other District employees, parents, high school students, and community members. Based on direction provided by the Board and input from various District stakeholders, the Committee proposes this Plan.

II. TERM

The term of the Plan is for five years, beginning at the start of the 2016-2017 school year and ending at the end of the 2021-2022 school year, unless terminated or amended earlier by the Board of Trustees in accordance with the law. The Committee will continually monitor the effectiveness of the Plan and recommend to the Board any suggested modifications to the Plan.

III. A COMPREHENSIVE EDUCATIONAL PROGRAM

The Plan's comprehensive educational program is guided by and aligned with the Board's Vision, Mission, Strategic Priorities, and Strategic Plan for the District.

A. Vision

The Board has adopted the following Vision to guide the District:

El Paso Independent School District will be a premier educational institution, source of pride and innovation, and the cornerstone of emerging economic opportunities producing a twenty-first century workforce.

B. Mission

The Board has adopted the following Mission to guide the District:

The El Paso Independent School District graduates every student prepared for higher learning and careers to empower them as knowledgeable and engaged citizens, innovators, and drivers of a robust, bicultural economy.

C. Strategic Priorities

The Board has articulated the following strategic priorities:

- Active Learning
- Great Community Schools
- Community Partnerships
- Lead with Character and Ethics

D. Strategic Plan

The Board recognizes that for students to succeed in today's world, schools must go beyond what has historically been limited to a set of credits that comprise graduation requirements. The Board believes that in addition to supporting students as they meet core credit requirements, there is a need to focus on college and career readiness, dual language, entrepreneurial mindsets, character development, social and emotional learning, and employability. Accordingly, the Board developed a Strategic Plan for the District including strategic priorities, focus areas, and initiatives pointing toward a broader set of outcomes that focus on powerful learning experiences

and continual forward-looking growth for every student. In other words, the Strategic Plan is designed to create a system that puts learners at the center.

The Strategic Plan signals a transition from test preparation as the primary focus to meaningful, student-centered learning as a core design principle. The Strategic Plan emphasizes a commitment not only to established student priorities such as active learning, but also to offering quality options for every family and providing development opportunities to staff so that they can best support students.

The Strategic Plan has the following three focus areas:

1. Providing Engaging & Challenging Learning
2. Building Strong Supports for Students, Schools, and the Community
3. Modernizing Facilities to Create Great Learning Environments

In addition, the Strategic Plan has five student learning goals:

1. Critical, Knowledgeable & Creative Thinkers
2. Informed Problem Solvers
3. Effective Bilingual Communicators
4. Responsible Leaders & Productive Citizens
5. Socially & Emotionally Intelligent Individuals

E. Innovations

To achieve the District's Vision and Mission, to align the District's practices and operations with the District's strategic priorities, and to meet the Strategic Plan's five student learning goals, the District needs the flexibility to exert local control, at both the District and campus levels, to:

- Promote innovative curriculum
- Promote innovative instructional methods
- Promote innovative ideas regarding community participation
- Promote innovative ideas regarding campus governance
- Promote innovative ideas regarding parental involvement
- Modify the school day
- Modify the school year

The District needs local flexibility in the areas listed above to improve student outcomes by focusing on college and career readiness, dual language, entrepreneurial mindsets, character development, social and emotional learning, and employability; to explore new ways of offering quality enrichment and engagement options for every family; and to expand the potential for providing more high-quality, meaningful professional development opportunities for staff so that they can build their professional capacity and collaborate regarding best practices so that they can best support students.

The promotion of innovative curriculum and instructional methods will help the District provide more engaging and challenging learning to meet the student learning goals of developing critical, knowledgeable, and creative thinkers; informed problem solvers; effective bilingual communicators; responsible leaders and productive citizens; and socially and emotionally intelligent individuals. Promoting innovative ideas regarding community participation, campus governance, and parental involvement will help build strong supports for students, schools, and the community by increasing community partnerships which bring together education, business, and civic agencies so that every school, family and student will feel supported and the community will support the District. Finally, modifications in the scheduling of the school year and the school day will allow for more time for innovative student enrichment opportunities as well as more time for professional development of staff.

Two key goals identified by the Committee as critical to achievement of the District's Vision, Mission, strategic priorities and Strategic Plan are innovative expansion of dual language and Pre-Kindergarten ("Pre-K") programs.

F. Dual Language

The Committee recommends expansion of dual language to produce students who are bilingual, biliterate, and bicultural with the knowledge and skills to succeed in postsecondary education, careers, business, and the global society. Dual language educates all children, English speakers, Spanish speakers, and speakers of other languages.

Dual language education provides an enriched learning experience by teaching students core academic content through two languages: English and Spanish. Its uniqueness from all other forms of bilingual education is two-fold: (a) it is an enrichment model that utilizes the first language and the second language in developing biliteracy across the curriculum, and (b) it is an opportunity for all students; English language learners and native English speakers learn together, learn from each other, and use each other as language and cultural resources. (Izquierdo, 2012). All students in dual language education serve as first language models and second language learners, and in the process they are acquiring both English and Spanish academic proficiency across the curriculum. (Izquierdo, 2014). Dual language education is an inclusive school reform for all students, and all students benefit from participating. National, state and local data continues to show these promises.

During the spring of 2014 the Board of Managers approved dual language as the required program model for all English language learners District-wide initiating in Pre-K in 2014-2015, and adding a new grade level each year.

Over the next five years, flexibility and innovation in curriculum, instructional methods, community participation, campus governance, parental involvement, scheduling of the school year, and scheduling of the school day will be critical in order to achieve the Board's goal of providing the opportunity for all District students to become bilingual, bicultural, and biliterate by 2020.

Research indicates that learning two languages provides a more resilient cornerstone for cognition and a more diversified body of mental abilities by: (1) increasing creativity and problem solving skills; (2) heightening metalinguistic and metacognitive skills; (3) improving overall school performance; and (4) promoting higher performance on standardized tests. In addition, the socio-cultural benefits to students in dual language education include: (1) development of positive cross-cultural attitudes; (2) cultivation of a deeper understanding of other cultures; (3) nurturing respect for other people and cultures; and (4) increased self-esteem and pride in the heritage language. Expanding dual language education will help the District achieve all five of the student learning goals identified in the Strategic Plan: (1) critical, knowledgeable, and creative thinkers; (2) informed problem solvers; (3) effective bilingual communicators; (4) responsible leaders and productive citizens; and (5) socially and emotionally intelligent individuals.

G. Pre-K

In order to provide the significant cognitive and socio-cultural benefits of dual language education to as many students as possible, as early as possible, the Committee recommends using innovation to find a way of providing universal all-day Pre-K District-wide. The Committee recommends exploring an innovative partnership with Region 19 ESC to be housed in District buildings; including the construction of early childhood development labs in the District's facilities plan; and assembling an advisory committee comprised of university, parents, community members, teachers, administration, and English language learner experts to recommend sound, research-based dual language/English language learner schooling for Pre-K-16 (Pre-Kindergarten through college) students.

While funding is currently a barrier to the District's ability to provide universal all-day Pre-K, the Committee believes such an initiative would have widespread appeal to the community and could ultimately increase the District's overall student enrollment and revenue by attracting and retaining families who would not otherwise enroll their children in the District. An overwhelming body of evidence shows that high quality preschool opportunities give children a foundation for greater achievement in school and life (Gordon & Egbert). A noteworthy study, Abecedarian Project, conducted by the University of North Carolina at Chapel Hill reported that, over decades, children from poor families receiving high-quality preschool were four times more likely to graduate from college by age 30. In addition, a 2014 report found that those students were also at lower risk for cardiovascular and other diseases than students who did not receive an early childhood education. Finally, the United States Department of Education reports that 90 percent of a child's brain connections are developed by the time a child turns 5. For all these reasons, the Committee recommends exploring innovative ways of expanding all-day Pre-K to help all students in the District meet the Strategic Plan's student learning goals and become critical, knowledgeable, and creative thinkers; informed problem solvers; effective bilingual communicators; responsible leaders and productive citizens; and socially and emotionally intelligent individuals.

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

A. Minimum Attendance for Class Credit or Final Grade

In order to provide engaging and challenging learning to all students, the District needs relief from Texas Education Code Section 25.092, which inhibits the goals of the Plan by not allowing the District to issue class credit or a final grade for a class if a student is not in attendance an arbitrary percentage of the time that a class is offered. In other words, the law currently requires the District to award class credit to students based on “seat time” rather than based on content mastery. Exemption from this requirement will provide educational advantages to students of the District by promoting active learning through innovation in the methods, locations, and times instruction may be delivered to students, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and increasing the number of qualifying graduates.

One of the overarching goals in the Strategic Plan within the focus area of providing engaging and challenging learning is to implement tools, resources, and training that support blended and personalized learning for both students and teachers. Blended learning, where instruction is delivered through a combination of time in class and time spent learning online, is one example where exemption from Section 25.092 will likely foster greater innovation to promote active learning and improve student outcomes. In addition, exemption from this requirement will allow the District not to penalize students who miss class due to legitimate school activities and will promote student engagement, as well as social and emotional development, by encouraging more students to participate in such activities.

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.

B. First Day of Instruction

The Strategic Plan emphasizes the importance of active learning, college and career readiness, and social and emotional learning. Texas Education Code Section 25.0811 inhibits these goals by prohibiting the District from beginning instruction before the fourth Monday in August. Flexibility to begin instruction earlier in the calendar year will enable the District to improve active learning by balancing the amount of instructional time in the semesters, which will allow teachers to better pace and deliver instruction before and after the winter break. In addition, by having the flexibility to start and end the school year earlier, students will be able to enroll in college courses that start in early June, thereby increasing college and career readiness. Finally, starting the school year earlier for students transitioning from elementary school to middle school and from middle school to high school will promote social and emotional learning by giving those students additional time and support to enable them to adjust socially and emotionally to their new campus environments.

C. Teacher Certification for Dual Credit and Career and Technical Education Instructors

Within the focus area of providing engaging and challenging learning, the Strategic Plan sets forth specific goals under the initiative to improve college and career readiness options. Three of these goals – development of post high school plans, improvement of workforce skills, and expansion of dual credit programs – are inhibited by Texas Education Code Sections 21.003, 21.053, 21.044 and 19 Texas Administrative Code Chapter 231 to the extent these laws limit the District’s ability to hire teachers to teach hard-to-fill, high demand dual credit and career and technical/STEAM (Science, Technology, Engineering, Arts & Mathematics) courses when high quality certified teachers are not available. In order to enable more students to obtain the educational benefit of such dual credit and career and technical/STEAM course offerings, the District seeks to establish its own local qualification requirements for such courses in lieu of the requirements set forth in law.

By obtaining exemption from existing teacher certification requirements for dual credit and career and technical/STEAM teachers, the District will have the flexibility to hire credentialed community college instructors or university

professors in specific content areas in order to afford more students the opportunity to take dual credit courses if certified teachers are not available to teach those courses. In addition, this exemption will afford the District the flexibility to hire professionals in certain trades and vocations to teach the crafts of those trades and vocations (such as welding, fine arts, etc.) in career and technical/STEAM courses if certified teachers are not available to teach those courses.

D. Designation of Campus Behavior Coordinator

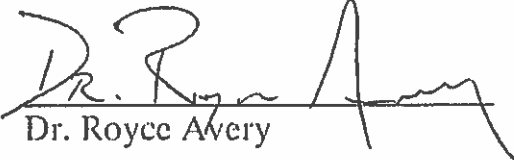
One of the Strategic Plan's student learning goals is to help students become socially and emotionally intelligent individuals. Social and emotional learning is inhibited by Texas Education Code Section 37.0012, which constrains campus governance by requiring one person at each campus to be designated to serve as the campus behavior coordinator. This requirement inhibits social and emotional learning because it restricts the District's ability to promote a more collaborative discipline program in which community schools provide social and emotional supports to students. By obtaining exemption from Section 37.0012, the District will be better able to focus on establishing classroom protocols and utilizing school culture to foster the development of individual responsibility, positive behavioral interventions and supports while encouraging the social and emotional development of each student and his or her responsibility toward the community.

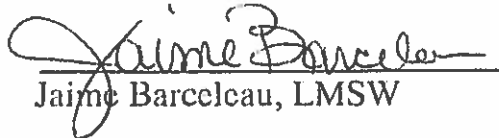
E. Teacher and Administrator Appraisals


Finally, the Strategic Plan's initiative of active, project-based and blended learning includes the goals of developing a teacher support model, a new principal's academy, an administrator's institute, and a comprehensive District staff development plan that focuses on individual growth. These goals are impeded by the laws governing educator appraisals set forth in Texas Education Code Sections 21.351, 21.352, 21.354, 21.3541 and 19 Texas Administrative Code Chapter 150 to the extent these laws require that state standardized test scores be used as one of the evaluation measures for teachers and administrators. In order to promote professional development that focuses on individual growth, the District needs to maintain local flexibility to continue its current practice of using various measures, including multiple observations, goal setting and tracking, and student growth progress toward

learning objectives, as evaluation measures on teacher and administrator appraisals.

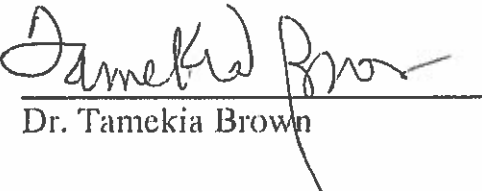
Local Innovation Committee Members:


Dr. Royce Avery


Jaime Barcelean, LMSW


Karen Blaine


Ingrid Brown

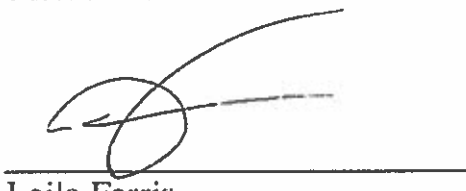

Dr. Tamekia Brown

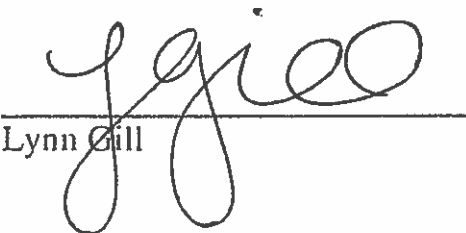
Norma De La Rosa

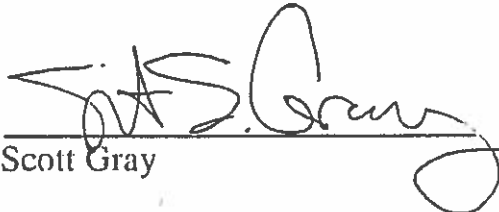

Dr. David DeMatthews

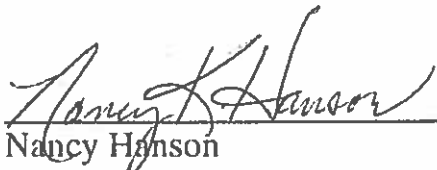

Michael Devine


Yvonne Durant


Laila Ferris

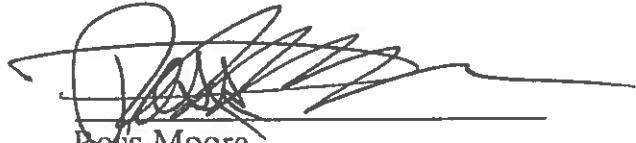

Lynn Gill


Scott Gray


Nancy Hanson

Dana Hamilton



Dr. Elena Izquierdo



Ressa Moore


Melanie Mullings


Elizabeth O'Hara Williams


Amy O'Rourke


Debbie Trexler


Dr. Michael Warmack

Term of Plan: School Years 2016/2017-2020/2021

Plan applies to: Entire District

- Campus (list) _____
 Other (please describe) _____

Chapter 11 – School Districts

Subchapter D. Powers and Duties of Board of Trustees of Independent School Districts

- §11.1511 (b)(5), (14) Specific Powers and Duties of Board
 §11.162 School Uniforms

Subchapter F. District-Level and Site Based Decision-Making

- §11.251 Planning and Decision-Making Process
 §11.252 District-Level Planning and Decision-Making
 §11.253 Campus Planning and Site-Based Decision-Making
 §11.255 Dropout Prevention Review

Chapter 21 – Educators

Subchapter A – General Provisions

- §21.002 Teacher Employment Contracts
 §21.003 Certification Required*
 §21.0031 Failure to Obtain Certification; Contract Void

Subchapter B – Certification of Educators

- §21.051 Rules Regarding Field-Based Experience and Options for Field Experience and Internships.
 §21.053 Presentation and Recording of Certificates*
 §21.057 Parental Notification

Subchapter C – Probationary Contracts

Subchapter D – Continuing Contracts

Subchapter E – Term Contracts

Subchapter H – Appraisals and Incentives

- §21.352 Local Role**
 §21.353 Appraisal on Basis of Classroom Teaching Performance
 §21.354 Appraisal of Certain Administrators**
 §21.3541 Appraisal and Professional Development System for Principals**

Subchapter I – Duties and Benefits

- §21.401 Minimum Service Required
 §21.402 Minimum Salary Schedule for Certain Professional Staff
 §21.4021 Furloughs

El Paso Independent School District Innovation District Exemption Form -- May 14, 2019

- §21.4022 Required Process for Development of Furlough Program or Other Salary Reduction Proposal
 - §21.403 Placement on Minimum Salary Schedule
 - §21.4031 Professional Staff Service Records
 - §21.4032 Reductions in Salaries of Classroom Teachers and Administrators
 - §21.404 Planning and Preparation Time
 - §21.405 Duty-Free Lunch
 - §21.406 Denial of Compensation Based On Absence for Religious Observance Prohibited
 - §21.407 Requiring or Coercing Teachers to Join Groups, Clubs, Committees, or Organizations: Political Affairs
 - §21.408 Right To Join or Not To Join Professional Association
 - §21.409 Leave Of Absence for Temporary Disability
 - §21.415 Employment Contracts
- Subchapter J – Staff Development**
- §21.451 Staff Development Requirements
 - §21.452 Developmental Leaves of Absence
 - §21.458 Mentors

Chapter 22 – School District Employees and Volunteers

Subchapter A – Rights, Duties, and Benefits

- §22.001 Salary Deductions for Professional Dues
- §22.002 Assignment, Transfer, or Pledge of Compensation
- §22.003 Minimum Personal Leave Program
- §22.006 Discrimination Based on Jury Service Prohibited
- §22.007 Incentives for Early Retirement
- §22.011 Requiring or Coercing Employees to Make Charitable Contributions

Chapter 25 – Admission, Transfer, and Attendance

Subchapter C – Operation of Schools and School Attendance

- §25.0811 First Day of Instruction
- §25.0812 Last Day of School
- §25.083 School Day Interruptions
- §25.092 Minimum Attendance for Class Credit or Final Grade

Subchapter D – Student/Teacher Ratios; Class Size

- §25.111 Student/Teacher Ratios
- §25.112 Class Size
- §25.113 Notice of Class Size
- §25.114 Student/Teacher Ratios in Physical Education Classes; Class Size

Chapter 37 – Discipline; Law and Order

Subchapter A – Alternative Setting for Behavior Management

- §37.0012 Designation of Campus Behavior Coordinator
- §37.002 Removal by Teacher

Chapter 44 –Fiscal Management Subchapter B –

Purchases; Contracts

- §44.031 Purchasing Contracts
- §44.0331 Management Fees Under Certain Cooperative Purchasing Contracts
- §44.0352 Competitive Sealed Proposals
- §44.042 Preference to Texas and United States Products
- §44.043 Right To Work
- §44.047 Purchase or Lease of Automated External Defibrillator

Subchapter Z – Miscellaneous Provisions

- §44.901 Energy Savings Performance Contracts
- §44.902 Long-Range Energy Plan to Reduce Consumption of Electric Energy
- §44.903 Energy-Efficient Light Bulbs in Instructional Facilities
- §44.908 Expenditure of Local Funds

Chapter 45 – School District Funds

Subchapter G – School District Depositories

- §45.205 Term of Contract
- §45.206 Bid Or Request for Proposal Notices; Bid and Proposal Forms
- §45.207 Award of Contract
- §45.208 Depository Contract; Bond
- §45.209 Investment of District Funds

Other

Please list any additional exemption required for your Innovation District Plan:

Texas Education Code §22.004(i) by Amendment May 14, 2019

*Texas Education Code Sections 21.003, 21.053, 21.044 and 19 Texas Administrative Code Chapter 231 to the extent these laws limit the District’s ability to hire teachers to teach hard-to-fill, high demand dual credit and career and technical/STEAM (Science, Technology, Engineering, Arts & Mathematics) courses when high quality certified teachers are not available.

**Texas Education Code Sections 21.351, 21.352, 21.354, 21.3541 and 19 Texas Administrative Code Chapter 150 to the extent these laws require that state standardized test scores be used as one of the evaluation measures for teachers and administrators.