

BANQUETE ISD

District of Innovation Plan



Banquete ISD Vision

A proud history and unlimited future.

Banquete ISD Mission

Empowering and equipping all Banquete ISD students with the knowledge and skills necessary for a lifetime of success.

Board of Trustees

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Ramiro Pena, BJH Principal
Angelica Escobar, BES Principal

District of Innovation Committee

Dr. Stacy Johnson Superintendent	Adrian Pena Assistant Superintendent/CFO	Connie C. Herrera Assistant Superintendent/ T&L
Elsa Rodriguez-Hofstetter BHS Principal	Ramiro Pena BJH Principal	Angelica Escobar BES Principal
Dr. Brenda Lozano Director of Special Education	Kevin Hermes BES Assistant Principal	Julie Ramirez BES Teacher
Belinda Aguilar BES Teacher	Iris Villarreal BES Teacher	Roxanna Massey BES Teacher
Denise Rhodes BJHS Teacher	Heather Russell BJHS Teacher	Alex/Rachel Cavazos Parent
Shannon Dusek BHS Teacher	JoAnn Garcia BHS Teacher	Krystal Cantu Parent
Christina Ramirez Parent	Darlene Guzman-Solario Parent	

Introduction

The 84th Legislative Session produced House Bill 1842, which included the District of Innovation (DOI) concept. This concept gives traditional independent school districts the opportunity to implement some of the flexibilities available to current open-enrollment charter schools. In order to utilize outlined flexibility, a district must create a plan in collaboration with stakeholders that identifies innovations in the district services. DOI allows districts to be exempt from specific laws while implementing identified innovations. Benefits of becoming a District of Innovation include increased local control to decide which flexibilities should be used in the implementation of the innovations. The DOI plan must be approved by the local Board of Trustees.

In February 13, 2017, The Banquete ISD Board of Trustees approved a resolution, which directed District leadership to student the District of Innovation process for possible implementation in Banquete ISD. The DOI plan was approved by the Banquete ISD school board on June 8, 2017 and is set to expire in May 2022. To continue to utilize the exemptions and to review new ones, a committee of parents, guardians, community members, and campus and district leaders were convened to begin the process of reviewing the district's current DOI plan for renewal.

Timeline

June 8, 2017	Original District of Innovation Plan Approved by Board of Trustees
January 24, 2022	Board of Trustees Notified of Renewal Process
February 2, 2022	Committee Convened to Review Current Plan for Amendment and Renewal
March 10, 2022	Draft plan completed and distributed to committee for feedback
March 30, 2022	Feedback review from stakeholders
April 6, 2022	Notify TEA of Intent to Vote on Renewal
April 6, 2022 May 6, 2022	Final version of the proposed plan must be made available on the district's website for at least 30 days
May 2, 2022 @ 5:30 Elementary Cafeteria	The district-level committee established under the Texas Education Code(TEC), §11.251, has held a public* meeting to consider the final version of the proposed plan and has approved the plan by a majority vote of the committee member (*meeting must be public for renewal)
May 5, 2022	The board of trustees adopts a proposed local innovation plan by an affirmative vote of two-thirds of the membership of the board
May 31, 2023	The district-level committee established under the Texas Education Code(TEC), §11.251, has held a meeting to consider the amendment to the final version of the plan and has approved the plan by a majority vote of the committee members
June 12, 2023	The board of trustees adopts a proposed local innovation plan by an affirmative vote of two-thirds of the membership of the board (Amendment)
December 7, 2023	The district-level committee established under the Texas Education Code(TEC), §11.251, has held a meeting to consider the amendment to the final version of the plan and has approved the plan by a majority vote of the 10-0 committee members
January 22, 2024	The board of trustees adopts a proposed local innovation plan by a majority vote of 6-0 of the membership of the board (Amendment)

Length of Plan

The Banquete ISD DOI Plan will be effective June 1, 2022 through May 31, 2026. Banquete ISD will continually monitor the plan's effectiveness and will recommend to the Board of Trustees any suggested modifications. The DOI plan may be amended, rescinded or revised by the Board of Trustees at any time during the term.

Comprehensive Educational Plan

As required by Texas Education Code 11.1511, the Board of Trustees adopts comprehensive goals, which are documented in the District and Campus Improvement Plans. The DOI committee established a framework of innovative strategies that support the district improvement plan and directly impact the local initiatives to prepare each student to graduate with choices and opportunities. Prior to the implementation of any exception, the internal committee will seek approval from the Board of Trustees to determine the need for the exemption, develop parameters and address changes to any impacted board policy.

Strategic Priorities

Student Achievement: Accelerate student learning to dramatically increase the number of students who perform on or above grade level.

School Culture: Create safe and secure learning environments that focus on the social, emotional, and cultural needs of every student.

Mission-Driven Leadership: Develop the capacity of every teacher, leader, and staff member to deliver rigorous, enriching learning experiences to every student.

Organizational Efficiency: Align data, financial, technology, and operations systems to enhance student performance.

Community Engagement and Outreach: Elevate district pride by strengthening partnerships with families, communities, and the business community.

Innovation Initiatives

Retire/Rehire Minimum Salary

Exemption from: TEC 21.402

Currently all districts, when hiring a retired teacher, must pay their salary based upon the TEA minimum salary pay scale; in addition, districts are required to pay a TRS surcharge. In this code, a “teacher” includes teacher, librarian, counselor, and nurse.

Proposed Flexibility: As Banquete ISD faces budget constraints, local control for negotiating salaries for retired hires would benefit the district. In the negotiation, the salary may drop below the state minimum to allow district funds to be available to pay the surcharge to TRS.

Exempting from TEC 21.402 will have the following benefits:

- Retired teachers can be employed and reap the benefits from a salary in addition to their retirement compensation.
- Students will benefit from the experience and knowledge of retired teachers.
- The district can hire retired teachers without an increase to the budget.
- The funds to pay the TRS surcharge would be available through the negotiated decrease in salary.

Local Guidelines:

- This negotiated salary will only be for situations in hiring retired educators.
- The salary will be negotiated between the superintendent and the retired educator.
- The negotiated salary will be in writing.
- The negotiated salary will be decreased by the surcharge amount minus the percentage the district pays to TRS for all other employees.

Student Transfers

Exemption from: TEC 25.036

Under Texas Education Code, a district may choose to accept, as transfers, students who are not entitled to enroll in the district. Under TEC 25.036, a transfer is interpreted to be for a period of one school year.

The District is seeking 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.

Proposed Flexibility: Banquete ISD seeks exemption from the one-year transfer commitment.

- Nonresident students who have been accepted as inter-district transfer may have such transfer status revoked by the superintendent at any time during the year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, or expulsion.
- Students not meeting the State's 90% attendance standard may also be subject to immediate revocation of the transfer status.
- Students failing to meet academic standards set forth by the district.

Minimum Minutes of Instruction (75,600)

Exemption: TEC 25.081 states (a) Except as authorized under Subsection (b) of this section, Section 25.084, or Section 29.0821.

Currently, for each school year, each school district must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses for students.

Proposed Flexibility: Banquete ISD seeks to develop a calendar that includes additional days for teacher professional development.

This can be accomplished through the development of daily instructional schedules that exceed the minimum minutes of instruction requirements. In addition,

adjusting the school calendar will provide time for training and for collaborative planning in grade-level and content-area groups. Embedded professional collaboration allows teachers to have continual training on curriculum implementation and on the best instructional practices.

First Day of Instruction

Exemption: TEC 25.0811

Currently, a school district may not begin instruction for students for a school year before the fourth Monday in August.

Proposed Flexibility: Banquete ISD seeks the opportunity to continue having the option of an early start.

This flexibility allows the district to build a calendar that optimizes instruction time and teacher professional development days based on the unique needs of the students in the district. The flexibility also allows the district to work with in-district charters and local partner institutions to align resources and course schedules. This is especially beneficial for dual credit classes with local community colleges and universities. Banquete ISD will develop and implement flexible instructional schedules to meet students' needs as individuals and as student groups. This option would also allow the district to balance the semester schedules and improve the instructional program.

Teacher Certification

Exemption from TEC 21.003, 21.051

Currently, TEC Section 21.044 mandates that districts that wish to hire an uncertified staff member must submit a request to TEA and wait on approval or denial.

Section 21.003 provides that an employee's probationary, continuing or term contract is void for failure to maintain certification in certain circumstances.

Section 21.051 provides that before a school district may employ a candidate for certification as a teacher of record, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities.

Proposed Flexibility:

The District specifically seeks flexibility to hire professionals who are not certified teachers but have experience and a related degree in the content area to supply the needed teachers. This flexibility would enrich applicant pools in specific content areas and enable more students to obtain the educational benefit of career and technical course offerings. The District would like the opportunity to expand the number of candidates that will be recruited and trained for positions of need. The District will determine the areas and programs for this opportunity based on staffing needs. Banquete ISD will provide local qualifications and training requirements for professionals and experts to teach courses in lieu of traditional state requirements.

To best serve Banquete ISD students, decisions on certification will be handled locally. The District's goal will continue to be hiring certified teachers; however, flexibility is needed in the areas that are difficult to fill.

- Banquete ISD proposes that a campus principal may submit a request for approval to fill a teaching position to the Superintendent or designee:
 - A teacher with proper credential endorsement may be assigned to a **grade level** other than teacher certificate specifications. (i.e. Math teacher with teacher certification 7-12 may teach a 6th grade math class).
 - A teacher who holds a valid Texas teaching certification to **teach one subject out** of his/her certified field.
 - A teacher who has a four-year degree, **is fluent in Spanish**, and is able to pass a district assessment will be qualified to teach Spanish I and Spanish II.
 - For a professional in certain trades and vocations to teach the crafts of those trades and vocations, such as **welding, health sciences, architecture and construction, and other career and technical courses**.
 - A teacher who is **fully certified in another state** will be considered a certified teacher in Banquete ISD for one year on a probationary status given:
 - The employee creates a Texas Educator TEAL account and applies for and pays for their (1) review of out of state credential, (2) one-year temporary certification, (3) fingerprints

and;

- The employee agrees to register for appropriate content and Pedagogy and Professional Responsibilities exams.
- A written request from the campus principal would outline the reason for the request that includes documentation regarding the professional's credentials, experience, and training they possess which would qualify this individual to teach the subject.

School District Depositories

Exemption: TEC 45.205, 45.206, 45.207, 45.208

Currently, a school district contract for a depository bank serves for a term of two years and may only extend for three additional two-year terms.

Proposed Flexibility: Banquete ISD seeks the opportunity to automatically renew the two-year depository bank term and will only send depository services out to bid if the district determines contract pricing becomes uncompetitive or there is some operational or financial reason to send the district's banking services out for bid.

This flexibility allows 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 for bid. This exemption lessens the administrative burden related to preparing and reviewing a Request for Proposal (RFP) when there is a limited number of banking institutions available to bid on the District's business. This will further mitigate any impact to employees that would have to change direct deposit instructions each time a new depository occurs and allows the district flexibility with respect to banking relationships. The time saved by the superintendent and the board of trustees by not having to deal with this ministerial duty every two years will allow the superintendent and the board more time for studying and planning for student progress, instructional strategies, and innovative options for the district educational goals. With this exemption in place, none of the additional requirements related to the bid or request for proposal detailed in Sec 45.205 through 45.208 would be applicable.

Probationary Contracts

Exemption: TEC 21.102

Currently, a probationary contract may not be for a term exceeding one school year. A 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 teacher in public education for at least five of the eight years preceding employment by the District. A probationary contract period may be extended beyond the third consecutive year of employment if, during the third year of the probationary period, the Board determines that it is doubtful whether a continuing contract or a term contract should be given. If the Board makes such a determination, the District may make a probationary contract for a term ending with the fourth consecutive school year.

Proposed Flexibility:

Due to the unique nature of, including our initiatives and processes, this period of time may not be sufficient to evaluate the teacher's effectiveness in the classroom since contract timelines demand that employment decisions must be made prior to the availability of end-of-year classroom and student data. Upon exemption, all new contract employees will be subject to the probationary period, in order to allow more time for the district to fairly and thoroughly assess an employee's performance. Add an additional year if needed to that probationary period for a person who has been employed as a teacher in public education for at least five of the eight years preceding employment by the District.

Improvement Plans and Site-Based Decision-Making Committees

Exemption: (TEC §11.251) (TEC §11.253), BQ (LEGAL), BQ (LOCAL), BQA (LEGAL), BQA (LOCAL)

Currently, a district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the achievement indicators. Education Code 11.252(a)

Proposed Flexibility:

BISD will consolidate the campus level planning and decision-making committees into one district planning and decision-making committee known as the Banquete ISD District Education Improvement Committee (DEIC). Additionally, the separate campus improvement plans will be incorporated into one District Improvement Plan that is cohesive and addresses the needs of both campuses as well as the district's educational goals, objectives, and major district wide instructional programs.

School Health Advisory Council (SHAC)

Exemption: (TEC §28.004) BDF (Legal)

Currently, the board shall establish a local school health advisory council (SHAC) to assist the district in ensuring that local community values are reflected in the district's health education instruction. Education Code 28.004(a) [See EHAA regarding duties of the SHAC.]

Proposed Flexibility:

The small size of Banquete ISD and the community makes a SHAC committee redundant as the members of the community, parents and teachers are often the same individuals and the SHAC requirements are restrictive for a small district.

Refusal of Entry or Ejection of Unauthorized Persons

Exemption: (TEC §37.105), GKA (LEGAL), GKA (LOCAL)

Currently, a district must maintain a record of each verbal warning issued, including the name of the person to whom the warning was issued and the date of issuance. At the time a person is refused entry to or ejected from a school district's property, the district shall provide the person a written information explaining the appeal process.

The board shall adopt a policy that uses the district's existing grievance process to permit a person refused entry to or ejected from property controlled by the district to appeal such refusal of entry or ejection within 90 days of the commencement of the appeal, unless the appeal is granted before the board considers the appeal.

Proposed Flexibility:

In light of recent events, ongoing public concern, the Commissioner's Rules Concerning School Facilities, and Texas Education Agency's School Safety Requirements, the district seeks exemption from the requirements on the basis that they are impractical and

potentially harmful.

The district rarely ejects a person from a facility; however, when such an instance occurs, campus/district administrators make every attempt to keep the situation from escalating further. Attempting to obtain the full name of the individual being warned and/or providing written information explaining the appeal process to an individual who has been refused entry or ejected from the property could potentially create a bigger problem.

The district shall continue to follow its current practice of providing written notice, and applicable board policy, to persons who are subject to potential refusal of entry or removal from district property and in a time frame that is appropriate to the circumstances.

School Counselor Duties - Annual Assessment of School District Compliance

Texas Education Code (TEC), §33.006(d), as added by SB 179, 87th Texas Legislature, Regular Session, 2021, requires school districts to adopt a policy that requires a school counselor to spend at least 80% of the school counselor's total work time on duties that are components of a counseling program developed under TEC, §33.005. TEC, §33.006(h), requires each school district to annually assess the district's compliance with the policy regarding school counselors' work time, and, on request by the commissioner, provide a written copy of the assessment to TEA on or before a date specified by the commissioner.

Exemption: (TEC §33.006) (TAC 19 §61.1073), DP (LEGAL), DP (LOCAL), FFEA (LEGAL)

If a board determines that, because of staffing needs in the district or at a school in the district, a school counselor must spend less than 80 percent of the school counselor's total work time on duties that are components of the district's comprehensive school counseling program, the policy shall:

1. Include the reasons why the counselor needs to spend less than 80 percent of the counselor's work time on duties that are components of the counseling program;
2. List the duties the counselor is expected to perform that are not components of the counseling program; and
3. Set the percentage of work time that the counselor is required to spend on components of the counseling program.

Adopted to be effective May 21, 2023, new TAC §61.1073 implements TEC, §33.006(h).

The new rule requires each district school counselor to track and document, using a district-standardized tracking tool, the time spent on work duties performed by the school counselor throughout a school year. The new rule also identifies the elements that district assessments must include and the documentation to be included in annual requests by TEA for district assessments.

TAC RULE §61.1073 Annual Assessment of School District Compliance

(a) The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise.

- 1) Comprehensive school counseling program--provision of a guidance curriculum, responsive services, individual planning, and system support as described in Texas Education Code (TEC), §33.005(b).
- 2) Duties that are components of a counseling program--work activities related to the development, implementation, and evaluation of a comprehensive school counseling program as described in TEC, §33.005(b).
- 3) School counselor--the position described by TEC, §21.003, and Chapter 239, Subchapter A, of this title (relating to School Counselor Certificate).
- 4) School counselor's total work time--the amount of time, reported in hours, that a school counselor is contracted to work as a school counselor for a school district during a school year.

(b) School districts shall require each district school counselor to track and document, using a standardized tracking tool, as established by each district, the time spent on work duties performed by the school counselor throughout a school year. This tracking tool shall:

- 1) include the following components:
 - (A) the total work time worked by the school counselor for the year;
 - (B) the total time spent on the following duties that are components of a counseling program developed under TEC, §33.005:
 - (i) provision of a guidance curriculum;
 - (ii) responsive services for students;
 - (iii) individual planning for students; and
 - (iv) system support; and
 - (C) the total time spent on duties that are not components of a counseling program developed under TEC, §33.005, including time spent in administering assessment instruments or providing other assistance in connection with assessment

instruments (except time spent in interpreting data from assessment instruments); and

2) be maintained by the district in a format that can be made available to Texas Education Agency (TEA) upon request.

(c) School districts shall annually assess the district's compliance with the policy adopted under TEC, §33.006(d).

The assessment shall include:

1) work time tracking documentation as described in subsection (b) of this section for each school counselor in the district;

2) the number of school counselors whose work was in compliance with the district policy adopted under TEC, §33.006(d); and

3) the number of school counselors in the district whose work was not in compliance with the district policy adopted under TEC, §33.006(d).

(d) The assessment described in subsection (c) of this section shall be maintained by the school district in a format that can be made available to TEA upon request.

(e) Not later than October 15 of each year, TEA will request the following information from a randomly selected sample of school districts, with district responses required to be submitted to TEA not later than November 15 of each year in the format requested by TEA:

1) a copy of the district policy adopted under TEC, §33.006(d);

2) a copy of the district annual assessment as required by subsection (c) of this section;

3) the number of school counselors in the district from the previous school year;

4) the number of school counselors in the district whose work is determined by the district to be out of compliance with the district policy adopted under TEC, §33.006(d); and

5) any other findings, conclusions, or analysis included in the annual assessment required by subsection (c) of this section, including proposed strategies to address any lack of compliance with the district policy adopted under TEC, §33.006(d).

Proposed Flexibility:

Banquete ISD 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), and TAC §61.1073 impede the Counselor's ability to meet the ever-changing needs of Banquete ISD students, as well as district operations, by restricting the ability of counselors to fulfill other important roles in the district.

While it is still the intent and goal of Banquete ISD that its certified counselors focus on the school counseling program, temporal restrictions such as time logging and 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 Banquete ISD students.

In order to best serve Banquete 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 most importantly, 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.

Parent Notification of Threat Assessments

Exemption: (TEC §37.115 (f-1)) FFB (LEGAL), FFB (LOCAL)

Currently, the District shall develop procedures as recommended by the Texas School Safety Center. In accordance with those procedures, the threat assessment and safe and supportive team shall conduct threat assessments using a process that includes:

1. Identifying individuals, based on referrals, tips, or observations, whose behavior has raised concerns due to threats of violence or exhibition of behavior that is harmful, threatening, or violent.
2. Conducting an individualized assessment based on reasonably available information to determine whether the individual poses a threat of violence or poses a risk of harm to self or others and the level of risk.
3. Implementing appropriate intervention and monitoring strategies, if the team determines an individual poses a threat of harm to self or others. These strategies may include referral of a student for a mental health assessment and escalation procedures as appropriate.

For a student or other individual the team determines poses a serious risk of violence to self or others, the team shall immediately report to the Superintendent, who shall immediately attempt to contact the student's parent or guardian. Additionally, the Superintendent shall coordinate with law enforcement authorities as necessary and take other appropriate action in accordance with the District's multi-hazard emergency operations plan.

The District currently makes every effort to notify parents/guardians prior to conducting threat assessments. However, it is not always possible to make contact with parents/guardians due to their work requirements, disconnected phone numbers, or failure of parents/guardians to answer a call.

Proposed Flexibility:

The district seeks flexibility to proceed with a threat assessment in the event a parent/guardian cannot be reached after good faith notification efforts are made. Efforts to reach parents will continue but shall not hinder the team's duties to conduct a threat assessment.

The district remains committed to giving parents/guardians the opportunity to provide information regarding the student to help the threat assessment team and campus administration develops appropriate action plans. The district will share the teams' findings regarding the student, and will work with parents as partners to support their students' needs.

Three-Day Limitation on Suspensions

Exemption: (TEC § 37.005), FOB (LEGAL)

Currently, a suspension may not exceed three school days. Education Code 37.005(b)

Proposed Flexibility:

The maximum three-day suspension limits disciplinary options for moderately serious offenses. Additional days of suspension allows administration to implement disciplinary

consequences in lieu of a disciplinary alternative education placement (DAEP) while benefiting students by ensuring a continuity of instruction, participation in academic presentations or assemblies, and district services such as transportation.