

Palmer ISD

District of Innovation Plan (HB 1842)

2021-2026

During the 84th Legislative Session, HB 1842 was passed in order to provide more local control in certain areas. HB 1842 allows a traditional public school to utilize the exemptions in Education Law that charter schools currently are entitled to. We feel this is a great opportunity for our local district to create a plan based on the needs of our students and community that will remain in effect for the next five years (2021-2026).

1. Teacher and Principal Evaluation

(DNA LEGAL, DNA LOCAL) (Ed. Code 21.203) (Ed. Code 21.352)

Current Law

The state of Texas has used the Professional Development and Appraisal System (PDAS), teacher appraisal system since 1997. The state is issuing a new teacher appraisal system in 2016-2017, that will be called the Texas Teacher Evaluation and Support System (T-TESS). Districts currently have the authority to only formally appraise teachers once every five school years.

- a. Palmer ISD teachers are formally evaluated annually.
- b. Principals are evaluated annually on a locally developed plan.

Proposed

A committee of administrators would have the option to develop a teacher evaluation system that would be a combination of PDAS, T-TESS, and other best practices to develop a local instrument and/or process that fits the needs and goals of PISD.

- a. Palmer ISD will utilize a locally developed teacher and principal evaluation tool.
- b. This instrument will be developed with input from central administration and campus administration. It will use staff input, PDAS, T-TESS, T-PESS, and any other relevant best practice.
- c. All teachers must be formally evaluated at a minimum of once every three years. Every teacher will receive a minimum of six, informal walk-throughs per year.
- d. Probationary teachers will be evaluated every year.
- e. All teachers will have an annual summative conference to discuss the year and set classroom goals unless they choose to opt out.
- f. Principals will continue to be evaluated annually on a locally developed plan.
- g. These locally developed plans should reflect the strengths, areas of concern, and goals for Palmer ISD.

2. Teacher certification

(DK LEGAL, DK LOCAL, DK EXHIBIT)(Ed. Code 21.352, 21.354)

Current Law

In the event a district cannot locate a certified teacher for a position or a teacher is teaching a subject outside of their certification, the district must submit a request to the Texas Education Agency. TEA then approves or denies this request. In certain circumstances, a district can use a local one-year permit.

Proposed

In order to best serve PISD students, decisions on certification will be handled locally.

- a. The campus principal may submit to the superintendent a request to allow a certified teacher to teach one subject out of their certified field. The principal must specify in writing the reason for the request and

document what credentials the certified teacher possesses in which would 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 at-will.
- c. This proposal will provide more flexibility in our scheduling and more options for our students in class offerings.

3. Teacher Contract Days

(DCB Legal, DCB Local)(Ed. Code 21.401)

Current Law

Current education law located in Chapter 21 defines a teacher contract as a ten month contract equivalent to 187 days.

Proposed

This proposal reduces teacher contract days from 187 to 182 with no effect on teacher salaries. This somewhat makes an attempt to align the teacher days to the 75,600 minutes required of students.

- a. This proposal will increase the daily rate the district pays teachers
- b. This proposal should enhance teacher recruitment, therefore putting the district on a more level playing field with larger districts.
- c. This proposal will significantly improve teacher morale.
- d. This proposal will provide teachers more opportunities during the summer months to seek out beneficial staff development that relates to their field.

4. Unauthorized Persons: Refusal of Entry, Ejection, Identification

(Ed. Code 37.105)

Current Law

A district must maintain a record of each verbal warning issued under Section 37.105 (a)(2)(A), 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 under Section 37.105, the district must provide the person a written information explaining how to appeal. Each school board must adopt a policy that uses the district's existing grievance process to permit a person ejected or denied entry to address the Board of Trustees in person within 90 days of the commencement of the appeal, unless the appeal is granted sooner.

Proposed

Texas Education Code section 37.105 includes a process for ejecting or denying entry to a visitor who presents a substantial risk of harm or behaves in a manner inappropriate for the school setting. To better ensure the safety and security of students and staff in Palmer ISD, we propose that the District not be required to maintain a record of each verbal warning of potential removal from district property/facilities, nor be required to provide written information explaining the appeal process to those who have been refused entry to district property/facilities or removed from district

property/facilities. The District currently attempts to provide written notice to persons who are subject to potential refusal for entry or for removal from district property/facilities. Should an exemption from TEC §37.105 be granted, the District shall continue to provide written notice to persons who are subject to potential refusal for entry or for removal from district property/facilities in situations where the administrator on site feels it is reasonable and safe to do so. Campus and District administrators, as well as school resource officers and District police officers if applicable, may refuse to allow a person to enter or may eject a person from property under the District's control in accordance with law. An appeal notice must be filed with the Superintendent, in writing, and submitted to the Administration Office for review.

5. Group Health Benefits for District Employees

(Ed. Code 22.004(i))

Current Law

Texas Education Code 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 District 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. This provision does not give the District the flexibility needed to acquire benefits packages that would potentially more attractive to prospective employees.

Proposed

In order to have the option to offer additional benefits options to employees, the District proposes that the District of Innovation Plan be amended to exempt the District from the health insurance requirements in Texas Education Code 22.004 (i).

6. Out-of-School Suspension for Students Below Grade 3

(Ed. Code 37.005)

Current Law

Under Texas Education Code 37.005, a student who is enrolled in a grade level below grade 3 may not be placed in out-of-school suspension, unless while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

- 1. Conduct that contains the elements of an offense related to weapons under Penal Code 46.02 or 46.05; 2. Conduct that contains the elements of a violent offense related under Penal Code 22.01, 22.011, 22.02, 22.021*
- 3. Selling, giving, or delivering to another person or possessing, using, or being under the influence of an amount of:*
 - a. Marijuana or a controlled substance, as defined by Health and Safety Code Chapter 481, or by 21 USC Section 801 et seq.;*
 - b. A dangerous drug, as defined by Health and Safety Code Chapter 483; or*
 - c. An alcoholic beverage, as defined by Alcoholic Beverage Code 1.04.*

Proposed

To best serve the students of Palmer ISD and provide a high quality learning environment for all students, the District proposes that school administrators be able to exercise professional judgment and place students of any grade level in out-of-school suspension when they deem it necessary for safety and in order to maintain an orderly learning environment for all students. Specifically, the District seeks the flexibility to authorize school administrators to suspend students out-of-school below grade 3 when necessary. The District currently monitors the suspensions of all students, regardless of grade level, to ensure that District policy and the Student Code of Conduct are applied appropriately across the district. Should an exemption from TEC §37.005 be granted, the District would continue to monitor the suspensions of all students, which would now include students in grades below 3, to ensure that suspensions are appropriate. The benefits of the proposed innovation are to allow for school-based decision making, assist in maintaining an orderly learning environment for all students, and allow school administrators to more effectively ensure the safety and security of all students.

7. School Start Date

(EB LEGAL) (Ed. Code 25.0811)

Current Law

Students are prohibited from starting school before the 4th Monday of August. For years, this was strictly a local decision. The Texas tourism groups lobbied to have this stopped because they believed it was hurting their tourism business. Therefore, several years ago the legislature took away all waivers and dictated that districts may not begin until the 4th Monday, with no exceptions.

Proposed

To develop a calendar that fits the needs of the community of Palmer. We have developed a calendar that we fill meets the students, community, and staff needs.

- a. Students will begin before the fourth Monday in August.
- b. This start date will provide more educational days prior to state testing.
- c. This will allow the first and second semesters to be somewhat equal in the number of days of instruction.
- d. The goal is to improve the district attendance rate and student success through the flexibility in the calendar.

8. School District Depository Contracts

(BDAE Legal) (BDAE Local) (Ed. Code 45.205, 45.206)

Current Law

The depository for the District shall serve for a term of two years and until its successor is selected and has qualified. A district and its depository bank may agree to extend the contract for two additional two-year terms. Per S.B. 754, passed by the 85th Texas Legislature, effective September 1, 2017, TEC Section 45.205 will allow the District to extend a depository contract for three additional two-year terms. The contract term and any extension must coincide with the district's fiscal year. An extension is not subject to the requirements of Education Code 45.206, Education Code 45.205 and Education Code 45.204.

Proposed

In a small district and a small town, the District's choices for its depository bank are limited. PISD uses services provided by the "only" bank in town on a daily basis. PISD will continue to use the local depository for the District without rebidding.

At the end of each two-year term, the District and its depository bank agree to extend the contract for multiple two additional year periods. The District must review the contract to ensure the best value and support for the District and obtain Board approval for each two-year period. This proposal will save time and money for all parties involved.

9. Exemption From Future TEC Mandates

To best serve our local Palmer ISD community, staff, and students, Palmer ISD hereby includes a provision in our Local Innovation Plan for the District to maintain control over any future, eligible Texas Education Code mandates, which may be exempted by a majority vote of the Palmer ISD Board of Trustees.