

**HB 1842 Districts of Innovation - Raise Your Hand Texas**  
**Information meeting 1/23/16 - Austin Texas**

David Anthony - RYHT  
Mark Baxter - TEA  
Joy Baskin - TASB Legal Services

R11 Districts in attendance:

HEB  
Denton  
Keller  
Keene  
Crowley  
Godley

1. Opportunity to explore the exemptions that charters have and identify the obstacles in statute that are keeping you from doing what you think you want to do to better serve kids.
2. You don't have to pick every fight. This is a customizable piece of legislation.
3. Can be all provisions or just one
4. Can be all district or just a campus (even a low performing campus)

**\*\*RYHT is encouraging districts to engage in this process so that the legislature doesn't repeal the process in the next session.**

**Rules have not been published yet.**

Mark Baxter

2 parts - The process you have to go through (stated in statute but simplified)  
AND the list of exemptions - put out in an iterative fashion.

Starting out with a "meat and potatoes" list - the stuff TEA hears about all the time - school start date, class size, etc.

Additional items added as they determine legalities.

TASB will collect a list of resources on their website. They gave out a process flow-chart (Shared in this folder). Hoping to collect information on districts engaged in the process to develop a contact list for those who are interested.

TASB also providing policy support service.

## AGENDA

### 1. **Introductions** - How to start a discussion about Innovation Zones in the community.

Smaller schools could start the conversation at the coffee shop, etc.

Larger schools need to be strategic as they approach the community.

Thinking about framing the intention for pursuing the exemptions as efforts to improve student experience.

### 2. **Planning** - decisions to pursue District of Innovation exemption, SB2 charters or both

(Districts can choose...either-or, OR, Both)

If you choose the SB2 ("charterizing" a campus or a feeder pattern) you can't pick provisions...you have to go all the way.

Mark Baxter mentioned that plans impacting length of school day should consider pending changes to the SAAH -

Language in the handbook that changes the policy requiring full day to be 7 hrs.

Most important decision is who is on the Drafting committee...they need to be able to sell the plan to the community or board. Recommend a board member be on the committee.

### 3. **Preliminary Board Issues**

Passing a resolution

Naming a drafting committee - **recommendations** from those already engaged in the process

21 recommended as size by El Paso - San Antonio indicated well over 40

Involve a member from IHE if possible

Supt names a certain number of members

Advising the drafting committee/limiting issues

The board can limit the scope of issues to be addressed by the committee so that the committee doesn't bring issues back to the board for approval that can't be supported.

Develop cycles of committee involvement and timelines if planning to address multiple issues over several years.

#### Open Meetings/Community

Be as transparent as possible to gain trust and build support

Open meetings act isn't necessarily required.

B/c the final plan is subject to board approval. The committee is merely presenting a plan for approval.

Err on the side of caution to avoid potential delays with court interference or bad PR...if someone presents that "something is going on in those meetings" a judge could cause a delay.

Something to consider...post it as a potential board meeting and a meeting of the district advisory committee just in case you have a quorum of board members.

#### Commissioner Notification

Letter head with board pres and supt signature. Email. Hard copy mailed.

TEA will set up an online tool to report the statutes districts are exempting themselves from.

#### SB2 Charters

Charter drafting - not much public school experience with creating an in district charter

Need to consider the term and provision for revocation

Who is the board? Need to carefully consider. Who is the private non-profit...how do those people get on that board? All things to be very careful about.

**4. Specific Exemption and Substitute Local Policies - ONLY in the education code..not gov code, or other codes - This list is just the list that RYHT discussed during the meeting (not an exhaustive list)**

School Start date

22/1 - Class size

WACO considering increasing class size at higher performing campuses so as to redirect teachers to higher need campus

Need build into your educational plan some assurance to the campuses that will have higher class size

Mark Baxter suggested looking at combinations of exemptions such as class size, duty free lunch, planning periods, etc.

You have to be careful that you're not trying to rewrite the legislation...I can exempt myself from 22/1 but need a local policy to define my limit.

Teacher contract/non renewal

Important to consider that you don't have to exempt from all of chp 21. You can exempt from a single subsection if that is what you've identified as the issue that is holding you back. David gave the example of simply extending the number of years you have a probationary contract.

Might also consider the tail-end of the nonrenewal process - you always have to consider constitutional viability.

State Leave Requirements - not give TDL (temporary disability leave) as an example

Salary Schedules

Certification requirements - local charters might be a good idea here to exempt from those requirements.

District could as part of the innovation plan exempt the entire district from certification requirements but locally require certifications for all minus a specific group, i.e. dual credit (keeps IHE from having to get alt cert).

Does not include bilingual or sped including certification reqs.

Chapter 37/Discipline - don't forget constitutional issues

Charters still have to have a code of conduct, among a couple of other

You could exempt the teacher removal provision

Purchasing/Ch44

David Anthony - recommends not tackling this one at least in year 1.

**\*\*You can't just say I'm going to do what is in chapter 12 for charters...you don't get to be a charter. You get to exempt yourself from certain things.**

Other things that were asked about:

TRS - no

Cameras in the classroom - no

Nothing from chapter 39

Instead of exempting from campus accountability (you can't do) have discussion with TEA about changing the definition of campus.

(potentially...Mark really didn't have an answer on that one)

Can you change campus numbers to aggregate multiple campuses under 1 number and averaging their scores for 1 accountability rating.

Can you opt out of a TEA rule written about a statute? Mark not sure. David said that if questioning the rule, you're not really looking at exemption and should take the rulemaking to district court instead of using the innovation zone process.

## 5. Board Options

What if the board doesn't agree with part of the plan?

The plan would go back to the committee and be reposted for another 30 days review.

Amendment

The assumption is that in year 1 we've picked low hanging fruit and ultimately we're convinced it is a 5 year plan.

Restart the process versus multiple plans

Need to consider the scope of the proposed amendment/term of an amendment

In year 2, do you create a brand new plan...or just amend the original and if an amendment, you have to consider is the amendment also good for 5 years.

Are you going to reauthorize **everything** every time you approve a new part of the plan?

Are you going to keep up with some sort of rolling renewal for individual components.

**6. Timing/Effective dates/Cycle of Review**

Just need to carefully consider start dates from some of the provisions that you're exempting yourself from. Think through all of the ramifications of the change.

**7. Spring Branch ISD - Innovation Zone plan:**

<https://www.springbranchisd.com/innovation/>

**KEY CONSIDERATIONS:**