

A stylized illustration of a brown horse running to the left. The horse is depicted with a white blaze on its face and a white patch on its neck. The background is a light blue sky with white clouds. The horse is running on a green field with a white fence in the distance.

**BENJAMIN INDEPENDENT SCHOOL DISTRICT  
DISTRICT OF INNOVATION PLAN  
2022-2027**



## **Benjamin Independent School District Local Innovation Plan**

### **INTRODUCTION**

House Bill (HB) 1842, passed during the 84<sup>th</sup> Texas Legislative Session, permits school districts to become Districts of Innovation and to obtain exemption from certain provisions of the Texas Education Code. To be eligible for designation as a District of Innovation, a school district's most recent academic performance rating must be acceptable.

State law requires a district to develop a local Innovation plan before the district can be designated a district of innovation. The plan may include innovations in curriculum and instructional methods; provisions regarding community participation and parental involvement; modifications to the school 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.

As a District of Innovation, Benjamin ISD will have:

- Increased local control as the decision makers over the educational and instructional model for our students;
- Increased freedom and flexibility with accountability relative to state mandates that govern educational programming; and,
- Increased authority to innovate and think differently creating the individuality needed for a smaller, rural educational community.
- The flexibility includes exemptions from mandates such as:
  1. The 90 Percent Attendance Rule
  2. Instructional Calendar Length of School Day
  3. School Start Date
  4. Teacher Contract Rights
  5. Teacher Certification
  6. Teacher Contract Days
  7. School District Depository Contracts
  8. District Level and Site-Based Decision Making
  9. Transfer Students

HB 1842 does not allow for exemptions from statutes including curriculum and graduation requirements or academic and financial accountability.

## **PROCESS**

The process required to become a District of Innovation is clearly prescribed by the Texas Education Code (TEC) Chapter 12A. The Benjamin Independent School District School Board approved the original DOI Plan on July 10, 2017, for the 2017-2022 school years. To renew a DOI plan, a similar process must be completed.

The Benjamin ISD District of Innovation Committee met on February 21, 2022 and April 6, 2022 to review our previous plan and consider recommendations for the renewed plan. Members of that committee are:

Gordon Thomas – Superintendent; Rachel Faris – Teacher; Danielle Sanders - Teacher; James Jackson - Teacher; Tashya Carrillo - Teacher; Stacia Propps - Business Manager; Tara Cottingham - Parent; Sky Gregory - Parent; Pam Duke – Community.

The District of Innovation Committee approved for posting the renewal of the District of Innovation Plan on Wednesday, March 30, 2022. The Benjamin ISD School Board approved the Plan renewal on May 9, 2022 after the required 30 day posting of the Proposed District of Innovation Plan, which was posted on April 6, 2022.

## **TERM**

The term of the plan is for five years, encompassing the 2022-2027 school years, unless terminated or amended earlier by the Board of Trustees in accordance with the law. If, within the term of this Plan, other areas of operations are to be considered for flexibility as part of HB 1842, the Board of Trustees will appoint a committee to consider and propose additional exemptions in the form of an amendment. Any amendment adopted by the Board will adhere to the same term as the renewed plan. No two separate plans may exist at any time.

## **INNOVATIONS**

Benjamin ISD proposes flexibility and seeks an exemption in the following areas:

<b>“Ninety Percent Rule” for Class Attendance</b>	
Texas Education Code 25.092	FEC (Legal)
Rationale: TEC This would provide flexibility for students who: <ul style="list-style-type: none"><li>• are unable to attend class in the traditional school building because of illness or family concerns</li><li>• would benefit from a different time structure to the school day</li><li>• would benefit from virtual and online classes in addition to or in place of the traditional classroom setting</li><li>• are pursuing an accelerated program and will be traveling extensively</li></ul>	
Innovation: TEC Ch.12A.003(b)(1)(A) Innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement  Exemption from this requirement will provide educational advantages to students by promoting engaged learning through innovative methods, locations, and times for instruction, thereby accommodating students with legitimate scheduling conflicts, reducing dropouts, and Increasing the number of qualifying graduates. A student's potential success in these program options must be evaluated. Students taking traditional courses not impacted by this exemption would still be required to meet the 90% attendance requirement as it currently exists. Relief from Section 25.092 does not in any way impact or alter existing or compulsory attendance requirements or UIL rules. Opting out of Section 25.092 in no way limits or modifies a teacher's right to 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>Length of School Day</b>	
Texas Education Code 25.0811	EC (Legal)
Rationale: TEC CH.12A.003(b)(1)(B) State law currently requires that all school days must be 420 minutes each day in order to count for ADA calculations and funding purposes, and to accumulate instructional minutes towards the 75,600 minutes required annually.  Exemption from the 420-minute day requirement would allow the flexibility needed to alter the school day schedule on selected days whenever it was locally determined as necessary or beneficial to the district and its stakeholders. While there is a waiver process available to request exemption from this requirement, the waiver is limited to a 6-day maximum number for the school year.	

There is no intention to shorten the school day on a regular basis, or without specific purpose. To the greatest extent possible, "Early Release" days would be planned ahead of time and noted in the district calendar, which is approved by the school board and published and distributed in advance of the school year.

Innovation:

- Although our district calendar will still reflect 75,600 minutes of instruction, the flexibility to adjust when those minutes of instruction are accrued will allow BISD to more effectively meet the needs of our students taking dual credit course offerings by affording the district the ability to match the days and times met with the cooperating college offerings.
- This exemption will also allow BISD to alter the length of the school day or school year in the cases of inclement weather.

### Uniform School Start Date

Texas Education Code 25.0811; 25.0812

EB (Legal)

Rationale: State law currently prohibits school districts from starting class before the fourth Monday in August, unless they are year-round districts. Relief from this statute could potentially allow the following:

- First semester completes before Winter Break; instructional pacing is more beneficial
- More instructional days before State Assessments; flexibility for different types of learners and learning needs
- More professional development opportunities during the school year for teachers
- Full days for professional development opportunities as opposed to half days
- The calendar could be more aligned with college schedules, providing our students with additional opportunities with their dual-credit courses.

Innovation: TEC Ch. 12A.003(b)(1)(B) Modifications to the school day or year

The current law that prohibits the district from starting school before the fourth Monday of August forces the district into a calendar that has minimal opportunity for teacher professional development, requires the semester to end after the winter break, and provides negligible time for summer school before state mandated assessment re-takes in the summer. Starting early will allow for creative scheduling that allows for more intentional teacher professional development throughout the school year and also allows students to have a schedule that is more conducive to their learning.

### Certified Employee Contract Rights

Texas Education Code 21.003, 21.053 and 21.057

DBA (Legal)

Rationale: By exempting the District from this law, the District:

- will have the flexibility of hiring a probationary teacher for a second year to provide for more growth and coaching when the teacher is hired under the 5 of 8 rule.

(Employed as a teacher in public education for at least five of the eight previous years).
Innovation: TEC Ch.12A.003(b)(1)(E) Exemption from this requirement will provide hiring officials with the needed time to fully assess and support a teacher before making decisions regarding moving the employee from a probationary contract when that employee has only been with the district one year.

<b>State Certification Requirements for Teachers &amp; Other Educators</b>	
Texas Education Code 21.003, 21.053 and 21.057	DBA (Legal)
<p>Rationale: By exempting the District from this law, the District:</p> <ul style="list-style-type: none"> <li>• will have the flexibility to hire experts in their field even if they do not yet have a teaching certificate.</li> <li>• will have the flexibility in hiring teachers to teach hard-to-fill, high demand, dual credit, as well as career and technical courses.</li> <li>• will have the flexibility to hire those with industry expertise (HB 5 courses).</li> </ul>	
<p>Innovation: TEC Ch.12A.003(b)(1)(E) Any other innovations prescribed by the board</p> <p>Exemption from this requirement will provide much needed flexibility to hire the most qualified candidate for teaching positions. With an increasing number of innovative courses created after implementation of HB 5, finding exceptionally qualified applicants in specific fields who are also certified teachers is increasingly difficult if not impossible. This flexibility will allow the District to hire individuals who best meet the needs of the students and provide the content knowledge our students need to enter an increasingly innovative world.</p>	

<b>Teacher Contract Days</b>	
Texas Education Code 21.401; 25.081	DC (Legal), DEA (Legal)
<p>Rationale: Teachers historically clock in more than 75,600 minutes a year due to the time versus day adjustment as legislated. No provision was made to allow for any comparable change in teacher contract length and related days of service. Reduction of teacher days would better align the teacher days to the minutes required of students. Uncounted hours are spent by teachers participating in required professional development and other duties as assigned. This would allow teachers additional time for summer school preparation, more time to participate in professional development offered in the summer and other duties. It is also a positive recruitment tool and it should increase teacher morale and productivity.</p>	
<p>Innovation: The flexibility will reduce the number of days in the state required 187 to a minimum of 185 for educators employed under a 10-month educator contract with no effect on salaries to increase the daily rate. This would also provide more opportunities to seek beneficial staff development related to their fields. This would apply to 10-month educator contracts only without affecting stipend contract addendums.</p>	

### Depository Bank Contracts

Texas Education Code: 45.205 and 45.206

Rationale: This code addresses the depository contracts that public school districts must maintain for banking services. Currently, Benjamin ISD has no banks located within district boundaries. The banking services have always been performed by the nearest town and has been with the same entity for years. As required by TEC, Benjamin ISD sends RFPs to at least 2 banks nearby every 2 years. Only the District's current depository returns the RFP. This on-going process creates additional unnecessary paperwork for our small rural district and bank.

Innovation: Once the 2023-2025 extension is approved, Benjamin ISD would again request to extend the depository contract without an RFP. After this 2-year contract extension has expired, if the district and banking entity agree, there would be an additional contract extension of two years. Benjamin ISD would continue to comply with all other TEC provisions regarding depository contracts.

### District Level and Site-Based Decision Making

Texas Education Code: 11.251; 28.004

Rationale: This code mandates the creation of a Site-Based Decision Making (SBDM) Committee and a Student Health Advisory Council (SHAC). In small rural school districts, the same people are the same members of both committees. At Benjamin ISD, meeting the requirements of these statutes is overly burdensome, time consuming, and the original intents of the statutes and the committees are lost.

Innovation: Benjamin ISD will combine the SBDM and SHAC into one Benjamin ISD Advisory Committee. The purpose will be to review, analyze and respond to data regarding the district's strengths and weaknesses combined. Members will be approved by the school board and appointments will be for two years, with the committee meeting at least 2 times per school year. The Advisory Committee will more effectively serve the district with planning and improvement strategies.

### Transfer Students

Texas Education Code: 25.036

Rationale: State law allows a student to transfer annually from the child's school district of residence to another district in the state if both the receiving district and the applicant parent or guardian jointly approve and timely agree in writing to the transfer. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, the student's disciplinary history, academic performance, and attendance records are also evaluated. Under TEC 25.036, a transfer is interpreted to be for a period of one school year.

Innovation: The administration will review disciplinary records, academic performance, attendance records, and other data of transfer students on an ongoing basis to determine if the transfer agreement is being upheld. Benjamin ISD is seeking to eliminate the provision of a one-year commitment to transfer students when they violate district expectations of

attendance, discipline, academic achievement, and/or falsify documentation. This flexibility would allow the district to have the option of revoking a student's transfer status, including immediate revocation, by the Superintendent or designee at any time during the school year.