



# Flour Bluff Independent School District

2505 WALDRON ROAD, CORPUS CHRISTI, TEXAS 78418

(361) 694-9205, FAX (361) 694-9809

**Velma Soliz-Garcia, Superintendent**

March 31, 2021

VIA CERTIFIED MAIL AND ELECTRONIC MAIL

Mike Morath, Commissioner of Education

Texas Education Agency

1701 North Congress Avenue

Austin, Texas 78701

[commissioner@tea.texas.gov](mailto:commissioner@tea.texas.gov)

Re: Notice to the Commissioner of Education of Flour Bluff ISD Board of Trustees' Approval of Amendment to Local Innovation Plan

Dear Commissioner Morath,

In accordance with T.A.C. §102.1313, Amendment, Recission, or Renewal which specifies:

- (a) A district of innovation plan may be amended, rescinded, or renewed if the action is approved by a majority of the district-level committee established under the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempt from that section, and a two-thirds majority vote of the board of trustees.
  - (1) Amendment. An amendment to an approved plan does not change the date of the term of designation as an innovation district. Exemptions that were already formally approved are not required to be reviewed.

Please be advised on March 16, 2021, the proposed amendments, Texas Education Code: §45.205-Bank Depository Contract Term and Texas Education Code: §21.102- Probationary Contracts, were presented to Flour Bluff ISD District of Innovation Committee. The committee voted unanimously to present the proposed amendments to the Board of Trustees.

On March 25, 2021, the Flour Bluff ISD Board of Trustees unanimously approved to amend the DOI plan to include the following exemptions: Texas Education Code: §45.205-Bank Depository Contract Term and Texas Education Code: §21.102- Probationary Contracts.

Please feel free to contact the District should you have any questions or concerns,

Sincerely,

Velma Soliz-Garcia  
Superintendent

Shirley Thornton  
President, Board of Trustees

**Flour Bluff Independent School District  
District of Innovation Plan  
Approved on December 12, 2019**

**Amended March 25, 2021**



## **Introduction**

House Bill 1842, passed in the 84<sup>th</sup> Legislative Session, provides an opportunity for Texas public school districts to modify state requirements at the local level to better meet the needs of their unique student populations, in order to prepare them for success and lifelong learning. To access these flexibilities, a school district must adopt an innovation plan as set forth in Texas Education Code, Chapter 12A. To be eligible for designation as a District of Innovation, a school district's most recent academic performance rating must be at least acceptable. Once formally approved, an innovation plan is effective for five years. The plan may be amended, rescinded, or renewed in the same way it was developed and approved at any time.

Each school district may pursue designation as a District of Innovation for different reasons. As a District of Innovation, Flour Bluff ISD will be able to increase flexibility necessary to personalize the learning experiences of our students. We also believe Flour Bluff ISD must have the ability to make important educational decisions for our students at the local level. As we developed our District of Innovation Plan, our community has been involved throughout the process, giving ongoing feedback on what they want for their children in order to prepare them to be positive contributors to the world.

## **Process**

**April 25, 2019**—Meeting of the Board of Trustees

The Board of Trustees heard a presentation on District of Innovation.

**July 25, 2019**—Meeting of the Board of Trustees

Board of Trustees signed the resolution to proceed

**August 1, 2019**—Public Meeting

A public meeting was held to get feedback from the community

**August 29, 2019**—Meeting of the Board of Trustees

Board of Trustees approved to pursue the District of Innovation designation and delegated the Superintendent to appoint a committee

**September 12, 2019**—First Meeting of the District of Innovation Committee

**October 1, 2019**—Second Meeting of the District of Innovation Committee

**October 8, 2019**- Flour Bluff ISD District of Innovation Plan was posted to [www.flourbluffschoools.net](http://www.flourbluffschoools.net) website and will be posted for at least 30 days.

**October 8, 2019**- Official notification to the Texas Education Agency that Flour Bluff ISD is in the process of becoming a District of Innovation.

**November 13, 2019**—Third Meeting of the District of Innovation Committee and Public Meeting. Approved by a Majority of Flour Bluff ISD’s District of Innovation Plan Committee.

**December 12, 2019-** Board of Trustees approved the DOI Plan for Flour Bluff Independent School District.

### **2019-2020 District of Innovation Committee**

### **2020-2021 District of Innovation Committee (revised \*)**

Velma Soliz-Garcia*	Superintendent (2020-2021)
Dr. David Freeman	Superintendent
Dr. Allison Schaum	Assistant Superintendent for Curriculum and Instruction
Dr. Linda Barganski	Director of Federal and State Programs
Edgar Van Geem	Director of Special Education
Cassie Freeman *	Director of Human Resources (2020-2021)
Jeanette Revels	Director of Human Resources
Kim Sneed	Public Information Coordinator
Chris Steinbruck	Athletic Director
Molly Parker *	High School Administrator (2020-2021)
Tracy Erickson	High School Administrator
Kelly Boswell	Junior High Administrator
Dr. Sal Alvarado	Intermediate Administrator
Dr. Nikol Youngberg	Elementary Administrator
Shea Hernandez	Primary Administrator
Amy Seeds	Early Childhood Administrator
Kristin Sanderford	Secondary Special Education Counselor
Beth Huckabee	High School Teacher
Maria McDonel	Junior High Teacher
George Henderson	Junior High Teacher
Micki Beauregard	Intermediate Teacher

Misty Beckwith	Elementary Teacher
Donna Kesselring	Primary Teacher
Christina Martinez	Early Childhood Center Teacher
Cheryl Hooper	High School Parent
Michelle Ewing	Jr. High Parent
Natalie Barganski	Intermediate Parent
Leann Minners	Elementary Parent
Katie Hoover	Primary Parent
Tamara Blair	Early Childhood Parent
Jennifer Welp	School Board Member
Nicole Peters	School Board Member
Dr. Alicia Needham	Community Member
Lynn Kaylor	Community Member
Kelly Martin	Community Member
Dr. Laurie Turner	Community Member
Monette Bright	Community Member
Christy Zamora	Business Member
Javier Wiley	Business Member

## Requested Exemptions

### **Uniform School Start Date**

*(EB LEGAL) (Ed. Code 25.0811)*

### **Currently**

Students may not begin school before the 4th Monday of August. For many years this was the rule; however, districts had the option of applying for a waiver to start earlier. Many districts applied for the waiver and would begin the 3rd Monday, some even going as early as the 2nd Monday. The Texas tourism groups lobbied to have this stopped because they believed it was detrimental to the 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**

This flexibility of start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and local community. This empowers us to personalize learning, increase college and career readiness and balance the amount of instructional time per semester. In addition, by having the flexibility in the start and end of the school year, students will be able to enroll in college courses that start in early June, thereby increasing college and career readiness. Removing the uniform start date could also let the Flour Bluff ISD start classes as a short week, easing the transition for students entering kindergarten, middle school, and high school. This will also allow for more flexible professional development opportunities for our staff.

### **Class Size Ratio**

(EEB LEGAL) (Ed. Code 25.112, and 25.113)

#### **Currently**

Kindergarten – 4th Grade classes are to be kept at a 22 student to 1 teacher ratio according to state law. When a class exceeds this limit, the district must complete a waiver with the Texas Education Agency. These waivers are never rejected by TEA. Along with the waiver, it is required that a letter is sent home to each parent in the section that exceeds the 22:1 ratio, informing them the waiver has been submitted. Many times, soon after the waiver is submitted, students move out of the district and we are below the 22:1 ratio.

#### **Proposed**

Flour Bluff ISD, believes that small class size plays a positive role in the classroom. This must be balanced with the logistics of the timing of adding staff and the best teacher-to-student ratio that can be achieved given the total number of students. Many times, it is not the number of the students but the makeup and chemistry of the classroom which influence the learning environment. Most importantly, research clearly shows it is the teacher in the classroom that has the greatest impact on student learning, not absolute class size. In the event that class size exceeds the 22:1 ratio for Kindergarten-4<sup>th</sup> grade classes, a TEA waiver will not be necessary, but the superintendent will report to the Board of Trustees for approval. Flour Bluff ISD will not allow a ratio greater than 23:1 in Kindergarten-4<sup>th</sup> grades.

## **DISTRICT OF INNOVATION AMENDMENT TIMELINE**

The following timeline depicts dates to complete an amendment for the District's current District of Innovation as per Texas Administrative Code Chapter 102.1313

Amendment, Rescission, or Renewal

- (a) A district innovation plan may be amended, rescinded, or renewed if the action is approved by a majority vote of the district-level committee established under the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempt from that section, and a two-thirds majority vote of the board of trustees.
  
- (1) Amendment. An amend to an approved plan does not change the date of the term of designation as an innovation district. Exemptions that were already formally approved are not required to be reviewed.

### **Timeline of Proposed Amendments**

<u>Action</u>	<u>Date</u>
Meeting with Senior Cabinet Members to discuss proposed amendments	2-15-2021 2-22-2021
DOI Committee Meeting Presentation to add exemptions: Bank Contract Term and Teacher Probationary Contract	3-16-2021
Presented Board of Trustees with the proposed amendments to the DOI plan	3-25-2021

### **Proposed Amendments**

#### **I. Introduction**

On March 2021, a presentation was provided to the District of Innovation Committee to consider amending the local DIO plan. On March 25, 2021, the Board was presented with the proposed Amended Plan.

#### **II. Term**

The Amended Plan adopted by the Board will adhere to the same term as the original plan. The District may not implement two separate plans at any one time.

### **III. Innovations**

The District proposes flexibility in the following areas:

#### **Bank Depository Contract Term (Ed. Code 45.206 and Ed. Code 45.205)**

Local Implementation - (TEC §45.205) Board Policy BDAE (Legal and Local)

Current statute requires school districts to enter into a two-year contract with a depository bank and allows for two additional two-year terms. At the end of the 6-year period, Districts are required to process a Request for Proposal (RFP).

Amended- Flour Bluff ISD would like to gain exemption from these statutes. Terminating our banking agreement at the end of this period does not provide stability to the district and can allow the depository banks to limit options of service, interest rates, and fees. Relief from this mandate would allow the District to continue with a depository bank as long as it is beneficial to the District. It would allow 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 to bid. This exemption would lessen the administrative burden related to preparing and reviewing a Request for Proposal (RFP). In addition to costs and time involved in the request for proposal process, a district incurs costs and manpower to update all electronic banking transactions and account signatory should the district be forced to change depositories.

#### **Probationary Contracts (TEC §21.102)**

Local Implementation - Under current guidelines, probationary periods for newly hired teachers who have been in public education for at least five of the previous eight years cannot exceed one year.

Amended- Flour Bluff ISD proposes an exemption from TEC §21.102 for the flexibility to extend the time period to issue a probationary contract for a period of up to two years for experienced teachers, counselors, librarians, or nurses new to the District that have been employed as a teacher for at least five of the last eight previous years. This limited time is insufficient in some cases to fully determine the teacher's effectiveness in the classroom. This also addresses the fact that contracts for teachers are renewed in either March or April which demands that employment decisions must be made without the benefit of an entire school to evaluate teacher effectiveness. Relief from Texas Education Code 21.102 will permit the District the option to issue a second- year probationary contract for a total probationary period of up to two years for experienced teachers, counselors or nurses newly hired in Flour Bluff ISD.



#### IV. IMPLEMENTATION

Both amendments will be implemented this coming school year and will be communicated to all internal and external stakeholders through our district website.

Term of Plan: 2019-2024 \_\_\_\_\_

- 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

- §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: