



# FLOUR BLUFF ISD

2505 WALDRON ROAD, CORPUS CHRISTI, TEXAS 78418

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

Velma Soliz-Garcia, Superintendent

February 8, 2023

VIA CERTIFIED MAIL AND ELECTRONIC MAIL

Mike Morath, Commissioner of Education

Texas Education Agency

Attn: Accreditation

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 TAC §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- (a) A district of innovation plan may be amended, rescinded, or renewed if the action is approved by a majority of the district-level committee established under the Texas Education Code (TEC), §11.251, or a comparable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 that on January 26, 2023, the Flour Bluff ISD Board of Trustees unanimously approved to amend the DOI plan to include the following exemptions: Texas Education Code: §21.003-Certification Required and Texas Education Code: §25.036- Transfer of Student.

On December 14, 2022, the proposed amendments to Texas Education Code: §21.003-Certification Required (Teacher Waivers) and Texas Education Code: §25.036- Transfer of Student (Student Transfer Revocation) were presented to the Flour Bluff ISD District of Innovation Committee. The committee voted unanimously to submit the proposed amendments to the Board of Trustees.

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

Amended January 26, 2023



<https://flourbluffschoos.net/district-of-innovation/>

## **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.

**February 15, 2021-** Meeting with Senior Cabinet Members to discuss proposed amendments. (Bank Contract Term and Teacher Probationary Contract)

**February 22, 2023-** Second Meeting with Senior Cabinet Members to discuss proposed amendments. (Bank Contract Term and Teacher Probationary Contract)

**March 16, 2021-** DOI Committee Meeting Presentation to add exemptions: Bank Contract Term and Teacher Probationary Contract.

**March 25, 2021-** Presented Board of Trustees with the proposed amendments to the DOI plan. (Bank Contract Term and Teacher Probationary Contract)

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

### **2020-2021 District of Innovation Committee**

### **2022-2023 District of Innovation Committee (revised\*)**

Velma Soliz-Garcia	Superintendent
James Crenshaw*	Associate Superintendent for Student Services
Dr. Linda Barganski	Associate Superintendent for Federal & State Programs
Nicole White*	Executive Director of Curriculum & Instruction
Cassie Freeman*	Executive Director of Human Resources
Kristen Bily*	Director of Communications and Community Relations
Tamara Blair	Dean of Instruction (High School)
Amy Seeds	Assistant Principal (High School)
Dr. Sal Alvarado	Principal (Intermediate)
Dr. Nikol Youngberg	Principal (Primary/Elementary) & Director of C&I PreK-4
Kristen Sanderford	Counselor (Special Education)
Stacy Elwood*	Teacher (E.C.C.)
Maurice Alcorn*	Parent (ECC)
Jayma Goodman*	Teacher (Primary)
Cody Debler*	Parent (Primary)

Misty Beckwith	Teacher (Elementary)
Elizabeth Galindo-Burnett*	Parent (Elementary)
Kathleen Palme	Parent (Intermediate)
Micki Beauregard	Teacher (Intermediate)
Tammy Acton*	Teacher (Jr. High)
John Valadez*	Parent (Jr. High)
Beth Huckabee	Teacher (High School)
Cheryl Hooper	Teacher (High School)
Jennifer Welp	School Board Member
Lynn Kaylor	Community Member
Kelly Martin	Community Member
Dr. Laurie Turner	Community Member
Monette Bright	Community Member
Christy Zamora	Business Member

## Requested Exemptions

### **Proposed-Certification Required**

FBISD is committed to hiring high-quality, certified teachers. However, current teacher certification requirements and a decreasing applicant pool restrict the district's ability to hire teachers to teach in difficult-to-fill positions or to fill last-minute vacancies. FBISD will establish its own local qualification requirements to fill such positions. The district specifically seeks flexibility to hire professionals who are not certified teachers but have experience and a related degree in the content area for hard-to-fill positions, except for special education and bilingual/ESL teaching positions. Flour Bluff ISD will provide local qualifications and training requirements for professionals and experts to teach courses in lieu of traditional state requirements. All other teachers would not be exempt from TEC 21.003, and the Flour Bluff ISD. Board of Trustees would monitor the implementation of this exemption. Difficult-to-fill positions include, but are not limited to:

- Career and Technology Education
- Secondary Science
- Secondary Math
- Dual Credit
- Language other than English
- Fine Arts
- DAEP

Due to the geographic location of FBISD and our connection with a military installation, FBISD will also establish local qualifications, allowing the district to recognize out-of-state certifications for all levels and all certification areas.

When required, a 6-12 certified teacher may teach sections in a related field for which he or she is not certified, or a K-5 certified teacher may teach a grade level for which he or she is not certified.

FBISD will benefit by accessing a broader applicant pool, including community college instructors, university professors, and internal applicants seeking assignments outside their certification area. A teacher certification waiver, state permit application, or other documentation will not be submitted to the Texas Education Agency.

### **Local qualifications that may be considered include but are not limited to:**

Certified Teacher Applicant:

- State Board for Educator Certification (SBEC) Teacher
- Education in the needed content area (i.e., documented on transcript)

Non-Certified Applicant:

- Professional work experience
- Formal training and education in the content area
- Relevant, current professional industry certification or license
  - Degree (minimum Bachelor's degree in a related field)
- Combination of work experience, training, and education

### **Implementation guidelines for teachers hired under local qualifications are as follows:**

- High-quality, certified teachers must be considered first.
- Campus principals must submit a written request to the superintendent to employ a non-certified teacher with evidence of the local qualifications.

- Employees will be employed under a non-chapter 21 contract for one school year. Upon superintendent approval, the employee can continue under a non-chapter 21 contract after year one while seeking Texas Certification. Once properly certified, the teacher will be placed under a chapter 21 teaching contract.
- Professional development plans will match all other teachers and emphasize classroom management and effective instructional practice.
- Employees will be appraised under the district's system used for all other teachers.

### **Proposed- Transfer of Student Policy**

Flour Bluff ISD maintains a transfer policy under F.D.A. (Local) requiring nonresident students wishing to transfer to file a transfer application each school year. In approving transfer requests, the availability of space and instructional staff, availability of programs and services, and the student's disciplinary history records, work habits, and attendance records are also evaluated. Transfer students are expected to follow the attendance requirements, rules, and regulations of the district. TEC 25.036 has been interpreted to establish the acceptance of a transfer as a one-year commitment by the district. 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. In these rare cases, Flour Bluff ISD seeks exemption from the one-year transfer commitment.

### **Local Guidelines**

Nonresident students who have been accepted as district transfer students may have such transfer revoked by the Superintendent or designee based on the recommendation of the Campus Principal at any time during the school year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, expulsion, or documented continual disruption of the educational process. In addition, students not meeting the State's 90% attendance standard may also be subject to immediate revocation of their transfer status. Revocation of transfer is not appealable.

## **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.
  
- (b) 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**

Action	<u>Date</u>
Meeting with Senior Cabinet Members to discuss proposed amendments	11-14-2022 12-12-2022
DOI Committee Meeting Presentation to add exemptions: Certification Required and Transfer of Student	12-14-2022
Presented Board of Trustees with the proposed amendments to the DOI plan	1-26-2023

### **Proposed Amendments**

#### **I. Introduction**

On December 14, 2022, a presentation was provided to the District of Innovation Committee to consider amending the local DOI plan. On January 26, 2023, the Board approved 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:

#### **Certification Required (T.E.C. §21.003)**

Local Implementation - (T.E.C. §21.003) Board Policy D.B.A. (Legal and Local)

Current policy states a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a district unless the person holds an appropriate certificate or permit. A person who desires to teach shall present the person's certificate for filing with a district before the person's contract with a board is binding.

Amended- Flour Bluff ISD would like to gain exemption from this statute. The district specifically seeks flexibility to hire professionals who are not certified teachers but have experience and a related degree in the content area for hard-to-fill positions, except for special education and bilingual/ESL teaching positions. Flour Bluff ISD will provide local qualifications and training requirements for professionals and experts to teach courses in lieu of traditional state requirements. All other teachers would not be exempt from TEC 21.003, and the Flour Bluff ISD. Board of Trustees would monitor the implementation of this exemption.

Due to the geographic location of FBISD and our connection with a military installation, FBISD will also establish local qualifications, allowing the district to recognize out-of-state certifications for all levels and all certification areas.

When required, a 6-12 certified teacher may teach sections in a related field for which he or she is not certified, or a K-5 certified teacher may teach a grade level for which he or she is not certified.

#### **Transfer of Student (TEC §25.036)**

Local Implementation – (T.E.C. §25.036) Board Policy F.D.A. (Legal and Local)

Under current policy, a nonresident student wishing to transfer into the district shall file an application for transfer each school year with the Superintendent or designee. Transfers shall be granted for one regular school year at a time.

Amended- Flour Bluff ISD proposes an exemption from TEC §25.036 for the flexibility regarding nonresident students who have been accepted as district transfer students may have such transfer revoked by the Superintendent or designee based on the recommendation of the Campus Principal at any time during the school year if the student is assigned discipline consequences of suspension (in or out of school), placement in a disciplinary alternative program, expulsion, or documented continual disruption of the educational process. In addition, students not meeting the State's 90% attendance standard may also be subject to immediate revocation of their transfer status. Revocation of transfer is not appealable.

#### IV. IMPLEMENTATION

Both amendments will be implemented effective immediately and will be communicated to all internal and external stakeholders through our district website.

Term of Plan: August 13, 2020 – August 13, 2025

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

- §21.102 Probationary Contract

### 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
- §44.908 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**

An adopted exemption from Texas Education Code for which there is no corresponding checkbox above must be added to this section.

- §25.036 Transfer of Student