



HOUSTON INDEPENDENT SCHOOL DISTRICT

# A DISTRICT OF INNOVATION



## I. INTRODUCTION

The 84th Legislative Session produced House Bill 1842, which provided traditional school districts the option to elect District of Innovation (DOI) status. The District of Innovation (DOI) status allows traditional independent school districts the opportunity to implement flexibilities to improve delivery of district services. The Houston Independent School District (Houston ISD, HISD, or the District) seeks District of Innovation status to accelerate its ability to evolve from being an organization focused on basic compliance to one that is student focused and high performing.

To elect DOI flexibilities, a district must create a plan in collaboration with stakeholders to identify specific innovations that are necessary to improve outcomes and deliver services more effectively. Once that plan is approved by the District Advisory Committee and the School Board, the DOI exempts the district from specific statutory requirements so they can implement the identified innovations.

The HISD School Board intentionally assembled a group of diverse community members to conduct a thorough review of all possible exemptions and work in partnership with HISD Administration to determine which exemptions were most critical to supporting the goal to provide every HISD student access to excellent instruction that improves their outcomes. This plan is the product of that work. Given the urgency to make change in HISD, The District of Innovation (DOI) Committee voluntarily elected to create a more comprehensive and transparent plan than is typical in other districts. The HISD Innovation Plan contains a rationale and benefits section, implementation guidance, and an overview of districts that have adopted the same exemptions. The Committee believes that by identifying not only the exemptions, but also creating guidance for their implementation, the Innovation Plan is both a more effective tool for the District and will build trust and understanding among key stakeholders.

## II. TIMELINE

Thursday, September 7, 2023	Adopt Resolution
Thursday, September 14, 2023	Appoint DOI Committee
Tuesday, September 26 – Meeting 1 Monday, October 2 – Meeting 2 Wednesday, October 4 – Meeting 3 Tuesday, October 10 – Meeting 4 Tuesday, October 10 – DAC Meeting Wednesday, October 18 – Meeting 5 Friday, October 20 – Meeting 6 Thursday, October 26 – Meeting 7 Tuesday, October 31 – Meeting 8	DOI Committee meetings to Develop District of Innovation Plan
Monday, November 6, 2023	Preliminary Draft Plan Release to DAC and Public
Wednesday, November 8, 2023	DOI Committee presents the DOI Plan to the DAC
Thursday, November 9, 2023	DOI Committee reconvenes, implements DAC feedback, notifies State of intent to vote
Friday, November 10, 2023	Final Innovation Plan Posted Publicly DAC Public Meeting Noticed TEA Notified
Tuesday, November 14, 2023 – scheduled	District Advisory Committee Public Meeting to Approve Innovation Plan
Thursday, December 14 2023	School Board Considers Innovation Plan (if approved by DAC).

### III. PLAN TERM

The DOI plan for Houston ISD will have an initial term of five years beginning January 2024. Houston ISD will continually monitor the plan's effectiveness and will recommend to the School Board any suggested modifications. The District of Innovation Plan may be amended, rescinded, or revised by a process that includes both the District Advisory Committee and the School Board.

### IV. COMPREHENSIVE EDUCATIONAL PLAN

The District of Innovation Committee drafted this framework of innovative strategies to support the District's ability to prepare all its students academically and socially for the workplace and world of 2035. Every HISD student must be a critical thinker, a problem-solver, and a responsible and productive citizen. This Plan can only be adopted and implemented by the District, once it has been presented to the District Advisory Committee for feedback and approval, and then given final approval by the local School Board.

The Committee worked with the Administration, the DAC, and the School Board to align this plan to Houston ISD's student-focused vision, and believes that if implemented well, these flexibilities will help HISD systems function more efficiently, nimbly, and in full service of schools.

#### Houston ISD Vision\*

*"HISD empowers students to become critical thinkers, visionary leaders, and active contributors in their community, fostering a pathway to success for limitless opportunities in a competitive global landscape."*

#### Strategic Priorities

The District of Innovation Plan will allow Houston ISD to deliver upon its commitment to students. The proposed exemptions and their implementation guidance fall into three strategic priority areas:

- **Quality of Instruction:** use content-rich resources, improve schedules, and support and coach teachers to dramatically improve the quality of instruction across the District for all students.
- **Modern Staffing:** create a staffing model that provides high-quality instruction 100% of the time and compensates teachers fairly.
- **Improved Schools:** transform schools to prepare students for a future workplace and world, and be an environment where students learn to learn everywhere and anytime.

\* Note: Vision statement is pending School Board approval

## V. INNOVATION COMMITTEE

**Uche Ndefo**, PharmD, BCPS

**Janette Garza-Lindner**, HISD School Board Member

**Bill Horwath**, Partner, Education First

**Edgardo Colon**, Attorney and Lecturer, University of Houston

**Lauren Haller Fontaine**, Senior Legal Counsel

**Theresa Tran**, Assistant Professor, McGovern Medical School

**Jessica Morffi**, Deputy Chief of Staff, HISD

## VI. EXEMPTIONS AND INNOVATIONS

The DOI Committee, with support from the Administration, reviewed strategic plans, investigated innovations used in comparable and surrounding districts, and explored all possible exemptions. The sections below outline requested exemptions, provide their rationale and benefits for students, include implementation guidance, and reference a non-exhaustive list of Houston-area districts with the same exemptions.

### Improve the Quality of Instruction

#### First day of instruction

Statutory Requirement: TEC 25.0811(a): Except as provided by this section, a school district may not begin instruction for students for a school year before the fourth Monday in August.

*Exemption: Houston ISD seeks an exemption to begin instruction for students before the fourth Monday in August.*

Rationale & Benefits: Houston ISD cannot improve academic proficiency for all students or close the pernicious achievement gaps that plague our students of color, students with special education needs, and students from economically disadvantaged communities without more high-quality instructional days for students. The current HISD calendar reflects a mere 172 instructional days for students. The abbreviated instructional calendar is one key reason HISD is well behind the state and nation in student achievement. The District seeks to begin instruction prior to the fourth Monday in August, with a minimum of 180 instructional days in the calendar year for all students in the District.

Research supports longer instructional calendars. According to a Harvard study of third graders, extending the school year by more than ten days improves student achievement more substantially than grade retention, highly effective teachers, or reduced class sizes.<sup>1</sup> More time in school also provides at-need students with additional supports such as meals and counseling.

<sup>1</sup> Marcotte, David E., and Benjamin Hansen. "Time for School?" Education Next, Harvard, vol. 10, no. 1, 23 Dec. 2009, <https://doi.org/https://www.educationnext.org/time-for-school/>.

The ability to begin the school year earlier will:

- Allow the District to balance the number of days in the first and second semesters; teachers will be able to pace curriculum equally, and students in semester-long courses will have an equitable amount of learning time. Students interested in enrolling in dual credit classes with local colleges and universities will find this calendar is in closer alignment to those of higher- education institutions – and the calendar will allow students to more easily engage in these College, Career, & Military Readiness (CCMR) courses.
- Allow District professional development (PD) days to be distributed through the school year to ensure teachers are continuously improving and collaborating throughout the calendar year to bolster student outcomes.
- Allow students at least an additional week of instruction in advance of STAAR and other key exams in the Spring. Teachers will have more time to understand students’ strengths and weaknesses and tailor their instructional approach to prepare students for content mastery.
- Make HISD eligible for additional funding for campuses serving grades Pre-K to 5 who offer more than 180 instructional days to students under TEA’s Additional Day School Year program.<sup>2</sup>

Local or Major Urban Districts with this Exemption<sup>3</sup>:

- *99.3% of districts with Innovation Plans have this exemption.*
- Aldine ISD, Alief ISD, Arlington ISD, Austin ISD, Brownsville ISD, Clear Creek ISD, Corpus Christi ISD, Crosby ISD, Dallas ISD, El Paso ISD, Fort Bend ISD, Fort Worth ISD, Frisco ISD, Garland ISD, Galena Park ISD, Huffman ISD, Humble ISD, Katy ISD, Klein ISD, Lamar CISD, New Caney ISD, North East ISD, Northside ISD, Pasadena ISD, San Antonio ISD, Spring ISD, Spring Branch ISD, Tomball ISD

Implementation Guidance:

When planning student calendars, the District will:

- Have no more than 185 instructional days per year.
- Create a competitive compensation package for instructional staff that reflects the value of its educators and reflects the additional time and responsibilities of an expanded academic year.
- Start no earlier than the first Monday in August each year.

### Teacher appraisal system

Statutory Requirement: TEC 21.352 (a) In appraising teachers, each school district should use (1) the appraisal process and performance criteria developed by the commissioner or (2) an appraisal process and performance criteria developed by the district- and campus-level committees established under Section 11.251.

***Exemption: HISD seeks the ability to set the process for developing a local teacher appraisal system by the end of the year, for implementation in SY24-25.***

Rationale & Benefits: The District would like to obtain flexibility to set the process for developing a local teacher appraisal system designed to meet HISD’s specific context and needs for improving student achievement through focused, high-quality instruction. The teacher is the most important factor in determining outcomes for kids. To close existing achievement gaps, the District needs the ability to

<sup>2</sup> “Additional Days School Year.” Texas Education Agency, Texas Education Agency, 18 June 2022, [tea.texas.gov/academics/learning-support-and-programs/additional-days-school-year#:~:text=In%20June%202019%2C%20the%20passage,Days%20School%20Year%20\(ADSY\).](https://tea.texas.gov/academics/learning-support-and-programs/additional-days-school-year#:~:text=In%20June%202019%2C%20the%20passage,Days%20School%20Year%20(ADSY).)

<sup>3</sup> Benchmarking districts include those serving the Houston Metro area, those identified as major urban by TEA, and those in the Texas Urban Council.

establish its own rigorous system for defining and measuring teacher effectiveness that is (a) informed by local context and aligned to specific school and District goals and (b) streamlined to reduce administrative burden and allow principals and teachers to remain focused on coaching and instruction rather than filling out paperwork. This, in turn, will accelerate student outcomes by empowering current HISD educators with tools and resources to improve the quality of instruction, as well as supporting the District's ability to attract, develop, and retain high-quality talent. The District is currently utilizing the standard TEA teacher appraisal system known as the Texas Teacher Evaluation and Support System (T-TESS). Although the current system provides a viable one-size-fits-most solution, it does not provide the flexibility to fully differentiate what teacher success looks like in HISD beyond general measures of effectiveness that are broadly applicable anywhere in the state. The District seeks the ability to efficiently develop and implement its own system that will be rooted in local context and optimized to benefit HISD teachers, principals, and – above all – students. This exemption would empower the District to identify and prioritize the highest-leverage performance measures for evaluating teacher effectiveness that are aligned to individual School Action Plans as well as HISD's overarching strategic vision for transforming student outcomes, without the unnecessary need to conform these measures to the standardized language and structure of the T-TESS rubric and evaluation cycle.

While the current T-TESS creates a usable framework for evaluating most teachers, it is not as comprehensive or efficient as it could be. For example: student survey data is one example of a high-leverage performance measure not currently included in T-TESS that HISD could potentially incorporate into its local appraisal system if granted this exemption. American Institutes for Research data underscores the importance of including student surveys as an element of evaluations. Students have extensive daily contact with teachers, more so than principals or administrators, resulting in unique perspectives and ratings of teacher behaviors and efficacy. Furthermore, student ratings are more highly predictive of student achievement than principal ratings or teacher self-evaluation.<sup>4</sup> This exemption would pave the way for HISD to develop a survey to solicit student feedback around expectations and rigor, pedagogical effectiveness, student engagement, and supportive relationships, providing critical data for assessing teacher effectiveness. Incorporating student voice creates a more robust evaluation process and helps to better identify distinguished teachers.

Furthermore, a study by the National Council for Teacher Quality found that locally developed teacher appraisal systems showed a causal relationship between tailored appraisal systems driving increased student outcomes and improving teacher retention rates.<sup>5</sup>

Finally, HISD Principals have indicated that while T-TESS allows for an objective and comprehensive evaluation of teacher effectiveness, it requires a significant amount of regulatory compliance that makes it less efficient and more cumbersome to implement in schools. One principal said, "The entire T-TESS process is too lengthy. The process takes (if done with fidelity) 3-5 hours to prepare for and document each classroom observation. A lot of time is being spent on actual compliance versus true coaching and developing and a focus on Tier 1 instruction and student achievement."

Local or Major Urban Districts with this Exemption:

- *This exemption is included in 217 District of Innovation Plans.*
- Aldine ISD, Clear Creek ISD, Fort Bend ISD, Fort Worth ISD, Garland ISD, Pasadena ISD, Northside ISD, Tomball ISD

<sup>4</sup> English, David, et al. "Using Student Surveys as a Possible Source of Evidence in Teacher Evaluation." American Institutes for Research, June 2016, <https://doi.org/https://education.ohio.gov/getattachment/Topics/Teaching/Educator-Evaluation-System/Ohio-s-Teacher-Evaluation-System/OTES-2-0/Student-Surveys-in-Teacher-Evaluation-January2022.pdf.aspx?lang=en-US>.

<sup>5</sup> Ross, Elizabeth, et al. "Making a Difference: Six Places Where Teacher Evaluation Systems are Getting Results ." National Council on Teacher Quality, Oct. 2018, <https://doi.org/https://www.nctq.org/publications/Making-a-Difference>.

- *Examples of National Districts with Locally Developed Appraisal Systems:*
  - Denver Public Schools
  - Dallas ISD
  - District of Columbia Public Schools
  - Newark Public Schools

#### Implementation Guidance:

When developing a new teacher appraisal system, the District shall adhere to the following proposed system:

- Training and implementation to occur in Spring of 2024, for roll out during the following school year.
- The appraisal system will be detailed in Board Policy and accompanying documents for the public to promote transparency.

#### **Staff Professional Development**

Statutory Requirement: TEC 21.451 prescribes staff development described by Subsection (a) must be predominantly campus-based, related to achieving campus performance objectives established under Section 11.253, and developed and approved by the campus-level committee established under Section 11.251.

*Exemption: HISD seeks the ability to have more District- and division- based PD opportunities to equip educators with the resources and skills necessary to improve student achievement.*

Rationale & Benefits: Currently, staff PD must be primarily campus-based. As HISD works to recruit, train, and develop more exceptional educators and education leaders, it is imperative that campus-based staff have access to innovative training from the most qualified instructors across the District. Additionally, as HISD is transformed into a high-performing system that serves all students well, it is critical that staff learn from each other and have access to leaders and expertise across the District.

The current campus-based PD system is inadequate. Teachers at one campus are likely to receive entirely different training from their peers at another campus, both in terms of content and rigor. There is no consistency. Principals are required to recreate redundant materials that could be provided by the District.

The instructional quality in the District varies greatly across campuses, and as a result so does the quality of professional development and training. It is important that the District can ensure that all teachers and principals are learning from instructional experts, being coached to achieve instructional mastery, and work collaboratively rather than work in silos.

Once of the first system-wide improvements of the new administration was the launch of the Leadership and Professional Development (LPD) team, charged with developing high-quality training and support for teachers to increase student achievement. With this exemption, the LPD team will be able to collaborate, develop and lead most PD in the District, aligned to the needs of divisions, units, feeder patterns, or individual schools based on data and outcomes. This will increase campus efficiency and reduce inequities inherent in the current system. HISD educators will have access to the same messaging, coaching, and implementation supports proven to increase student success, from experts in the field.

Furthermore, it will allow for flexibility to customize training throughout the year based on evidence of student and family needs.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 88 District of Innovation Plans.*
- Aldine ISD, Alief ISD, Spring ISD

Implementation Guidance:

When developing a PD system, the District will:

- Offer custom PD opportunities, based on individual campus need.
- Utilize research-based curriculum and high-quality instructional materials to drive trainings.
- Gather input from teachers and campus leaders to ensure training meets their needs and leads to continuous improvement.

## Modern Staffing

### Teacher certification & presentation and recording of certificates

Statutory Codes: EC 21.003 (a): A person may not be employed as a teacher, teacher intern, teacher trainee, librarian, educational aide, administrator, educational diagnostician, or counselor unless the person holds an appropriate certificate or permit issued as provided by Subchapter B. TEC 21.053: (a) a person who desires to teach in a public school shall present the person's certificate for filing with the employing district before the person's contract with the board of trustees (managers) of the district is binding. (b) An educator who does not hold a valid certificate may not be paid for teaching or work done before the effective date of issuance of a valid certificate.

*Exemption: HISD seeks flexibility to hire teachers (the exemption does not apply to Special Education teachers whose certification cannot be waived) who do not hold a certification and waive the requirement to present a certification at time of hire for filing.*

Rationale & Benefits: Houston ISD seeks to recruit, develop, and retain highly effective teachers. Valid teaching certification is an important and useful assurance of qualification that HISD values among its current teachers and teacher candidates. Most of the country, however, including Texas, is experiencing a teacher shortage. During the 2022-23 school year, the TEA reported a 13.44% teacher attrition rate across the state, an all-time high. As such, the District anticipates the need to hire a small number of teachers who will earn their credentials through alternative programs. The District will continue to prioritize hiring credentialed teachers but will allow campuses to pursue innovative staffing methods to fill hard-to-staff positions to ensure all students have access to a high-quality teacher. This year, hard-to-staff positions include CTE, science, and upper mathematics lead teachers.

Allowing the District to take a creative approach to recruiting qualified, enthusiastic teachers greatly supports students. As the District begins to offer more P-Tech and CTE courses, HISD needs to onboard skilled professionals with aligned certifications to teach these courses. This exemption allows for the expansion of these courses to be staffed by professional experts with industry credentials.

With its commitment to expanding the leadership pipeline, the District commits to providing rigorous mentorship, educational, and PD opportunities to teachers seeking an alternative certification to ensure that all students are served equitably. The District currently has more than 150 teacher interns enrolled in the Alternative Certification Program (ACP). This training program has proven to prepare teachers holistically for the classroom, and the District intends to continue to grow talent through this program. The District also intends to pursue new avenues to support uncertified teachers in obtaining their formal licensure.

HISD believes a focus on supporting student outcomes outweighs the need for traditional certification immediately upon hire. In fact, research shows that licensure exams, and broader certification



requirements, have been shown to have no effect on student performance or outcomes.<sup>6</sup> Furthermore, licensure and certification are only weakly predictive of teacher performance.<sup>7</sup> While certification alone does not serve as a proxy for teacher quality, the District will continue to prioritize hiring educators with proven track records of success, and primarily those who hold valid certifications. In addition, HISD seeks the ability to develop high-quality teachers who may not yet hold their certification.

In some studies of teachers entering the workforce through alternative certification programs, such as Teach For America and Teaching Fellows, data show that the uncertified teachers outperform their certified peers in terms of student achievement, attendance, and lowered suspension rates.<sup>8</sup> These factors prove there is not necessarily a causal link between certifications and teacher performance.

Local or Major Urban Districts with this Exemption

- **96.3% of Districts with Innovation Plans include this exemption.**
- Aldine ISD, Alief ISD, Arlington ISD, Austin ISD, Clear Creek ISD, Corpus Christi ISD, Crosby ISD, Dallas ISD, El Paso ISD, Fort Bend ISD, Fort Worth ISD, Frisco ISD, Galena Park ISD, Garland ISD, Huffman ISD, Humble ISD, Katy ISD, Klein ISD, Lamar CISD, New Caney ISD, North East ISD, Northside ISD, Pasadena ISD, San Antonio ISD, Spring ISD, Spring Branch ISD, Tomball ISD

Implementation Guidelines:

To implement this exemption well on behalf of students, HISD will:

- Preference qualified candidates with a Texas certification.
- Require all candidates to complete the criminal background check in compliance with State Board for Education rules mandated by TEC §22.0833 for a non-certified employee.
- Vet candidates thoroughly to ensure they have not surrendered any teaching certificates in the past or been terminated from a teaching position for reasons unacceptable to the District.
- Rigorously evaluate all educators for proficiency and effectiveness as part of ongoing commitment to support, develop, compensate, and retain those educators who demonstrate they can improve student outcomes.
- Special education, Pre-K, and bilingual/ESL teachers must continue to be State Board of Education Certified (SBEC) and are not eligible to be hired without a certification.
- Increase the rigor of the hiring process.
- Require uncertified teachers to obtain their certification within 3 years.
- Ensure teachers who teach ELA and math courses from grades 3-5 are certified.

### Parental notification of uncertified teachers

Statutory Code: TEC 21.057 (a): a school district that assigns an inappropriately or uncertified teacher to the same classroom for more than 30 consecutive instructional days during the same school year shall provide written notice of the assignment to a parent or guardian of each student in that classroom.

**Exemption: HISD seeks to lift the requirement to submit written notice to parents and guardians of students assigned to inappropriately or uncertified teachers.**

<sup>6</sup> Chung, Bobby W., and Jian Zou. "Teacher Licensing, Teacher Supply, and Student Achievement: Nationwide Implementation of edTPA." *Annenberg Institute at Brown University*, May 2023, <https://doi.org/https://www.edworkingpapers.com/sites/default/files/ai21-440.pdf.aspx?lang=en-US>.

<sup>7</sup> Joshua Angrist and Jonathan Guryan, (2008), *Does teacher testing raise teacher quality? Evidence from state certification requirements*, *Economics of Education Review*, 27, (5), 483-503

<sup>8</sup> Backes, Ben, and Michael Hansen. "The impact of Teach For America on non-test academic outcomes." *Education Finance and Policy*, vol. 13, no. 2, 2018, pp. 168–193, [https://doi.org/10.1162/edfp\\_a\\_0023](https://doi.org/10.1162/edfp_a_0023).

Rationale & Benefits: As the District seeks to waive the teacher certification requirement, it seeks to lift the requirement to notify parents of uncertified teachers. The District holds steadfast to its requirements to have an effective teacher for every classroom. The District will continue to adhere to a robust hiring and vetting process to ensure great teachers in every classroom. Providing written notice to parents and guardians is an unfair assessment to otherwise competent, high-performing teachers who may have not yet received their certification. Rather than focusing attention on teacher certifications, the District should be focused on its primary goal, which is supporting student achievement.

Parents and guardians will receive regular data and information about student achievement and be regularly updated on their students' progress.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 392 District of Innovation Plans.*
- Clear Creek ISD, Frisco ISD, Huffman ISD, Sheldon ISD, Tomball ISD

Implementation Guidelines:

In lifting this exemption, the District commits to:

- Rigorously evaluating each employee, in adherence to the same rubric and standards, regardless of certification status.
- Promoting transparency around the ways in which campuses recruit staff members, and how teachers can obtain alternative certifications.
- Upon request, provide information regarding specific teacher certification status to the parent or guardian.

### **Designated campus behavior coordinator**

Statutory Requirement: TEC 37.0012: (a) A person at each campus must be designated to serve as the campus behavior coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal. (b) The campus behavior coordinator is primarily responsible for maintaining student discipline and the implementation of this subchapter.

*Exemption: HISD seeks to lift the requirement to designate a campus behavior coordinator.*

Rationale & Benefits: The District seeks to lift the requirement to designate a campus behavior coordinator. Currently, the District must appoint one staff member, typically an administrator, to serve as a behavior coordinator.

The behavior coordinator position has not proven to reduce the number of disciplinary incidents nor support improved student behavior or support. For example, in 2022-23, students who were male, Black, received special education services, were economically disadvantaged, or were considered at risk, received disciplinary actions at disproportionately higher rates. Black students were more than twice as likely than their peers to receive a disciplinary action.<sup>9</sup>

HISD seeks to create policies and practices across campuses that offer all students a more holistic approach to behavior intervention, with high-quality leadership and instruction that engages all students every day and prioritizes student participation in learning at all times.

Ultimately, upholding behavior management and high standards for students should be the shared responsibility of all administrators and teachers. Behavioral decisions are often collaborative in nature and

<sup>9</sup> Matney, Allison. "Memorandum: Student Disciplinary Action Report, 2022-2023." Houston ISD, [www.houstonisd.org/site/handlers/filedownload.ashx?moduleinstanceid=72413&dataid=413051&FileName=Discipline%20Report%202022-2023.pdf](http://www.houstonisd.org/site/handlers/filedownload.ashx?moduleinstanceid=72413&dataid=413051&FileName=Discipline%20Report%202022-2023.pdf).

should not be the responsibility of one individual. Teachers should be held accountable to relationship-building and behavior management within classrooms. As needed, behavior support can escalate from the teacher to school and district leadership. The principal should oversee all practices and is ultimately responsible for behavior and support within their school. Should a parent have a question about student discipline, the principal should be positioned to act as a liaison between the school and families.

As an example, a pilot at the high schools in our New Education System (NES) demonstrates a very clear process for escalating any behavior issues from the classroom level through the assistant principal and other administrators. In the 2023-2024 school year, district-wide fighting infractions decreased by nearly 40%, and “chronic failure to adhere to directives” had dropped by nearly 57% district-wide and by nearly 77% at NES and NES-aligned campuses.<sup>10</sup>

This process allows multiple individuals to work together to best address a student’s needs. Lifting the requirement to designate one individual as the campus behavior coordinator will allow schools to more comprehensively respond to student behavior incidents in a way that is aligned to a commitment to student learning above all else.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 293 District of Innovation Plans.*
- El Paso ISD, Frisco ISD, Garland ISD, Katy ISD, Lamar CISD, New Caney ISD, Northside ISD, Pasadena ISD, Sheldon ISD, Spring ISD, Tomball ISD

Implementation Guidelines:

In removing a designated behavior coordinator position, the District commits to:

- Provide differentiated training and support to all relevant campus staff to ensure they are fully capable of upholding behavioral expectations, filing reports, and contacting family as necessary,
- Regularly review disciplinary actions at the campus level to promote staff accountability and ensure equitable discipline rates by subgroup, race, and gender.
- Hold Principals accountable for campus discipline by subgroup.
- Comply with all regular reporting requirements.

## Improved Schools

### Minimum attendance for class credit or final grade

Statutory Requirement: TEC 25.092: (a) Except as provided by this section, a student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered. (a-1) A student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered may be given credit or a final grade for the class if the student completes a plan approved by the school’s principal that provides for the student to meet the instructional requirements of the class.

*Exemption: Houston ISD seeks an exemption for the flexibility in determining minimum attendance requirement for class credit for eligible high school students.*

Rationale & Benefits: Houston ISD is committed to providing students with diverse learning opportunities to prepare them for the workforce of the future. In addition to effective classroom instruction, students also need access to other innovative learning opportunities that allow them to connect classroom learning and content mastery to real life experiences. The current statute applies a narrow and rigid definition

<sup>10</sup> Menchaca, Megan. “Houston ISD Reports Drop in Behavior Infractions, Teacher Absences ...” Houston Chronicle, 6 Oct. 2023, [www.houstonchronicle.com/news/houston-texas/education/article/houston-isd-student-behavior-teacher-absences-18410939.php](http://www.houstonchronicle.com/news/houston-texas/education/article/houston-isd-student-behavior-teacher-absences-18410939.php).

of attendance that ignores content mastery and constrains HISD from being able to extend innovative learning opportunities – such as P-TECH and CTE courses – equitably to all students.

This disproportionately impacts students who have jobs or internships and those who attend additional evening or weekend courses. If HISD has the flexibility to determine alternate minimum attendance requirements for class credit, the District will better serve all students by aligning attendance and course credit policies to the content mastery when appropriate and recognizing students' participation in out-of-school work or learning opportunities that can also count toward course credit for the purposes of graduation requirements.

This exemption will only apply to students in good academic and behavioral standing. Good academic standing can be defined as a student receiving 70s or above in all courses. While attendance is important, course credit should be determined by content mastery rather than seat time. However, all students, regardless of content mastery status, will be required to undergo a thorough approval process at their principal's discretion. By maintaining a comprehensive approval process, Houston ISD can ensure an attendance exemption would not create pathways for a student to miss school.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 295 District of Innovation Plans.*
- Aldine ISD, Alief ISD, Arlington ISD, Austin ISD, Clear Creek ISD, Crosby ISD, Dallas ISD, El Paso ISD, Fort Bend ISD, Fort Worth ISD, Frisco ISD, Garland ISD, Humble ISD, Katy ISD, Klein ISD, New Caney ISD, Pasadena ISD, Sheldon ISD, Spring ISD, Spring Branch ISD

Implementation Guidance:

In requesting this exemption, the District commits to:

- Give principals the decision-making authority to approve attendance waivers on a case- by-case basis as outlined in the attendance credit appeals process and each principal's plan for attendance appeals.
- Grant attendance waivers only for students in good academic standing (70s or above in all courses).
- Ensure no student's absences shall exceed 30% in any course.
- Set clear parameters for the types of programs that may fall under 90% of the days the class is offered.
- Require elementary and middle school students to adhere to all statutory guidelines on attendance.

### **Class size waiver**

Statutory Requirement: TEC 25.112 states (a) Except as otherwise authorized by this section, a school district may not enroll more than 22 students in a prekindergarten, kindergarten, first, second, third, or fourth grade classroom.

*Exemption: Houston ISD is seeking autonomy for flexibility in determining class size.*

Rationale & Benefits: The implications of class size vary a great deal across campuses. As a result, the District, in partnership with individual principals, needs the ability to review and adapt class sizes on a case-by-case basis at each campus. Tailored instruction remains the goal; however, class size may vary depending on the needs of the school or the instructional program. Ensuring all students have access to a high-quality teacher and instruction remains the primary goal of the District, and under the innovative staffing model, this goal is made possible through the addition of intentional supports, and additional staff in classrooms to support students. Without this exemption, positive impacts of this staffing model are

minimized when campuses are forced to meet an arbitrary class size restriction that is not supported by current research.

Research illustrates that exposure to a high-quality teacher has a greater impact on student achievement gains compared to smaller class sizes.<sup>11</sup> For example, John Hattie illustrates in his Effect Size research that class sizes (.21) are not as impactful for student achievement as collective teacher efficacy (1.57) or teacher clarity (.75). The District needs the flexibility to implement its more effective staffing model, such as the use of teacher apprentices and learning coaches.

The District already has many classrooms which exceed the 22-student cap in grades Pre-K to 4. The process for having the School Board and TEA approve waivers from the 22:1 class size law for PK-grade 4 classrooms is overly cumbersome in a district the size of Houston ISD and does nothing to promote student achievement. According to a 2022 board meeting, the District had 1080 class size waivers in SY22-23, and 1008 class size waivers in SY21-22.<sup>12</sup> The phenomenon of increased class sizes is not new in the District.

It is important to note, however, the District intends to ensure all adjustments and exceptions to the class size requirement are appropriately granted on a case-by-case basis and bound by clear parameters. Ultimately, Houston ISD will work diligently to equip its educators to provide effective instruction while housing a manageable number of students in each classroom to carry out instruction.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 499 District of Innovation Plans.*
- Aldine ISD, Alief ISD, Austin ISD, Clear Creek ISD, Crosby ISD, Corpus Christi ISD, Galena Park ISD, Garland ISD, Huffman ISD, Humble ISD, Klein ISD, New Caney ISD, Pasadena ISD, San Antonio ISD, Sheldon ISD, Spring ISD, Tomball ISD

Implementation Guidelines:

In requesting this exemption, the District commits to:

- Cap class sizes when they reach 20 students in Pre-K, 25 students in kindergarten and first grades, and 28 students in second through fourth grades.
- Conduct daily walkthroughs to assess student learning and teacher effectiveness, with a particular focus in those capped classes as outlined above.
- Place only educators evaluated as highly effective in larger class sizes to the extent able to ensure the maximum number of students have access to an excellent teacher.

### Visits to accredited institutions of higher education

Statutory Requirement: TEC 25.087 (b-2) provides that a District may excuse a student from attending school to visit an institution of higher education accredited by a generally recognized accrediting organization during the student's junior and senior years of high school for the purpose of determining the student's interest in attending the institution of higher education, provided that: (1) the District may not excuse for this purpose more than two days during the student's junior year and two days during the student's senior year.

*Exemption: HISD seeks to lift the requirement to excuse a maximum of two days for visits to higher education institutions for juniors and seniors.*

<sup>11</sup> Hansen, Michael (2013). Right-sizing the Classroom: Making the Most of Great Teachers, CALDER at the American Institutes for Research <http://edexcellencemedia.net/publications/2013/20131119-Right-sizing-the-Classroom-Making-the-Most-of-Great-Teachers/Right-Sizing-the-Classroom-EMBARGOED.pdf>.

<sup>12</sup> "The Houston Independent School District: Board of Education Meeting Agenda ." November 10, 2022. Board of Education Meeting , Houston, Texas. Accessed 31 Oct. 2023.

Rationale & Benefits: Houston ISD is seeking to expand the number of days that can be excused for visits to institutions of higher learning. Visits to accredited institutions play a pivotal role in a student's decision on whether and where to attend college, and HISD seeks to do everything possible to remove barriers to post-secondary success for our graduates.

Students in good standing (above 70s in all courses) should be exempt from this unnecessary requirement. Students need more than two days to fully explore their options. HISD is deeply invested in supporting students to understand and access higher-learning, trade schools, or military institutions before graduation to help them make better decisions and ensure they are doing everything necessary to prepare for these opportunities while still in high school. This exemption may also help the district to raise CCMR rates.

Houston ISD understands that additional absences may impact state funding. The district will also continue to implement procedures to verify student visits.

Local or Major Urban Districts with this Exemption

- *This exemption is included in 61 District of Innovation Plans.*
- Aldine ISD, Fort Worth ISD

Implementation Guidelines:

In requesting this exemption, the District shall:

- Ensure principals implement a process to review and approve any requests longer than two days.\*
  - The student or guardian shall submit a written request in advance of visits.
  - Upon return, the student shall provide documentation to prove purpose of the absence.
- Ensure the student is in good standing (passing all courses) before granting approvals.
- Limit this exemption to apply only to juniors and seniors.

### Vaping and DAEP

Statutory Requirement: TEC37.006 mandates that a student who possesses or gives/sells another student an e-cigarette or marijuana must be sent to a Disciplinary Alternative Education Program (DAEP).

*Exemption: HISD is seeking an exemption for mandatory DAEP placement for vaping related offenses.*

Rationale & Benefits: This new code provides no flexibility in dealing with students who violate this rule. This zero-tolerance policy requires removal based on a first offense and does not allow for any discretion based on the nature of the offense. HISD believes this will unnecessarily remove students from the classroom, adversely impact student proficiency, and reverse the progress being made on behavior and discipline in our schools. The District seeks to put decisions back in the hands of educators and local district leadership. Student learning and progress is disrupted when students are removed from their home campus.

Furthermore, students who are assigned to disciplinary exclusion centers are far less likely to graduate than their peers. A recent study shows that students who were assigned to in-school-suspension once had a 71% chance of graduating on time, meanwhile, students assigned to a DAEP center just once had a 44% chance of graduating within four years.<sup>13</sup>

The District will ensure that vaping and other similar offenses will be dealt with appropriately through the District-wide, Board-approved Student Code of Conduct, local interventions, or counseling.

\* Note: The school shall approve no more than five absences for this purpose per year.

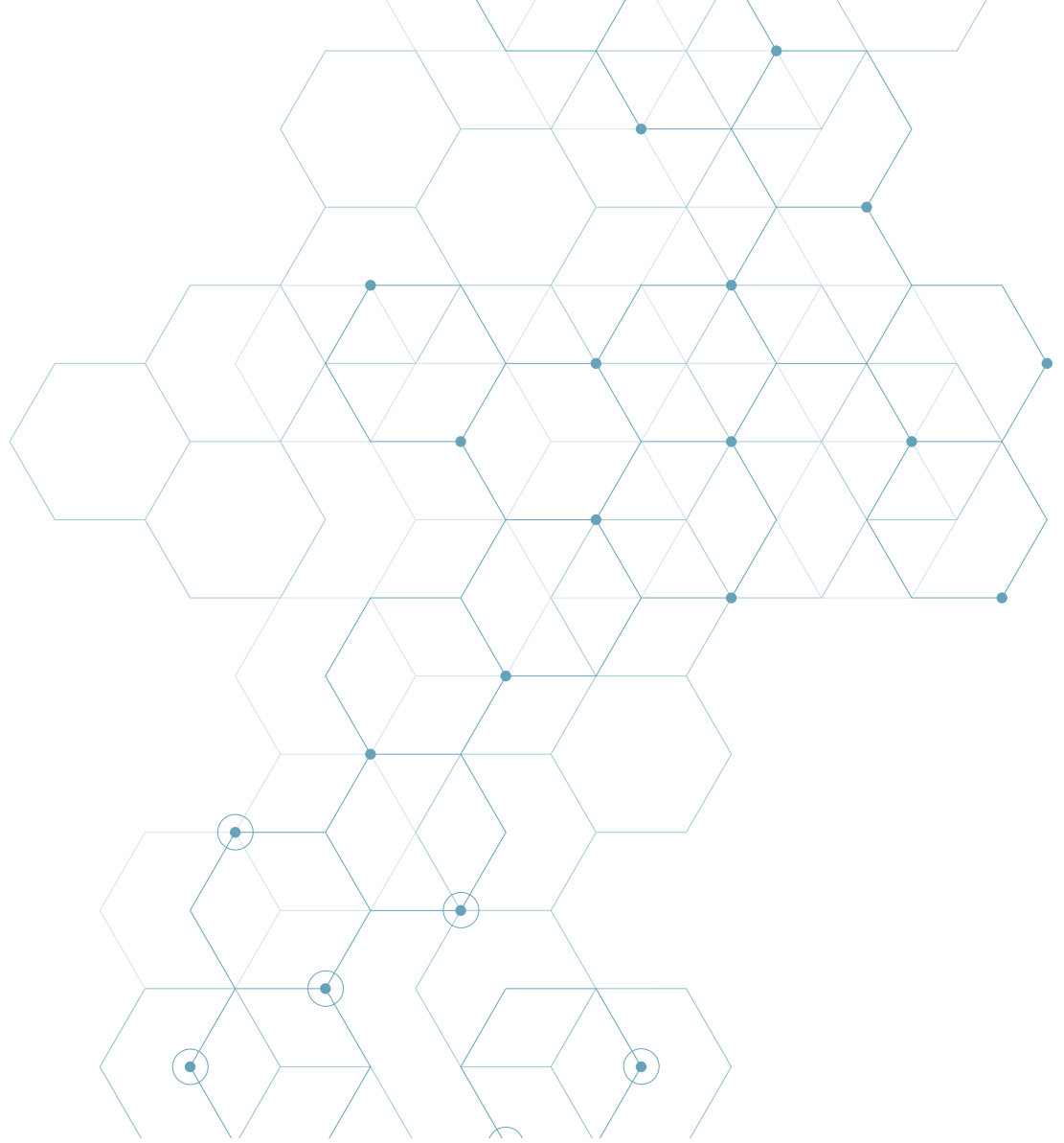
<sup>13</sup> Lenderman, K. & Hawkins, J. (2021). Out of the classroom and less likely to graduate: The relationship between exclusionary discipline and four-year graduation rates in Texas. Texas Education Review, 9(2), 6-20.  
<http://dx.doi.org/10.26153/tsw/13913>

*As of October 2023, 122 districts have requested this exemption in Texas.*

Implementation Guidelines:

In requesting this exemption, the District commits to:

- Document all related offenses.
- Report any offenses to parents and guardians.
- Develop a robust plan to guide local disciplinary interventions.
- Educate students and families on the dangers of vaping and addiction.



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