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DISTRICT OF INNOVATION (DOI) FREQUENTLY ASKED QUESTIONS



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What is a DOI designation?

House Bill 1842, approved in 2015, created the law that allows designation as a DOI. The law is found under Chapter 12A of the Texas Education Code (TEC). It allows traditional public school districts with an acceptable or better accountability rating to create a district-level innovation plan, potentially including exemptions from most of the TEC.

What prompted Lamar CISD to become a DOI?

The process begins with a resolution by the Board of Trustees or a signed petition from a majority of the district-level advisory committee. On November 9, a majority of the DSIC signed a petition to initiate consideration of a DOI designation. The DSIC is made up of teachers, staff, parents, business representatives, and community members with a requirement that more than 50% of the elected professional staff must be classroom teachers.

Why is Lamar CISD pursuing a DOI designation?

Lamar CISD would like to pursue a local innovation plan that eliminates some challenges of the current educational environment and will benefit our community, which may look different from our neighboring DOIs. All DOIs are focused on providing a comprehensive educational program and ensuring that each student receives strong academic instruction.

A major key difference is the increased flexibility outside of the traditional district limitations and that the DOI has the option to create a local innovation plan based on their needs.

How will Lamar CISD benefit from a DOI designation?

As a District of Innovation, Lamar CISD would be able to continue to provide a comprehensive educational program with greater flexibility to ensure that each student receives strong academic instruction without the limitations of a traditional district.

Some of those items include:

- Allows greater flexibility to modify time periods for the instructional school day.
- Creates the ability to modify the instructional school year to an early start time to include strategic breaks for staff development days to ensure our teachers have ample opportunity to address learning gaps and instructional inefficiencies.
- Reduces limitations on appropriate responses to disruptive student behavior
- Reduction in required state-mandated annual training.

- Establishes a pathway to expand CTE and World Language coursework by allowing industry-trained staff to become instructors

The implementations that we have decided to focus on include:

INNOVATION ITEM	CURRENT STATE REQUIREMENT	CHALLENGE
<p>Innovation #1 First Day of Instruction</p>	<p>A district cannot begin instruction for students for a school year before the fourth Monday in August.</p>	<p>Conflicts with the current need to provide strategic breaks for staff and students throughout the year. A challenge to balance the days in each semester, particularly at the secondary level when participating in a one-semester course. 45-day penalty-free period for contract release Limited calendar options</p>
<p>Innovation #2 Teacher Certification for hard-to-fill positions</p>	<p>All teachers must hold an appropriate certificate or permit issued by the state. In the absence of the certification, districts can request emergency certification from the State Board of Educator Certification (SBEC). When a teacher does not have certification, the district must provide written notification to parents within 30 days.</p>	<p>Traditional certification requirements for hard-to-fill positions are not aligned with the realities of the current educational environments. There is a need to hire industry experts to teach many of the "hard to fill" course offerings like career and technology and world languages such as French, ASL, and Chinese. Without a traditionally certified teacher, there could be limited availability of these courses.</p>
<p>Innovation #3 Staff Workdays</p>	<p>Requires a contract between a school district and an educator to be for a minimum of 10 months of service with a minimum of 187 days.</p>	<p>With the change in requirements for student instruction time, the calendar for educators became difficult.</p>
<p>Innovation #4 90% Rule</p>	<p>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.</p>	<p>Current reality reflects that some students are unable to attend class in the traditional brick and mortar building for a variety of reasons including, but not limited to, illness, family concerns, disabilities, efforts to pursue an accelerated programming such as the LCISD Senior Rescue Program (1621).</p>

	<p>Note: This innovation would not apply to standard credit-bearing courses offered in the traditional classroom setting, but would be appropriate to apply to nonstandard, non-traditional courses offered outside of the campus classroom, such as an off-site internship or a dual credit course taken on a college campus.</p>	
<p>Innovation #5 Designation of Campus Behavior Coordinator</p>	<p>A person at each campus is 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.</p>	<p>Placing this duty on one administrator creates great inefficiencies and limits the effectiveness of Lamar CISD administrators. The assistant principals build relationships with the students and families assigned to them and are best equipped to handle discipline concerns and the management of behavior issues and consequences.</p>
<p>Innovation #6 Limitations on Student Suspensions</p>	<p>Students below grade three may not be placed in out-of-school suspension unless the student engages in behaviors that include weapons, violent offenses or being under the influence.</p>	<p>There are times when students engage in behaviors that do not necessarily fit into the categories of weapons, violent offenses or being under the influence, but warrant removal from the instructional setting. An example might include students who engage in "persistent misbehaviors" that are deemed to be harmful to the student, other students, and staff. Currently, students in these situations sometimes fail to understand the seriousness of their behaviors due to administrative limitations in responding to their behaviors.</p>
<p>Innovation #7 Required Professional Development</p>	<p>Staff development provided by a school district to an educator other than a principal must be conducted in accordance with</p>	<p>Lamar CISD faculty are well trained in required staff development. Annual mandated trainings serve only to add redundancy to back-to-school</p>

	standards developed by the district and designed to improve education in the district.	work that can be better utilized in preparing for the students to return.
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How will Lamar CISD NOT use a DOI designation?

There are portions of the DOI designation that are implemented in other districts, but will not benefit our community, and we do not plan to include in our local innovation plan.

For example, some of the portions we will **NOT** implement:

- We will **NOT** decrease the 75,600 required minutes of instructions
- We will **NOT** reduce teacher compensation
- We will **NOT** eliminate teacher lunch and planning time
- We will **NOT** hire random, uncertified staff to teach core classes at any grade level

What are the next steps before Lamar CISD becomes a DOI?

The Board will conduct a public hearing to consider developing a local innovation plan, which will occur on December 13, 2022, before the regular board meeting begins. At the end of this hearing, our administration will ask the Board to consider approval of the committee to develop a local innovation plan in accordance with state law. After the Board approves the committee (DSIC) to develop the plan, the committee will work to finalize the plan and post it for 30 days. Within 30 days of the public hearing, the Board must formally decide to pursue or decline becoming a DOI. Administration will request approval of the plan at the regularly scheduled board meeting on January 17, 2023.

Are we the only district considering a DOI designation?

No, nearly 90% of districts in Texas have the DOI designation. In fact, there are about 899 districts in Texas that have notified the Texas Education Agency that they have adopted a local innovation plan and are designated as DOI. **View List of DOI Districts:** Click [HERE](#).

How do I find out more about what DOI means for me?

We encourage you to review the attached presentation from the November 15 Board Meeting to see how the DOI designation will be implemented in Lamar CISD.

As a teacher or staff member, what is the best way for me to voice my opinion on DOI?

Each portion of the plan will be presented to the DSIC committee and approved by the Board of Trustees. If you have questions, comments or concerns, please e-mail your DSIC campus representative (ask your principal for his/her name) as well as the DSIC chairperson, Sara Ryan at SRyan@LCISD.org. Together, they can share your feedback with the rest of the Council as they work through the DOI process.



**Texas Education Agency (TEA)
Commissioner's Rules
Concerning Innovation District**

Chapter 102. Educational Programs

Subchapter JJ. Commissioner's Rules Concerning Innovation District

§102.1301. Definitions.

For purposes under this subchapter, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

- (1) District-level committee--This term has the meaning assigned by the Texas Education Code (TEC), §11.251, or a comparable committee if the district is exempted (or has exempted itself) from this provision.
- (2) Innovation plan committee--A committee appointed by the board of trustees to develop the innovation plan in accordance with statutory requirements. The district-level committee, as described in paragraph (1), may also serve in this role.
- (3) Public hearing--An open meeting held by the board of trustees that allows members of the public to hear facts about the proposed plan and designation and provides the opportunity for the public to give opinions and comments on the proposed actions.
- (4) Public meeting--An open meeting held by the board of trustees that allows members of the public to hear facts about the proposed plan and designation.
- (5) Unacceptable academic performance rating--For the purposes of this chapter, the term "unacceptable academic" performance rating means a rating of Improvement Required or Unacceptable Performance or as otherwise indicated in the applicable year's academic accountability manual adopted under §97.1001 of this title (relating to Accountability Rating System).
- (6) Unacceptable financial accountability rating--For the purposes of this chapter, the term "unacceptable financial" performance rating means a Financial Integrity Rating System of Texas (FIRST) rating of Substandard Achievement as indicated in the applicable year's financial accountability system manual adopted under §109.1001 of this title (relating to Financial Accountability Rating).

Statutory Authority: The provisions of this §102.1301 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1301 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1303. Eligibility.

- (a) A district is eligible for designation as an innovation district if the district's most recent performance rating under the Texas Education Code (TEC), §39.054, is at least acceptable performance, as indicated in the applicable year's academic accountability manual adopted under §97.1001 of this title (relating to Accountability Rating System).
- (b) A board of trustees may not vote on the final approval of the innovation plan if the district is assigned either a final or preliminary rating below acceptable performance, as indicated in the applicable year's academic accountability manual adopted under §97.1001 of this title. In the event the preliminary rating is changed, the board of trustees may then vote to become an innovation district.

Statutory Authority: The provisions of this §102.1303 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1303 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1305. Process Timeline.

- (a) If a resolution is adopted by the board of trustees or upon receipt of a petition signed by a majority of the members of the district-level committee, the board of trustees shall hold a public hearing as soon as

possible, but not later than 30 days, to consider if the district should develop a local innovation plan for the designation of the district as an innovation district.

- (b) At the conclusion of the public hearing, or within 30 days after conclusion of the public hearing, the board of trustees may:
 - (1) decline to pursue designation of the district as an innovation district; or
 - (2) appoint an innovation plan committee to develop a local innovation plan in accordance with the TEC, §12A.003.
- (c) The board of trustees may outline the parameters around which the innovation plan committee may develop the plan.
- (d) Prior to the designation as an innovation district, a local innovation plan must be developed for the school district and shall meet the plan requirements as outlined in the TEC, §12A.003, and described in this subchapter.
- (e) The plan must be clearly posted on the district's website for the term of the designation as an innovation district.

Statutory Authority: The provisions of this §102.1305 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1305 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1307. Adoption of Local Innovation Plan.

- (a) The board of trustees may not vote on adoption of a proposed local innovation plan unless:
 - (1) the final version of the proposed plan has been available on the district's website for at least 30 days;
 - (2) the board of trustees has notified the commissioner of education of the board's intention to vote on adoption of the proposed plan; and
 - (3) the district-level committee established under Texas Education Code (TEC), §11.251, has held a public meeting to consider the final version of the proposed plan and has approved the plan by a majority vote of the committee members. This public meeting may occur at any time, including up to or on the same date at which the board intends to vote on final adoption of the proposed plan.
- (b) A board of trustees may adopt a proposed local innovation plan by an affirmative vote of two-thirds of the membership of the board.
- (c) On adoption of a local innovation plan, the district:
 - (1) is designated as a district of innovation under this subchapter for the term specified in the plan but no longer than five calendar years, subject to TEC, §12A.006;
 - (2) shall begin operation in accordance with the plan; and
 - (3) is exempt from state requirements identified under TEC, §12A.003(b)(2).
- (d) The district shall notify the commissioner of approval of the plan along with a list of approved TEC exemptions by completing the agency form provided in the figure in this subsection.
[Figure: 19 TAC §102.1307\(d\)](#)
- (e) A district's exemption described by subsection (c)(3) of this section includes any subsequent amendment or redesignation of an identified state requirement, unless the subsequent amendment or redesignation specifically applies to an innovation district.
- (f) The district shall ensure that a copy of the local innovation plan is posted on the district's website in accordance with TEC, §12A.0071, for the term of the designation as an innovation district.

- (g) Not later than the 15th day after the date on which the board of trustees finalizes a local innovation plan either through adoption, amendment, or renewal, the district shall provide a link to the local innovation plan as posted on the district's website to the Texas Education Agency for posting on the agency website.

Statutory Authority: The provisions of this §102.1307 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1307 adopted to be effective September 13, 2016, 41 TexReg 7089; amended to be effective January 31, 2018, 43 TexReg 462; amended to be effective October 25, 2022, 47 TexReg 6982.

§102.1309. Prohibited Exemptions.

- (a) An innovation district may not be exempted from the following sections of the Texas Education Code (TEC) and the rules adopted thereunder:
- (1) a state or federal requirement, imposed by statute or rule, applicable to an open-enrollment charter school operating under TEC, Chapter 12, Subchapter D, including, but not limited to, the requirements listed in TEC, §12.104(b), and:
 - (A) TEC, Chapter 22, Subchapter B;
 - (B) TEC, Chapter 25, Subchapter A, §§25.001, 25.002, 25.0021, 25.0031, and 25.004;
 - (C) TEC, Chapter 28, §§28.002, 28.0021, 28.0023, 28.005, 28.0051, 28.006, 28.016, 28.0211, 28.0213, 28.0217, 28.025, 28.0254, 28.02541, 28.0255, 28.0258, 28.0259, and 28.026;
 - (D) TEC, Chapter 29, Subchapter G;
 - (E) TEC, Chapter 30, Subchapter A;
 - (F) TEC, §30.104;
 - (G) TEC, Chapter 34;
 - (H) TEC, Chapter 37, §§ 37.005, 37.006(l), 37.007(e), 37.011, 37.012, 37.013, and 37.020;
 - (I) TEC, Chapter 39; and
 - (J) TEC, Chapter 39A.
 - (2) TEC, Chapter 11, Subchapters A, C, D, and E, except that a district may be exempt from TEC, §11.1511(b)(5) and (14) and §11.162;
 - (3) TEC, Chapter 12, Subchapter C;
 - (4) TEC, Chapter 12A;
 - (5) TEC, Chapter 13;
 - (6) TEC, Chapter 44, §§44.0011, 44.002, 44.003, 44.004, 44.0041, 44.005, 44.0051, 44.006, 44.007, 44.0071, 44.008, 44.009, 44.011, 44.0312, 44.032, 44.051, 44.052, 44.053, and 44.054;
 - (7) TEC, Chapter 45, §§45.003, 45.0031, 45.005, 45.105, 45.106, 45.202, 45.203;
 - (8) TEC, Chapter 46;
 - (9) TEC, Chapter 48; and
 - (10) TEC, Chapter 49.
- (b) In addition to the prohibited exemptions specified in subsection (a) of this section, an innovation district may not be exempted from:
- (1) a requirement of a grant or other state program in which the district voluntarily participates;
 - (2) duties that the statute applies to the execution of that power if a district chooses to implement an authorized power that is optional under the terms of the statute;

- (3) a requirement of a grant or other state program authorized in the TEC that would otherwise entitle the district to participation in that program; and
- (4) requirements imposed by provisions outside the TEC, including requirements under Texas Government Code, Chapter 822.

Statutory Authority: The provisions of this §102.1309 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1309 adopted to be effective September 13, 2016, 41 TexReg 7089; amended to be effective January 31, 2018, 43 TexReg 462; amended to be effective January 8, 2020, 45 TexReg 339; amended to be effective October 25, 2022, 47 TexReg 6982.

§102.1311. Term.

The term of a district's designation as a district of innovation may not exceed five calendar years and is effective upon district approval and notification of the plan to the Texas Education Agency. A district may only have one innovation plan at any given time.

Statutory Authority: The provisions of this §102.1311 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1311 adopted to be effective September 13, 2016, 41 TexReg 7089.

§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 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.
 - (2) Rescission. A district must notify the Texas Education Agency within five business days of rescission and provide a date at which time it will be in compliance with all sections of the TEC, but no later than the start of the following school year.
 - (3) Renewal. During renewal, all sections of the plan and exemptions shall be reviewed and the district must follow all components outlined in §102.1307 of this title (relating to Adoption of Local Innovation Plan).
- (b) The district shall notify the commissioner of education of any actions taken pursuant to subsection (a) of this section along with the associated TEC exemptions and local approval dates.

Statutory Authority: The provisions of this §102.1313 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1313 adopted to be effective September 13, 2016, 41 TexReg 7089.

§102.1315. Termination.

- (a) The commissioner of education may:
 - (1) terminate a district's designation as a district of innovation if, beginning with its ratings in the year of designation, the district is assigned for two consecutive school years:
 - (A) a final unacceptable academic performance rating under the Texas Education Code (TEC), §39.054;
 - (B) a final unacceptable financial accountability rating under the TEC, §39.082; or
 - (C) a final unacceptable academic performance rating under the TEC, §39.054, for one of the school years and a final unacceptable financial accountability rating under the TEC, §39.082, for the other school year;

- (2) permit the district to amend the district's local innovation plan to address concerns specified by the commissioner in lieu of terminating the designation as described in paragraph (1) of this subsection; or
- (3) terminate a district's designation as a district of innovation if the district:
 - (A) fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under the TEC, §12.1059;
 - (B) fails to comply with the duty to discharge or refuse to hire certain employees or applicants convicted of certain offenses under the TEC, §22.085; or
 - (C) fails to comply with the duty to discharge or refuse to hire certain employees or applicants not eligible for employment in public schools under the TEC, §22.092.
- (b) The commissioner shall terminate a district's designation as a district of innovation if, beginning with its ratings in the year of designation, the district is assigned for three consecutive school years:
 - (1) a final unacceptable academic performance rating under the TEC, §39.054;
 - (2) a final unacceptable financial accountability rating under the TEC, §39.082; or
 - (3) any combination of one or more unacceptable ratings under paragraph (1) of this subsection and one or more unacceptable ratings under paragraph (2) of this subsection.
- (c) Upon termination of an innovation plan, a district must return to compliance with all specified areas of the TEC by a date to be determined by the commissioner.
- (d) A decision by the commissioner under this section is final and may not be appealed.

Statutory Authority: The provisions of this §102.1315 issued under the Texas Education Code, §§12A.001-12A.009.

Source: The provisions of this §102.1315 adopted to be effective September 13, 2016, 41 TexReg 7089; amended to be effective January 8, 2020, 45 TexReg 339.