



## **Districts of Innovation Frequently Asked Questions**

### **What is a “district of innovation”?**

The district of innovation concept was passed into law in 2015 when the 84<sup>th</sup> Texas Legislature created Texas Education Code chapter 12A, Districts of Innovation

The law allows traditional independent school districts to access most of the flexibilities available to Texas’ open enrollment charter schools. To access these flexibilities, a school district must adopt an innovation plan, as set forth in Chapter 12A and Texas Education Agency (TEA) rules.

### **What school districts are eligible to be districts of innovation?**

To be eligible for designation as a district of innovation, a school district’s most recent academic performance rating must be acceptable. A district with a preliminary accountability rating that is not acceptable will not be able to approve an innovation plan.

### **Why would a school district choose to pursue this option?**

A local school district may want to pursue specific innovations in curriculum, instruction, governance, parent or community involvement, school calendar, budgeting, or other ideas. An innovation plan also allows a school district to gain exemption from many Texas Education Code requirements.

Essentially, innovation plans are about local control. Each district pursues designation as a district of innovation for different reasons. Consequently, each innovation plan should be unique to the local school district. The experiences of other school districts can be informative, but may not directly relate to the purpose or progress of another district’s plan.

### **What legal requirements could a school district avoid by becoming a district of innovation?**

A district of innovation may adopt a plan that includes exemptions from most of the state laws that are not applicable to open enrollment charter schools. These laws could include:

- Site-based decision making processes (to the extent required by state law)
- Uniform school start date
- Minimum minutes of instruction

- Class size and student/teacher ratio
- The 90 percent attendance rule (but compulsory attendance still applies)
- Student discipline provisions (with some key exceptions, like the requirement to have a code of conduct and restrictions on restraint and seclusion)
- Teacher certification (except as required by federal law or as applicable to charter schools)
- Teacher contracts
- Teacher benefits, including state minimum salary schedule, duty-free lunch, and planning periods
- Teacher and principal appraisal system

**What legal requirements continue to apply to all school districts, including districts of innovation?**

An innovation plan cannot seek exemption from: a state or federal requirement applicable to enrollment charter schools; certain parts of Texas Education Code, chapter 11., regarding school district governance; state requirements for curriculum and graduation; and academic and financial accountability standards. Laws from which a district of innovation cannot be exempt include statutes regarding:

- Elected boards of trustees
- Powers and duties of school boards, superintendents, and principals
- PEIMS
- Criminal history record checks and educator misconduct reporting
- Curriculum and graduation requirements
- Bilingual education
- Special education
- Prekindergarten
- Academic accountability, including student assessments
- Financial accountability and related reporting
- Reporting of improper relationships between employees and students
- Open meetings
- Public records
- Certain public purchasing requirements and conflicts of interest
- Nepotism
- Civil immunity under Texas Education Code, chapter 22, subchapter B
- Other state and federal laws outside of the Texas Education Code

Districts may also not use an innovation plan to seek exemption from a requirement imposed by a state or federal grant program in which the district voluntarily participates. The TEA rules include a detailed list of the statutes from which a district of innovation cannot claim an exemption.