

# Era ISD

## District of Innovation Plan ~ 2016-2021

The Era Independent School District (EISD) is exercising authority created by passage of House Bill 1842 of the 84<sup>th</sup> Legislative Session, as set forth in Texas Education Code, Chapter 12A. HB 1842 allows a traditional public school to exercise greater local control, and utilize the exemptions in Education Law that charter schools currently are entitled to. We feel this is a great opportunity for our local district to create a plan based on the needs of our students and community.

Beginning with the start of the 2016-2017 school year, EISD will exercise this authority to exempt itself from the following state requirements for a five year period running through the conclusion of the 2020-2021 school year, including: **Uniform school start date, required length of school day.**

### 1. School start date

***EISD Board Policy: EB(LEGAL)***

#### **2015-16 Student Attendance Accounting Handbook**

**§3.8.1 Calendar.** Your school district or charter school must operate so that it provides for at least 75,600 minutes of instruction, including intermissions and recesses (school days) for students (minus any minutes waived by the TEA in writing [see 3.8.2 Makeup Days and Waivers]), unless your district or charter school has been approved to provide fewer school days to certain students through a program such as the Optional Flexible Year Program. However, even if your district or charter has been approved to provide fewer school days through such a program, under no circumstances may it offer fewer than 71,400 school minutes.

To receive full funding, a charter school must offer 75,600 minutes (including intermissions and recesses), minus any minutes waived by the TEA in writing, just as a school district is required to. Also, if a charter school elects to have a calendar that includes fewer than 75,600 minutes with planned staff development days factored in (for example, 175 school days (73,500 minutes) + 3 planned staff development waiver days (1,260 minutes) = only 178 days (74,760 minutes)) and requests waivers for those staff development days, the waivers will not be granted, and funding will not be generated for the days for which waivers were requested.

Your district has flexibility in structuring its calendar with respect to the following:

- the starting date,
- the ending date,
- the number of days in each semester and 6-week reporting period, and
- the dates of preparation days.

The first school day, however, must be scheduled no earlier than the fourth Monday in August. The final school day must not be scheduled earlier than May 15.

Charter schools are not subject to the fourth-Monday-in-August or May 15 requirement and may schedule an earlier first or final school day.

The number of days taught reported in PEIMS must be the actual number of days instruction offered (the actual number of school days in the school calendar or track calendar for a specific reporting period). Days the school is closed for holidays or local events and days of teacher in-service or preparation must not be counted. Your district must not report attendance on days when no instruction is offered (for example, senior days). When a holiday occurs within an attendance accounting period, your district must document the date and name or purpose of the holiday in all reports required for audit purposes (detailed in Section 2).

## TEXAS EDUCATION CODE §25.0811

Sec. 25.0811. FIRST DAY OF INSTRUCTION.

- (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. A school district may:
- (1) begin instruction for students for a school year before the fourth Monday in August if the district operates a year-round system under Section [25.084](#); or
  - (2) begin instruction for students for a school year on or after the first Monday in August at a campus or at not more than 20 percent of the campuses in the district if:
    - (A) the district has a student enrollment of 190,000 or more;
    - (B) the district at the beginning of the school year provides, financed with local funds, days of instruction for students at the campus or at each of the multiple campuses, in addition to the minimum number of days of instruction required under Section [25.081](#);
    - (C) the campus or each of the multiple campuses are undergoing comprehensive reform, as determined by the board of trustees of the district; and
    - (D) a majority of the students at the campus or at each of the multiple campuses are educationally disadvantaged.
- (b) Notwithstanding Subsection (a), a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer may start school on any date permitted under Subsection (a) or the law of the other state.
- (c) Repealed by Acts 2006, 79th Leg., 3rd C.S., Ch. 5, Sec. 9.03, eff. May 31, 2006.

Added by Acts 2001, 77th Leg., ch. 909, Sec. 1, eff. Sept. 1, 2001.

Amended by:

Acts 2006, 79th Leg., 3rd C.S., Ch. 5 (H.B. [1](#)), Sec. 9.02, eff. May 31, 2006.

Acts 2006, 79th Leg., 3rd C.S., Ch. 5 (H.B. [1](#)), Sec. 9.03, eff. May 31, 2006.

Acts 2007, 80th Leg., R.S., Ch. 708 (H.B. [2171](#)), Sec. 1, eff. June 15, 2007.

Acts 2011, 82nd Leg., R.S., Ch. 277 (H.B. [1555](#)), Sec. 1, eff. June 17, 2011.

### **Current Law**

State law currently prohibits school districts from starting class before the fourth Monday in August, unless they are year-round districts.

### **Proposed**

EISD will start class no earlier than the third Monday in August, and will plan to end earlier in the Spring semester in order to better balance the days in the fall and spring semesters, to provide more educational days prior to scheduled state assessments, and to better align with dual-credit college courses in the Fall, Spring and Summer semesters. The primary goals of this change to create greater flexibility in the District Calendar are to improve the overall district attendance rate, to improve student success on state and local assessments, and to allow for greater opportunity for meaningful staff development throughout the school year.

## **2. Length of School Day**

### ***EISD Board Policy: EC(LEGAL)***

#### **2015-16 Student Attendance Accounting Handbook**

**§3.8.1 Length of School Day:** A school day must be at least 420 minutes each day, including intermissions and recesses. School districts and open-enrollment charter schools are subject to this requirement.

**§3.8.2.4 Early Release Day Waivers:** Your district must submit any request for a waiver for an early-release day at least 31 days in advance of the target date for the early release. An early-release day waiver application must be submitted using the TEA's automated waiver application system, which is available in the online TEAL secure environment. If the waiver is approved, the early-release school day must be at least 4 hours.

## **TEXAS EDUCATION CODE §25.082**

Sec. 25.082. SCHOOL DAY; PLEDGES OF ALLEGIANCE; MINUTE OF SILENCE.

- (a) A school day shall be at least seven hours each day, including intermissions and recesses.

- (b) The board of trustees of each school district and the governing board of each open-enrollment charter school shall require students, once during each school day at each campus, to recite:
  - (1) the pledge of allegiance to the United States flag in accordance with 4 U.S.C. Section 4; and
  - (2) the pledge of allegiance to the state flag in accordance with Subchapter C, Chapter [3100](#), Government Code.
- (b-1) The board of trustees of each school district and the governing board of each open-enrollment charter school shall require that the United States and Texas flags be prominently displayed in accordance with 4 U.S.C. Sections 5-10 and Chapter [3100](#), Government Code, in each campus classroom to which a student is assigned at the time the pledges of allegiance to those flags are recited. A district or school is not required to spend federal, state, or local district or school funds to acquire flags required under this subsection. A district or school may raise money or accept gifts, grants, and donations to acquire flags required under this subsection.
- (c) On written request from a student's parent or guardian, a school district or open-enrollment charter school shall excuse the student from reciting a pledge of allegiance under Subsection (b).
- (d) The board of trustees of each school district and the governing board of each open-enrollment charter school shall provide for the observance of one minute of silence at each campus following the recitation of the pledges of allegiance to the United States and Texas flags under Subsection (b). During the one-minute period, each student may, as the student chooses, reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Each teacher or other school employee in charge of students during that period shall ensure that each of those students remains silent and does not act in a manner that is likely to interfere with or distract another student.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2003, 78th Leg. ch. 126, Sec. 1, 2, eff. Sept. 1, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 881 (H.B. [773](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1140 (S.B. [2](#)), Sec. 42, eff. September 1, 2013.

### **Current Law**

State law currently requires that all school days must be 420 minutes long each day in order to count for ADA calculations and funding purposes, and to accumulate instructional minutes towards the 75,600 minutes required annually.

### **Proposed**

Exempting from the 420-minute day requirement would allow EISD the flexibility needed to alter the school day schedule on selected days whenever it was locally determined as necessary or beneficial to the district and its stakeholders. While there is already a waiver process available to request exemption from this requirement, the waiver is limited to a 6-day maximum number for the school year. Exempting completely from the 420-minute requirement would give the district a significant amount of local control over scheduling (above and beyond the 6-day maximum as needed) without the fear of diminishing state funding or losing credit for instructional time that might cause the district to fall out of compliance with annual minute requirements.

EISD does not intend to shorten the school day on a regular basis, or without specific purpose. To the greatest extent possible, "early release" days would be planned ahead of time and noted in the district calendar, which is approved by the Board of Trustees and published/distributed to district stakeholders in advance of the school year. The district would not schedule early release days under this exemption that were shorter than 240 minutes (4 hours).