



## LONGVIEW INDEPENDENT SCHOOL DISTRICT

August 23, 2023

**VIA CERTIFIED MAIL AND ELECTRONIC MAIL**

Mike Morath, Commissioner of Education  
Texas Education Agency  
1701 North Congress Avenue  
Austin, Texas 78701  
[commissioner@tea.texas.gov](mailto:commissioner@tea.texas.gov)

**Re: Notice to the Commissioner of Education of Longview ISD Board of Trustees'  
Approval of Amendment to Local Innovation Plan**

Dear Commissioner Morath,

In accordance with T.A.C. §102.1313, Amendment, Rescission, or Renewal, which specifies:

(a) A district innovation plan may be amended, rescinded, or renewed if the action is approved by a majority vote of the district-level committee established under the Texas Education Code (TEC), §11.251, or a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,

Please be advised that on August 14, 2023, the Longview ISD Board of Trustees unanimously approved the attached amendment which was approved by a unanimous vote of the District Improvement & Planning Committee on July 11, 2023. As specified in §102.1313 (a) (1), the exemptions that were formally approved are not required to be reviewed.

Therefore, we are attaching the amendment which seeks exemption from: Texas Education Code: Chapter 21 - Educators, Section 21.003 Certification Required; Section 21.053 Presentation and Recordings of Certificates, Section 21.002 Teacher Employment Contracts, Section 21.102 Term Probationary Contract, Section 21.202 (a) Probationary contract required prior to issuing a term contract. Also attached is TAC Fig. 19, with those exemptions marked as well.

Should you require any additional information, please contact Shalona McCray, Chief Human Resources Officer, at [smccray@lisd.org](mailto:smccray@lisd.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Tubb', with a stylized flourish extending to the right.

Michael Tubb, President  
Board of Trustees, Longview Independent School District

Cc: Leah Martin, Accreditation and School Improvement, Texas Education Agency  
[Leah.Martin@tea.texas.gov](mailto:Leah.Martin@tea.texas.gov)

Enclosures: 2

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**PROPOSED AMENDMENT TO LONGVIEW ISD DISTRICT INNOVATION PLAN  
ORIGINALLY APPROVED BY BOARD, MARCH 4, 2019**

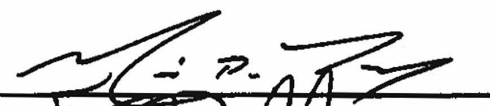
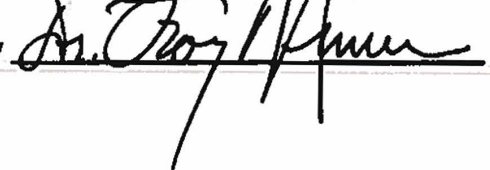
Longview ISD has determined a need to apply for an amendment to our District Innovation Plan to allow an exemption to the Teacher Certification and Contract Statutes. This exemption will allow local alternatives to educator certification for specific subject areas without having to submit a teacher certification waiver to the Texas Education Agency. Exemption sought by this Amendment to our Local Innovation Plan:

<p><b>Texas Education Code Chapters:</b> Texas Education Code §21.003 Certification Required; §21.053 Presentation and Recording of Certificates</p>	<p><b>Corresponding Board Policies Requiring Revision:</b></p> <ul style="list-style-type: none"> <li>• DBA(LLEGAL)</li> <li>• DBA(LOCAL)</li> <li>• DK(LLEGAL)</li> <li>• DK(LOCAL)</li> <li>• DK(EXHIBIT)</li> </ul>
<p><b>Current Statute:</b></p> <ul style="list-style-type: none"> <li>• Currently, the District has flexibility to hire in three areas: <ul style="list-style-type: none"> <li>A. Math, Science, Social Studies, English, and Foreign Language certifications at the secondary level.</li> <li>B. Career and Technical - Qualified professionals with industry and field experience to successfully teach Career and Technical Education (CTE) courses.</li> <li>C. Dual Credit Teacher Certifications - Credentialed community college instructors or university professors, in specific content areas, may be employed to teach courses in order to afford more students the opportunity to take dual credit courses if certified teachers are not available.</li> </ul> </li> <li>• Currently, a certified teacher cannot be hired for a position or be assigned to a subject outside his/her certification, limiting the District's ability to effectively utilize personnel to ensure quality instruction.</li> </ul>	
<p><b>Innovation:</b> Longview ISD Human Resources Department will submit a written request for approval to fill a teaching position to the Superintendent or designee:</p> <ul style="list-style-type: none"> <li>• Math, Science, Social Studies, English, and Foreign Language <i>one-year</i> certifications at the elementary level.</li> <li>• For a certified teacher to teach a subject area out of his/her certified field in grades 5th - 12th. Candidate Qualification may include a combination of: <ul style="list-style-type: none"> <li>○ Professional work experience; formal training and education; relevant industry licensure, certification, or registration; and/or any combination of work experience, training and education, industry credential related to the subject matter he/she will be teaching; or enrolled in an Educator Preparation Program (EPP).</li> </ul> </li> </ul>	
<p><b>Required Exemptions from Texas Education Code:</b> 21.003 Certification Required; §21.053 Presentation and Recording of Certificates</p>	

Teacher Contracts

<b>Texas Education Code Chapters:</b> Texas Education Code §21.002, Teacher Employment Contracts; §21.102(b) Term of Probationary Contract; §21.202(a) Probationary contract required prior to issuing a term contract.	<b>Corresponding Board Policies Requiring Revision:</b> <ul style="list-style-type: none"><li>● DC (LOCAL)</li><li>● DCA (LOCAL)</li><li>● DCB (LOCAL)</li></ul>
<b>Current Statute:</b> <ul style="list-style-type: none"><li>● Currently, experienced teachers new to the district have a probationary period that may not exceed one year if the person has been employed as a teacher in public education for at least five of the previous eight years, limiting the time period to fully determine the staff member's effectiveness.</li></ul>	
<b>Innovation:</b> <p>The Superintendent will approve recommendations:</p> <ul style="list-style-type: none"><li>● For a second and/or third year probationary contract for teachers employed by the District, who have been employed in public education for at least five of the eight previous years and have completed their first probationary year with the District, in order to continue to evaluate the staff member's effectiveness.</li></ul>	
<b>Required Exemptions from Texas Education Code:</b> Texas Education Code §21.002; §21.002(b); §21.202(a)	

AMENDMENT APPROVED 14<sup>th</sup> DAY OF August, BY LONGVIEW  
ISD BOARD OF TRUSTEES.

Mr. Michael Tubb, President   
Dr. Troy Simmons, Secretary 

## Figure: 19 TAC §102.1307(d)

### Innovation District

A local innovation plan must be developed for a school district before the district may be designated as an Innovation District. A local plan must provide for a comprehensive educational program for the district, which may include:

- 1) Innovative Curriculum
- 2) Instructional Methods
- 3) Community Participation
- 4) Governance of Campuses
- 5) Parental Involvement
- 6) Modifications to the school year
- 7) Provisions regarding the district budget and sustainable program funding
- 8) Accountability and assessment measures that exceed the requirements of state and federal law; and
- 9) Any other innovations prescribed by the board of trustees.

A local innovation plan must identify requirements imposed by the Education Code that inhibit the goals of the plan from which the district should be exempted on adoption of the plan. The local innovation plan should specify the manner in which a particular statute inhibits one or more goals of the plan. Please use the form below to check the statutes specifically identified in your district's local innovation plan as inhibiting a goal of the plan. Checking a specific statute does not necessarily indicate eligibility for an exemption from all subsections of the statute. The form below provides a reporting mechanism to fulfill the reporting requirements of the statute. Entire sections of code may not be eligible for exemption and each district should consult its legal counsel in developing its innovation plan.

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Exemptions claimed for an Innovation District apply only to the specific provision of the Texas Education Code (TEC) cited, which may or may not be governed by a separate legal requirement. The exemption does not relieve the district of any requirement imposed by other state or federal law or a duty imposed under federal regulation, grant compliance, agency rule applicable to a charter school or a local legal requirement. Each district should consult its legal counsel to ensure adoption of necessary local policies to ensure compliance with all applicable legal requirements.

Please note that this is not an exhaustive list of exemptions.

District Name: Longview ISD CDN: 092903  
Term of Plan: March 4 2019 to March 4 2024  
(month) (day) (year) (month) (day) (year)

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 (Amended 8/14/2023)
- §21.003 Certification Required (Amended 8/14/2023)
- §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 (Amended 8/14/2023)
- §21.057 Parental Notification

### Subchapter C – Probationary Contracts

- §21.102 Probationary Contract (Amended 8/14/2023)

### 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.

§21.202 (Probationary Contract Required) ([Amended 8/14/2023](#))