

# **District of Innovation Plan**

## **Amendments**

## **I. Open Enrollment**

### Board Policy FDA (Local)

Texas Education Code Section 25.036(a) states that any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1st of any school year may transfer annually from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or guardian or person having lawful control of the child jointly approve and timely agree in writing to the transfer.

The District believes that this requirement restricts Goose Creek CISD's flexibility to respond to changing student needs and unforeseen circumstances. Maintaining an open enrollment policy expands Goose Creek CISD's impact within surrounding communities, enables the District to serve additional students, helps offset declining enrollment trends, provides opportunities for increased state funding, and enables the District to maximize and expand specialized academic programs. The one-year commitment in accepting transfer students, however, restricts the District's ability to respond to exceptional or changing circumstances that were unforeseen at the time of the student's application and acceptance. To allow Goose Creek CISD the flexibility to respond to these situations, the District would like to be exempt from this section.

Goose Creek CISD would like to allow the District the discretion at any point in the school year to revoke a transfer prior to the end of the school year due to any violation of the terms of the agreement, falsification of any transfer documentation information, failure to meet any factors for transfer acceptance, and/or in the best interests of the District. Alternatively, if the transfer is not revoked before the end of the school year, such circumstances may prevent the student from being approved for transfer the following school year.

In approving transfers, the Superintendent or designee shall consider available space, instructional needs and staffing, financial costs, safety, academic performance, the student's disciplinary and behavioral history, the student's attendance and tardy records, and other special considerations.

## **J. Grievance Policies**

Board Policies GF (Local), DGBA, and FNG

Texas Education Code Section 26.011(a) requires school districts to adopt grievance processes that comply with the requirements set forth in Texas Education Code Chapter 26A. Texas Education Code Sections 26A.001, 26A.002, and 26A.003, among other things, significantly extend the timelines provided for under prior grievance policies, allow grievants to amend their complaints and supplement the record at any point in the grievance process, require decisions to be issued on the merits of a complaint despite procedural issues with the complaint, and alter the procedures for Level 3 hearings before the Board.

The District believes that these requirements undermine the District's significant interest in receiving prompt reports of potential issues or misconduct in order to conduct a full and thorough investigation and provide timely relief. Furthermore, the statutory requirements introduce ambiguity into the grievance process with respect to the District's obligation to process grievances that do not otherwise meet the District's procedural and jurisdictional requirements for formal complaints. Finally, changing grievance timelines from business days to calendar days poses an undue burden on District personnel who serve as grievance decision makers, as shorter timelines impede their ability to conduct full and thorough investigations and prepare sufficiently thorough responses.

Goose Creek CISD believes its prior grievance policies effectively resolved complaints. The District would like to revert to policies used to address grievances, including those filed by employees, parents, students, and community members, prior to the changes adopted during the 89th Regular Legislative Session.

Specifically, the District seeks exemption from the following provisions and desires the corresponding policies instead:

- Texas Education Code 26A.002(1)(A) states that parents have 90 calendar days to file a complaint, or 30 calendar days from when they received paperwork (the later of), or if they did not engage in informal process, 60 calendar days.
  - Because these extended timelines discourage prompt complaints and inhibit and the District's ability to quickly resolve concerns, the District will revert to the previous policy of allowing 15 District business days to file a grievance under all grievance policies.
- Texas Education Code 26A.001(e)(5) allows grievants to supplement the record with additional documents or add additional claims after the Level 1 hearing.
  - Because these additions complicate the investigative process and prolong resolution of complaints, the District will revert to the previous policy of not allowing additional documents or claims to be added after the Level 1 hearing unless their existence was unknown to the grievant at the time.

- Texas Education Code 26A.001(e)(9) requires districts to issue a decision on the merits of the concern raised in the grievance, despite any procedural errors.
  - Because this approach introduces ambiguity into the grievance process without any clear benefit to the grievant as to the granting of requested relief, the District will revert to its prior policy of requiring grievants to comply with all procedural requirements and allowing for dismissal of complaints that are procedurally defunct.
  
- Texas Education Code 26A.002(2)(B) requires hearing officers to issue a written decision within 20 calendar days after the Level 1 or Level 2 hearing. Texas Education Code 26A.002(1)(B) provides grievants 20 calendar days to file an appeal of a Level 1 or Level 2 decision.
  - For consistency in application of the grievance policies, the District will utilize business days instead of calendar days in calculating appeal and response deadlines.
  
- Texas Education Code 26A.002(3)(A) requires the Board to hold a Level 3 hearing within 60 calendar days after the date on which the previous decision was made.
  - Because this approach limits flexibility in scheduling, the District will revert to its prior policy of allowing the Board of Trustees to determine when it holds Level 3 hearings, within reason.
  
- Texas Education Code 26A.002(3)(B) requires the Board to issue a Level 3 decision within 30 calendar days after the Level 3 hearing.
  - Because this approach limits flexibility, the District will revert to its prior policy requiring a decision from the Board not later than the next regular Board meeting after the Level Three hearing.