INTRODUCTION

House Bill 1842, created in the 84th Legislative Session, provides opportunities for traditional independent school districts to exempt themselves from some parts of the Texas Education Code (TEC), giving them the same flexibility currently available to Texas’ open enrollment charter schools. In order to utilize this opportunity, independent school districts must first become a District of Innovation by following a prescribed course of action outlined in statute. Springtown ISD’s process and timeline are described below.

DISTRICT OF INNOVATION PROCESS AND TIMELINE

- September 22nd-25th, 2016: District leadership attended the 2016 TASA/TASB State Convention where representatives became more familiar with opportunities presented by House Bill 1842 and Districts of Innovation. Informational sessions hosted by El Paso ISD and Denton ISD provided starting points for discussions. Supt. Jim Vaszauskas of Mansfield ISD provided insight during the Conference as well.
- October 5th, 2016: Additional information regarding the District of Innovation concept was shared by Keller ISD Supt. Randy Reid at an ESC XI Supt. Study Group Meeting.
- November 16th, 2016: Springtown’s District Instructional Advisory Committee (DIAC) participated in a “District of Innovation” presentation. The DIAC encouraged our Leadership Team to continue exploring the District of Innovation opportunity.
- November 21st, 2016: Springtown ISD’s Board of Trustees unanimously approves a Resolution to initiate the process to become a District of Innovation.
- December 12th, 2016: Public Hearing held; Board approves establishment of “District of Innovation Steering Committee” (DISC) unanimously.

TERM OF THE LOCAL INNOVATION PLAN

While adhering to our cornerstone belief that all students can be safe, secure, and successful, our District hopes to take full advantage of the flexibility TEA affords a District of Innovation. The term of the Innovation Plan is for five years, beginning March 28th, 2017 and ending March 27th, 2022, unless terminated or amended earlier by the Board of Trustees in accordance with the law. If, within the term of this Plan, other areas of operations are to be considered for flexibility as part of HB 1842, the Board will nominate a new committee to consider and propose additional exemptions in the form of an amendment. The District may not implement two separate plans at any one time.

DISTRICT OF INNOVATION STEERING COMMITTEE

The District of Innovation Steering Committee (DISC) met three times to review and develop a Local Innovation Plan (January 18th, January 25th, and February 1st). Feedback from individuals other than DISC members was offered at the second and third meetings. Our DISC reviews of Local Innovation Plan drafts ultimately focused on seven “exemption” areas from which the District’s stakeholders might especially benefit.
The District seeks exemption from the Texas Education Code in the following seven areas, believing the resulting flexibility and local control will benefit all our stakeholders:

I. Probationary Contracts

Rationale:
For experienced teachers who are new to Springtown ISD, TEC §21.102(b) requires a contractual “probationary” period to be limited to only one year if the person has been employed as a teacher in public education for at least five of the previous eight years. In some instances, there is insufficient time to evaluate a new-to-the-district teacher’s effectiveness in the classroom, as teacher contract timelines often demand that employment decisions must be made two months prior to the end of the term.

Relevant Portions of the Texas Education Code:
- §21.102 “A probationary contract may not be for a term exceeding one school year. The probationary contract may be renewed for two additional one-year periods, for a maximum permissible probationary contract period of three school years, except that the probationary period may not exceed one year for a person who has been employed as a teacher in public education for at least five of the eight years preceding employment by the district.”
Innovation Strategy:
Relief from Texas Education Code §21.102 will allow the District to issue a probationary contract for a period of up to two years for experienced teachers, counselors, or nurses new to Springtown ISD, despite having been employed as a teacher in public education for at least five of the previous eight years.

II. Uniform School Calendar

Rationale:
Not long ago, districts had the option of requesting a waiver to begin school earlier than the fourth Monday in August. The Texas tourism lobbyists convinced our Legislature to eliminate waivers, effectively dictating a uniform start date to all independent school districts in Texas. With no exceptions afforded through waivers, potential flexibility to meet our stakeholders’ desire to begin school earlier than the fourth Monday in August is only available through exemption from portions of the Texas Education Code (§25.0811).

Relevant Portions of the Texas Education Code:
- §25.0811 “A school district may not begin instruction for students for a school year before the fourth Monday in August.”
- §25.0812 “A school district may not schedule the last day of school before May 15.”

Innovation Strategies:
Local control of the instruction calendar will permit Springtown ISD’s District Instructional Advisory Committee and Board of Trustees to make decisions regarding school start and end dates that best fit our community’s needs. Specifically important benefits include the following:

- More balance between the number of instructional days in each semester while adhering to a traditional and logical conclusion to the fall semester (before Christmas Break).
- Opportunity to more closely mirror Weatherford College’s start date for our Dual-Credit students and instructors.
- Increase in the number of instructional days available for our students to achieve mastery of content prior to STAAR / EOC administrations.

III. Teacher Certifications

Rationale:
Authors of the Local Innovation Plan fully expect Springtown ISD’s administrators to make every effort to hire certified and skilled professionals to serve our students. However, the current teacher shortage in Texas warrants a desire to secure flexibility in hiring individuals who are both knowledgeable and capable instructors. Springtown ISD would like the ability to locally certify teachers in content areas of high demand and/or low supply, and the independence to do so without unnecessary restrictions.

Texas Education Code Sections §21.003 limits the ability to hire and retain teachers in highly specialized or hard-to-fill areas. Flexibility provided through TEC §21.055 is limited to certain circumstances in vocational programs. Through a broad exemption from the existing teacher
certification requirements in the codes above, the dual credit, advanced/honors, hard-to-fill, LOTE, and career/technical courses in Springtown ISD will continue to be taught by highly-skilled and educated professionals despite difficulty finding suitable and traditionally-certified teachers.

**Relevant Portions of the Texas Education Code:**

- §21.003 “A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued.”

**Innovation Strategies:**

An individual with appropriate qualifications who is not otherwise certified as a teacher may be eligible for a local teaching certificate, provided district requirements are met. Exemption from the codes listed above, the District shall have the opportunity to recruit individuals from certain trades, industries, and vocations with industry knowledge and real world experience and consider qualifications based on experience, industry certification, etc. Additionally, highly-educated and/or highly-skilled individuals qualified to provide instruction in LOTE, hard-to-fill, and advanced courses may also be recruited. Campus principals shall submit requests for local certificates for otherwise non-certified teachers to the superintendent with the individual’s credentials attached. A District leadership team including principals, district-level administrators, and human resource department staff members shall advise the Superintendent in determining whether to certify individuals based on these factors. *The authors of the Local Innovation Plan recognize that exemptions granted from any portion of the TEC do not necessarily excuse the District from any federal requirements.*

- Local teaching certificates will expire at the end of each school year and may be renewed at the superintendent’s discretion. An employee working under a local teaching certificate will not receive a contract but will be employed on an at-will basis. Teachers hired under a local teaching certificate that do not possess a state teacher certificate may receive up to 90% of a contract teacher’s salary given the same years of experience. *Stipends for specific duties and activities are excluded from the 90% cap.*

- It will not be necessary to submit teacher certification waivers, state permit applications, or other paperwork to the Texas Education Agency.

**IV. Designation of Campus Behavior Coordinator**

**Rationale:**

Senate Bill 107 requires the designation of a Campus Behavior Coordinator on each campus. This person is responsible for maintaining student discipline and the implementation of Chapter 37, Subchapter A. Each of Springtown ISD’s campuses currently have at least two administrators and one counselor. Our Assistant Principals, who by job description typically fill the role of “Campus Behavior Coordinator,” work together with other staff members to ensure compliance with disciplinary actions outlined Chapter 37, Subchapter A. Our District believes in a collaborative approach to discipline, with multiple people providing emotional and social support to students rather than just one person. Current Code inappropriately implies that the
responsibility of ensuring a disciplined and behaviorally-appropriate campus lies significantly with only one individual.

**Relevant Portions of the Texas Education Code:**
- §37.0012 “A person at each campus must be 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.”

**Innovation Strategies:**
Local efforts to safely and effectively manage discipline at Springtown ISD’s campuses cannot be carried out by a single individual. Parental notification regarding any “change of placement” will continue to be carried out in a timely manner, though likely through a principal’s designee rather than necessarily from the principal or “Campus Behavior Coordinator.”

- Exemption from §37.0012 allows the District to utilize collaborative efforts regarding student discipline, as outlined in the current Student Code of Conduct.
- To best serve the District’s needs, we propose abstaining from designating only one person as the Campus Behavior Coordinator, and instead publishing and supporting disciplinary policies that note a collaborative approach to discipline management.

**V. Student Discipline**

**Rationale:**
Texas Education Code §37.007 states that a student placed in a DAEP who engages in documented serious misbehavior while on the DAEP campus despite documented behavioral interventions may be removed from class and expelled. “Serious misbehavior” is limited to:

1. Deliberate violent behavior that poses a direct threat to the health or safety of others;
2. Extortion, meaning the gaining of money or other property by force or threat;
3. Conduct that constitutes coercion, as defined by Penal Code 1.07; or
4. Conduct that constitutes the offense of:
   a. Public lewdness under Penal Code 21.07;
   b. Indecent exposure under Penal Code 21.08;
   c. Criminal mischief under Penal Code 28.03;
   d. Personal hazing under Penal Code 37.152; or
   e. Harassment, under Penal Code 42.07(a)(1), of a student or district employee.

The Texas Education Code makes zero allowance for students whose daily, repeated, and intentionally persistent misbehavior disrupts instruction to the point that it is detrimental to the other students in the program. Those of us with firsthand experience in the DAEP recognize that the persistent misbehavior is displayed because our DAEP students realize there is no negative consequence left available to deter such behavior. The program’s effectiveness is sabotaged, and effectively reinforces some students’ belief that they have no accountability to anyone. Without freedom from the restrictions of TEC §37.007(c), legitimate efforts to create a structured learning environment in which all students truly can be successful will be impossible to execute.

*In compliance with relevant state and federal law, students qualifying for special education services would continue to be provided required services.*
Relevant Portions of the Texas Education Code:

- §37.007(c) “A student may be expelled if the student, while placed in a disciplinary alternative education program, engages in documented serious misbehavior while on the program campus despite documented behavioral interventions."

Innovation Strategies

- A student placed in a DAEP who engages in documented persistent misbehavior while on the DAEP campus, despite documented behavioral interventions, may also be removed from class and expelled.

VI. Minimum Minutes of Instruction

Rationale
Texas Education Code §25.081(a) requires 75,600 minutes of instruction each year, with §25.081(e) noting that a full day of instruction totals 420 minutes. For half-day programs such as Pre-Kindergarten (Pre-K), the required minutes of daily instruction must equal 210 minutes, and 37,800 annually. Because Springtown ISD does not provide a lunch period for Pre-K students in our half-day program (which would otherwise credit 30 minutes to each day), there are not enough cumulative minutes in the school day to meet the 210 minute daily requirement, nor the 37,800 annual requirement. Lengthening the instructional day of our Pre-K program to 210 minutes would require the District to inefficiently staff the program with additional employees for the overlapping minutes between the morning sessions and the afternoon sessions. Doing so would waste fiscal resources and presents no educational benefit to the students in the program.

Relevant Portions of the Texas Education Code:

§25.081(e) “For purposes of this code, a reference to a day of instruction means 420 minutes of instruction, including intermissions and recesses.”

Innovation Strategy: The authors of the Local Innovation Plan request that Springtown ISD be exempt from TEC §25.081(e) and thus permitted a shorter school day for Pre-K programs. This exemption will allow each Pre-K teacher to instruct both a morning and an afternoon group of students without surrendering their conference period and duty free lunch each day. Springtown ISD will offer a Pre-K program consisting of two sessions at least three hours in duration, (totaling 180 minutes each), allowing each Pre-K teacher to instruct two groups of students each day. This plan mirrors the Pre-K program that has been and is now in place in Springtown ISD, allowing the District to maximize efficiency regarding staff and physical resources. *These innovations may result in a reduction of state funding for Pre-K student attendance. Springtown ISD will evaluate the potential loss of funding through this innovation before determining whether or not to implement the innovation.
VII. **Inter-District Transfers**

**Rationale**
Under current law and local policy, Springtown may choose to accept (as transfers) students who are not otherwise entitled to enroll in the district. Springtown ISD is one of many districts in Parker, Tarrant, and Wise Counties who accept transfer requests if applicants meet certain criteria. Unfortunately, *TEC §25.036* has been interpreted to establish the acceptance of a transfer as a one year commitment by the District. On rare occasions, negative behavior warrants suspension (in or out of school) or placement in a disciplinary alternative program. By burdening our staff and robbing valuable instructional time, our local students may be unfairly penalized by acceptance of a transfer. Additionally, transfer students whose attendance falls below TEA standards reflect poorly on all our stakeholders, and negatively impact the District on Domain IV. Short of an expellable offense, previously accepted transfers cannot be removed for any reason, even if classrooms become overcrowded with students residing in the District. As such, Springtown ISD’s interests are best served via exemption from *TEC §25.036* and the one year transfer commitment.

**Relevant Portions of the Texas Education Code:**
- *TEC §25.036* “Any child, other than a high school graduate, who is younger than 21 years of age and eligible for enrollment on September 1 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.”

**Innovation Strategy**
Springtown ISD’s transfer policy requires nonresident students to file a transfer application each year. If accepted, transfer students are justifiably expected to meet Springtown ISD’s high standards of behavior and attendance. Exemption from *TEC §25.036* will allow leverage to encourage appropriate behavior and attendance at the campus level, and permit the Superintendent to revoke transfer status in the rare instance that doing so is deemed necessary. Factors warranting revocation of transfer status should include multiple suspensions (in or out of school), placement in a disciplinary alternative program, failure to meet the State’s 90% attendance standard, or overcrowding of existing facilities, classrooms, and/or programs.

This Local Innovation Plan is designed to create parameters within which the District will operate, in order to provide additional student opportunities and increase the efficiency and effectiveness of the overall program. Specific implementation plans will be further developed by the appropriate campuses and departments. Adjustments to Board Policy will be researched and adopted where appropriate.
RESOLUTION TO ADOPT A DISTRICT OF INNOVATION

WHEREAS Education Code 12A.001 provides that a district is eligible for designation as a district of innovation if the district’s most recent performance rating under Section 39.054 reflects at least acceptable performance, and that consideration of designation as a district of innovation may be initiated by a resolution adopted by the board of trustees of the district; and

WHEREAS the Springtown Independent School District’s most recent performance rating under Education Code 39.054 reflects at least acceptable performance.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Springtown Independent School District by adoption of this resolution initiates the process under Education Code Chapter 12A to become a district of innovation.

BE IT FURTHER RESOLVED that after this resolution is signed by the Board, a public hearing shall be held to consider whether the District should develop a local innovation plan for the designation of the District as a district of innovation and that after the public hearing the Board of Trustees of Springtown Independent School District shall appoint a committee to develop a local innovation plan or decline to pursue designation as a district of innovation.

Adopted this 21st day of November, 2016, by the Board of Trustees.

Amy Walker, Board President

Jody Lowery, Board Secretary
**Process to Become a District of Innovation**

**Texas Education Code (TEC) Chapter 12A**

**Board Resolution**

- TEC 12A.001(c)(1)

**OR**

**Petition signed by majority of District Advisory Committee**

- TEC 12A.001(c)(2)

**Public hearing by school board**

- TEC 12A.002(a)

**STOP**

**Decline to Pursue**

- TEC 12A.002(b)(1)

**Board appoints committee to develop plan with:**

- (1) comprehensive educational program with innovations,
- (2) list of Education Code provisions to be exempt

- TEC 12A.002(b)(2)  12A.003

**Plan posted online for 30 days**

- TEC 12A.005(a)(1)

**Board notifies commissioner of intention to vote on proposed plan**

- TEC 12A.005(a)(2)

**District Advisory Committee holds public meeting, passes plan by majority vote**

- TEC 12A.005(a)(3)

**Upon completion of above, school board approves final plan by 2/3 majority**

- TEC 12A.005(b)

**Plan in effect for up to 5 years**

- TEC 12A.005(c)  12A.006

**TEC 12A.001(c)(1)**

- Consideration of designation as a district of innovation may be initiated by:
  - (1) a resolution adopted by the board of trustees of the district
  - (2) a petition signed by a majority of the members of the district-level committee established under Section 11.251.

**TEC 12A.002(a)**

- Promptly after adopting a resolution under Section 12A.001(c)(1) or receiving a petition under Section 12A.001(c)(2), the board of trustees shall hold a public hearing to consider whether the district should develop a local innovation plan for the designation of the district as a district of innovation.

**TEC 12A.002(b)(1)**

- At the conclusion of the public hearing or as soon as possible after conclusion of the public hearing, the board of trustees may:
  - (1) decline to pursue designation of the district as a district of innovation;
  - (2) appoint a committee to develop a local innovation plan in accordance with Section 12A.003.

**TEC 12A.002(b)(2)**

- A local innovation plan must be developed for a school district before the district may be designated as a district of innovation.

**TEC 12A.003**

- A local innovation plan must:
  - (1) provide for a comprehensive educational program for the district, which program may include:
    - (A) innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement;
    - (B) modifications to the school day or year;
    - (C) provisions regarding the district budget and sustainable program funding;
    - (D) accountability and assessment measures that exceed the requirements of state and federal law; and
    - (E) any other innovations prescribed by the board of trustees;
  - (2) identify requirements imposed by this code that inhibit the goals of the plan and from which the district should be exempted on adoption of the plan, subject to Section 12A.004.

**TEC 12A.005(a)(1)**

- 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 Internet website for at least 30 days;

**TEC 12A.005(a)(2)**

- The board of trustees may not vote on adoption of a proposed local innovation plan unless:
  - (2) the board of trustees has notified the commissioner of the board’s intention to vote on adoption of the proposed plan;

**TEC 12A.005(a)(3)**

- The board of trustees may not vote on adoption of a proposed local innovation plan unless:
  - (3) the district-level committee established under Section 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, provided that the meeting required by this subdivision may occur immediately before and on the same date as the meeting at which the board intends to vote on adoption of the proposed plan.

**TEC 12A.005(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.

**TEC 12A.005(c)**

- On adoption of a local innovation plan, the district:
  - (1) is designated as a district of innovation under this chapter for the term specified in the plan, subject to Section 12A.006;
  - (2) shall begin operation in accordance with the plan;
  - (3) is exempt from state requirements identified under Section 12A.003(b)(2).

**TEC 12A.006**

- The term of a district’s designation as a district of innovation may not exceed five years.
### DISTRICT OF INNOVATION

A district is eligible for designation as a district of innovation if the district’s most recent performance rating under Education Code 39.054 reflects at least acceptable performance.

Consideration of designation as a district of innovation may be initiated by a resolution adopted by the board or a petition signed by a majority of the members of the district-level committee [see BQA].

*Education Code 12A.001*

### PUBLIC HEARING

Promptly after adopting a resolution or receiving a petition for consideration as a district of innovation, a board shall hold a public hearing to consider whether the district should develop a local innovation plan for the designation of the district as a district of innovation.

At the conclusion of the public hearing or as soon as possible after conclusion of the public hearing, the board may decline to pursue designation of the district as a district of innovation or appoint a committee to develop a local innovation plan.

*Education Code 12A.002*

### LOCAL INNOVATION PLAN

A local innovation plan must be developed for a district before the district may be designated as a district of innovation.

The local innovation plan must provide for a comprehensive educational program for the district, which program may include:

1. Innovative curriculum, instructional methods, and provisions regarding community participation, campus governance, and parental involvement;
2. Modifications to the school day or year [see EB, EC];
3. Provisions regarding the district budget and sustainable program funding;
4. Accountability and assessment measures that exceed the requirements of state and federal law; and
5. Any other innovations prescribed by the board of trustees.

The plan must also identify requirements imposed by the Education Code that inhibit the goals of the plan and from which the district should be exempted on adoption of the plan, subject to Education Code 12A.004. [See EXCEPTIONS, below]

The Commissioner shall maintain a list of provisions from which designated districts of innovation are exempt. The Commissioner
shall notify the legislature of each provision from which districts en-
rolling a majority of students in this state are exempt.

*Education Code 12A.003, 12A.004(b)*

**EXCEPTIONS**

A local innovation plan may not provide for the exemption of a dis-
trict from the following:

1. Education Code Chapter 11, Subchapters A (Accreditation), C 
   (Board of Trustees), D (Powers and Duties of Board), and E 
   (Superintendents and Principals), except that a district may be 
   exempt from Sections 11.1511(b)(5) (district- and campus-
   level planning), 11.1511(b)(14) (board’s role in termination 
   and nonrenewal of educator contracts), and 11.162 (school 
   uniforms);

2. State curriculum and graduation requirements adopted under 
   Education Code Chapter 28; and

3. Academic and financial accountability and sanctions under 
   Education Code Chapter 39.

*Education Code 12A.004(a)*

**ADOPTION OF LOCAL INNOVATION PLAN**

The board 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 has notified the Commissioner of the board's inten-
   tion to vote on adoption of the proposed plan; and

3. The district-level committee [see BQA] 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. The meeting may occur immediately before and 
   on the same date as the meeting at which the board intends 
   to vote on adoption of the proposed plan.

The board may adopt a proposed local innovation plan by an af-
firmative vote of two-thirds of the membership of the board.

On adoption of a local innovation plan, the district is designated as 
a district of innovation for the term specified in the plan and shall 
begn operation in accordance with the plan. In addition, the dis-
trict is exempt from state requirements identified under Education 
Code 12A.003(b)(2). [See LOCAL INNOVATION PLAN, above]

*Education Code 12A.005*
The term of a district's designation as a district of innovation may not exceed five years. *Education Code 12A.006*

A local innovation plan may be amended, rescinded, or renewed if the action is approved by a vote of the district-level committee [see BQA] and the board in the same manner as required for initial adoption of a local innovation plan. *Education Code 12A.007*

The Commissioner may terminate a district's designation as a district of innovation if the district receives for two consecutive school years:

1. An unacceptable academic performance rating under *Education Code 39.054*;
2. An unacceptable financial accountability rating under *Education Code 39.082*; or
3. An unacceptable academic performance rating under *Education Code 39.054* for one of the school years and an unacceptable financial accountability rating under *Education Code 39.082* for the other school year.

Instead of terminating a district's designation, the Commissioner may permit the district to amend the local innovation plan to address concerns specified by the Commissioner.

*Education Code 12A.008(a)–(b)*

The Commissioner shall terminate a district's designation as a district of innovation if the district receives for three consecutive school years:

1. An unacceptable academic performance rating under *Education Code 39.054*;
2. An unacceptable financial accountability rating under *Education Code 39.082*; or
3. Any combination of one or more unacceptable ratings *Education Code 39.054* and one or more unacceptable ratings under *Education Code 39.082*.

*Education Code 12A.008(c)*

The Commissioner’s decision to terminate a district's designation as a district of innovation is final and may not be appealed. *Education Code 12A.008(d)*

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