

Nursery Independent School District



District Of Innovation Plan 2026-2031

Renewal

Nursery Independent School District of Innovation Plan

Introduction

HB 1842 was passed during the 84th Texas Legislative Session and provides Texas public school districts the opportunity to be designated as Districts of Innovation. To access these flexibilities, a school district must adopt an innovation plan, as set forth in the Texas Education Code Chapter 12A.

Districts of Innovation may be exempted from a number of state statutes and will have:

- Great local control as the decision-makers over the educational and instructional model for students
- Increased freedom and flexibility, with accountability, relative to state mandates to govern educational programming; and
- Empowered to innovate.

Districts are not exempt from statutes including curriculum and graduation requirements, and academic and financial accountability.

Initial Process

On January 24, 2017, the Nursery Independent School District Board of Trustees initiated the process by passing a resolution to adopt a District of Innovation Plan in order to support innovation and local initiatives to improve student learning.

On March 29, 2017, the Nursery Independent School District Board of Trustees held a public hearing for public discussion on whether the district should develop a local innovation plan for the designation of the District of Innovation. With there being no objections, the Board of Trustees directed the Superintendent to form a District of Innovation Committee to discuss and draft this local innovation plan. The District of Innovation Plan Committee met on April 20, 2017 to discuss and develop the plan. A follow-up meeting to finalize the plan was deemed unnecessary at the conclusion of the meeting.

The plan was posted on the website for 30 days before being presented to the site-based decision-making committee on May 22, 2017. The plan was adopted for a five-year period beginning in the 2017/2018 school year through the 2021-2022 school year.

Renewal Term

The District of Innovation Plan is renewed for a five-year term, beginning in the 2022-2023 school year, and will remain in effect for five years through the 2026-2027 school year, unless terminated or amended by the Board of Trustees in accordance with the law. The current plan will expire July 31, 2022, and the renewed plan will become effective August 1, 2022. This

renewed plan will expire on July 31, 2027.

The revised and new DOI will become effective on March 31, 2026 and will remain effect until March 31, 2031.

The District Leadership Team will monitor the effectiveness of the plan and recommend to the Board of Trustees any suggested modifications to the plan.

Timeline / Activity

Timeline	Activity / Task
January 24, 2017	Board of Trustees passed resolution to initiate District of Innovation Plan
March 29, 2017	Board of Trustees held public hearing and appointed committee to draft the plan
April 20, 2017	Initial meeting of the District of Innovation committee to discuss and draft District of Innovation Plan
Unnecessary	Meeting to finalize District of Innovation Plan
April 20, 2017	Post District of Innovation Plan on Nursery Independent school district website
May 22, 2017	District site-based committee meeting
May Meeting	Board of Trustees vote on District of innovation plan
	Board Approved District of Innovation Plan submitted to the Commissioner of Education
April 25, 2022	Post the proposed District of Innovation Plan to the NISD Website.
April 25, 2022	Notify the Commissioner of Education in writing that the school board intends to renew the DOI. Include the intended adoption date of June 1, 2022. Include a link to the proposed plan
June 1, 2022	At the Board Meeting on June 1, 2022, and after waiting 30 days from the date the proposed plan was posted online, the District committee holds a public meeting and approves the final version of the DOI plan by a majority vote just prior to the Board Meeting. Board adopts the new DOI plan.
June 1, 2022	2nd Required Notification: Notify the Commissioner of Education in writing that the Board of Trustees has adopted the amended, renewed DOI Plan. Include the adoption date of June 1, 2022.

	Include a new link to the NISD website showing the new plan. Attach an updated checklist of exemptions for all sections of the education code
January, 2026	Administration reviewed the need for the DOI update due to recent legislation.
February 23/24, 2026	Shared revised DOI with the School Board and Community Members for revision. Posted on the District Website for 30 Days.
March 30, 2026	Public Hearing
March 30, 2026	NISD Board Votes on the DOI
March 31, 2026	NISD Superintendent Notifies the Commissioner of the approved plan, sends required documents, and posts the final approved DOI to the Website.

District of Innovation Committee Members

Name	Position
Dr. Larry Gajewsky	Superintendent Nursery ISD
Missy Yearwood	Board Member (Secretary)
Jennifer Southern	Administration
Cheryl Olsovsky/Karen Gonzalez	Community Member
Carla Gajewsky	Parent
Deanna Jacob	Parent
Leanne Whitaker	Teacher
Sheena Vahalik	Counselor
Jake Helfer	Business
Eron Lantz	Teacher

Innovations

The district proposes flexibility in the following areas:

Uniform School Start Date (TEC 25.0811)

Teacher Certification (TEC 21.003)

Submitting Waivers for Kindergarten-Grade 4 Class Size (TEC 25.112, 25.113)

Uniform School Start Date (TEC 25.0811) **(Renewed Unchanged)**

Texas Education Code Section 25.0811 states that a school district may not begin instruction before the fourth Monday in August.

Proposed

This flexibility of a start date allows the district to determine locally, on an annual basis, what best meets the needs of the students and community. This flexibility of the start date offers:

- The first and second semesters to be more equal in the number of days of instruction.
- An early start date permits students additional time prior to state assessments.

Local guidelines

The district will determine, on an annual basis, when each school year will begin.

Teacher Certification (TEC 21.003) Hard to fill Areas (TEC §21.003; TEC §21.053; TEC §21.057)

TEC 21.003 states that a person may not be employed as a teacher, teacher intern or trainee, librarian, educational aid, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued by the appropriate state agency.

In the event a district cannot locate a certified teacher for a position or a teacher is teaching a subject outside of their certification, the district must request emergency certification from the Texas Education Agency and/or State Board of Educator Certification. This system is burdensome and does not consider the unique financial and/or instructional needs of the district.

TEC 21.053 requires a teacher to present his/her certificate to the District before their employment contract will be binding, and prohibits the District from paying an educator for teaching if the educator does not hold a valid certificate at the time.

TEC 21.057 requires that the District provide written notice to parents if an inappropriately certified or uncertified teacher is assigned to a classroom for more than 20 consecutive instructional days.

Proposed

In order to best serve Nursery ISD students, decisions on certifications will be handled at the district level. Due to a limited applicant pool and teacher shortage, this exemption will allow greater flexibility in staffing in specific areas of need.

Nursery ISD will make every attempt to hire individuals with appropriate certification for the position in question; however, where that is not reasonably possible due to shortages of

applicants and difficult to fill positions, the District will have the flexibility to hire individuals who are knowledgeable in the area and equipped to effectively perform the duties of the position in question.

Local Guidelines

The Nursery ISD Superintendent/Principal may submit to the Board a request for a certified teacher to teach a grade or subject(s) out of their certification field. The superintendent/principal must provide the reason for the request and document the credentials the certified teacher possesses that qualifies the individual to teach this subject. The superintendent/principal will submit a request to the Board for local certification and the superintendent/principal must specify the reason for the request and document the credentials the individual possesses that qualify the individual to teach the subject area. The Board will approve or deny requests for local certification.

- Nursery ISD will continue to seek and hire highly effective educators to deliver quality instruction to its students. Primarily certified teachers will be sought before District Teaching Permitted (local certification) teachers are employed.
- To best serve Nursery ISD students, all decisions on teacher certification and assignments will be managed locally.
- Notification of District Teaching Permits shall not be necessary to submit to the state.
- A teacher certification waiver, state permit applications, or other paperwork will not be submitted to the Texas Education Agency.
- An individual with certain qualifications who is not certified as a teacher can be eligible to teach in hard to fill positions including, but not limited to, TEA approved shortage areas such as special education, mathematics, science, Languages Other than English (LOTE), Career & Technical Education (CTE), etc.
- A person seeking a District Teaching Permit (local certification) should have the abilities and related knowledge/experience to fulfill the requirements of the position.
- A person seeking a District Teaching Permit (local certification) should have the abilities and related knowledge/experience to fulfill the requirements of the position.
- The campus principal must submit to the Superintendent, and/or the Superintendent's designee of schools, a formal request to allow a certified teacher to teach subjects in a related/non-related field for which he/she is not certified. The principal must specify in writing the reason for the request and document what credentials the certified teacher possesses that would qualify this individual to teach the subject/field of study.
- The principal must submit to the Superintendent and/or the Superintendent's designee a formal request for any District Teaching Permit outlining all the individual's credentials/qualifications and the reason it is needed.

- NISD will allow District Teaching Permits based on skills and experiences outside the traditional teacher certification pathway such as submission into alternative certification programs.
- Emergency or financial situations creating the need for teacher assignments should also be recognized.
- Qualifications that may be considered include but are not limited to: Professional work experience; formal training and education; active professional relevant industry certification or registration; combination of work experience, training and education; demonstration of successful experience working with students.
- The Superintendent or his/her designee will then approve the request if they believe the individual possesses the knowledge, skills and experience required of the position and feel the individual could be an asset to students.
- Determinations shall be made on a case-by-case basis. The Superintendent will notify the Board prior to beginning employment for any teacher operating under a District Teaching Permit.
- Before issuing a School District Teaching Permit to an individual, the district would ensure that the individual completed the criminal background check in compliance with the State Board of Education (SBEC) rules.
- An employee working under a District Teaching Permit will not receive a contract but will work on an at-will basis and may have a separate pay scale from state-certified teachers. A teacher certification waiver, state permit applications, notification, or other paperwork will not be submitted to the Texas Education Agency or other district stakeholders.
- An employee working under a District Teaching Permit will adhere to the same professional standards, ethics, and requirements of all certified teachers.
- An employee working under a District Teaching Permit will be appraised under the same teacher appraisal system as required of all certified teachers.
- All candidates would be carefully considered to ensure the individual has sufficient education and expertise to provide the instruction necessary to meet the Texas Essential Knowledge and Skills (TEKS) for the course(s) to be taught.
- When possible, lesson plans for the uncertified teacher will be created in partnership with certified teachers in the same field. A mentor teacher will be assigned to the individual who is granted a District Teaching Permit for the first three years.

Submitting Waivers for Kindergarten-Grade 4 Class Size (TEC 25.112,25.113) (Renewed and Unchanged)

Kindergarten-Grade 4 classes are to be kept at a 22 student to 1 teacher ratio according to state law. When a class exceeds this limit, the district must complete a waiver with the Texas

Education Agency. Along with the waiver, it is required that a letter is sent home to each parent in the class that exceeds the 22:1 ratio, informing them that the waiver has been submitted.

Proposed

While Nursery ISD believes that a small class size plays a positive role in the classroom, we do not believe that it has a negative effect when one or two students are added. It may not be the number of the students in the class but the makeup and chemistry of the classroom which influences the learning environment. Being exempt from the 22:1 ratio requirement will allow students to remain with the teacher and classmates that they began the year with, enabling continuity and stability that will support increased student achievement.

Local Guidelines

Nursery ISD will attempt to keep K-Grade 4 classrooms to the 22:1 ratio. In the event the class size exceeds this ratio, the superintendent will report to the Board of Trustees. A TEA waiver will not be necessary when a K-Grade 4 classroom exceeds the 22:1 ratio.

IMPLEMENTATION

The Nursery ISD Innovation Plan is designed to create parameters within which the District will operate, so as to provide additional student opportunities. Adjustments to Board Policy will be researched and adopted where appropriate.

Transfer of Students (New, 2026)

NISD has a longstanding history of accepting transfer students outside the district, in accordance with Texas Education Code (TEC 25.036). Historically, a transfer is for one calendar year. As NISD continues to expand, adding a full, academic and extracurricular rich learning environment, the District wishes to add the following:

- A comprehensive review will be conducted at every progress report and reporting period, be that every 4 weeks.
- NISD Administration will review discipline, work output, tardies, absences, and all other factors that contribute the NISD Culture of work, citizenship, community, and family.
- Students who meet these requirements will be allowed to remain in NISD.

Grievance Policy (New, 2026) (Texas Education Code 26A.001, 26A.002, 26A.003)

NISD wishes to continue to utilize the current Grievance Policy in response to new

legislation, Senate Bill 12. TEC Chapter 26A and SB12 require school districts to adopt grievance procedures under Texas Education Code Chapter 26 A to include:

- Allow the grievant to supplement records and add additional claims.
- Require a decision on the merits of grievance regardless of procedural errors.
- Extend grievance filing and appeal deadlines.
- Require recusal if the subject of grievance is involved.
- Require boards to consider extracurricular grievances if they involve local policy violations.

Proposed

Due to the nature and needs of NISD, the new timeline and requirements would place an undue burden on the administrative staff and faculty, creating timelines that are unreasonable. NISD wishes to preserve the current grievance policies and maintain local control on serious matters that impact the district. This policy and DOI request aligns with Victoria ISD, our feeder school for students seeking education services in grades 8-12.

- Exempt employee (DGBA) and community (GF) grievances from SB 12 requirements and continue following local district policies regarding the processing of these grievances.
- Retain flexibility in timelines, filing requirements, and grievance procedures for all grievance types (student, parent, employee, community) consistent with existing district policy.
- Maintain board discretion in addressing extracurricular grievances, except as otherwise required by federal or state law.