

# *State Waivers Guidebook*



*A Guide to State Waivers for  
Districts and Charter Schools*

2023-2024

# CONTENTS

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|  |    |
|--|----|
| <b>WAIVERS &amp; EXCEPTIONS</b> .....  | 3  |
| Applying for TEAL Waivers Access .....   | 4  |
| <b>WAIVER TYPES</b> .....  | 11 |
| Categories of Waivers & Exceptions .....   | 11 |
| <b>EXPEDITED WAIVERS</b> .....   | 12 |
| Foreign Exchange Student Waiver (5 or More) .....  | 12 |
| Modified Schedule for State Assessment Testing Days Waiver .....                                       | 13 |
| Staff Development Minutes Waiver .....   | 14 |
| Teacher Data Portal of the Texas Assessment Management System Waiver .....                             | 15 |
| <b>GENERAL WAIVERS</b> .....   | 17 |
| Certification for Superintendent/Teacher/Other than Classroom Teacher Waiver .....                     | 17 |
| Course Requirement Waiver .....  | 18 |
| Course Requirement Career & Technical Education (CTE) Waiver .....                                     | 19 |
| Foreign Exchange Student Waiver (Less than 5) .....  | 20 |
| Pregnancy Related Services On-Campus (CEHI) Waiver .....   | 21 |
| <b>ATTENDANCE WAIVERS</b> .....  | 23 |
| Additional Days School Year (ADSY) Waiver .....  | 23 |
| Low Attendance Day(s) Waiver .....   | 24 |
| Missed School Day(s) Waiver .....  | 26 |
| <b>OTHER WAIVERS</b> .....   | 30 |
| Charter School Specific Waivers .....  | 30 |
| Waivers Related to Students Taking Dual Credit Courses at Institutions of Higher Education (IHE) ..... | 31 |
| Remote Conferencing Instruction Waiver .....   | 32 |
| Remote Homebound Instruction Waiver .....  | 35 |

|   |           |
|---|-----------|
| Texas Virtual School Network (TXVSN) Course Review Waiver ..... | 37        |
| <b>MAXIMUM CLASS SIZE EXCEPTION .....</b>                       | <b>39</b> |
| <b>FREQUENTLY ASKED QUESTIONS .....</b>                         | <b>41</b> |
| <b>APPENDIX 1 .....</b>   | <b>46</b> |
| <b>APPENDIX 2 .....</b>   | <b>48</b> |
| <b>APPENDIX 3.1 (DISTRICT REPORTING) .....</b>                  | <b>49</b> |
| <b>APPENDIX 3.2 (DISTRICT REPORTING) .....</b>                  | <b>50</b> |
| <b>APPENDIX 3.3 (CAMPUS REPORTING) .....</b>                    | <b>51</b> |
| <b>APPENDIX 3.4 (CAMPUS REPORTING) .....</b>                    | <b>52</b> |

# WAIVERS & EXCEPTIONS

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Under Chapter 7 of the Texas Education Code, districts and charter schools may apply to the Commissioner of Education for a waiver of a requirement, restriction, or prohibition imposed by education code or rule of the board or commissioner.

The State Waivers Unit of the Texas Education Agency is responsible for the coordination of state waivers and class size exceptions. See Texas Education Code [\(TEC\) §7.056](#), Waivers & Exemptions, for parameters.

## Texas Education Agency State Waivers Unit



512-463-9630



[waivers@tea.texas.gov](mailto:waivers@tea.texas.gov)



[tea.texas.gov/texas-schools/waivers/state-waivers](https://tea.texas.gov/texas-schools/waivers/state-waivers)

## Waivers Application System

State waivers are submitted to the agency using the **Texas Education Agency Login (TEAL) Application**.

## TEAL Waivers System Roles

If you do not have access to the Waiver application, you may apply for access to the waivers system for the following roles:

**District Editor:** responsible for creating waiver applications for submission to the district superintendent for review.

**Superintendent:** responsible for reviewing and submitting waiver applications to TEA (may also create waiver applications).

Note: The **Superintendent** role will be approved by agency staff only for the individual listed as the superintendent of record in the AskTED directory. Please visit the [AskTED Help Guide](#) for information on updating personnel information in AskTED.

## Applying for TEAL Waivers Access

You must have a **TEAL** account in order to apply for access to the Waivers system.

**TEA**  
Texas Education Agency

**TEAL Login (TEAL)**

**NOTICE:** TEAL Web Applications will not be available each Sunday morning from 5:00am to 2:00pm due to routine maintenance. Please do not access your applications during this time period. **You could lose data.**

Don't have an account? [Request New User Account](#)

Username:

Password:  [Show Password](#)

[Login](#)

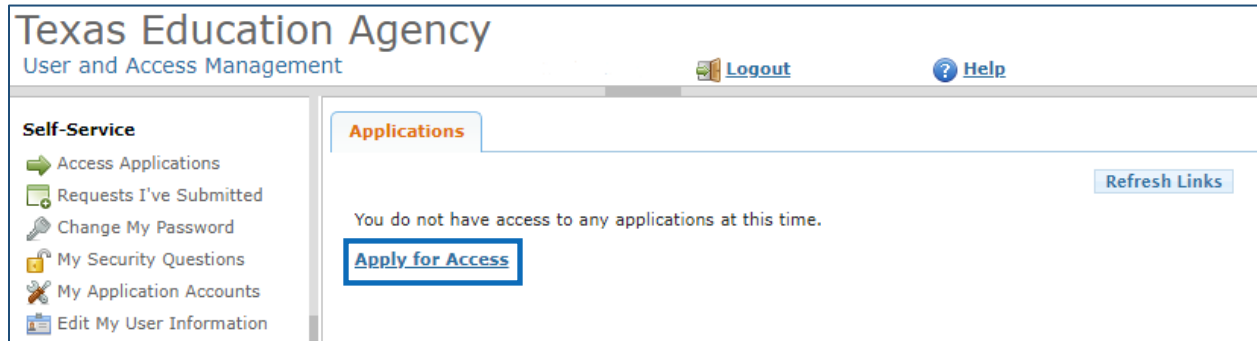
[Forgot your password?](#)  
[Forgot your username?](#)

If you do not have a TEAL account, click the “Request New User Account” link located on the TEAL login page and enter the appropriate information to request one.

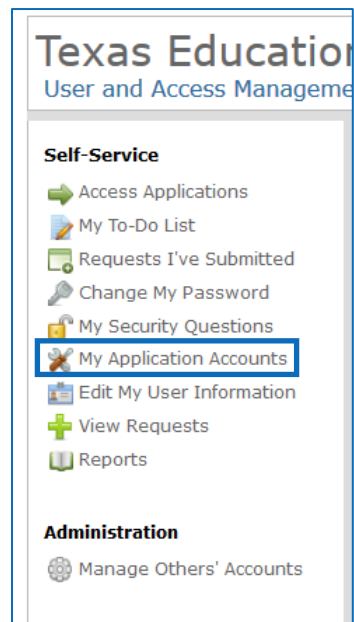
Once you have a TEAL account, use the following steps to request access to the TEAL Waivers system:

1. Log into [TEAL](#) with your username and password. The TEAL Home page appears. If you have not been granted access to any applications yet, there will not be any application links listed on the Applications tab.

- Click **Apply for Access**, as shown in the following screenshot:



Alternatively, if you already have access to some TEAL applications, click on the “My Application Accounts” link, instead.



The My Accounts tab opens.

- Click **Request New Account**, as shown in the following screenshot:

**Applications** **My Accounts** x

To apply for access to a TEA application or service, click the "Request New Account..." button below. To edit the details of one of your existing accounts, click on the Application name link in the list below.

Contact information for each application is listed below. APPLICATIONS ARE LISTED IN ALPHABETICAL ORDER. PLEASE SCROLL DOWN TO THE ONE YOU NEED. If the application is not displayed in the list, access the [Application Reference Page](#) to print a request form that can be faxed to TEA.

Request New Account... Delete Account Refresh Accounts

| <input type="checkbox"/> | Account Owne | Status | Application | Parameters |
|--------------------------|--------------|--------|-------------|------------|
|                          |              |        |             |            |














The Request New Account dialog box appears.

4. Scroll down and click the link for the **Waivers** application.

**Request New Account**

To request new access

1. Click the Application ID link OR
2. Double click the Application Name OR
3. Single click the Application Name and then click the "Go To Account Details Form" button

| Application ID                     | Application Name                             | Contact  | Details   |
|------------------------------------|--|--|---|
| <a href="#">PFAI</a>               | Physical Fitness Assessment Initiative       | Email: <a href="#">Barney Fudge</a>                          |  |
| <a href="#">PIRTS</a>              | Public Information Request Tracking System   |  |  |
| <a href="#">SPEARS</a>             | Special Education Adhoc Reporting System     |  |  |
| <a href="#">SPP</a>                | State Performance Plan Indicators            |  |  |
| <a href="#">TE</a>                 | Time and Effort Reporting                    | Email: <a href="#">Jessica Haros</a> (512-463-6346)          |  |
| <a href="#">TPA</a>                | TPA TReX Participant Administration          |  |  |
| <a href="#">TReX</a>               | Texas Records Exchange                       | Email: <a href="#">Texas Records Exchange</a> (512-463-7246) |  |
| <a href="#">TSDSPortal</a>         | Texas Student Data System Portal             |  |  |
| <a href="#">TSDSPortalTraining</a> | TSDS Portal - Training                       |  |  |
| <a href="#">TTA</a>                | TEA Test Application                         | Email: <a href="#">Laura Tapp</a>                            |  |
| <a href="#">TWEDSAdmin</a>         | TWEDS Admin                                  |  |  |
| <a href="#">TxCHSE</a>             | Texas Certificate of High School Equivalency |  |  |
| <a href="#">Waivers</a>            | Waivers                                      | Email: <a href="#">Waivers</a> (512-463-9630)                |  |

[Go To Account Details Form](#)

- When a page like the following appears, click **Add Access**.

The screenshot shows a web interface with two tabs: 'Applications' and 'My Accounts'. Below the tabs, there is a section titled 'To apply for new access' with three numbered instructions: 1. Click the 'Add Access' button. 2. Follow the instructions on the Application access details popup. 3. Click the 'Save Changes' button. This will submit your access request to TEAL.

Below the instructions, the 'Application Name' is set to 'Waivers'. The 'User ID' field is empty. Under the '\* Accesses:' label, there are two buttons: 'Add Access' (highlighted with a blue box) and 'Remove Selected'. Below these buttons is a table with three columns: 'Access Status', 'Employing Organization', and 'Access Rights'. At the bottom of the form is a 'Done' button.

- Type the name (or CDN) of your organization (district/charter school). Once you begin typing, a list of authorized organizations appears. Select the name of your organization from the list.

The screenshot shows a 'My Accounts' page with a 'Application access details' popup window. The popup has a title bar with a close button. Inside, there is a section titled 'Steps for adding access' with five numbered instructions: 1. Enter your Employing Organization (name or organization number). 2. Click the checkbox/radio button for the role(s) that you are applying for. 3. If there are parameters for the role(s) selected, enter that information. 4. Click the 'Done' button to **queue** your request. This does not submit your request to TEAL. 5. Click the 'Save Changes' button. This will then submit your access request to TEAL.

Below the instructions is a form field labeled 'Employing Organization'. Underneath this field is a red asterisk followed by the text '\* Organization: Who do you work for? In other words, what organization employs you (e.g. district, ESC, charter school)?'. A blue box highlights the input field below this text.

- Select the appropriate role ("District Editor" or "District Superintendent").



| Roles & Parameters       |                                    |
|--------------------------|------------------------------------|
| <input type="checkbox"/> | Academic Standards and Services    |
| <input type="checkbox"/> | Student Assessment Reviewer        |
| <input type="checkbox"/> | Charter School Admin Reviewer      |
| <input type="checkbox"/> | CTE Reviewer                       |
| <input type="checkbox"/> | Curriculum Reviewer                |
| <input type="checkbox"/> | Waivers Director                   |
| <input type="checkbox"/> | District Editor                    |
| <input type="checkbox"/> | District Superintendent            |
| <input type="checkbox"/> | Educator Certifications Reviewer   |
| <input type="checkbox"/> | State Funding Reviewer             |
| <input type="checkbox"/> | K-12 Foundation Education Reviewer |
| <input type="checkbox"/> | Education Policy Reviewer          |

8. Enter your organization (district/charter school) again, and then click "Done."

|  |                                       |
|--|---------------------------------------|
| <input checked="" type="checkbox"/>          | District Editor                       |
| <b>Description:</b>                          |                                       |
| <input type="text" value="District Editor"/> |                                       |
| <b>* Organization:</b>                       |                                       |
| <input type="text"/>                         |                                       |
| <b>Comments:</b>                             |                                       |
| <input type="text"/>                         |                                       |
| <input type="checkbox"/>                     | District Superintendent               |
| <input type="checkbox"/>                     | Educator Certifications Reviewer      |
| <input type="checkbox"/>                     | State Funding Reviewer                |
| <input type="button" value="Clear Roles"/>   |                                       |
| <input type="button" value="Done"/>          | <input type="button" value="Cancel"/> |

## 9. Click **Save Changes**.

Applications

My Accounts ✕

To apply for new access

1. Click the "Add Access" button.
2. Follow the instructions on the Application access details popup.
3. Click the "Save Changes" button. This will submit your access request to TEAL.

---

Application Name:  
**Waivers**

User ID:

⚠ A change has been requested but has not been submitted. To submit your request, click on the Save button located on the bottom of the screen.

\* Accesses:

| Access Stat | Employing Organization <span style="font-size: 0.8em;">▼</span> | Access Rights                                 |
|-------------|---|---|
| New         |   | Role: <b>District Editor</b><br>Organization: |

Save Changes

Discard Changes and Return

If the request was submitted successfully, a confirmation message appears, as shown in the following screenshot:



In the instance your access to the Waivers system becomes suspended due to inactivity, navigate to the TEAL login page to access the link to the [TEA Help Desk](#).

### TEA Login (TEAL)

**NOTICE:** TEA Web Applications will not be available each Sunday morning from 5:00am to 2:00pm due to routine maintenance. Please do not access your applications during this time period. **You could lose data.**

**Don't have an account?** [Request New User Account](#)

Username:

Password:  [Show Password](#)

[Forgot your password?](#)  
[Forgot your username?](#)

[Help for Request Process](#) | [Help for Educator Account Setup](#)  
[Help with Password Reset](#)

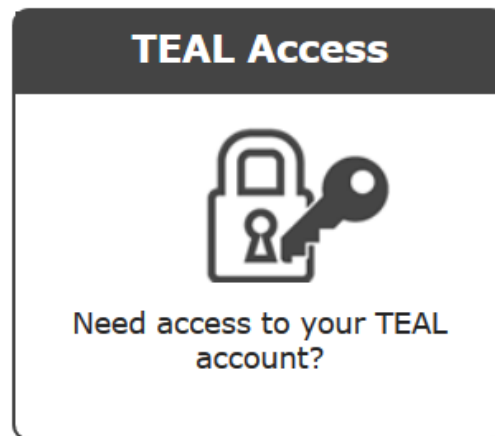
**WARNING:** Unauthorized use of this system or its data is prohibited; usage may be subject to security testing and monitoring; misuse is subject to criminal prosecution; and users have no expectation of privacy except as otherwise provided by applicable privacy laws.

[TEA Home Page](#) | [Web Policy and Accessibility](#)

For help with account access, please enter a request at the online [TEA Help Desk](#).

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From the homepage of the Help Desk, click on the TEAL Access card and then submit a request to have your access restored.



# WAIVER TYPES

## Categories of Waivers & Exceptions

The state waivers that are available fall under varying categories: **Expedited**, **General** (including **Other**), and **Attendance**. Additionally, there is an application for a **Maximum Class Size Exception** that is also available for districts. **All waiver requests, regardless of type, require board approval (excluding class size exceptions).**

**Expedited Waivers** are waivers that require basic information from the district.

**General Waivers** are waivers that require detailed information surrounding the district's waiver request.

**Attendance Waivers** are for excused absences or reduced attendance rates that are the result of inclement weather, health, safety-related, or other issues.

**Other Waivers** are specific requests that do not fall under any of the above categories.

**Maximum Class Size Exception** is required if any class for grades PreK-4 exceeds the allowable class size limit of 22 students per class.

| EXPEDITED   | GENERAL   | ATTENDANCE  | OTHER   | CLASS SIZE                                   |
|---|---|---|---|--|
| <a href="#">Foreign Exchange Student (5 or More)</a>                          | <a href="#">Certification for Superintendent/Teacher/Other than Classroom Teacher</a> | <a href="#">Additional Days School Year (ADSY) Waiver</a> | <a href="#">Charter School Specific Waivers</a>                         | <a href="#">Maximum Class Size Exception</a> |
| <a href="#">Modified Schedule State Assessment Testing Days</a>               | <a href="#">Course Requirement</a>  | <a href="#">Low Attendance Days</a>                       | <a href="#">Dual Credit Courses at Institutions of Higher Education</a> |  |
| <a href="#">Staff Development Minutes</a>                                     | <a href="#">Course Requirement Career &amp; Technical Education (CTE)</a>             | <a href="#">Missed School Days</a>                        | <a href="#">Remote Conferencing Instruction</a>                         |  |
| <a href="#">Teacher Data Portal of the Texas Assessment Management System</a> | <a href="#">Foreign Exchange Student (Less than 5)</a>                                |   | <a href="#">Remote Homebound Instruction</a>                            |  |
|   | <a href="#">Pregnancy Related Services On-Campus</a>                                  |   | <a href="#">TXVSN Course Review</a>                                     |  |

# EXPEDITED WAIVERS

**Expedited Waivers** are waivers that require basic information from the district and consist of the following types of waivers:

- **Foreign Exchange Student (Request 5 or More)**
- **Modified Schedule for State Assessment Testing Days**
- **Staff Development Minutes Waiver**
- **Teacher Data Portal of the Texas Assessment Management System**

## Foreign Exchange Student Waiver (5 or More)

This waiver allows the districts or charter schools to limit the number of foreign exchange students to a number that is *5 or more* per high school under Texas Education Code §25.001 (e). *(A request to limit the number to less than five per high school must be submitted as a **general waiver** application.)*



### Things to Consider:

- The approval of this waiver is not retroactive and takes effect on the date that the agency approves the application.
- The districts and charter schools must enroll foreign exchange students who arrive in the district or who have requested enrollment in the district prior to the waiver approval date.
- This waiver is permitted only for the following reasons (must be indicated on waiver application):
  - Creates a financial or staffing hardship for the district
  - Diminishes the district's ability to provide high quality educational services for the district's domestic students
  - Requires domestic students to compete with foreign exchange students for educational resources



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- Number of Students Requested (*5 or more*)
- Reason (*see permissible reasons above*)

- School Year(s) Requested (*up to 3*)



#### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Local policies that impose limitations on foreign exchange student admission applications or requests (*If the district does not submit policies with the waiver application, the waiver will be reviewed based on the condition that the district accept foreign exchange students on a first come, first serve basis until the number of students stated in the waiver application is reached.*)



#### Resources:

- [Foreign Exchange Student Waiver Guidelines](#)
- [Foreign Exchange Student Waiver Frequently Asked Questions](#)
- [Texas Education Code §25.001 \(Admission\)](#)

## Modified Schedule for State Assessment Testing Days Waiver

This waiver allows the district or charter school to modify the schedule of classes for students who are not being tested to report to and attend school after the state assessment testing period has ended, therefore reducing the interruptions during testing period.



#### Things to Consider:

- Students who are not being tested must still meet the maximum 2-through-4 hour requirement for funding (see Student Attendance Accounting Handbook, Section 3.2.1.2 and 3.2.1.3).
- The PSAT/SAT is not considered a state assessment.



#### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)



#### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which waiver the application request was approved



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 3.2.1.2 Code 1 Eligible for Full-Day Attendance
  - Section 3.2.1.3 Code 2 Eligible for Half-Day Attendance
  - Section 3.6.6 Attendance Accounting During Testing Days

## Staff Development Minutes Waiver

This waiver allows the district and charter schools to train staff on various educational strategies designed to improve student performance in lieu of student instruction during the school year. The waiver provides for a maximum of 2,100 total waiver minutes to use for professional development for districts and charter schools that provide operational and instructional minutes.

Each district and open-enrollment charter school may choose how to apply their approved waiver. For instance, schools may choose to offer early release, late start, all day staff development, or a combination. However, *the total waiver minutes for staff development shall not exceed 2,100 minutes per year.*

This waiver is for staff development in place of student instruction; therefore, the waiver minutes are only applicable to staff development provided instead of student instruction during the school year. *The waiver may not be used prior to the first day of student instruction or after the last day of student instruction. The waiver is applicable only to real-time staff development that all district staff participate in simultaneously in lieu of student instruction (i.e., “exchange/trade” days or professional development that staff receive on their own time outside of the school/workday may not be counted toward the waiver minutes allotted for staff development).*



### Things to Consider:

- Staff development *waiver* minutes may not exceed 2,100 (5 days for charter schools operating before 1/1/2015 whose operational calendar is on days rather than minutes).
- Staff development *waiver* minutes may only be used during the school year and are not applicable to “exchange/trade” days or professional development minutes that staff may accumulate on their own time outside of the school/workday.
- On staff development days when students are in attendance part of the day, the district or open-enrollment charter school must provide at least 120 minutes of student instruction to receive full ADA funding (see Student Attendance Accounting Handbook (SAAH), Section 3.8.1.5 Staff Development Waivers).

- Any staff development waiver minutes reported must reflect actual staff development minutes provided.
- Board approval of an academic calendar inclusive of staff development minutes/days is *not* tantamount to approval of a waiver application request; *each document must be board approved as separate agenda items.*
- Districts or charter schools must demonstrate that they are providing high quality staff development that will impact student outcomes.



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year Requested (*2023-2024 only*)



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 3.8.1.6 Staff Development Waivers

## Teacher Data Portal of the Texas Assessment Management System Waiver

The assessment data portal of the Texas Assessment Management System became fully operational in October 2011 and complies with the requirements of Texas Education Code (TEC), §32.258, as enacted by House Bill 3, 81<sup>st</sup> Legislature. Districts that are interested in fulfilling the requirement of TEC, §32.258 to provide teacher access to student assessment data through a local student data system must apply for an expedited waiver from the Texas Education Agency (TEA).



### Things to Consider:

- The local data portal must be accessible to all teachers in the core subject areas (reading/English Language Arts, mathematics, science, and social studies) and must allow teachers to view their own students' assessment data. (*It is a local decision whether to extend access to teachers outside of the four core subjects; however, districts must consider*



*whether there exists a sound educational reason, allowable under the Family Educational Rights and Privacy Act (FERPA), for non-core teachers to have access to student-level data.)*

- Student data must be available from the 2007–2008 school year forward and include data indicating progress in student achievement.
- Student data must be available on or before the first instructional day of the year following the year in which the data were collected.
- The local data portal must permit comparisons of student performance at the classroom, campus, district, and state levels. Though it will not be necessary for local data portals to contain statewide data for comparisons of student performance, local portals must include a link (see below) to the TEA’s webpage where statewide assessment reports are posted.
- As a condition to granting a waiver for teacher access to the state data portal, local systems must have all of the above data available to teachers.
- Districts and charter schools that receive a waiver from the requirement to provide teachers with access to the state data portal must still provide the teacher-student linking information in their summer PEIMS submissions. There is no waiver from the PEIMS submission requirement.



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)



#### **Supporting Documentation (submitted with waiver application):**

- Board agenda from meeting at which the waiver application request was approved



#### **Resources:**

- [TEA Student Assessment Results webpage](#)
- [Texas Education Code §32.258 \(Student Assessment Data; Data Portal\)](#)

# GENERAL WAIVERS

**General Waivers** are waivers that require detailed information surrounding the district's waiver request and consist of the following types of waivers:

- **Certification for Superintendent/Teacher Waiver**
- **Course Requirement Waiver**
- **Course Requirement Career and Technical Education (CTE) Waiver**
- **Foreign Exchange Student Waiver (Less than 5)**
- **Full-Day Prekindergarten Waiver**
- **Pregnancy Related Services**

## Certification for Superintendent/Teacher/Other than Classroom Teacher Waiver

This waiver allows an individual to serve without the necessary certification requirements.

### Certification Waiver for Teachers

Allows an individual to serve as a teacher without the necessary certification requirements. Listed below are certification description types:

- Allows a person to teach without the necessary certification requirements
- Allows qualified individuals to teach outside their areas of certification in Career and Technical Education (CTE)
- Allows qualified individuals to teach outside their areas of certification in a subject or course for which no state assessment has been developed
- Allows qualified individuals to teach outside their areas of certification in Alternative Education
- Allows qualified individuals to teach ROTC classes outside their areas of certification



### Things to Consider:

- When requesting a certification waiver for a role other than a superintendent or classroom teacher (ex. Principal/Assistant Principal, School Counselor, School Librarian), select "Teacher Core Curriculum" in the "Area" dropdown in the Application for Certifications Waiver in TEAL. Be as specific as possible to the role for which the waiver is requested when completing the waiver application.
- Teacher certification waivers cannot be approved for individuals to serve in special education, bilingual education, or prekindergarten program assignments.

- Teacher certification waivers must be initiated by an employing school district. Individual candidates for certification cannot pursue a teacher certification waiver independently.
- For individuals enrolled in an Educator Preparation Program (EPP) or Alternative Certification Program (ACP), it is strongly encouraged that district personnel first have conversations with the EPP or ACP prior to initiating the teacher certification waiver as this could impact the candidate's completion of program requirements. **District personnel will want to determine that the candidate is not currently eligible for an SBEC-issued credential and what the candidate lacks (deficiency plan) to obtain a certificate.**

## Certification Waiver for Superintendents

Allows an individual to serve as superintendent without the necessary certification requirements.



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 1](#))



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved

## Course Requirement Waiver

This waiver allows districts and charter schools to request a waiver to substitute a particular course or courses for state credit within the curriculum. The commissioner of education is prohibited from exempting essential knowledge and skills under Texas Education Code (TEC) §28.002 or minimum graduation requirements under TEC §28.025.



### Things to Consider:

To determine if the course substitution is allowable:

- For career and technical education (CTE) courses, contact the **CTE unit** in the **Department of College, Career, and Military Preparation** at (512) 936-6060.
- For all other courses, contact the **Division of Curriculum** at (512) 463-9581.



**Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 2](#))

**Supporting Documentation (submitted with waiver application):**

- Board agenda from meeting at which the waiver application request was approved

**Resources:**

- [Texas Education Code §28.002 \(Required Curriculum\)](#)
- [Texas Education Code §28.025 \(High School Diploma and Certificate; Academic Achievement Record\)](#)

## Course Requirement Career & Technical Education (CTE) Waiver

This waiver allows districts and charter schools to request a waiver of the Texas Administrative Code related to Career and Technical Education (CTE), such as offering a CTE course for amount of credit other than that specified in the code.

**Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 2](#))

**Supporting Documentation (submitted with waiver application):**

- Board agenda from meeting at which the waiver application request was approved

## Foreign Exchange Student Waiver (Less than 5)

This waiver allows districts and charter schools to limit the number of foreign exchange students to four or less per high school. *(A request to limit the number to five or more per high school must be submitted as an **expedited waiver** application.)*



### Things to Consider:

- The approval of this waiver is not retroactive and takes effect on the date that the agency approves the application.
- The districts and charter schools must enroll foreign exchange students who arrive in the district or who have requested enrollment in the district prior to the waiver approval date.
- Only in the most compelling circumstances will a waiver request for less than five per high school be considered.



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- Number of Students Requested (*4 or fewer*)
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 2](#))



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Local policies that impose limitations on foreign exchange student admission applications or requests (*If the district does not submit policies with the waiver application, the waiver will be reviewed based on the condition that the district accept foreign exchange students on a first come, first serve basis until the number of students stated in the waiver application is reached.*)



### Resources:

- [Foreign Exchange Student Waiver Guidelines](#)
- [Foreign Exchange Student Waiver Frequently Asked Questions](#)
- [Texas Education Code §25.001 \(Admission\)](#)

## Pregnancy Related Services On-Campus (CEHI) Waiver

This waiver allows districts and charter schools to request a waiver to offer Pregnancy-Related Services Compensatory Education Home Instruction (CEHI) on a district's campus. Special education students who qualify for Pregnancy Related Services (PRS) may also receive homebound instruction on campus if the district has an approved on-campus instruction waiver. The waiver is not required for students receiving full-day instruction in a remote setting.



### Things to Consider:

The requirements of the waiver are as follows:

- Provide transportation as needed.
- Serve students at home if medically indicated.
- Do not exceed student-teacher ratio of four students to one teacher.
- Do not use self-paced computer-based instruction to fulfill the four hours of CEHI.
- A PRS teacher serving special education students must have a certification in Special Education.
- How will you evaluate the effectiveness of the waiver?



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 2](#))



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved



### Resources:

- [TEA Pregnancy Related Services Webpage](#)
- [COVID-19 Pregnancy Related Services FAQ](#)
- [Pregnancy Related Services Student Data Record Form Example](#)
- [Student Attendance Accounting Handbook](#)
  - Section 9.7 – On-Campus PRS Support Services

- Section 9.12 – PRS and Special Education Services (SPED)
- [Documentation End of Year Checklist](#)

# ATTENDANCE WAIVERS

Your district must adopt a school calendar that is in accordance with the program type listed on the chart in the Student Attendance Accounting Handbook (SAAH), Section 3.8. Your district is encouraged to make sure that the adopted calendar includes additional minutes to account for *at least* two bad weather or other missed school days related to health and safety concerns.

If your district or charter school closes school on a scheduled school day, your district or charter school should have enough minutes built into its adopted calendar to make up for any missed minutes or your district's or charter school's FSP funding may be reduced proportionately.

If weather, health, or safety issues cause you to fall short of the required number of minutes/days in accordance with the program type listed on the chart in SAAH, Section 3.8 beyond the additional minutes/days already built into the adopted school calendar for makeup minutes/days, districts and campus officials can request **Attendance Waivers** for excused absences or reduced attendance rates that are the result of inclement weather, health, safety-related, or other issues.

## Additional Days School Year (ADSY) Waiver

Additional Days School Year adds half-day formula funding for school systems that add instructional days to any of their elementary schools (TEC, §48.0051). Districts will generate half-day funding for each instructional day after their 180<sup>th</sup> instructional day up to their 210<sup>th</sup> instructional day. ADSY funding is available at the campus level. Districts may implement an ADSY program that utilizes anywhere from one to 30 additional days with design flexibility as long as it meets certain requirements (SAAH, Section 11.5). Beginning in the 2023–2024 school year, participating campuses are eligible for up to five days of ADSY waivers for missed instructional days throughout the year due to weather, health, or safety reasons. These waiver days are for the purpose of ensuring compliance with the 180 days of instruction requirement and are distinct from the Missed School Day waiver.



### Things to Consider:

- Professional/staff development waivers do not count towards the required 180 days of instruction.
- If an LEA applies for and receives a missed school day waiver, the day(s) will count towards the 180-day total under TEC, §48.0051(c).
- Depending on the situation, an LEA may need to apply for both the ADSY waiver and the Missed School Day waiver.



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)



- Date of Board Approval
- Campus(es) impacted (*select "All Campuses" if applying for the entire district*)
- Reason for Missed School Day(s) (*Weather, Health, Safety, or Other*)
- Date of Missed School Day(s)
- Certification of Board-adopted 180 instructional day calendar for the current school year
- Explanation of Reason for Missed School Day(s)



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Documentation for the reason for missed school day(s) (*Supporting documentation may be news articles, letter to parents, information shared with the Board or district, etc. to specify what the weather/health/safety issue was*)
- Submission of evidence of a board-approved 180-day calendar via a survey that will open in fall of each year in order to be eligible for the ADSY waiver (*must be submitted prior to applying for the waiver*). The 2023-2024 [survey](#) launched via a "To the Administrator Addressed" letter issued on August 3, 2023.



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 11.5 Additional Days School Year (ADSY)
  - Section 11.5.1 ADSY Program Design
- [Texas Education Code §48.0051 \(Incentive for Additional Instructional Days\)](#)

## Low Attendance Day(s) Waiver

For a day when school was held but attendance was at least 10 percentage points below the overall average attendance rate for your district or the applicable campus for the prior year because of inclement weather\*-related, health, or safety issues, your district may apply for a waiver to have the day excluded from ADA and FSP funding calculations. (*\*Unusually cold or hot weather, alone, does not constitute an inclement weather-related issue.*)



### Things to Consider:

- The number of minutes requested for a low attendance day must be equivalent to the number of minutes a district/campus operated on that day. (*If the number of minutes of*

*operation varies by campus on the date of low attendance for "All Campuses", please report the greatest number of minutes on the date of low attendance in the "Number of Min on the Low Attendance Day." Please note that in PEIMS you will claim the actual number of minutes in operation on the specific date by campus.)*

- For a district or campus with multiple tracks, the overall average attendance rate for all tracks must be used. For a campus that existed as two separate campuses the prior year, the overall average attendance rate for the district as a whole must be used.
- When determining if the 10-percentage point threshold is met, *district* attendance rates must be compared to the *district's* prior year average, whereas *campus* attendance rates must be compared to the applicable *campus'* prior year average. (For a new campus or a campus that existed as two separate campuses the prior year, the overall average attendance rate for the district as a whole must be used.)
- The maximum total number of minutes waived per academic year may not exceed 4,200. (*This includes low attendance day, missed school day, staff development, and any other minute-related waivers.*)
- The agency does not grant waivers for low attendance on a makeup day.
- The agency does not round attendance rates when determining the 10-percentage point difference.
- If a waiver is granted, your district should not include the day exempted as a day of membership or instruction. Treat the day as a non-school day in your district's student attendance accounting system, and do not report the day as a school day in your district's TSDS PEIMS reporting.
- Local education agencies are responsible for submitting current, complete, and accurate data required for each PEIMS and TSDS collection. Each person entering data into the attendance accounting system must attest that the data he or she has entered are true and correct to the best of his or her knowledge. The superintendent must affirm that he or she has taken measures to verify the accuracy and authenticity of the attendance data (see SAAH, Section 3.1 Responsibility).
- **Low Attendance Day(s) Waivers are due by the end of July for the current school year. See the [State Waivers webpage](#) for specific dates.**



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- Campus(es) impacted (*select "All Campuses" if applying for the entire district*)
- Reason for Low Attendance (*Weather, Health, Safety, or Other*)

- Date(s) of Low Attendance
- % of Attendance for the Selected Date(s)
- Average % of Attendance for Entire Previous Year
- Number of Minutes of Operation on the Low Attendance Day(s)



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Documentation for the reason for the low attendance rate (*Supporting documentation may be news articles, letter to parents, information shared with the Board or district, etc. to specify what the weather/health/safety issue was*)
  - Documentation provided for dates of low attendance on shortened days, federal/state holidays, days that fall immediately before or after a district/student holiday, or on the last days of school must clearly support that the low attendance was attributed primarily to a weather, health, or safety issue
- ADA or PEIMS report showing the attendance rate on the date of low attendance for the district or applicable campus ([see appendix 3.1 \(district\)](#) & [appendix 3.3 \(campus\)](#))
- PEIMS summary report showing the average attendance for the entire prior year for the district or applicable campus ([see appendix 3.2 \(district\)](#) & [appendix 3.4 \(campus\)](#))



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 3.1 Responsibility
  - Section 3.8 Calendar Requirements for Funding
  - Section 3.8.1.4 Low Attendance Day Waivers

## Missed School Day(s) Waiver

Districts or campuses may request a waiver for excused absences if full instructional days are missed due to inclement weather\* issues, health, safety-related, or other issues. (*\*Unusually cold or hot weather, alone, does not constitute an inclement weather-related issue.*)

If because of weather, safety, or health issues, your district misses additional instructional days **beyond the two days made up using built in or additional minutes or days**, your school district can apply to the TEA for a missed school day waiver.



### Things to Consider:

- No waiver is necessary if the district/charter school has enough minutes in its calendar to accommodate missed school days and still meet the annual operational and instructional minute requirement outlined in Student Attendance Accounting Handbook, Section 3.8.
- The first two days missed for any reason (weather, health, or safety) **must be made up** using either designated makeup days or additional minutes. See Student Attendance Accounting Handbook, Section 3.8.1. (*Days missed for reasons other than weather, health, or safety do not count toward the first two days missed for the purposes of qualifying for a missed school day waiver.*)
  - *Texas Education Code §25.081(c) allows a school district to add additional minutes to the end of the district's normal school hours as necessary to compensate for minutes of instruction lost due to school closure caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity.*
  - *If a charter school is one with campuses that are in different regions of the state, each campus that closed must make up the missed day or days as if all campuses were closed. For a charter school with campuses in different regions of the state, TEA evaluates each campus separately for purposes of determining whether missed days must be made up and whether waivers will be granted.*
- Charter schools applying for a missed school day waiver must submit their applications as soon as possible after the missed school day so that FSP System calendars can be updated and FSP System six-week report submissions are accurate.
- The number of minutes requested for a missed school day waiver must be equivalent to the number of minutes a district/campus would have normally operated on that day. (*If the number of minutes of operation varies by campus on the missed school day for "All Campuses", please report the greatest number of minutes on the date school was missed in the "Number of Minutes per Day." Please note that in PEIMS you will claim the actual number of minutes your district was scheduled to operate on the specific date by campus.*)
- The maximum total number of minutes waived per academic year may not exceed 4,200. (*This includes low attendance day, missed school day, staff development, and any other minute-related waivers.*)
- If a waiver is granted, your district should not include the day exempted as a day of membership or instruction. Treat the day as a non-school day in your district's student attendance accounting system, and do not report the day as a school day in your district's TSDS PEIMS reporting.
- The agency does not grant missed school day waivers for partial days missed.
- The agency does not grant missed school day waivers for instruction missed on a utilized make-up day.

- The agency does not grant missed school day waivers for instruction missed on a day when the district/campus makes the determination to cancel or delay school for a portion of an otherwise scheduled whole day.
- The agency does not grant missed school day waivers for only specific campuses on a day when the entire district is closed.
- The agency does not grant missed school day waivers for individual instructional tracks regardless of physical site location.
- The agency does not grant missed school day waivers on scheduled staff development days.
- The agency does not grant missed school day waivers for UIL activities.
- **Missed School Day Waivers are due by the end of July for the current school year. See the [State Waivers webpage](#) for specific dates.**



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- Campus(es) impacted (*select "All Campuses" if applying for the entire district*)
- Reason for Missed School Day(s) (*Weather, Health, Safety, or Other*)
- Date of Missed School Day(s)
- Number of Minutes per Day
- Explanation of Reason for Missed School Day(s)



#### **Supporting Documentation (submitted with waiver application):**

- Board agenda from meeting at which the waiver application request was approved
- Documentation for the reason for missed school day(s) (*Supporting documentation may be news articles, letter to parents, information shared with the Board or district, social media posts etc. to specify what the weather/health/safety issue was*)
- Information (specific dates and reason) regarding the first 2 days missed for the school year and the days/minutes used to make them up (*this information is required only with the first missed school day waiver request for the school year*)



#### **Resources:**

- [Student Attendance Accounting Handbook](#)

- Section 3.8 Calendar Requirements for Funding
  - Section 3.8.1.3 Missed School Day Waivers
  - Section 3.8.2 Closures for Bad Weather or Other Issues of Health or Safety (*table providing information on what actions to take in certain situations related to school closure*)
- [Texas Education Code §25.081 \(Operation of Schools\)](#)

# OTHER WAIVERS

**Other Waivers** are waivers that do not fit into any specific category but are considered **general waivers** that do require detailed information surrounding the district's waiver request. The following waivers may be submitted as an **Other Waiver**:

- **Waivers Specific to Charter Schools**
- **Waivers Related to Students Taking Dual Credit Courses at Institutions of Higher Education (IHEs)**
- **Remote Conferencing Instruction Waiver**
- **Remote Homebound Instruction Waiver**
- **Texas Virtual School Network (TXVSN) Course Review Process Waiver**

## Charter School Specific Waivers

While state law exempts charter schools from some laws, many laws and rules apply to these schools. In addition to the waivers applicable to charter schools above, the agency also accepts requests from charter schools to waive certain sections of the Commissioner's Rules Concerning Open-Enrollment Charter Schools (19 Texas Administrative Code (TAC), Chapter 100).

Often, these rules are criteria that must be met for a charter school to submit an expansion amendment for consideration. These include, but are not limited to:

- 19 TAC §100.1033(b)(9)(A) (i) which states that the expansion will be effective no earlier than the start of the fourth full school year at the affected charter school;
- 19 TAC §100.1033(b)(9)(A)(ii) which states the commissioner may approve an expansion amendment only if the request is received no earlier than the first day of January and no later than the first day of March, not to exceed 18 months preceding the effective date of the expansion; and
- 19 TAC §100.1033(b)(9)(A)(iii) which states the commissioner may approve an expansion amendment only if the most recent district rating for the charter school is "academically acceptable" and the most recent campus rating for at least 90% of the campuses operated under the charter school is "academically acceptable" as defined by §100.1001(26).



### Things to Consider:

- Requests to waive sections of the Commissioner's Rules Concerning Open-Enrollment Charter Schools must be submitted using the **Other** waiver application in the TEAL Waivers system.

- The voluntary amendment of an existing contract for charter is not a matter of right or entitlement. However, the commissioner is required to consider the factors outlined in Title 19, TAC §100.1033(b). Considerations include the performance of the charter holder in carrying out its current public school obligations, including, but not limited to, student performance, the financial position of the charter, and compliance with all laws and rules governing charter schools.



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*Will always be for the single academic year in which the waiver is requested. Charter-specific waivers cannot be requested for multiple academic years*)
- Supplemental Information ([see appendix 2](#))



#### **Supporting Documentation (submitted with waiver application):**

- Board resolution containing the signatures of a majority of governing board members voting in favor of the submittal of the specific waiver in a duly-called public meeting of the governing board of the charter.



#### **Resources:**

- [Commissioner's Rules Concerning Open-Enrollment Charter Schools \(19 Texas Administrative Code, Chapter 100\)](#)
- Questions regarding waiving the commissioner rules above may be directed to your portfolio coordinator in the Division of Authorizing or by emailing [Charteramendments@tea.texas.gov](mailto:Charteramendments@tea.texas.gov) for individualized support and guidance.

## Waivers Related to Students Taking Dual Credit Courses at Institutions of Higher Education (IHE)

If district students are taking dual credit courses at an IHE with a calendar of fewer than 75,600 minutes, including intermissions and recesses, your district may apply for a waiver of the 75,600-minute calendar requirement.

If early college high school (ECHS), P-TECH, Industry Cluster Innovative Academy (ICIA), or Texas Science, Technology, Engineering, and Math (T-STEM) students and students take dual credit courses at an IHE with a calendar that begins before the fourth Monday in August, your district may apply for a waiver of the start date requirement.





### Things to Consider:

- If the IHE's calendar is shorter than your school district's calendar, report the student's attendance in TSDS PEIMS with a different track to reflect the shorter calendar. Reporting the student with a separate track will prevent any reduction in state funding.
- The proper citation for this waiver in question #3 (*see appendix 2*) is TEC §25.081(a).
- The documentation of the agreement between the district/charter school and the IHE should be maintained for auditing purposes. (*Refer to Student Attendance Accounting Handbook, Section 2.1 General Audit Requirements.*)



### Required Information (entered on waiver application):

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- Supplemental Information ([see appendix 2](#))



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 2.1 General Audit Requirements
  - Section 3.8.1.8 Waivers Related to Students Taking Dual Credit Courses at Institutions of Higher Education (IHEs) with Calendars of Fewer than 75,600 Minutes
  - Section 3.8.1.9 Waivers Related to Students Taking Dual Credit Courses at IHEs with Calendars Beginning before the Fourth Monday in August
  - Section 11.3.1.2 Reporting Dual Credit Attendance in TSDS PEIMS When the Higher Education Calendar Is Shorter Than the School District Calendar

## Remote Conferencing Instruction Waiver

Per the Student Attendance Accounting Handbook, Section 12.3.1, if your school district provides instruction through remote conferencing to a **regular education student due to a temporary medical condition**, your district may, with approval of a waiver request, count that instruction as

classroom time for FSP funding purposes and count the student in attendance for FSP funding purposes, provided certain requirements are met.

These requirements must be met:

- The student is unable to attend school because of a temporary medical condition (*Pregnancy, in and of itself, is not considered a medical condition. See SAAH, Section 12.3.3 Remote Homebound Instruction—Regular Education Students for information on remote PRS compensatory education home instruction*).
- The student’s temporary medical condition is documented by a physician licensed to practice in the United States. The documentation must include a statement from the physician that the student is to remain confined to their home or to a hospital.

Remote conferencing students will not be considered to be receiving homebound program instruction and will not be eligible to generate eligible days present through the GEH program.

*If a student is eligible to be served through the GEH program, your district should evaluate whether it is more appropriate to serve the student through that program or through remote conferencing.*

Per the Student Attendance Accounting Handbook, Section 12.3.2, if your school district provides instruction through remote conferencing to a **special education student** for all or part of the school day, your district may count that instruction as classroom time for FSP funding purposes, including in the calculation of contact hours.

The following conditions must be met:

- The student’s ARD committee must have determined, in a manner consistent with state and federal law (*including provisions related to least-restrictive environment (LRE) and FAPE requirements*), that the remote instruction to be provided is required for the provision of a Free and Appropriate Public Education (FAPE).
- The ARD committee must have documented that determination in the student’s individualized education program.

Students participating through remote conferencing (*regular education and special education*) will generate attendance in the following ways:

- Students in grades pre-K to five must receive the equivalent of *four hours of instruction with at least two hours of synchronous instruction each school day*. This instruction does not need to be consecutive.
- Students in grades six to twelve must receive at least *four hours of instruction through synchronous instruction each school day*. This instruction does not need to be consecutive.



### Things to Consider:

- This waiver is granted on a per-student basis.

- A waiver for Regular Education Students is not effective until it is granted by the Commissioner (*SAAH pg. 17*). Funding may be claimed beginning on the date the waiver is approved (*see Section 12.3.1*).
- If a waiver is approved, funding for remote conferencing for special education students may be retroactively claimed on the date services begin in accordance with ARD committee determination and proof of an approved waiver must be available for audit. (*see SAAH, Section 12.3.2*).
- A waiver will not be granted if the student is unable to attend school for a reason other than a medical condition, such as confinement at home for disciplinary reasons. Any waiver request must include an explanation of the circumstances.
- Explain how any applicable program requirements will be satisfied if your district intends to claim weighted funding. (*See the applicable sections of the SAAH for specific program requirements.*)
- If a *special education* student's ARD committee determines that instruction through remote conferencing is required for the provision of FAPE, that determination does not necessarily mean that the student's instructional setting code will change with the provision of the instruction through remote conferencing. (*See section 12.3.2 of the SAAH for more information regarding instructional setting codes.*)
- The documentation used to determine the student's need for remote conferencing services should be maintained for audit purposes. (*Refer to Student Attendance Accounting Handbook, Section 2.1 General Audit Requirements.*) **No identifiable student information should be submitted with the waiver request.**



#### **Required Information (entered on waiver application):**

- The waiver request must include an explanation of the circumstances.
- When submitting a waiver request for a *regular or special education student*, cite the following requirement in item 3 of the General Questions section: 1) the requirement that a student be on campus at the official attendance-taking time in order to be considered present for FSP funding purposes, as required by 19 TAC §129.21 and the handbook, which is adopted annually through 19 TAC §129.1025; and 2) the agency's policy of considering only face-to-face instruction as classroom time for purposes of FSP funding. *Due to character limits, citing "19 TAC 129.21 & face-to-face instruction policy" is sufficient. Only cite "19 TAC §129.21" if the student is scheduled to be off campus at the official attendance-taking time.*
- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*only 1*)

- Supplemental Information ([see appendix 2](#))



### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Meeting minutes from the board meeting at which the waiver application request was approved indicating approval



### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 2.1 General Audit Requirements
  - Section 12.3.1 Remote Conferencing-Regular Education Students
  - Section 12.3.2 Remote Conferencing-Students Receiving Special Education and Related Services
- [19 Texas Administrative Code §129.21](#)

## Remote Homebound Instruction Waiver

Remote homebound instruction means remote instruction in which a student receives individualized instruction through the General Education Homebound (GEH) program or Compensatory Education Home Instruction (CEHI) program and in which all requirements of the program are met except for in-person instruction from the homebound teacher.

If your school district provides remote homebound instruction to an eligible *regular education student*, your district may, with the approval of a waiver request, count the student in attendance for FSP funding purposes provided that all requirements of the homebound program are met except for face-to-face instruction from the homebound teacher.

If a waiver is granted, the affected student will generate attendance (eligible days present) according to the homebound funding provisions in SAAH, Section 3.7.3 GEH Funding Chart or Section 9.10 Confinement and Earning Eligible Days Present, as applicable.

If your school district provides remote homebound instruction to a *special education student*, your district may, with the approval of a waiver request, count the student in attendance for FSP funding purposes, including weighted funding purposes, provided that the following requirements are met:

- The student's ARD committee must have determined, in a manner consistent with state and federal law, that the remote homebound instruction to be provided meets the needs of the student.
- The ARD committee must have documented that determination in the student's IEP.

- All requirements related to the provision of special education homebound instruction must be met except for face-to-face instruction from the homebound teacher.

If a waiver is granted, the affected student will generate attendance (eligible days present) according to the homebound funding provisions in SAAH, Section 4.7.2.5 Homebound Funding and Homebound Documentation Requirements.



### Things to Consider:

- This waiver is granted on a per-student basis.
- If the waiver is approved, funding may be claimed beginning on the date the ARD committee determined that remote homebound services began.
- The district should consider whether remote conferencing is an option before moving forward with remote homebound instruction and any applicable waiver requests. Information regarding why remote conferencing is not an option should be included with the waiver request.
- The documentation used to determine the student's need for remote homebound services should be maintained for audit purposes. (*Refer to SAAH, Section 2.1 General Audit Requirements.*)



### Required Information (entered on waiver application):

- When submitting a waiver request for a *regular education student*, cite the following requirement in item 3 of the General Questions section: the requirement that a homebound teacher serve a student in person at the student's home or hospital bedside in order for FSP funding to be generated, as required by 3.7.3 GEH Funding Chart or 9.10 Confinement and Earning Eligible Days Present, as applicable, of the handbook, which is adopted annually through 19 TAC §129.1025. *Due to character limits, citing "In person instruction per SAAH 3.7.3 Funding Chart" OR "In person instruction per SAAH 9.10" is sufficient.*
- When submitting a waiver request for a *special education student*, cite the following requirement in item 3 of the General Questions section: the requirement that a homebound teacher serve a student in person at the student's home or hospital bedside in order for FSP funding to be generated, as required by 4.7.2.5 Homebound Funding and Homebound Documentation Requirements of the handbook, which is adopted annually through 19 TAC §129.1025. *Due to character limits, citing "In person instruction per SAAH 4.7.2.5" is sufficient.*
- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval

- School Year(s) Requested (*only 1*)
- Supplemental Information ([see appendix 2](#))



#### Supporting Documentation (submitted with waiver application):

- Board agenda from meeting at which the waiver application request was approved
- Meeting minutes from the board meeting at which the waiver application request was approved indicating approval



#### Resources:

- [Student Attendance Accounting Handbook](#)
  - Section 2.1 General Audit Requirements
  - Section 3.7 General Education Homebound (GEH) Program
  - Section 3.7.3 GEH Funding Chart
  - Section 4.7.2.5 Homebound Funding and Homebound Documentation Requirements
  - Section 9 Pregnancy Related Services
  - Section 9.10 Confinement and Earning Eligible Days Present

## Texas Virtual School Network (TXVSN) Course Review Waiver

All courses made available through the Texas Virtual School Network (TXVSN) must be reviewed and approved prior to being offered. Eligible school districts and open-enrollment charter schools may apply to the commissioner of education for a waiver from the TXVSN course review process that is administered by the Texas Education Agency (TEA).



#### Things to Consider:

- A waiver may be requested from the TXVSN course review *process* only.
- Each course is still required to meet all TXVSN course standards and requirements.
- To request a waiver to the TXVSN course review process, the district or charter school authorized official must certify that each course meets all TXVSN course standards and requirements.

- The commissioner of education must approve the request before the course may be offered through the TXVSN.
- To request a waiver from the TXVSN course review process, complete the steps located in the instructions below. *(Include all requested information in your waiver request. Do not send attachments as a separate communication. Your waiver request must comply with these requirements to be considered complete and ready for consideration by the commissioner of education.)*



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- Supplemental Information (see instructions below)



#### **Supporting Documentation (submitted with waiver application):**

- Copy of official board minutes showing approval to submit the TXVSN course review waiver request or the official agenda clearly showing the request for board action regarding the TXVSN course review waiver request, if minutes are not yet available
- LEA Contact (*First Name, Last Name, Phone, Email*)
- Date of Board Approval
- School Year(s) Requested (*up to 3*)
- The final course list that was generated within the TXVSN ECSS system (see instructions below)
- The completed TXVSN Course Review Waiver Request Assurance Statements document (see document below)
- Supplemental Information ([see appendix 2](#))



#### **Resources:**

- [Instructions to Request a Waiver from the TXVSN Course Review Process](#)
- [TXVSN Course Review Waiver Request Assurance Statements](#)

# MAXIMUM CLASS SIZE EXCEPTION

A district must submit a request for a class size exception for any classrooms in prekindergarten - fourth grade that exceed the 22 students class size limit located in Texas Education Code §25.112. *(Class size limits do not apply to physical education classes or fine arts classes. Class size limits also do not apply to charter schools; however, charter schools are subject to any class size restrictions that may be in the approved charter contract.)*



## Things to Consider:

- Per TEC §25.112(e), a district seeking an exception must notify the commissioner and apply for the exception not later than the later of:
  - October 1\*; or
  - the 30th day after the first school day the district exceeds the limit
  - *\*Due to the delayed 2023 accountability ratings release, for the 2023-2024 school year only, the deadline to submit the initial exception request has been extended by waiver. For specific information, see the [State Waivers webpage](#).*
- Class size limitations generally apply throughout the school year, with the exceptions noted below:
  - Any twelve-week period selected by the district with a significant percentage of migratory children (25.112(1)); or
  - The last twelve weeks of any school year for all other districts
- In considering whether to grant an exception, the commissioner must find that the class size limit creates an undue hardship on the district. The commissioner will consider:
  - unanticipated enrollment growth;
  - lack of facilities;
  - lack of teachers; or
  - financial hardships
- A campus or district that is granted a class size exception shall provide written notice of the exception to the parent (or person standing in parental relation to) of each student affected by the exception. The notice must be in bold or underlined print and must:
  - specify the particular class for which a class size exception was granted;
  - state the number of students in the class for which the exception was granted; and



- be delivered through regular mail or other means of communication from the campus or district, such as information sent home with students

The notice described above must be provided no later than the 31st day after the first day of the school year, or the date the exception is granted, if the exception is granted after the beginning of the school year. The district must maintain documentation of the notices provided to parents, subject to a request for review by the TEA (Texas Education Code §25.113).



#### **Required Information (entered on waiver application):**

- LEA Contact (*First Name, Last Name, Phone, Email*)
- Campus(es) impacted
- Number of Sections Over the Limit by Grade Level (*Enter only the number of classes/sections that exceeds the 22 class size limit. Do not enter number of students.*)
- Reason for the Class Size (*see undue hardships above*)



#### **Resources:**

- [Texas Education Code §25.112 \(Class Size\)](#)
- [Texas Education Code §25.113 \(Notice of Class Size\)](#)

# FREQUENTLY ASKED QUESTIONS

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Below is a list of frequently asked questions that may be of assistance related to the State Waivers and the TEAL application process.

## **1. Do state waivers require Board approval?**

Yes, all state waiver applications (excluding class size exceptions) requested by the district require Board approval and the application must include the date the Board approved the waiver request. Documentation may be requested for board approval dates that cannot be verified by agency staff. Additionally, all waivers also require review by the district-level and site-based decision-making committee established under TEC §11.251. The committee must first have the opportunity to review the waiver request and provide written comments prior to board approval.

## **2. How does the district apply for a Bilingual Education Exception and ESL waiver?**

The [Bilingual/ESL Unit](#) in the Special Populations division creates an annual waiver application with specific requirements and annual deadlines. Please contact that division or access the application on the website.

## **3. How do I apply for the Educator Test limit waiver?**

Please see the [Educator Testing webpage](#) for the test-limit waiver application and the associated FAQ document to answer common questions. If you have additional questions, please submit a [TEA Help Desk ticket request](#). Alternatively, you may contact the Educator Testing department at 512-463-9039.

## **4. May our school district or charter school apply for and receive waivers (of any kind, including staff development) such that the district or charter school has more than 4,200 minutes (or 10 days for charter schools that use days) waived?**

No. Your district or charter school must not have more than 4,200 minutes (10 days for charter schools that use days) waived, unless otherwise authorized by the commissioner. See [Student Attendance Accounting Handbook](#), Section 3.8.2.

## **5. Is a Staff Development waiver available?**

Yes, the Staff Development Minutes Waiver provides for a maximum of 2,100 total waiver minutes to use for professional development for districts and charter schools that provide operational and instructional minutes. Each district and open enrollment charter school may choose how to apply their approved Staff Development Minutes Waiver. For instance, schools may choose to offer early release, late start, all day staff development, or a combination. However, the total waiver minutes for staff development shall not exceed 2,100 minutes per year. This waiver is for staff development in place of student instruction; therefore, the waiver minutes are only applicable to staff development provided instead of student instruction during the school year. The Staff Development Minutes Waiver may not be used prior to the first day of student instruction or after

the last day of student instruction. On staff development days when students are in attendance part of the day, in order to receive full ADA funding, the district or open-enrollment charter school must provide at least 120 minutes of student instruction. Instructional minutes are defined in the Student Attendance Accounting Handbook as the portion of the school day in which instruction takes place along with other exceptions. In addition to the 120 minutes of student instruction, any staff development waiver minutes reported must reflect actual staff development minutes provided.

The Staff Development Minutes waiver may be applied for only on an annual basis.

## 6. Can the public view district waivers?

[The Waivers Online Report](#) allows anyone to view the status of final district waivers by name, status, type and date. The report allows for multiselect features. Once a report is generated, it can also be printed or exported to Excel.

## 7. How can I see the waivers that I have created for the district?

In the Waivers application in TEAL, any waiver applications that you are either working on or need to approve will be visible in the **My Waivers** section. Click on the **Waiver ID** to view the application and take any action, as necessary. To view all waivers for your district, including the current status of a waiver, click on the **Search Waivers** section. You can also use the **Search** box to find a waiver.

## 8. Our district has multiple low attendance or missed school days we plan to apply for waivers for. Do I have to do a separate waiver for each campus and or day missed day?

For low attendance and missed school days, you may enter multiple district or campus days and multiple campuses on the same low attendance or missed school day waiver application. Following the entry of the campus detail, select **Save Campus** to add the information to the LEA Summary section of the waiver. To enter additional information, follow the same process to continue to save individual dates/campuses to the LEA summary as needed.

## 9. What type of waiver application do I use if I don't see an application specific to the area I wish to apply for?

If there is not a specific waiver application related to your request, please select the **Other** application for completion.

## 10. Are there any TEC sections that may not be waived?

Yes, please refer to [Texas Education Code §7.056\(e\)](#) for the list of statutory requirements from which a district or campus may not receive an exemption or waiver.

## 11. When can I apply for a missed school day waiver after the district is closed for a weather, health or safety issue?

Once a district has Board approval, it may apply for the missed school day waiver. Please note that prior to approval of a missed school day waiver for the district, the first two missed days must

have been made up, either using additional built in minutes, bad weather make up days, or by adding additional minutes into the school year. See the [Student Attendance Accounting Handbook](#), Section 3.8.1.2 Makeup Days and 3.8.2 Closure for Bad Weather or Other Issues of Health or Safety for more information.

## 12. I entered my information and saved, but the waiver is still showing draft – why?

For a *District Editor*, at the end of the waiver application you will find a **Complete & Route** button. This will route the application to your Superintendent for review and approval. For a *District Superintendent*, at the end of the waiver application you will find a **Review and Submit** button. When your application is ready, this button takes you to the review and submit details page. This page displays the information as entered and is read only. If you need to make any adjustments, select the **Return to Edit** button to take you back to the prior view. If the application is complete and ready for submission, select the **Submit to TEA** button. The waiver is then sent to TEA, and the original waiver creator and superintendent will receive a confirmation email. You may view and print a read only version of the submitted waiver by selecting the application within **Search Waivers**.

## 13. I (superintendent) submitted a waiver application to the agency for review, but I did not receive a confirmation email-why?

At the end of the waiver application you will find a **Review and Submit** button. When selected, this button takes you to the review and submit details page. This page displays the information as entered and is read only. The **Submit to TEA** button must then be pushed in order for the application to be routed to agency staff. Only after both of these actions are taken will the application be routed to the agency and a confirmation email be sent. After submission, the **My Waivers** page will load and a **Success/Waiver application submitted successfully** message will appear.

## 14. My waiver was returned to me by the agency. Why?

In the instance that a waiver request is missing information or needs corrections, the agency will reassign it to the district (the status of the waiver will be “reassigned to LEA”). Refer to the **TEA Comments** section of the waiver to review agency notes that indicate what information and/or corrections are needed. After making the edits, the district may resubmit the request to the agency for review.

## 15. The application does not allow enough characters within the questions for all of my information. What can I do?

You may upload an attachment in the **LEA Attachments** section to include any additional information that may be needed or helpful for the waiver request.

## 16. Can I save a waiver that I am working on to complete at a later time?

Yes, using the **Save** button at the bottom of the application, you can save the waiver you are working on. If the application has saved, you will see a success message in green at the top of the application.

### 17. How do I cancel a waiver application?

If you need to cancel an application you were working on, select the **Cancel Application** button at the bottom of the application. You will get a popup message confirming the cancellation request. If you want to continue and cancel the waiver, select OK, or Cancel if you want to save the application and end the cancellation process. Once canceled, the waiver will be removed from **My Waivers** and will be viewable as a canceled waiver within **Search Waivers**.

### 18. What does a “Partial-Approval” of a waiver mean?

This means that all of the items in the request were not approved as submitted but were approved in some form. For a multi-year request, this could mean that the waiver was requested for multiple years (2 or 3 years) but was approved for less (1 or 2 years). Additionally, for a waiver request for multiple days or campuses, it would be that only a portion of all of the days or campuses requested was approved. By viewing a particular waiver in the **Search Waivers** section, you can view which portions of the waiver were approved or denied in creating a partial approval.

### 19. I got an email stating that my waiver application was reassigned to me. How do I find out why?

In the Waivers application in TEAL, click on the **My Waivers** section. Click on the **Waiver ID** to view the application. Refer to the **TEA Comments** section for applicable information.

### 20. I got an email stating that my waiver application was denied. How do I find out why?

In the Waivers application in TEAL, click on the **My Waivers** section. Click on the **Waiver ID** to view the application. Refer to the **TEA Comments** section for applicable information.

### 21. Why is a requested year unavailable to me on a multi-year waiver application?

If a year is grayed out and cannot be selected, the district has already been approved for this waiver type for that particular year. You may view the waivers you are currently approved for by using the **Search Waivers** section or the [waivers online report](#) on the State Waivers webpage.

### 22. I have already submitted a maximum class size exception request. There are new sections of prekindergarten-fourth grade classes in my district that now exceed the maximum class size established in TEC §25.112. Do I need to submit a new waiver request for these sections?

Yes. A new waiver request must be submitted each time newly identified sections of prekindergarten-fourth grade classes exceed the maximum class size limit. Class size exception requests are not required during the last 12 weeks of the district’s school year or any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under TEC Section 48.005(c).

### 23. Can an individual candidate for certification apply directly for a teacher certification waiver?

The state teacher certification waiver is a credential that must be initiated by an employing school district interested in hiring a qualified individual. Candidates for certification cannot pursue a teacher certification waiver on their own. Any district in Texas has the option to pursue temporary credentials if interested in doing so. You may contact the human resources department of a district of interest to explore options and receive further guidance on the process.

# APPENDIX 1

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The following supplemental information is required as part of the **Certification for Superintendent/Teacher Waiver**.

1. Provide a brief description of the unique district circumstances/criteria requiring a State Waiver to allow a non-certified individual to be placed in the requested assignment. *(100 characters allowed)*
2. Did the district list Texas "certification" as one of the search criteria? (Yes/No)
3. Provide a brief description of the search process to fill the vacancy. Include the breadth of the search process; how long advertised; number of applicants; number of finalists. *(600 characters allowed)*
4. What qualifications did the Decision-Making Committee and district stakeholders identify as key district needs for filling this vacancy? *(300 characters allowed)*
5. How is this individual qualified to meet the key district needs? *(300 characters allowed)*
6. List SBEC certification areas issued: *(200 characters allowed)*
7. List Out-of-State certification areas issued: *(200 characters allowed)*
8. List any other professional licenses: *(200 characters allowed)*
9. List any Educational Degree(s) from an accredited University recognized by the THECB: *(200 characters allowed)*
10. Has this candidate been fingerprinted per SB9 law? (Yes/No)
11. What is this person lacking to obtain his/her Texas certification for the assignment (deficiency plan)? *(300 characters allowed)*
12. How will the district evaluate the candidate's performance during the waiver period? *(300 characters allowed)*
13. How will the district monitor the certification progress of the individual? Documentation must be maintained by the district. *(300 characters allowed)*

14. If this waiver is granted, what is the district's back-up plan to ensure that at the expiration of the waiver period, the district will have an individual with Texas certification appropriate for the assignment? *(300 characters allowed)*



## APPENDIX 2

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The following supplemental information is required as part of the following waivers:

- **Charter School Specific Waivers (Other Waiver)**
- **Course Requirement Waiver**
- **Course Requirement Career & Technical Education (CTE) Waiver**
- **Foreign Exchange Student (Less than 5) Waiver**
- **Pregnancy Related Services On-Campus Waiver**
- **Remote Conferencing Instruction (Other Waiver)**
- **Remote Homebound Instruction (Other Waiver)**
- **Texas Virtual School Network (TXVSN) Course Review Process (Other Waiver)**

1. Give a brief narrative description of the requested waiver. *(500 characters allowed)*
2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver? *(100 characters allowed)*
3. Cite the section(s) of the Texas Education Code or the Texas Administrative Code that the district or campus wishes to waive. *(100 characters allowed)*
4. Describe the plan to be implemented, if the waiver is granted. *(1000 characters allowed)*
5. How will granting this waiver help achieve the district's or campus' objective? *(200 characters allowed)*
6. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district's or campus' goal. *(500 characters allowed)*

# APPENDIX 3.1 (DISTRICT REPORTING)

The following is an example of an ADA report showing the attendance rate on a date of low attendance for a **district** (If submitting a Low Attendance Day(s) Waiver for a campus, a campus report must be submitted. See Appendix 4.3.)

| FAKE ISD                                  |         | Table I  |         |         |          |          |          |          |  | 123-456-All |
|---|---------|--|---------|---------|----------|----------|----------|----------|--|-------------|
| For Date Range: 02/13/2024 - 02/13/2024   |         | District Summary Report - Student Attendance and Contact Hours |         |         |          |          |          |          |  | Track: ALL  |
| Campuses: 001,003,004,041,101,102,103     |         | by Date Range For School Year 2023-2024                        |         |         |          |          |          |          |  |             |
|   |         | Date of Low Attendance   |         |         |          |          |          |          |  |             |
| Number of Days Taught - 1                 | EE      | PK   | KG      | Grade 1 | Grade 2  | Grade 3  | Grade 4  | Grade 5  |  |             |
| B Tot Days Membership - All Students      | 4.50    | 0.00   | 327.00  | 330.00  | 267.00   | 319.00   | 307.00   | 320.00   |  |             |
| C Tot Days Absent - All Students          | 2.00    | 0.00   | 69.00   | 44.00   | 60.00    | 71.00    | 51.00    | 56.00    |  |             |
| D Tot Days Present - All Students (B-C) E | 2.50    | 0.00   | 258.00  | 286.00  | 207.00   | 248.00   | 256.00   | 264.00   |  |             |
| Ineligible Days Present                   | 0.00    | 0.00   | 0.00    | 0.00    | 0.00     | 0.00     | 0.00     | 0.00     |  |             |
| F Total Eligible Days Present (D-E)       | 2.50    | 0.00   | 258.00  | 286.00  | 207.00   | 248.00   | 256.00   | 264.00   |  |             |
| G Eligible Days Bilingual/ESL             | 0.00    | 0.00   | 107.00  | 104.00  | 93.00    | 105.00   | 92.00    | 133.00   |  |             |
| H Eligible Days Pg Related Services       | 0.00    | 0.00   | 0.00    | 0.00    | 0.00     | 0.00     | 0.00     | 0.00     |  |             |
| I Eligible Days Sp. Ed. Mainstream        | 0.00    | 0.00   | 2.00    | 1.00    | 2.00     | 4.00     | 2.00     | 2.00     |  |             |
| Q Percent Attendance                      | 55.56%  | 0.00%  | 78.90%  | 86.67%  | 77.53%   | 77.74%   | 83.39%   | 82.50%   |  |             |
| Number of Days Taught - 1                 | Grade 6 | Grade 7  | Grade 8 | Grade 9 | Grade 10 | Grade 11 | Grade 12 | Total    |  |             |
| B Tot Days Membership - All Students      | 350.00  | 363.00   | 366.00  | 335.00  | 314.00   | 248.00   | 268.00   | 4,118.50 |  |             |
| C Tot Days Absent - All Students          | 73.00   | 85.00  | 62.00   | 73.00   | 68.00    | 69.00    | 97.00    | 880.00   |  |             |
| D Tot Days Present - All Students (B-C) E | 277.00  | 278.00   | 304.00  | 262.00  | 246.00   | 179.00   | 171.00   | 3,238.50 |  |             |
| Ineligible Days Present                   | 0.00    | 0.00   | 0.00    | 0.00    | 0.00     | 0.00     | 0.00     | 0.00     |  |             |
| F Total Eligible Days Present (D-E)       | 277.00  | 278.00   | 304.00  | 262.00  | 246.00   | 179.00   | 171.00   | 3,238.50 |  |             |
| G Eligible Days Bilingual/ESL             | 117.00  | 126.00   | 109.00  | 55.00   | 55.00    | 32.00    | 16.00    | 1,144.00 |  |             |
| H Eligible Days Pg Related Services       | 0.00    | 0.00   | 0.00    | 0.00    | 0.00     | 1.00     | 0.00     | 1.00     |  |             |
| I Eligible Days Sp. Ed. Mainstream        | 16.00   | 16.00  | 21.00   | 24.00   | 24.00    | 13.00    | 9.00     | 136.00   |  |             |
| Q Percent Attendance                      | 79.14%  | 76.58%   | 83.06%  | 78.21%  | 78.34%   | 72.18%   | 63.81%   | 78.63%   |  |             |

ALL Campuses

Date of Low Attendance

ALL Calendar Tracks

Attendance Rate

# APPENDIX 3.2 (DISTRICT REPORTING)

The following is an example of a PEIMS summary report showing the average attendance for the **prior year** for a **district** (If submitting a Low Attendance Day(s) Waiver for a campus, a campus report must be submitted. See Appendix 4.4.)

**TSDS PEIMS SUPERINTENDENT'S REPORT OF STUDENT ATTENDANCE**

LEA-level Data  
Campuses: ALL

LEA: 123456 - FAKE ISD

2022 - 2023 Summer Collection, First Submission

ALL Campuses

Total Grade Summary

Prior Year

All Reporting Periods

|                              | EE       | PK       | KG       | 01       | 02       | 03       | 04       | 05        |  |
|------------------------------|----------|----------|----------|----------|----------|----------|----------|-----------|--|
| B. Days Membership           | 724.5    | 20,948.5 | 55,021.0 | 46,411.0 | 51,308.0 | 53,117.0 | 53,937.0 | 57,170.0  |  |
| C. Total Days Absent         | 109.5    | 1,651.5  | 3,228.0  | 2,336.0  | 2,508.0  | 2,129.0  | 2,078.0  | 2,619.0   |  |
| D. Total Days Present        | 615.0    | 19,297.0 | 51,793.0 | 44,075.0 | 48,800.0 | 50,988.0 | 51,859.0 | 54,551.0  |  |
| E. Total Ineligible Days     | 0.0      | 834.5    | 158.0    | 0.0      | 0.0      | 0.0      | 0.0      | 0.0       |  |
| F. Total Eligible Days       | 615.0    | 18,462.5 | 51,635.0 | 44,075.0 | 48,800.0 | 50,988.0 | 51,859.0 | 54,551.0  |  |
| G. Elig Days Bilingual/ESL   | 0.0      | 8,784.0  | 18,226.0 | 18,801.0 | 19,257.0 | 22,112.0 | 23,471.0 | 22,717.0  |  |
| H. Elig Days Preg Rel Serv   | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 0.0       |  |
| I. Elig Days SpecEd Main     | 476.5    | 133.0    | 12.0     | 171.0    | 398.0    | 167.0    | 320.0    | 567.0     |  |
| J. Biling/ESL Refined ADA    | 0.000    | 50.780   | 105.262  | 108.445  | 111.292  | 127.896  | 135.616  | 131.226   |  |
| K. SpecEd Main Refined ADA   | 2.737    | 0.731    | 0.064    | 0.991    | 2.259    | 0.936    | 1.765    | 3.294     |  |
| L. Preg Related Serv FTE     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00      |  |
| M. Career & Technical Ed FTE | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00     | 0.00      |  |
| N. Special Education FTE     | 0.14     | 0.28     | 4.80     | 4.18     | 7.42     | 11.52    | 10.42    | 13.20     |  |
| O. Regular Program Ref ADA   | 3.391    | 106.474  | 293.690  | 250.390  | 274.777  | 283.284  | 289.328  | 301.901   |  |
| P. Total Refined ADA         | 3.535    | 106.755  | 298.490  | 254.565  | 282.200  | 294.804  | 299.747  | 315.102   |  |
| Q. Percent in Attendance     | 84.89%   | 92.12%   | 94.13%   | 94.97%   | 95.11%   | 95.99%   | 96.15%   | 95.42%    |  |
|                              | 06       | 07       | 08       | 09       | 10       | 11       | 12       | Total     |  |
| B. Days Membership           | 63,983.0 | 59,157.0 | 54,461.0 | 62,648.5 | 56,054.0 | 55,008.0 | 55,274.5 | 745,223.0 |  |
| C. Total Days Absent         | 3,274.0  | 2,843.0  | 3,104.0  | 3,861.0  | 3,852.0  | 3,930.0  | 4,046.0  | 41,569.0  |  |
| D. Total Days Present        | 60,709.0 | 56,314.0 | 51,357.0 | 58,787.5 | 52,202.0 | 51,078.0 | 51,228.5 | 703,654.0 |  |
| E. Total Ineligible Days     | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 0.0      | 992.5     |  |
| F. Total Eligible Days       | 60,709.0 | 56,314.0 | 51,357.0 | 58,787.5 | 52,202.0 | 51,078.0 | 51,228.5 | 702,661.5 |  |
| G. Elig Days Bilingual/ESL   | 23,058.0 | 19,632.0 | 10,550.0 | 11,297.0 | 7,266.0  | 5,666.0  | 5,065.5  | 215,902.5 |  |
| H. Elig Days Preg Rel Serv   | 0.0      | 0.0      | 0.0      | 10.0     | 0.0      | 203.0    | 410.0    | 623.0     |  |
| I. Elig Days SpecEd Main     | 4,275.0  | 5,016.0  | 5,301.0  | 5,025.0  | 4,739.0  | 3,370.0  | 3,215.5  | 33,186.0  |  |
| J. Biling/ESL Refined ADA    | 133.166  | 113.448  | 60.973   | 65.349   | 42.113   | 32.692   | 29.180   | 1,247.437 |  |
| K. SpecEd Main Refined ADA   | 24.699   | 29.044   | 30.658   | 29.027   | 27.421   | 19.601   | 18.556   | 191.782   |  |
| L. Preg Related Serv FTE     | 0.00     | 0.00     | 0.00     | 0.01     | 0.00     | 0.33     | 0.71     | 1.06      |  |
| M. Career & Technical Ed FTE | 0.00     | 0.00     | 0.00     | 74.91    | 80.31    | 95.74    | 95.77    | 346.74    |  |
| N. Special Education FTE     | 2.10     | 3.79     | 4.81     | 3.04     | 1.13     | 2.86     | 6.24     | 75.94     |  |
| O. Regular Program Ref ADA   | 348.841  | 321.585  | 291.989  | 262.074  | 220.800  | 196.939  | 194.252  | 3,639.717 |  |
| P. Total Refined ADA         | 350.941  | 325.378  | 296.803  | 340.023  | 302.248  | 295.542  | 296.261  | 4,062.394 |  |
| Q. Percent in Attendance     | 94.88%   | 95.19%   | 94.30%   | 93.84%   | 93.13%   | 92.86%   | 92.68%   | 94.42%    |  |

Attendance Rate

# APPENDIX 3.3 (CAMPUS REPORTING)

The following is an example of an ADA report showing the attendance rate on a date of low attendance for a **campus** (If submitting a Low Attendance Day(s) Waiver for a district, a district report must be submitted. See Appendix 4.1.)

Fake ISD  
ADA Report for 01/23/2024 thru 01/23/2024

| Entity         | Name    | Cal | Operational Days | Grade Level | Total Days Membership | Total Ineligible Days Present | Total Eligible Days Present | Refined ADA | Percentage Of Attendance |       |
|----------------|---------|-----|------------------|-------------|-----------------------|-------------------------------|-----------------------------|-------------|--------------------------|-------|
| 107            | FAKE EL | 107 | 1                | 01          | 107.0                 | 0.0                           | 87.0                        | 87.00       | 81.31                    |       |
|                |         |     | 1                | 02          | 111.0                 | 0.0                           | 98.0                        | 98.00       | 88.29                    |       |
|                |         |     | 1                | 03          | 129.0                 | 0.0                           | 110.0                       | 110.00      | 85.27                    |       |
|                |         |     | 1                | 04          | 130.0                 | 0.0                           | 113.0                       | 113.00      | 86.92                    |       |
|                |         |     | 1                | EE          | 0.0                   | 0.0                           | 0.0                         | 0.00        | 0.00                     |       |
|                |         |     | 1                | KG          | 102.0                 | 0.0                           | 81.0                        | 81.00       | 79.41                    |       |
|                |         |     | 1                | ALL         | 579.0                 | 0.0                           | 489.0                       | 489.00      | 84.46                    |       |
|                |         |     | PAD              | 1           | PK                    | 44.0                          | 0.0                         | 36.0        | 36.00                    | 81.82 |
|                |         |     | 1                | ALL         | 44.0                  | 0.0                           | 36.0                        | 36.00       | 81.82                    |       |
| REPORT TOTALS: |         |     |                  |             | 623.0                 | 0.0                           | 525.0                       | 525.00      | 84.27                    |       |

Date of Low Attendance

Campus Number

Campus Name

Calendar Tracks

Attendance Rate

# APPENDIX 3.4 (CAMPUS REPORTING)

The following is an example of a PEIMS summary report showing the average attendance for the **prior year** for a **campus** (if submitting a Low Attendance Day(s) Waiver for a district, a district report must be submitted. See Appendix 4.2)

| TSDS PEIMS SUPERINTENDENT'S SUMMARY REPORT OF STUDENT ATTENDANCE |            |            |            |            |            |            |           |
|--|------------|------------|------------|------------|------------|------------|-----------|
| LEA-level Data   |            |            |            |            |            |            |           |
| Campuses: 107  |            |            |            |            |            |            |           |
| 2022 - 2023 Summer Collection, Accepted Submission               |            |            |            |            |            |            |           |
| Campus Number  |            |            |            |            |            |            |           |
| LEA: 123456 - FAKE ISD   |            |            |            |            |            |            |           |
| Prior Year   |            |            |            |            |            |            |           |
| Total Grade Summary  | Six-week 1 | Six-week 2 | Six-week 3 | Six-week 4 | Six-week 5 | Six-week 6 | Total     |
| A. Days Taught (LEA Max)   | 32         | 24         | 28         | 27         | 29         | 37         | 177       |
| B. Days Membership   | 19,007.0   | 14,389.0   | 16,777.5   | 16,231.5   | 17,586.0   | 22,646.5   | 106,637.5 |
| C. Total Days Absent   | 718.0      | 643.5      | 833.0      | 792.5      | 897.0      | 1,221.5    | 5,105.5   |
| D. Total Days Present  | 18,289.0   | 13,745.5   | 15,944.5   | 15,439.0   | 16,689.0   | 21,425.0   | 101,532.0 |
| E. Total Ineligible Days   | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0       |
| F. Total Eligible Days   | 18,289.0   | 13,745.5   | 15,944.5   | 15,439.0   | 16,689.0   | 21,425.0   | 101,532.0 |
| G. Elig Days Bilingual/ESL                                       | 8,880.5    | 6,867.0    | 8,036.0    | 7,825.5    | 8,527.0    | 11,055.0   | 51,191.0  |
| H. Elig Days Preg Rel Serv                                       | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0       |
| I. Elig Days SpecEd Main   | 205.0      | 221.0      | 246.0      | 237.0      | 251.0      | 430.0      | 1,590.0   |
| J. Biling/ESL Refined ADA  | 277.5      | 286.1      | 287.0      | 289.8      | 294.0      | 298.8      | 288.9     |
| K. SpecEd Main Refined ADA                                       | 6.4        | 9.2        | 8.8        | 8.8        | 8.7        | 11.6       | 8.9       |
| L. Preg Related Serv FTE   | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0       |
| M. Career & Technical Ed FTE                                     | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0       |
| N. Special Education FTE   | 9.9        | 10.5       | 12.6       | 13.9       | 15.1       | 16.2       | 13.0      |
| O. Regular Program Ref ADA                                       | 561.7      | 562.2      | 556.8      | 557.9      | 560.4      | 562.9      | 560.3     |
| P. Total Refined ADA   | 571.5      | 572.7      | 569.4      | 571.8      | 575.5      | 579.1      | 573.3     |
| Q. Percent in Attendance   | 96.2%      | 95.5%      | 95.0%      | 95.1%      | 94.9%      | 94.6%      | 95.2%     |

| Cumulative Totals and Averages through Each Six-week Reporting Period |            |            |            |            |            |            |
|---|------------|------------|------------|------------|------------|------------|
|   | Six-week 1 | Six-week 2 | Six-week 3 | Six-week 4 | Six-week 5 | Six-week 6 |
| B. Days Membership  | 19,007.0   | 33,396.0   | 50,173.5   | 66,405.0   | 83,991.0   | 106,637.5  |
| C. Total Days Absent  | 718.0      | 1,361.5    | 2,194.5    | 2,987.0    | 3,884.0    | 5,105.5    |
| D. Total Days Present   | 18,289.0   | 32,034.5   | 47,979.0   | 63,418.0   | 80,107.0   | 101,532.0  |
| E. Total Ineligible Days  | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| F. Total Eligible Days  | 18,289.0   | 32,034.5   | 47,979.0   | 63,418.0   | 80,107.0   | 101,532.0  |
| G. Elig Days Bilingual/ESL  | 8,880.5    | 15,747.5   | 23,783.5   | 31,609.0   | 40,136.0   | 51,191.0   |
| H. Elig Days Preg Rel Serv  | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| I. Elig Days SpecEd Main  | 205.0      | 426.0      | 672.0      | 909.0      | 1,160.0    | 1,590.0    |
| J. Biling/ESL Refined ADA   | 277.5      | 281.8      | 283.5      | 285.1      | 286.9      | 288.9      |
| K. SpecEd Main Refined ADA  | 6.4        | 7.8        | 8.1        | 8.3        | 8.4        | 8.9        |
| L. Preg Related Serv FTE  | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| M. Career & Technical Ed FTE  | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        | 0.0        |
| N. Special Education FTE  | 9.9        | 10.2       | 11.0       | 11.7       | 12.4       | 13.0       |
| O. Regular Program Ref ADA  | 561.7      | 562.2      | 560.2      | 559.7      | 559.8      | 560.3      |
| P. Total Refined ADA  | 571.5      | 572.1      | 571.2      | 571.4      | 572.2      | 573.3      |
| Q. Percent in Attendance  | 96.2%      | 95.9%      | 95.6%      | 95.5%      | 95.4%      | 95.2%      |

Prior Year

All Reporting Periods

Attendance Rate