

Summary of waiver for districts and charter schools that offer programs that operate less than 75,600 minutes in a school year

**Alternative Education Program (AEP), Disciplinary Alternative Education Program (DAEP), and charter schools**

- Grant a one-time waiver for the school year 2016–2017 to AEP, DAEP, and charter schools that operate less than 75,600 minutes.
- The waivers will expire at the end of the 2016-2017 school year.
- Districts and charters schools will submit waivers through the Texas Education Agency (TEA) online waiver system.
- Districts and charter schools requesting the one-time waiver will also need to provide a bell schedule and calendar for the 2015–2016 and 2016–2017 school years. Financial Accountability will review requested waivers and supporting documentation.
- One-time waivers will only be granted to districts and charter schools that were operating less than 75,600 minutes per school year through AEP, DAEP, or charter school programs prior to requesting the waiver.
- Your district or charter school should submit a request for a general [waiver](#) using the TEA’s automated waiver application system, which is available in the online TEA Login (TEAL) secure environment. The waiver will allow districts and charter schools to offer programs that operate less than 75,600 minutes in the 2016-2017 school year. When submitting a waiver request, cite the requirement that a district or must operate so that the district provides for at least 75,600 minutes of instruction, including intermissions and recesses, for students in a school year in accordance with Texas Education Code (TEC), §25.081, in item 3 of the “General Waiver” section.

**Assuming that current law is unchanged, all districts will be required to comply with the requirement to operate at least 75,600 minutes and to adopt a calendar that includes at least 75,600 minutes of operation over the course of the school year beginning with the 2017-2018 school year in accordance with TEC, §25.081. Charter schools will be funded based on the number of minutes of operation in their school calendars. School districts and charter schools that do not operate 75,600 minutes for the school year will have their Foundation School Program (FSP) funding reduced proportionately.**

**Prekindergarten (applies to stand-alone prekindergarten campuses and prekindergarten housed in an elementary school campus with other grade levels)**

- A one-time waiver will be **automatically granted** for the 2016-2017 school year to prekindergarten programs that operated less than a 37,800 minutes in prior years and continue with the same number of operational minutes in the 2016-2017 school year.
- Full funding for prekindergarten programs will be based on a minimum of 120 minutes of classroom time per day.
- The waivers will expire at the end of the 2016-2017 school year.