The following is a summary of COVID-19 related waivers and accommodations. Scroll further for more information.

### Requires LEA Action

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### No LEA Action Needed

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**Missed School Day Waiver/Instructional Continuity While Closed Attestation**

**Statute:** Texas Education Code, §25.081  
**LEA Action Required:** YES-Instructional Continuity While Closed Attestation  
**Requirements:**  
- Submission of “Missed School Day” waiver in TEAL Waivers application;  
- TEC §11.251 (district-level planning) committee review or comments;  
- Board approval; and  
- Signed attestation  

**Resources/Guidance:**  
- See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:  
  - Instructional Continuity Attestation While Closed  
  - Attendance and Enrollment FAQ
Attestation of Off-Campus Programs Approved for Purposes of Average Daily Attendance

Statute: Texas Education Code, §48.007
LEA Action Required: YES
Requirements:
• Signed attestation

Resources/Guidance:
• See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:
  o Instructional Continuity Attestation While Open
  o Attendance and Enrollment FAQ
  o General State Funding FAQs
**Educator/Principal/Administrator Appraisal Waiver**


**LEA Action Required:** YES

**Requirements:**
- Submission of “Other” waiver in TEAL Waivers application;
- TEC §11.251 (district-level planning) committee review or comments; and
- Board approval

**Resources/Guidance:**
- See the “Staff and Educator Issues” section of the agency’s COVID-19 webpage for:
  - Guidance on Educator and Staff Issues and Educator Evaluation and Non-Renewal
  - Instructions for Submitting an Educator Appraisal Waiver
**COVID-19 Related Waivers**

**April 16, 2020**

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**Educator Preparation Program Coursework Requirements and Accountability**

**Statute:** Texas Education Code, §21.051, 19 Texas Administrative Code, §§ 228.35(e)(2)(A)(i)(l); 228.35(e)(8); 228.35(e)(6); 228.35(e)(8)(A); 228.35(e)(1)(A); 228.35(e)(1)(B); 228.35(g); 228.35(h); 229.3

**LEA Action Required:** NO

**Requirements:**
- None

**Resources/Guidance:**
- See the “Staff and Educator Issues” section of the agency’s COVID-19 webpage for:
  - Educator Preparation FAQ
Federal Grant Requirements

**Statute:** Every Student Succeeds Act, §§1127(a), 4109(b),
General Education Provisions Act, §421(b),
34 Code of Federal Regulations, §§76.709, 76.703,
Education Department General Administrative Regulations (misc. sections)

**LEA Action Required:** NOT AT THIS TIME

**Requirements:**
- Public Comment Period Submission to USDE

**Resources/Guidance:**
- See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:
  - Federal Funding and Grants FAQ
  - Expedited COVID Federal Grant Fiscal Waiver Request to USDE
Minimum Attendance

Statute: Texas Education Code, §25.092
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:
  o 90% Rule Guidance
School Board Member Training

Statute: Texas Education Code, §11.159 and 19 Texas Administrative Code, §61.1
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “School Board Issues” section of the agency’s COVID-19 webpage for:
  o School Board FAQs
State Academic Assessment Requirements

**Statute:** Texas Education Code, §§28.0211, 28.025(c), 39.023(a)/(b)/(c)/(l), 39.025

**LEA Action Required:** NO

**Requirements:**
- None

**Resources/Guidance:**
- See the “Assessment” section of the agency’s COVID-19 webpage for:
  - STAAR Cancellation TAA
  - Governor Abbot Waives STAAR Testing Requirements
FitnessGram Assessment and Reporting

**Statute:** Texas Education Code, §§38.101 and 38.103  
**LEA Action Required:** NO  
**Requirements:**  
- None

**Resources/Guidance:**  
- See the “Assessment” section of the agency’s COVID-19 webpage for:  
  - FitnessGram Assessment and Reporting Guidance
College Preparation Assessment

**Statute:** Texas Education Code, §39.0261(a)(3)
**LEA Action Required:** NO
**Requirements:**
- None

**Resources/Guidance:**
- See the “Assessment” section of the agency’s COVID-19 webpage for:
  - SAT, ACT, TSIA, AP/IB FAQ
Gifted and Talented Identification

Statute: Texas Education Code, §29.122(a) and 19 Texas Administrative Code §89.1(1)
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “Special Populations” section of the Special Education and Special Populations webpage of the agency’s website for:
  o G/T
2019-20 Statewide Assessment, Accountability and Reporting Requirements
(Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA))

Statute:
- Assessment requirements in section 1111(b)(2) for the school year 2019-2020,
- Accountability and school identification requirements in sections §§1111(c)(4) and 1111(d)(2)(C)-(D) that are based on data from the 2019-2020 school year,
- Report card provisions related to assessments and accountability in section 1111(h) based on data from the 2019-2020 school year. These include:
  o §1111(h)(1)(C)(i);
  o §1111(h)(1)(C)(ii);
  o §1111(h)(1)(C)(iii)(I);
  o §1111(h)(1)(C)(iv);
  o §1111(h)(1)(C)(v);
  o §1111(h)(1)(C)(vi);
  o §1111(h)(1)(C)(vii);
  o §1111(h)(1)(C)(viii);
  o §1111(h)(1)(C)(ix); and
  o §1111(h)(2)(C) with respect to all waived requirements in § 1111(h)(1)(C) as well as 1111(h)(2)(C)(i)-(ii)

LEA Action Required: NO
Requirements:
- None
Resources/Guidance:
- See the “Assessment” section of the agency’s COVID-19 webpage for:
  o USDE Approval of Texas ESSA Waiver Request on Assessment and Accountability
Alternate Educational Setting Amendment (Charter Schools Only)

Statute: 19 Texas Administrative Code, §100.1033(b)
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:
  o Charter Amendments & Funding Items
Failure to Operate (Charter Schools Only)

Statute: 19 Texas Administrative Code, §100.1213(b)
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “Waivers and Funding” section of the agency’s COVID-19 webpage for:
  o Charter Amendments & Funding Items
Regulatory Suspensions to Facilitate Services to Dyslexia Therapy Clients

Statute: 16 Texas Administrative Code, §120.90(b)(18)
LEA Action Required: NO
Requirements:
  • None

Resources/Guidance:
  • See the COVID-19 webpage of the Texas Department of Licensing & Regulation
    o NOTE: Questions related to this waiver should be addressed to the TDLR
Regulatory Suspensions to Facilitate Services to Speech-Language Pathologist and Audiologist Clients

Statute: 16 Texas Administrative Code, §§111.210(7)-(12), 111.213(d), 111.216(c), 111.231(9)-(12) and 111.232(b), (d) and (i)

LEA Action Required: NO

Requirements:
- None

Resources/Guidance:
- See the COVID-19 webpage of the Texas Department of Licensing & Regulation
  - NOTE: Questions related to this waiver should be addressed to the TDLR
Required License to Operate a Child-care Facility

Statute: Human Resources Code, §42.041
LEA Action Required: NO
Requirements:
• None

Resources/Guidance:
• See the “Child Care Support for COVID Responders” section of the agency’s COVID-19 webpage for:
  o Emergency Child Care Guide for Schools