

## 2020-2021 LEA Waiver Submission Required

(see table on pages 3 & 4 for applicable due dates)

Annual Financial Report Due Date

TXVSN Course Review and/or Teacher Professional Development Requirements

Alternate K and/or 7th Grade Reading Instruments Requirement

Student/Teacher Ratio of Disciplinary Alternative Education Programs

Request for Start-of-School Transition Extension

Request for Hybrid Instruction (Grades 9-12)

Educator Appraisal Requirements

Hybrid Instruction During District-Scheduled Testing Days for K – 8th Grade

Students Waiver

CPR Instruction Requirements

Local Designation System Survey

ADDED  
4/1/21

## 2019-2020 LEA Waiver Submission Was Required; 2020-2021 LEA Action Required

Parent Notice Requirements for Students at Risk of Failure

## 2020-2021 LEA Attestation Submission Required

(see table on pages 3 & 4 for applicable due dates)

ADA Hold Harmless (3rd Six-Weeks)

## No Waiver Submission Required; 2020-2021 LEA Action Required

Screening and Treatment for Dyslexia and Related Disorders

Voluntary Summer Special Language Program Requirements

## No Waiver Submission Required

[Educator Preparation Program Coursework Requirements and Accountability](#)

[Educator Preparation and Certification](#)

[Intern and Emergency Permit Waiver](#)

[School Board Member Training](#)

[College Preparation Assessment](#)

[Alternate Educational Setting Amendment \(Charter Schools Only\)](#)

[Failure to Operate \(Charter Schools Only\)](#)

[Regulatory Suspensions to Facilitate Services to Dyslexia Therapy Clients](#)

[Regulatory Suspensions to Facilitate Services to Speech-Language Pathologist and Audiologist Clients](#)

[Student Success Initiative \(SSI\) Promotion Requirements](#)

[Disciplinary Alternative Education Program Length-of-Day Requirements](#)

Per TEC, §7.056, the following steps are required for all waivers that require action on the part of LEAs:

- A campus- or district-level committee established under TEC, §11.251, must review the waiver and have the opportunity to provide written comments;
- The school board must approve the waiver at a public meeting.
  - The board agenda from the meeting at which the waiver request was approved must be attached to the waiver. If the waiver was not specifically approved at a meeting, the board resolution delegating COVID-19 related waiver request authority to its superintendent must be provided. For more information, see the [School Board FAQs](#).

The following table details TEAL waivers that require LEA action, the associated TEAL waiver type that must be submitted, and applicable requirements, instructions, and due dates.

| Waiver   | TEAL Waiver Type | Submit via | District-Level Committee Review (Y/N) | Board Approval (Y/N) | Required Attachments | Instructions/Forms           | Due Date |
|--|------------------|------------|---------------------------------------|----------------------|----------------------|------------------------------|----------|
| Annual Financial Report Due Date   | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 11/27/20 |
| TXVSN Course Review and/or Teacher Professional Development Requirements | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 9/30/20  |
| Alternate K and/or 7th Grade Reading Instruments Requirement             | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 9/30/20  |
| Student/Teacher Ratio of Disciplinary Alternative Education Programs     | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 7/1/21   |
| Educator Appraisal Requirements  | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 5/1/21   |
| CPR Instruction Requirements   | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 6/30/21  |
| Local Designation System Survey Waiver                                   | Other            | TEAL       | Y                                     | Y                    | Board Agenda         | <a href="#">Instructions</a> | 5/24/21  |

For due dates regarding synchronous/asynchronous instruction, see the [Asynchronous and Synchronous Instruction page](#).

The following steps are required for the waivers below:

- The school board must approve the waiver at a public meeting. \*

The following table details waivers that require LEA action, the method of submission, and applicable requirements, documentation, and due dates.

| Waiver/Attestation   | Submit via           | District-Level Committee Review (Y/N) | Board Approval (Y/N) | Delegation of waiver authority allowed* | Forms                            | Due Date                                     |
|--|----------------------|---------------------------------------|----------------------|---|----------------------------------|--|
| <b>Request for Start-of-Year Transition Extension</b>  | Attach form to email | N                                     | Y                    | N                                       | <a href="#">Request Form</a>     | Prior to end of initial four-week transition |
| <b>Request for Hybrid Instruction (Grades 9-12)</b>  | Attach form to email | N                                     | Y                    | Y                                       | <a href="#">Request Form</a>     | 6/30/21                                      |
| <b>Hold Harmless (3<sup>rd</sup> Six-Weeks)</b>  | Attach form to email | N                                     | N                    | N/A                                     | <a href="#">Attestation Form</a> | 5/1/21                                       |
| <b>Hybrid Instruction During District-Scheduled Testing Days for K – 8th Grade Students Waiver</b> | Attach form to email | N                                     | Y                    | Y                                       | <a href="#">Request Form</a>     | 6/30/21                                      |

For due dates regarding synchronous/asynchronous instruction, see the [Asynchronous and Synchronous Instruction page](#).

TEAL  
Waiver  
Required

## Annual Financial Report November 27th Due Date Requirement Waiver\* [DUE: 11/27/20]

**Statute:** Texas Education Code, §44.008, and applicable rules in 19 Texas Administrative Code, §109.23 and the Financial Accountability System Resource Guide

**Waiver Submission 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 “State Funding” section of the agency’s COVID-19 Support: District Waivers, Finance & Grants webpage for:
  - Instructions for Submitting an Annual Finance Report Due Date Extension Waiver

*\*This waiver is for the 2019-20 Fiscal Year (ending June 30, 2020) AFR only. If your district has already applied for this waiver using the 2019-20 waiver application, there is no need to reapply.*



## TXVSN Course Review and/or Teacher Professional Development Requirements Waiver

**[DUE: 9/30/20]**

**Statute:** Texas Education Code, §30A.105(a)(2) and/or §30A.111(a)(2), and 19 Texas Administrative Code, §70.1027(a)(1)

**Waiver Submission 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 “Virtual School Network” section of the agency’s COVID-19 Support: Academics webpage for:
  - Texas Virtual School Network FAQ

TEAL  
Waiver  
Required

## Alternate K and/or 7th Grade Reading Instruments Requirement [DUE: 9/30/20]

**Statute:** Texas Education Code, §28.006(c-1) and/or §28.006(c-2)

**Waiver Submission 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 “Other Assessments” section of the agency’s COVID-19 Support: Student Assessment webpage for:
  - Reading Diagnostic Instruments Guidance

TEAL  
Waiver  
Required

## Student/Teacher Ratio of Disciplinary Alternative Education Programs

(added 8/13/20)

**[DUE: 7/1/21]**

**Statute:** Texas Education Code, §37.008(a-1), and 19 Texas Administrative Code, §103.1201(h)(1)

**Waiver Submission 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 “Student Discipline” section of the agency’s COVID-19 Support: General Support webpage for:
  - SY 20-21 Discipline Guidance
- See the “Waivers” section of the agency’s COVID-19 Support: District Waivers, Finance and Grants webpage for:
  - Instructions for Submitting a DAEP Class Size Waiver



Request  
Form  
Required

## Request for Start-of-School Transition Extension

**Statute:** Texas Education Code, §48.005

**Waiver Submission Required:** YES

**Requirements:**

- Submission of applicable request form via email; and
- Board approval

**Resources/Guidance:**

- See the “Attendance and Enrollment” section of the agency’s COVID-19 Support: Waivers, Finance, and Grants webpage for:
  - Attendance and Enrollment FAQ
- See the “Waivers” section of the agency’s COVID-19 Support: Waivers, Finance, and Grants webpage for:
  - Extend the Start of the 2020-2021 School Year Transition Beyond the Four-Week Limit Waiver

Request  
Form  
Required

## Request for Hybrid Instruction (Grades 9-12)

[DUE: 6/30/21]

**Statute:** Texas Education Code, §48.005

**Waiver Submission Required:** YES

**Requirements:**

- Submission of applicable request form via email; and
- Board approval

**Resources/Guidance:**

- See the “Attendance and Enrollment” section of the agency’s COVID-19 Support: Waivers, Finance, and Grants webpage for:
  - Attendance and Enrollment FAQ
- See the “Waivers” section of the agency’s COVID-19 Support: Waivers, Finance, and Grants webpage for:
  - 40% Campus Hybrid Instruction for 9th-12th Grade Students Waiver

TEAL  
Waiver  
Required

## Educator Appraisal Requirements

(added 12/10/20; updated 3/30/21)

**[DUE: 5/1/21]**

### Statute:

- **Student growth requirement in teacher appraisal:** Texas Education Code, §21.351(a)(2), §21.352(a)(2)(B), and applicable rules in 19 Texas Administrative Code, Chapter 150
- **All general teacher appraisal requirements, including the student growth requirement:** Texas Education Code, §21.351, §21.352, and applicable rules in 19 Texas Administrative Code, Chapter 150
- **Student growth requirement in the Texas Principal Evaluation and Support System (T-PESS):** 19 Texas Administrative Code, Chapter 150.1022 (c),(d),(f), and (g) and 150.1023(b)(1) and 150.1023(b)(4)(c)
- **Student growth requirement in teacher appraisal and the student growth requirement in T-PESS:** Texas Education Code, §21.351, §21.352 and 19 Texas Administrative Code, Chapter 150 related to student growth in teacher appraisal and in T-PESS
- **All general teacher appraisal requirements, including the student growth requirement and the student growth requirement in the Texas Principal Evaluation and Support System (T-PESS):** Texas Education Code, §21.351, §21.352 and the applicable rules in 19 Texas Administrative Code, Chapter 150 related to teacher appraisal and student growth in T-PESS

### Waiver Submission 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 “[Current Educator and Evaluation Support](#)” section of the agency’s [COVID-19 Support: Texas Educators](#) webpage for:
  - SY 20-21 Guidance on Educator Evaluation and Non-Renewal
- See the “[Waivers](#)” section of the agency’s [COVID-19 Support: District Waivers, Finance and Grants](#) webpage for:
  - Instructions for Submitting an Educator Appraisal Waiver

Request  
Form  
Required

## Hybrid Instruction During District-Scheduled Testing Days for K – 8th Grade Students Waiver

(added 1/20/21)

**[DUE: 6/30/21]**

**Statute:** Texas Education Code, §48.005

**Waiver Submission Required:** YES

**Requirements:**

- Submission of applicable request form via email; and
- Board approval

**Resources/Guidance:**

- See the “[STAAR Assessment](#),” “[TELPAS](#),” and “[Other Assessments](#)” sections of the agency’s [COVID-19 Support: Student Assessment](#) webpage for:
  - Spring 2021 Assessment Guidance
- See the “[Waivers](#)” section of the agency’s [COVID-19 Support: District Waivers, Finance & Grants](#) webpage for:
  - Hybrid Instruction During District-Scheduled Testing Days for K – 8th Grade Students Waiver

TEAL  
Waiver  
Required

## CPR Instruction Requirements Waiver

(added 2/11/21)

**[DUE: 6/30/21]**

**Statute:** Texas Education Code, §28.0023 and applicable rules in 19 Texas Administrative Code, §74.38

**Waiver Submission 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 “Graduation 2021” section of the agency’s COVID-19 Support: Academics webpage for:
  - SY 20-21 Fitnessgram and CPR FAQ
- See the “Waivers” section of the agency’s COVID-19 Support: District Waivers, Finance and Grants webpage for:
  - Instructions for Submitting a CPR Waiver

TEAL  
Waiver  
Required

## Local Designation System Survey Waiver

(added 4/1/21)

**[DUE: 5/24/21]**

**Statute:** Texas Education Code, §21.3521(g) and 19 Texas Administrative Code, §150.1012(e)(1)(B)

**Waiver Submission 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 “Waivers” section of the agency’s COVID-19 Support: District Waivers, Finance and Grants webpage for:
  - Instructions for Submitting a Local Designation System Survey Waiver

Action  
Required

## Parent Notice Requirements for Students at Risk of Failure

**Statute:** Texas Education Code, §28.0211(d)(3) and 19 Texas Administrative Code, §101.2009(b)

**Waiver Submission Required: YES**

### Requirements:

- Submission of “Other” waiver in TEAL Waivers application;
- TEC, §11.251, (district-level planning), committee review or comments; and
- Board approval; and
- Send parental notice of students at risk of failure when the 2020-21 school year begins

### Resources/Guidance:

- See the “STAAR Assessment” section of the agency’s COVID-19 Support: Student Assessment webpage for:
  - Instructions for Submitting a Parent Notification for Students at Risk of Failure Waiver

Action  
Required

## Screening and Treatment for Dyslexia and Related Disorders

**Statute:** Texas Education Code, §38.003

**Waiver Submission Required:** **NO**

**Requirements:**

- Must comply with emergency rules issued by Commissioner (see below)

**Resources/Guidance:**

- See the “Resources and Information for Students with Disabilities” section of the agency’s [COVID-19 Support: Special Education](#) webpage for:
  - COVID19 Special Education Q&A
- See the “[Early Childhood](#)” section of the agency’s [COVID-19 Support: Academics](#) webpage for:
  - Reading Diagnostic Instruments Guidance
- See the [Emergency Commissioner of Education Rules regarding Dyslexia Screening Requirements for 2019-2020 and 2020-2021 School Years](#)



Action  
Required

## Voluntary Summer Special Language Program Requirements

**Statute:** Texas Education Code, §29.006(a)(1) and §29.006(a)(2)

**Waiver Submission Required:** **NO**

**Requirements:**

- Must comply with requirements - please see guidance below

**Resources/Guidance:**

- See the “English Learners” section of the agency’s COVID-19 Support: Special Populations webpage for:
  - 2019-2020 English Learner Summer School Guidance and FAQ

Attestation  
Submission  
Required

## ADA Hold Harmless (3<sup>rd</sup> Six-Weeks)

(added 10/1/20)

**[DUE: 5/1/21]**

**Statute:** Texas Education Code, §48.005(d)

**Waiver Submission Required:** **NO**

**Attestation Submission Required:** **YES**

**Requirements:**

- Must comply with requirements - please see attestation document

**Resources/Guidance:**

- See the "Attendance and Enrollment" section of the agency's COVID-19 Support: District Waivers, Finance and Grants webpage for:
  - SY 2020-21 Attendance and Enrollment FAQ
  - Attestation Statement for ADA Hold Harmless Beyond the First Two Six-Week Reporting Periods

## Educator Preparation Program Coursework Requirements and Accountability

**Statute:** Texas Education Code, §21.051,  
19 Texas Administrative Code, §§ 228.35(e)(2)(A)(i)(I); 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

**Waiver Submission Required: NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the "[Educator Certification and Preparation](#)" section of the agency's [COVID-19 Support: Texas Educators](#) webpage for:
  - Educator Certification and Preparation Guidance FAQ

## Educator Preparation and Certification

**Statute:** 19 Texas Administrative Code, §§ 228.2(28), 230.1(19), 230.37(c)(1) and (c)(2), 230.37(d)(2), 230.37(e)(2)(B) and (e)(3)

**Waiver Submission Required:** **NO (eligible teacher and non-teacher candidates must submit an application for a probationary certificate, however)**

**Requirements:** This waiver applies only to those candidates who meet the following criteria:

- Teacher candidates who completed clinical teaching during Fall 2019 and/or Spring 2020 and are designated as having completed all preparation requirements by their educator preparation program;
- Teacher candidates who completed an internship during Spring 2020 and are designated as having completed all preparation requirements by their educator preparation program; or
- Non-teacher candidates who completed a practicum during Fall 2019 and/or Spring 2020 and are designated as completing all requirements of their educator preparation program.

### **Resources/Guidance:**

- See the “[Educator Certification and Preparation](#)” section of the agency’s [COVID-19 Support: Texas Educators](#) webpage for:
  - Educator Certification and Preparation Guidance FAQ
  - EPP Instructions to Issue a Probationary Certificate Authorized by Emergency Waivers
  - Candidate Instructions for Applying for a Probationary Certification

## Intern and Emergency Permit Waiver

**Statute:** Texas Education Code, §21.051(b), and 19 Texas Administrative Code, §§228.2(21), 230.36(d), 230.71(b), 230.73(d), 230.73(f), 230.81(2), 230.83(c), 228.35(e)(6), 228.35(e)(8)(A), 228.35(g)(1), 228.35(e)(1)(A), 228.35(e)(1)(B), and 230.36

**Waiver Submission Required:** **NO**

**Candidate Requirements:** **YES (Please refer to resources below.)**

**Educator Preparation Program Requirements:** **YES (Please refer to resources below.)**

**Resources/Guidance:**

- See the [“Educator Certification and Preparation”](#) section of the agency’s [COVID-19 Support: Texas Educators](#) webpage for:
  - Intern and Emergency Certification Waiver FAQ

## School Board Member Training

**Statute:** Texas Education Code, §11.159 and 19 Texas Administrative Code, §61.1

**Waiver Submission Required: NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the “School Boards” section of the agency’s COVID-19 Support: General Support webpage for:
  - School Board FAQs

## College Preparation Assessment

**Statute:** Texas Education Code, §39.0261(a)(3)

**Waiver Submission Required:** **NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the "CCMP" section of the agency's COVID-19 Support: Academics webpage for:
  - SAT, ACT, TSIA, AP/IB FAQ

## Alternate Educational Setting Amendment (Charter Schools Only)

**Statute:** 19 Texas Administrative Code, §100.1033(b)

**Waiver Submission Required:** **NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the “Charters” section of the agency’s COVID-19 Support: General Support webpage for:
  - Charter Amendments & Funding Items



## Failure to Operate (Charter Schools Only)

**Statute:** 19 Texas Administrative Code, §100.1213(b)

**Waiver Submission Required:** **NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the “Charters” section of the agency’s COVID-19 Support: General Support webpage for:
  - Charter Amendments & Funding Items

## Regulatory Suspensions to Facilitate Services to Dyslexia Therapy Clients

**Statute:** 16 Texas Administrative Code, §120.90(b)(18)

**Waiver Submission 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

## 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)

**Waiver Submission 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

## Student Success Initiative (SSI) Promotion Requirements

(added 7/28/20)

**Statute:** Texas Education Code, §28.0211(a)-(b), and rules in 19 Texas Administrative Code, Chapter 101, Subchapter BB, relating to grade promotion provisions and retesting requirements

**Waiver Submission Required: NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the “STAAR Assessment” section of the agency’s COVID-19 Support: Student Assessment webpage for:
  - TAA: Waiver of the Student Success Initiative (SSI) Promotion Requirements

## Disciplinary Alternative Education Program Length-of-Day Requirements

(added 8/13/20)

**Statute:** 19 Texas Administrative Code, §103.1201(f)(2)

**Waiver Submission Required:** **NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the "Student Discipline" section of the agency's COVID-19 Support: General Support webpage for:
  - SY 20-21 Discipline Guidance