

2020-2021 LEA Waiver Submission Required

(see table on next page for applicable due dates)

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[TXVSN Course Review and/or Teacher Professional Development Requirements](#)

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[Request for Hybrid Instruction \(Grades 9-12\)](#)

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

[ADA Hold Harmless \(3rd Six-Weeks\)](#)

ADDED
10/1/20

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

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[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	Instructions	11/27/20
TXVSN Course Review and/or Teacher Professional Development Requirements	Other	TEAL	Y	Y	Board Agenda	Instructions	9/30/20
Alternate K and/or 7th Grade Reading Instruments Requirement	Other	TEAL	Y	Y	Board Agenda	Instructions	9/30/20
Student/Teacher Ratio of Disciplinary Alternative Education Programs	Other	TEAL	Y	Y	Board Agenda	Instructions	7/1/21

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
Request for Start-of-Year Transition Extension	Attach form to email	N	Y	N	Request Form	Prior to end of initial four-week transition
Request for Hybrid Instruction (Grades 9-12)	Attach form to email	N	Y	Y	Request Form	No later than two weeks prior to the first day of on-campus instruction
Hold Harmless (3rd Six-Weeks)	Attach form to email	N	N	N/A	Attestation Form	May 1, 2021

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*

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

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

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)

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)

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

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 (3rd Six-Weeks)

(added 10/1/20)

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