

RESOLUTION OF THE BOARD OF TRUSTEES OF BRAZOSPORT INDEPENDENT SCHOOL DISTRICT AUTHORIZING STATE WAIVER APPLICATIONS FOR REMOTE CONFERENCING INSTRUCTION FOR VIRTUAL SPEECH-LANGUAGE THERAPY SERVICES FOR THE 2026–2027 SCHOOL YEAR

WHEREAS, the Brazosport Independent School District ("District") is committed to providing a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment to all eligible students with disabilities in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Texas Education Code; and

WHEREAS, public school districts across the State of Texas face documented, severe staffing shortages of qualified, licensed Speech-Language Pathologists, creating acute recruitment and retention challenges; and

WHEREAS, under Texas law and the rules of the Texas Education Agency (TEA), speech-language pathology services are recognized as instructional services that generate Foundation School Program (FSP) attendance and special education contact hour funding; and

WHEREAS, Section 12.4.3.2 of the TEA Student Attendance Accounting Handbook (SAAH), adopted under 19 Texas Administrative Code (TAC) §129.1025, requires school districts to secure an approved Remote Conferencing Waiver from the Commissioner of Education to generate state Average Daily Attendance (ADA) and special education contact hours for specialized instruction or related services delivered virtually from an off-site clinician; and

WHEREAS, to address clinical staffing shortages and ensure the seamless implementation of students' Individualized Education Programs (IEPs), the District utilizes appropriately credentialed speech-language pathologists licensed by the Texas Department of Licensing and Regulation (TDLR) to provide synchronous, interactive audio-visual telepractice to students whose Admission, Review, and Dismissal (ARD) committees determine that remote conferencing is required for the provision of FAPE; and

WHEREAS, TEA waiver application guidelines require local Board of Trustees approval prior to submitting General Waiver applications for Remote Conferencing Instruction under Texas Education Code §7.056, Texas Education Code §48.005(n), 19 TAC §129.1025, and the SAAH;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BRAZOSPORT INDEPENDENT SCHOOL DISTRICT THAT:

1. **Approval of Waiver Requests:** The Board of Trustees hereby formally approves the submission of General Waiver requests for Remote Conferencing Instruction to the Texas Education Agency for the 2026–2027 school year for eligible students receiving virtual speech-language pathology and related services, waiving the requirements of 19 TAC §129.1025 and the face-to-face instruction policy for attendance accounting purposes.
2. **Delegation of Authority:** The Board of Trustees authorizes the Superintendent of Schools, or administrative designees including the Executive Director of Special Services, to prepare, execute, and submit all necessary student-level waiver applications, assurances, and supporting documentation through the TEA Login (TEAL) State Waivers application system.

3. **Retroactive Funding Authorization:** Upon approval of each waiver by the Commissioner of Education, District staff are authorized to record and report special education contact hours and eligible days present in the Texas Student Data System (TSDS) PEIMS retroactively to the date virtual services commenced pursuant to each student's Individualized Education Program (IEP).
4. **Maintenance of Records:** The Administration shall maintain official copies of this Resolution, the meeting agenda, certified minutes, and all corresponding TEA waiver approval documentation for a minimum of five (5) years in compliance with state attendance audit requirements.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2026.

President, Board of Trustees

Brazosport Independent School District

ATTEST:

Secretary, Board of Trustees

Brazosport Independent School District