

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

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

Waiver	TEAL Waiver Type	District-Level Committee Review (Y/N)	Board Approval (Y/N)	Required Attachments	Information Specific to the Waiver
Missed School Day	Missed School Days	Y	Y	Board Agenda <a href="#">Instructional Continuity Attestation While Closed</a>	<a href="#">Instructions</a>
Educator/Principal/Administrator Appraisal	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>
CPR Instruction Requirements	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>
Instructional Materials Inventory Requirement	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>
Armed Services Vocational Aptitude Battery (ASVAB) test	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>
Annual Financial Report Due Date	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>
TXVSN Course Review and/or Teacher Professional Development Requirements	Other	Y	Y	Board Agenda	<a href="#">Instructions</a>

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

**Statute:** Texas Education Code, §25.081

**LEA Action Required:** YES

**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 “Attendance and Enrollment” section of the agency’s COVID-19 Support: District Waivers, Finance & Grants webpage for:
  - Attendance and Enrollment FAQ
  - Instructions for Submitting a Missed School Day Waiver
  - Instructional Continuity Attestation While Closed

## 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 “Attendance and Enrollment” section of the agency’s COVID-19 Support: District Waivers, Finance & Grants webpage for:
  - Attendance and Enrollment FAQ
  - Instructional Continuity Attestation While Open
- See the “State Funding” section of the agency’s COVID-19 Support: District Waivers, Finance & Grants webpage for:
  - General State Funding FAQs

## Educator/Principal/Administrator Appraisal Waiver

**Statute:** Texas Education Code, §§21.351, 21.352, 21.354, 21.3541, and applicable rules in 19 Texas Administrative Code, Chapter 150

**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 “Current Educator Evaluation and Support” section of the agency’s COVID-19 Support: Texas Educators webpage for:
  - Guidance for Current Educators and Staff - Educator Evaluations and Non-renewal
  - Instructions for Submitting an Educator Appraisal Waiver

## CPR Instruction Requirements Waiver

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

**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 “Graduation 2020” section of the agency’s COVID-19 Support: Academics webpage for:
  - 2020 Seniors Guidance and Graduation FAQ
  - Steps for Submitting a CPR Waiver



## Instructional Materials Inventory Requirement Waiver

**Statute:** Texas Education Code, §31.003 and 19 Texas Administrative Code, §66.107(a)

**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 “Instructional Materials” section of the agency’s COVID-19 Support: Academics webpage for:
  - Instructional Materials FAQ
  - Steps for Submitting an Instructional Materials Inventory Waiver

## Armed Services Vocational Aptitude Battery (ASVAB) Test Waiver

**Statute:** Texas Education Code, §29.9015

**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 “Other Assessments” section of the agency’s COVID-19 Support: Student Assessment webpage for:
  - ASVAB FAQ
  - Instructions for submitting an ASVAB Waiver



## 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

**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 “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

## 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)

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

## 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

**LEA Action 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)

**LEA Action 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

## 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 “Federal Funding” section of the agency’s COVID-19 Support: District Waivers, Finance & Grants webpage for:
  - Federal Funding and Grants FAQ
  - TAA: 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” section of the agency’s [COVID-19 Support: District Waivers, Finance & Grants](#) webpage for:
  - 90% Rule Guidance Updated



## 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 Boards” section of the agency’s [COVID-19 Support: General Support](#) webpage for:
  - 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 “[STAAR Assessment](#)” section of the agency’s [COVID-19 Support: Student Assessment](#) webpage for:
  - Governor Abbot Waives STAAR Testing Requirements
  - TAA: STAAR Cancellation

## FitnessGram Assessment and Reporting

**Statute:** Texas Education Code, §§38.101 and 38.103

**LEA Action Required:** **NO**

**Requirements:**

- None

**Resources/Guidance:**

- See the “FitnessGram” section of the agency’s COVID-19 Support: Student Assessment 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 "CCMP" section of the agency's COVID-19 Support: Academics 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 "Gifted and Talented" section of the agency's COVID-19 Support: Special Populations webpage for:
  - 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:
  - §1111(h)(1)(C)(i);
  - §1111(h)(1)(C)(ii);
  - §1111(h)(1)(C)(iii)(I);
  - §1111(h)(1)(C)(iv);
  - §1111(h)(1)(C)(v);
  - §1111(h)(1)(C)(vi);
  - §1111(h)(1)(C)(vii);
  - §1111(h)(1)(C)(xi); and
  - §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 “[STAAR Assessment](#)” section of the agency’s [COVID-19 Support: Student Assessment](#) webpage for:
  - 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 “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)

**LEA Action 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)

**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

## 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 “[Emergency Child Care Guidance](#)” section of the agency’s [COVID-19 Support: General Support](#) webpage for:
  - [Emergency Child Care Guide for Schools](#)