

# BOARD OF TRUSTEES AGENDA

<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Regular	<input type="checkbox"/>	Special
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- (A)  Report Only  Recognition

Presenter(s):

Briefly describe the subject of the report or recognition presentation.

- (B)  Action Item

Presenter(s): David Camarillo, Director for Instructional Services

Briefly describe the action required.

**CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO APPROVE THE 2019-2020 EPISD COVID-19 WAIVERS.**


- (C) Funding source: Identify the source of funds if any are required.

- (D) Clarification: Explain any question or issues that might be raised regarding this item.



**EAGLE PASS INDEPENDENT SCHOOL DISTRICT**  
*Instructional Services Department*

**Memorandum**

**To:** Samuel Mijares, Superintendent of Public Schools  
**From:** David Camarillo, Executive Director for Instruction   
**Date:** November 30, 2020  
**Re:** Eagle Pass ISD Waivers

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As per TEA waiver guidelines, should the Board give authority to the Superintendent for waiver approval then the Board must ratify the waiver at a sanctioned Board meeting to ensure compliance.

Listed below you will find the waivers EPISD applied for during the 2019-2020 school year due to the COVID-19 pandemic:

- CPR Instruction requirement
- Educator Appraisal requirements
- Notice of students at risk of failure
- Missed School Days
- Low Attendance Days
- Alternate Kindergarten Reading Instrument

Approved: \_\_\_\_\_  
Samuel Mijares, Superintendent of Public Schools

### **Resolution of the Board Regarding Delegation to Superintendent for Waivers**

WHEREAS, the U.S. Government has declared a national emergency and the State of Texas has declared a statewide disaster regarding the ongoing COVID-19 pandemic;

WHEREAS, on March 19, 2020, the Texas Governor issued Executive Order No. GA-08 relating to COVID-19 preparedness and mitigation and through this action and in accordance with Guidelines from the President ordered the temporary closure of all Texas school districts;

WHEREAS, Texas Education Code 11.151 gives the Board of Trustees the exclusive power and duty to govern and oversee the management of the public schools of the District;

WHEREAS, Texas Education Code 7.056 permits a district to apply to the commissioner of education for a waiver of a requirement, restriction, or prohibition imposed by the Education Code or rule of the State Board of Education or commissioner;

WHEREAS, TEA has indicated that it will accept a waiver request made pursuant to Texas Education Code 7.056 by a superintendent, if the Board of Trustees has delegated general operational authority or waiver-specific authority to the Superintendent;

WHEREAS, TEA recommends that if the Board delegates authority to the Superintendent to request waivers from the commissioner, that the Board ratify the waiver request at a future Board meeting to ensure compliance with Texas Education Code Chapter 11 and section 7.056;

WHEREAS, the Board finds there is a need for the District to maintain efficient, effective, and consistent District operations during the period of the disaster declaration under these circumstances, which may include the need to request available waivers under state and federal law;


NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Eagle Pass Independent School District makes the following delegation to the Superintendent:

- The authority to pursue any necessary and available waivers from TEA without further action of the Board; and
- In the event other waivers are needed, the Superintendent is authorized to submit other waiver requests in accordance with guidance from national, state, or local authorities or agencies.

The Board shall ratify any waiver requests made by the Superintendent under this authority at a future Board meeting.

The authority granted by this resolution shall apply until the District resumes full operations at the direction of the Superintendent or the Board takes further action.

Adopted this 14 (*date*) day of May (*month*), 2020 (*year*), by the Board of Trustees.

  
\_\_\_\_\_  
Presiding Officer

  
\_\_\_\_\_  
Secretary



# Waivers

Related Waivers (3)

## 2019-2020 Application for Other Waiver

Waiver ID: 54732

### Application Information

**Category:** General  
**Creator:** David Camarillo, District Editor  
**Status:** Approved  
**Creation Date:** 6/8/2020  
**Approving Superintendent:** Samuel Mijares  
**Assigned To:**

### LEA Contact

#### LEA Information

**Full Name:** Francisco Vielma  
**Phone:** (830) 773-5181 Ext: 1084  
**Email:** fvielma@eaglepassisd.net  
**LEA:** EAGLE PASS ISD (159901)  
**Address:** 587 MADISON ST, EAGLE PASS, TX 78852-5604  
**Phone:** (830) 773-5181

### Date of LEA Board of Trustees Approval

**Date:** 5/14/2020

### Special Instructions

This waiver allows districts and charter schools to request a waiver of a requirement, restriction, or prohibition imposed by the Texas Education Code (TEC) or rule of the board or commissioner, except as prohibited by TEC § 7.056 (e).

### ▼ Waiver Description

Enter a brief waiver description:

Waiver from the CPR instruction requirement due to COVID-19

### ▼ General Questions

**1. Give a brief narrative description of the requested waiver.**

Waiver from the CPR instruction requirement due to COVID-19

**2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver?**

N/A

**3. Cite the section(s) of the Texas Education Code or the Texas Administrative Code that the district or campus wishes to waive.**

TEC 28.0023 and applicable rules in TAC 74.38

**4. Describe the plan to be implemented, if the waiver is granted.**

N/A

**5. How will granting this waiver help achieve the district's or campus' objective?**

N/A

**6. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district's or campus' goal.**

N/A

**Requested Years**

2019-2020 (Approved)

**📎 LEA Attachments (1)**

Title	Type	Size	Date Added	Added By
CPR Instruction Requirements Waiver 159901000	PDF	1.1 mb	2020-06-09	David.Camarillo

**📎 TEA Comments (0)**

**^ Final Decision Comments (1)**

Comment	Date Added	Added By
Waiver from the CPR instruction requirement due to circumstances arising from COVID-19.	2020-06-10	Brandon Spenrath

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# Waivers

Related Waivers (3)

**2019-2020 Application for Other Waiver** Waiver ID: 54740

**Application Information**

Category: General  
 Creator: David Camarillo, District Editor  
 Status: Approved  
 Creation Date: 6/8/2020  
 Approving Superintendent: Samuel Mijares  
 Assigned To:

**LEA Contact**  
**LEA Information**

Full Name: Jesus Costilla  
 Phone: (830) 773-5181 Ext: 1090  
 Email: jcostilla@eaglepassisd.net  
 LEA: EAGLE PASS ISD (159901)  
 Address: 587 MADISON ST, EAGLE PASS, TX 78852-5604  
 Phone: (830) 773-5181

**Date of LEA Board of Trustees Approval**

Date: 5/14/2020

**Special Instructions**

This waiver allows districts and charter schools to request a waiver of a requirement, restriction, or prohibition imposed by the Texas Education Code (TEC) or rule of the board or commissioner, except as prohibited by TEC § 7.056 (e).

**▼ Waiver Description**

Enter a brief waiver description:

Waiver from the educator appraisal requirements due to COVID-19

**▼ General Questions**



**1. Give a brief narrative description of the requested waiver.**

Waiver from the educator appraisal requirements due to COVID-19

**2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver?**

N/A

**3. Cite the section(s) of the Texas Education Code or the Texas Administrative Code that the district or campus wishes to waive.**

TEC, 21.351 and 21.352, 21.354 or TEC, 21.3541, and applicable rules in Title 19, TAC, Ch 150

**4. Describe the plan to be implemented, if the waiver is granted.**

N/A

**5. How will granting this waiver help achieve the district's or campus' objective?**

N/A

**6. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district's or campus' goal.**

N/A

**Requested Years**

2019-2020 (Approved)

**📎 LEA Attachments (1)**

Title	Type	Size	Date Added	Added By
Agenda and Resolution for Teacher Eval Waiver	PDF	862.1 kb	2020-06-09	David.Camarillo

TEA Comments (1)

Comment	Date Added
The agency will accept a waiver request made pursuant to TEC, Sec. 7.056, by a superintendent, if the superintendent's board has delegated its general operational authority or waiver-specific authority to the superintendent. The agency, however, recommends, in such instances, that the board ratify the delegation and waiver request at a future meeting to ensure compliance with TEC, Chapter 11 and Section 7.056. See School Board FAQs: <a href="https://tea.texas.gov/sites/default/files/covid/covid19-school-boards-faq.pdf">https://tea.texas.gov/sites/default/files/covid/covid19-school-boards-faq.pdf</a>	2020-06-09

Final Decision Comments (1)

Comment	Date Added	Added By
Waiver from the educator appraisal requirements due to circumstances arising from COVID-19.	2020-06-09	Brandon Spenrath

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Related Waivers (3)



# Waivers

Related Waivers (3)

<b>2019-2020 Application for Other Waiver</b>	<b>Waiver ID: 54743</b>
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<p><b>Application Information</b></p> <p><b>Category:</b> General</p> <p><b>Creator:</b> David Camarillo, District Editor</p> <p><b>Status:</b> Approved</p> <p><b>Creation Date:</b> 6/8/2020</p> <p><b>Approving Superintendent:</b> Samuel Mijares</p> <p><b>Assigned To:</b></p>
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<p><b>LEA Contact</b></p> <p><b>LEA Information</b></p> <p><b>Full Name:</b> David Camarillo</p> <p><b>Phone:</b> (830) 752-3800</p> <p><b>Email:</b> dcamarillo@eaglepassisd.net</p> <p><b>LEA:</b> EAGLE PASS ISD (159901)</p> <p><b>Address:</b> 587 MADISON ST, EAGLE PASS, TX 78852-5604</p> <p><b>Phone:</b> (830) 773-5181</p>
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<p><b>Date of LEA Board of Trustees Approval</b></p> <p><b>Date:</b> 5/14/2020</p>
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<p><b>Special Instructions</b></p> <p>This waiver allows districts and charter schools to request a waiver of a requirement, restriction, or prohibition imposed by the Texas Education Code (TEC) or rule of the board or commissioner, except as prohibited by TEC § 7.056 (e).</p>
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<p><b>▼ Waiver Description</b></p> <p><b>Enter a brief waiver description:</b></p> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> <p>Waiver of required early notice of students at risk of failure (COVID-19).</p> </div>
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<p><b>▼ General Questions</b></p>
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**1. Give a brief narrative description of the requested waiver.**

Waiver of required early notice of students at risk of failure (COVID-19).

**2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver?**

N/A

**3. Cite the section(s) of the Texas Education Code or the Texas Administrative Code that the district or campus wishes to waive.**

TEC 28.0211(d)(3) and TAC 101.2009(b).

**4. Describe the plan to be implemented, if the waiver is granted.**

N/A

**5. How will granting this waiver help achieve the district's or campus' objective?**

N/A

**6. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district's or campus' goal.**

N/A

**Requested Years**

2019-2020 (Approved)

**◆ LEA Attachments (1)**

Title	Type	Size	Date Added	Added By
Parent Notice Requirements for Students at Risk	PDF	1.1 mb	2020-06-09	David.Camarillo

⬆️ TEA Comments (1)

Comment	Date Added
The agency will accept a waiver request made pursuant to TEC, Sec. 7.056, by a superintendent, if the superintendent's board has delegated its general operational authority or waiver-specific authority to the superintendent. The agency, however, recommends, in such instances, that the board ratify the delegation and waiver request at a future meeting to ensure compliance with TEC, Chapter 11 and Section 7.056. See School Board FAQs: <a href="https://tea.texas.gov/sites/default/files/covid/covid19-school-boards-faq.pdf">https://tea.texas.gov/sites/default/files/covid/covid19-school-boards-faq.pdf</a>	2020-06-09

⬆️ Final Decision Comments (1)

Comment	Date Added	Added By
Waiver to delay the notice requirement for students at risk of failure until the start of the 20-21 school year due to COVID-19	2020-06-09	Brandon Spenrath

⬇️ Change History

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Related Waivers (3)



## Waivers

### 2019-2020 Application for Missed School Days Waiver

Waiver ID: 54739

#### Application Information

**Category:** Attendance

**Creator:** David Camarillo, District Editor

**Status:** Approved

**Creation Date:** 6/8/2020

**Approving Superintendent:** Samuel Mijares

**Assigned To:**

Related Waivers (5)

#### LEA Contact

##### LEA Information

**Full Name:** David Camarillo

**Phone:** (830) 752-3800

**Email:** dcamarillo@eaglepassisd.net

**LEA:** EAGLE PASS ISD (159901)

**Address:** 587 MADISON ST, EAGLE PASS, TX 78852-5604

**Phone:** (830) 773-5181

#### Date of LEA Board of Trustees Approval

**Date:** 5/14/2020

#### Special Instructions

Missed School Days Waiver, pursuant to TEC 25.081, allows the district or campus to request a waiver if instructional days are missed due to weather, health, safety, or other issues. This application is due no later than July. Refer to the Student Attendance Accounting Handbook 3.8.1.3 for additional information on Missed School Day Waivers.

Note: A district may request this waiver for additional school days missed because of weather, safety, or health issues beyond the two days that must be made up with the district's two designated makeup days or additional minutes built into the originally adopted calendar.

You may enter each campus and the number of minutes attended on that date individually within a single waiver application. Alternatively, if your district was closed you may select "All Campuses". If the number of minutes of operation varies by campus on the missed school day for "All Campuses", please report the greatest number of minutes on the date school was missed in the "Number of Minutes Per Day". Please note that in PEIMS you will claim the actual number of minutes your district was scheduled to operate on the specific date by campus. The waiver minute reporting is used to total the number of attendance related waiver minutes by year. Per Student Attendance Accounting Handbook 3.8.2 Closures for Bad Weather or Other Issues of Health or Safety, you are limited to 4,200 minutes for attendance waivers of any kind.

▲ LEA Summary

Final Decision	Campus Name	Reason(s)	Minutes	Explanation	Date(s)
Approved	All Campuses	Health, Safety	460	COVID-19.	2020-03-16
					2020-03-17
					2020-03-18
					2020-03-19
					2020-03-20
					2020-03-23
					2020-03-24
					2020-03-25
					2020-03-26
					2020-03-27
					2020-03-30
					2020-03-31
					2020-04-01
					2020-04-02
					2020-04-03
					2020-04-06
					2020-04-07
2020-04-08					
2020-04-09					
Approved	All Campuses	Health, Safety	460	COVID-19.	2020-04-13
					2020-04-14
					2020-04-15
					2020-04-16
					2020-04-17
					2020-04-20
					2020-04-21
					2020-04-22
					2020-04-23
					2020-04-24
					2020-04-27
					2020-04-28
					2020-04-29
					2020-04-30
					2020-05-01
					2020-05-04
					2020-05-05
2020-05-06					
2020-05-07					
2020-05-08					
2020-05-11					
2020-05-12					
2020-05-13					
2020-05-14					
2020-05-15					
2020-05-18					
2020-05-19					
2020-05-20					
2020-05-21					
2020-05-22					
Approved	All Campuses	Health, Safety	460	COVID-19.	2020-05-26
					2020-05-27
					2020-05-28
					2020-05-29
					2020-06-01
2020-06-02					
2020-06-03					

Related Waivers (5)

**^ LEA Attachments (3)**

Title	Type	Size	Date Added	Added By
Agenda and Resolution	PDF	862.1 kb	2020-06-09	David.Camarillo
Request to submit wavier	PDF	236,8 kb	2020-06-09	David.Camarillo
Attestation	PDF	297.2 kb	2020-06-10	David.Camarillo

**^ Final Decision Comments (1)**

Comment	Date Added	Added By
Waiver due to circumstances arising from COVID-19	2020-06-10	Brandon Spenrath

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Related Waivers (5)





# Waivers

## 2019-2020 Application for Low Attendance Days Waiver

Waiver ID: 54970 ✓

### Application Information

**Category:** Attendance

**Creator:** David Camarillo, District Editor

**Status:** Approved

**Creation Date:** 6/9/2020

**Approving Superintendent:** Samuel Mijares

**Assigned To:**

Related Waivers (5)

### LEA Contact

#### LEA Information

**Full Name:** David Camarillo

**Phone:** (830) 752-3800

**Email:** dcamarillo@eaglepassisd.net

**LEA:** EAGLE PASS ISD (159901)

**Address:** 587 MADISON ST, EAGLE PASS, TX 78852-5604

**Phone:** (830) 773-5181

### Date of LEA Board of Trustees Approval

**Date:** 2/11/2020

### Special Instructions

Please complete this waiver for Low Attendance Due to Weather or Health or Safety issues. Your district must include as attachments, documentation of low attendance for the day (including the reason for the low attendance rate and an ADA or PEIMS report showing the attendance rate on the date of low attendance) and the prior year's attendance report (PEIMS summary report showing the average for the year) for the district or applicable campus. See Student Attendance Accounting Handbook 3.8.1.4. This application is due by the end of July for the current school year. Please direct questions to the State Waiver Unit at <http://tea.texas.gov/index2.aspx?id=6635>.

You may enter each campus and the number of minutes attended on that date individually within a single waiver application. Alternatively, if your district wide attendance was at least 10 percentage points below your prior year average, you may select "All Campuses". If the number of minutes of operation varies by campus on the date of low attendance for "All Campuses", please report the greatest number of minutes on the date of low attendance in the "Number of Min on the Low Attendance Day". Please note that in PEIMS you will claim the actual number of minutes in operation on the specific date by campus. The waiver minute reporting is used to total the number of attendance related waiver minutes by year. Per Student Attendance Accounting Handbook 3.8.2 Closures for Bad Weather or Other Issues of Health or Safety, you are limited to 4,200 minutes for attendance waivers of any kind.

**^ LEA Summary**

Decisions	Date	Campus Name	Reason(s)	% of Attendance	Avg. % Attendance for Previous Year	Minutes
Approved	2020-01-31	EAGLE PASS J H-159901041	Safety	62	95.30	445

**^ LEA Attachments (3)**

Title	Type	Size	Date Added	Added By
Board Agenda	PDF	174.6 kb	2020-06-10	David.Camarillo
Documentation for the reason-safety	PDF	208.4 kb	2020-06-10	David.Camarillo
Reports	PDF	260.9 kb	2020-06-10	David.Camarillo

**^ TEA Comments (2)**

Comment	Date Added
Please submit with: 1) board agenda (rather than board item/memo) from the meeting in which the waiver request was approved; 2) Documentation for the reason (safety) for the low attendance rate for each date in question (news article, letter to parents, info shared with Board or district, etc.) that explains what the safety-related issue was.	2020-06-09
Please provide: 1) ADA or PEIMS report showing the attendance rate on the date of low attendance; 2) the prior year's attendance report (PEIMS summary report showing the average for the year) for the campus.	2020-06-10

**^ Final Decision Comments (1)**

Comment	Date Added	Added By
The district's low attendance days waiver for the 2019-2020 school year is granted.	2020-06-10	Brandon Spenrath

**^ Change History**

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# Waivers

## 2019-2020 Application for Other Waiver

Waiver ID: 56153

### Application Information

**Category:** General  
**Creator:** David Camarillo, District Editor  
**Status:** Approved  
**Creation Date:** 6/17/2020  
**Approving Superintendent:** Samuel Mijares  
**Assigned To:**

Related Waivers (3)

### LEA Contact

#### LEA Information

**Full Name:** Rodolfo Musquiz  
**Phone:** (830) 773-5381 Ext: 1012  
**Email:** romusquiz@eaglepassisd.net  
**LEA:** EAGLE PASS ISD (159901)  
**Address:** 587 MADISON ST, EAGLE PASS, TX 78852-5604  
**Phone:** (830) 773-5181

### Date of LEA Board of Trustees Approval

**Date:** 5/14/2020

### Special Instructions

This waiver allows districts and charter schools to request a waiver of a requirement, restriction, or prohibition imposed by the Texas Education Code (TEC) or rule of the board or commissioner, except as prohibited by TEC § 7.056 (e).

### ▼ Waiver Description

**Enter a brief waiver description:**

Waiver to use alternate kindergarten reading instrument due to COVID-19

### ▼ General Questions

**1. Give a brief narrative description of the requested waiver.**

Waiver to use alternate kindergarten reading instrument due to COVID-19

**2. Does the district or campus plan reflect the need for this waiver? If yes, what is the specific objective impacted by the waiver?**

N/A

**3. Cite the section(s) of the Texas Education Code or the Texas Administrative Code that the district or campus wishes to waive.**

TEC 28.006(c-2)

**4. Describe the plan to be implemented, if the waiver is granted.**

N/A

**5. How will granting this waiver help achieve the district's or campus' objective?**

N/A

**6. Please explain how the school district or campus will evaluate the impact of the waiver towards meeting the district's or campus' goal.**

N/A

**Requested Years**

2020-2021 (Approved)

**⬆ LEA Attachments (2)**

Title	Type	Size	Date Added	Added By
AGENDA AND RESOLUTION	PDF	862.1 kb	2020-06-17	David.Camarillo
Memo Requesting Waiver	PDF	268.5 kb	2020-07-01	David.Camarillo

**⬆ TEA Comments (0)**

**^ Final Decision Comments (1)**

Comment	Date Added	Added By
Waiver to use alternate kindergarten reading instrument due to COVID-19	2020-07-09	Brandon Spenrath

**^ Change History**

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