

## Educator Appraisal Waivers

Waivers will be reviewed and approved, pursuant to the Commissioner's general waiver authority under Texas Education Code (TEC), §7.056, for school districts and charter schools that, due to circumstances arising from the COVID-19 pandemic, are unable to conduct accurate and relevant teacher appraisals based on requirements captured in TEC, §21.351, §21.352, the applicable rules in Title 19, Texas Administrative Code, Chapter 150, and/or are unable to capture accurate and relevant student growth data for the Texas Principal Evaluation and Support System (T-P ESS) based on the requirements found in Title 19, Texas Administrative Code, Chapter 150.1022.

District appraisal policies that are local in nature, not required by Texas Education Code or Texas Administrative Code, and that are unable to be met due to COVID-19 related circumstances could be revisited by a district's board of trustees. A district should consult with its legal counsel or seek support from the Texas Association of School Boards (TASB) when considering such policy revisions.

## Educator Appraisal Questions

### 1. Does the district need board of trustees' approval prior to submitting this waiver request?

Yes. Prior to submitting a waiver request, the district does need to obtain board of trustee approval for the waiver requested.

### 2. If a district is granted a waiver for all general requirements of teacher appraisal, can the district still rate an educator based on the aspects of the appraisal process that the district determines can be accomplished accurately and effectively?

Yes. Even with a waiver, the school district may still evaluate a teacher and determine an appraisal and appraisal rating for a teacher based on completed aspects of the appraisal process.

### 3. What appraisal requirements still exist if a district only seeks a waiver for the student growth requirement in teacher appraisal?

All other appraisal requirements are still in place under that scenario. In other words, the only aspect of the teacher appraisal that would no longer be required would be the need to engage in and rate a teacher through a student growth process.

### 4. What impact does a waiver have on a teacher's right to respond to appraisal results?

None. A teacher, if provide any formal appraisal results, still maintains the right to respond to and otherwise appeal an appraisal or appraisal rating under 19 TAC §150.1004. The use of a waiver does not prohibit a teacher from filing a grievance in accordance with a district's local policy.

**5. Beyond the student growth requirement for districts using T-PESS, will waivers for any or all other principal appraisal requirements be granted?**

No. At this time, waivers for any or all other requirements for principal appraisal are not being considered.

**6. Are waivers for appraisal of administrators other than principals, as captured in TEC, §21.354, being considered?**

No. At this time, waivers for administrators other than principals, which includes superintendents, are not being considered.