

August 31, 2017

**ACTION REQUIRED**

**TO THE ADMINISTRATOR ADDRESSED (TAA):**

**Subject: Information concerning changes to Staff Development and Early Release Waivers for 2018-2019 and Beyond**

The information in this TAA letter pertains to the 2018-2019 school year; therefore, having no immediate impact on school districts and charter schools. Accommodations and additional guidance may be made in 2018-2019, as necessary, for those school districts and charter schools affected by Hurricane Harvey.

The 85<sup>th</sup> legislature implemented changes to requirements for minutes of operation and average daily attendance. To assist school districts and charter schools in complying with House Bill (HB) 2442 while developing their 2018-2019 school year calendars over the coming months, below please find significant updates that TEA will propose in rule for the 2018-2019 school year. In the near future, these changes will be adopted in the 2018-2019 Student Attendance Accounting Handbook (SAAH) subsequent to public comment.

**Early Release Waivers**

- Due to the flexibilities provided by 75,600 minutes of operation and the repeal of the seven-hour school day requirement by HB 2442, school districts and open-enrollment charter schools may release their students early from school and still receive full funding, so long as they meet certain requirements. See corresponding TAA letter from the Financial Compliance Division dated August 31, 2017. Therefore, Early Release waivers are no longer necessary.
- Early Release waivers previously approved for the 2018-2019 school year are rescinded.
- Effective for the 2018-2019 school year, the agency will no longer offer Early Release waivers.

**Staff Development Waivers**

- Due to the change to minutes of operation made by HB 2442, all existing, approved Staff Development waivers for the 2018-2019 school year are rescinded.
- Effective with the 2018-2019 school year, the agency will offer a new Staff Development waiver that provides for a maximum of 2,100 total waiver minutes to use for professional development. The 2018-2019 school year Staff Development waiver will be available in the Spring of 2018. The waiver is only applicable to the 2018-2019 school year and will

require only minimal information. Districts and open-enrollment charter schools should have their waivers approved by TEA prior to adopting their 2018-2019 school calendars.

- Each district and open-enrollment charter school may choose how to apply their approved Staff Development waiver minutes each year. For instance, schools may choose to offer early release, late start, all day staff development or a combination. However, the total waiver minutes for staff development shall not exceed 2,100 minutes per year.
- Waiver minutes are for staff development in place of student instruction; therefore, the waiver minutes are only applicable to staff development provided instead of student instruction during the school year. Effective with the 2018-2019 school year, staff development waiver minutes may not be used prior to the first day of student instruction or after the last day of student instruction.
- On staff development days when students are in attendance part of the day, in order to receive full ADA funding, the district or open-enrollment charter school must provide at least 120 minutes of student instruction. *Instructional* minutes are defined in the SAAH as the portion of the school day in which instruction takes place along with other exceptions. In addition to the 120 minutes of student instruction, any staff development waiver minutes reported must reflect actual staff development minutes provided.

Note: To assist school districts and open-enrollment charter schools with planning for the 2019-2020 school year and beyond, please be advised that the agency is considering requiring that future Staff Development waivers demonstrate that the school will be providing high-quality staff development that will impact student outcomes. More information will be made available from the TEA in the Spring of 2018 regarding this policy change.

Questions related to waiver changes should be directed to Leah Martin, Director of Accreditation & Waivers, at (512) 463-8597 or at [Leah.Martin@tea.texas.gov](mailto:Leah.Martin@tea.texas.gov).

Regards,

A.J. Crabill  
Deputy Commissioner for Governance