

Waiver Request Checklist

Step 1- All Waiver Requests

Waiver Request Type	Specific Required Elements	Applicable Resource
<u>All Waiver Requests</u>	<ul style="list-style-type: none"> • Type of waiver requested • Superintendent Signature • Affected school year(s) • Justification for waiver requested • Board Resolution, see below for required criteria: <ul style="list-style-type: none"> ○ Meeting held in compliance with Texas Open Meeting Act ○ (Reference: Texas Open Meetings Act) ○ Resolution heading contains name of school ○ Board action preceded by "Be it resolved that..." ○ Resolution clearly states action directed by the board ○ Language of resolution mirrors language of the school's amendment request ○ Approval signed electronically or physically by quorum of board members ○ Board members signing the resolution must have been in attendance at the meeting as reflected in the minutes (Reference: Government Code §551.021) ○ Date of resolution matches date of meeting agenda ○ Date of resolution does not predate board's action as indicated in minutes ○ Requested amendment effective date does not predate the board resolution 	State Waiver Guidebook

Note: All waivers are filed through TEAL in the Waivers application.

Step 2- Common Types of Waiver Requests

Waiver Request Type	Waiver Description	Relevant Code
Years of Operation	The expansion will be effective no earlier than the start of the fourth full school year at the affected charter school.	19 TAC §100.1033(b)(9)(A)(i)
Timeline	The amendment request is received no earlier than the first day of January and no later than the first day of March, not to exceed 36 months preceding the effective date of the expansion	19 TAC §100.1033(b)(9)(A)(ii)
90% rule	The most recent district rating for the charter school is "academically acceptable" and the most recent campus rating for at least 90% of the campuses operated under the charter school is "academically acceptable"	19 TAC §100.1033(b)(9)(A)(iii)
Charter FIRST	The most recent district financial accountability rating for the charter school in the Financial Integrity Rating System of Texas (FIRST) for Charter Schools is "Satisfactory"	19 TAC §100.1033(b)(9)(A)(iv)
Accreditation	The charter school has an accreditation status of "Accredited"	19 TAC §100.1033(b)(9)(A)(v)
CSPF	The most recent designation for the charter school under the CSPF is "Tier 1" or "Tier 2"	19 TAC §100.1033(b)(9)(A)(vi)
50% of student population in tested grades (new site associated with a campus)	Charter school campus under which the proposed new site will be assigned currently has at least 50% of the student population in grades assessed	19 TAC §100.1033(b)(10)(E)(i)

Waiver Request Type	Waiver Description	Relevant Code
50% of student population in tested grades (new campus)	Charter school campus under which the proposed new campus will be assigned currently has at least 50% of the student population in grades assessed	19 TAC §100.1033(b)(10)(D)(ii)

For questions, please reach out to your portfolio coordinator.

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You can also email our amendments mailbox at charteramendments@tea.texas.gov