Good morning,

Please keep the following in mind as your District creates the 2018-2019 School Year Calendar:

- 7 hour school day (420 minutes) requirement was repealed, therefore there are no such thing as Early Release Days Waivers. You can still schedule Early Releases during the year but they will NOT be submitted as Waiver Days with Waiver Minutes in the PEIMS Summer Submission InterchangeEducationOrgCalendar. You will only report the ACTUAL number of minutes of operation on that early release day.

- TEA will offer a new Staff Development Minutes Waiver that provides for a maximum of 2,100 total waiver minutes that can be used only between the first day and last day of school. You can do an all-day Staff Development, or have half day Instruction day then have half day Staff Development, etc. It’s up to your District/Charter School. This 2018-2019 waiver should be requested annually through the TEAL > Waivers application. Note: The Waiver application will ask for “Date of LEA Board of Trustees Approval”. This date is the date your board approved having Staff Development Minutes Waivers (not the date your board approved/adopted your school calendar). Once TEA approves the Staff Development Minutes Waivers then you can continue with adopting your School Calendar.

- School districts, Districts of Innovation, and open-enrollment charter schools MUST still provide at least 75,600 operational minutes along with any applicable waivers (operational is the time from the first school bell to the last school bell). Not meeting this requirement will result in reduction of funding.
  - Exceptions:
    - Half-Day PK programs at Districts and open-enrollment charter schools MUST provide at least 32,400 instructional minutes along with any applicable waivers
    - Dropout recovery campus(es) or program(s) MUST provide at least 43,200 instructional minutes along with any applicable waivers
    - Open-enrollment charter schools granted a charter before January 1, 2015, and satisfying the relevant ADA requirements in effect immediately prior to January 1, 2015, (e.g., provide 180 days of attendance with a minimum of four hours of instructional time per day) with any applicable waivers and complying with their charter contract terms regarding student instruction time.
    - Adult High School and Industry Certification charter school pilots MUST provide at least 43,200 instructional minutes along with any applicable waivers

- The 2-4 hour rule of instruction time still applies for determining the ADA Codes to individual students. Unless the students participate in the Optional Flexible School Day Program (OFSDP). The funding rules under that program still apply.
• Low attendance and missed school day(s) waivers are still available for 2018-2019 if needed

If you haven’t already done so, please review with your District/Charter School the 2 TAA Letters attached: “Information concerning changes to Staff Development and Early Release Waivers for 2018-2019 and Beyond (2nd notice)” and “Minutes of Operation - Updates to House Bill (HB) 2442 (2nd notice)”.

PEIMS Reporting in 2018-2019 SY:
• In PEIMS there is no longer a CALENDAR-WAIVER-EVENT-TYE-CODE = 03 Shortened Waiver Day.
• New elements Instructional-Program-Type and Instructional-Minutes will be added to the InterchangeEducationOrgCalendar to designate which program you are running on a particular track so they can confirm the program is meeting the Operational/Instructional minutes requirements above. Please see screenshots below from 18-19 TEDS.
• If you are running multiple Instructional-Program-Types on one campus then you would need different tracks per campus.
### Instructional Program Calendar Reporting

The following chart provides guidance on reporting the correct values for this complex type.

<table>
<thead>
<tr>
<th>Code</th>
<th>Instructional Program Type Code</th>
<th>Operational Minutes</th>
<th>Instructional Minutes/Days</th>
<th>Days of Operation</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>U1</td>
<td>Standard Program for school district campus following 75,600 Operational Minutes (Does not include Pre-Kindergarten Programs/Grades)</td>
<td>75,600 Minimum</td>
<td>Not reported</td>
<td></td>
<td>Pre-Kindergarten must be on a separate track unless following 75,600 minutes. Includes all charter schools issued after 1-1-2015 required to follow 75,600 minutes. Pre-Kindergarten must be on a separate track unless following 75,600 minutes.</td>
</tr>
<tr>
<td>C02</td>
<td>Charter School campus issued to operate after 1/1/2012 following 75,600 Operational Minutes (Does not include Pre-Kindergarten Programs/Grades)</td>
<td>75,600 Minimum</td>
<td>Not reported</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C03</td>
<td>Charter School campus operating before 1/1/2015 and electing to follow a 180 day school calendar (Includes Pre-Kindergarten Program/Grades)</td>
<td>Not reported</td>
<td>Not reported</td>
<td>160 days is minimum of 240 minutes of instruction</td>
<td>Not available for school districts. Available to select charter schools only.</td>
</tr>
<tr>
<td>C04</td>
<td>Pre-Kindergarten Program (including school districts and charter schools approved to operate after January 1, 2015)</td>
<td>Not reported</td>
<td>37.400 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C05</td>
<td>Dropout Recovery Program/Campus TEC 12.114(c) or 36.404(d)</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C06</td>
<td>Disciplinary Alternative Education Program/Campus TEC 37.000</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C07</td>
<td>Correctional Facility Program/Campus (Adult or Juvenile)</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C08</td>
<td>Residential Treatment Facility Program/Campus</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C09</td>
<td>Juvenile Treatment Facility Program/Campus</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C10</td>
<td>Psychiatric Hospital Program/Campus</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C11</td>
<td>Medical Hospital Program/Campus</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C12</td>
<td>Charter School issued under TEC 20.259 (Excel Academy 227-827 Only)</td>
<td>Not reported</td>
<td>43.200 Minimum</td>
<td></td>
<td>Applicable to District Id 227827 only.</td>
</tr>
</tbody>
</table>
Please let us know if you have any questions.

Thank-you,

Diana Pérez
Specialist - PEIMS/Data Analytics
Region One Education Service Center
Office of Information Technology
Ph: (956) 984-6096 Fax: (956) 984-7650
dperez@esc1.net

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August 31, 2017

TO THE ADMINISTRATOR ADDRESSED (TAA):

Subject: Minutes of Operation - Updates to House Bill (HB) 2442 – (2nd notice)

Reissue of Minutes of Operation letter regarding the 2018-2019 school year; no changes were made from the original issuance on August 31, 2017.

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 85th Legislature changed requirements for minutes of operation and average daily attendance (ADA). To assist school districts and charter schools in complying with HB 2442 while developing their 2018–2019 school year calendars over the coming months, please see the following significant updates that TEA will propose in rule for the 2018–2019 school year. These changes will be adopted in the 2018–2019 Student Attendance Accounting Handbook (SAAH) following public comment.

Further guidance regarding the Texas Student Data System (TSDS) Public Educational Information Management System (PEIMS) reporting for the 2018–2019 school year will be provided in January 2018.

Starting in the 2018–2019 School Year

Effective in the 2018–2019 school year, HB 2442 repealed the seven-hour (420 minutes) school day requirement from Texas Education Code (TEC), §25.082; allowing school districts to adopt a shortened school day. However, as noted under the Funding section of this letter, school districts and charter schools failing to meet HB 2442 minutes requirements may be subject to a reduction of their full ADA for the year.

Requirements for Full Funding at Most School District and Open-Enrollment Charter Schools

- To receive full ADA funding (and avoid a reduction of funding), school districts, including Districts of Innovation and open-enrollment charter schools must:

  1. provide 75,600 operational minutes along with any applicable waivers; the SAAH defines operational minutes as the time from the first school bell to the last school bell (bell to bell); and
  2. provide instructional minute requirements in accordance with the proposed 2017–2018 SAAH, two-hour rule for half-day funding or four-hour rule for full-day funding; the SAAH defines instructional minutes as the portion of the school day in
which instruction takes place along with certain other exceptions and are considered a subset of operational minutes.

- To receive full-one-half ADA for half-day prekindergarten programs, school districts and open-enrollment charter schools must provide 32,400 *instructional* minutes along with any applicable waivers.

**Requirements for Full Funding in Special Cases**

- Full ADA funding will also be provided to entities meeting any of the following requirements:

  1. Dropout recovery campus(es) or program(s) operating under TEC, §12.1141(c) or §39.0548; school program(s) and campus(es) located at a day treatment facility, a residential treatment facility, a psychiatric hospital, a medical hospital, a correctional facility; or a disciplinary alternative education program (DAEP) providing 43,200 *instructional* minutes with any applicable waivers.

  2. Open-enrollment charter schools granted a charter before January 1, 2015, and satisfying the relevant ADA requirements in effect immediately prior to January 1, 2015, (e.g., provide 180 days of attendance with a minimum of four hours of instructional time per day) with any applicable waivers and complying with their charter contract terms regarding student instruction time.

  3. Open-enrollment charter campuses approved by the commissioner after January 1, 2015, belonging to open-enrollment charter schools referenced above and meeting academic accountability requirements.

- Satisfying funding requirements does not relieve an open-enrollment charter school from the terms of its contract and any changes must be reflected in a commissioner-approved amendment.

- Adult High School and Industry Certification charter school pilots providing 43,200 *instructional* minutes will receive the appropriated funding as provided by TEC, §29.259.

**TEA Assistance to Avoid Funding Reductions**

Please note that if required *operational and/or instructional* minutes/days listed above and in the 2018–2019 SAAH are not followed, funding will be reduced for your school district or open-enrollment charter school.

Since school districts and open-enrollment charter schools—as part of their third TSDS PEIMS data submission—do not report their minutes to TEA until after the school year is complete, districts may not realize they are subject to a reduction of funding until time has expired to correct their calendars. Therefore, please:

- ensure that you have the required number of minutes/days built into your school board approved calendar.
• contact TEA for a calendar review/consultation if necessary.

Waivers
• Attendance waiver applications available for the 2018–2019 school year include staff development (2,100 minutes total), low attendance, and missed school day(s) due to a calamity. Please see the corresponding TAA letter dated August 31, 2017 from the Waivers Division for additional information concerning changes to 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 that meet certain requirements may release their students early from school and still receive full funding. Therefore, early release waivers are no longer necessary.

• Early release waivers previously approved for the 2018–2019 school year are rescinded. Please see the corresponding TAA letter dated August 31, 2017 from the Waivers Division as official notice of rescinded waivers.

Attendance
• Districts and charter schools must continue to follow the rules in the SAAH. As referenced above, the 2018–2019 SAAH will be modified by rule in the coming months to include these changes.

• Student attendance will continue to be captured during the designated official attendance taking time as required by the SAAH and/or determined by your local policy.

• Please note, the 2-through-4-hour rule is still in effect for attendance purposes.

• Students eligible to participate in the Optional Flexible School Day Program (OFSDP) will receive full funding if they comply with TEC, §29.0822, and applicable rules.

CONTACT FOR FURTHER INFORMATION OR CALENDAR ASSISTANCE:
Please contact Chanda Williams at (512) 475-2012 or Yolanda Walker at (512) 463-0947 or at attendance@tea.texas.gov.

Regards,

David Marx
Director of Financial Compliance
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 – (2nd notice)

Reissue of Staff Development and Early Release Waivers letter regarding the 2018-2019 school year; no changes were made from the original issuance on August 31, 2017.

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 85th 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.

Regards,

A.J. Crabill
Deputy Commissioner for Governance