



# Texas Association of Community Schools

1011 San Jacinto Blvd., Ste. 204 Austin, TX 78701-1924512-440-8227 • FAX: 512-442-6705  
• tacsnet.org

TACS Zoom Meeting Summary  
Meeting with TACS and Sara Leon & Associates  
Wednesday, April 15, 2020  
11:00 AM

## Updates from Commissioner's Call

The call was a long one, so we are only going to cover a few things in this section and will go into depth under each section of the website that has been updated.

Child Nutrition: Remember to document any changes to meal schedules to [Squaremeals.org](http://Squaremeals.org).

Districts CAN send meals home in bulk delivery; however, even if food is sent in bulk, you must be able to easily identify individual meals that you would meet the guidelines for TDA. You could send a sheet showing the meals broken down into a meal plan so you have documentation for TDA.

There will be a webinar on serving students in homelessness from 10-11:30 AM on Friday the 17th. You do need to register to attend. The webinar will be given by Texas Education for Homeless Children and Youth. The link can be found under Question 2 under Special Education and Special Populations.

He spoke on CARES funding and the importance of setting up a local accounting code for COVID to show all the costs you are documenting for CARES reimbursement.

There are some appraisal districts who are trying to use their 2019 appraisals for this year. Find out if your appraisal office is considering rolling forward the 2019 appraisals. If they are, please email the agency at [disasterinfo@tea.texas.gov](mailto:disasterinfo@tea.texas.gov) with your contact info and let them know.

There is an instructional continuity webinar today at 3 PM for Texas Home Learning.

TEA is continuing to work on Texas Home Learning 2.0. They anticipate this program being released by summer. The goal behind it is to prepare kids to return to school in the fall.

Packets have been posted online. You'll note that even the first-grade packet is 440 pages long, so the printing cost alone for each student is a significant cost to districts. ESC's can help with the printing if you go this route. They will not be mailing the packets for you. Remember to be recording all the additional costs you are incurring - with that local accounting code.

## Legislative Update

Attorney for Underwood Law Firm and lobbyist Colby Nichols provided a legislative update. First, he wanted to thank educators for all the extra hard work they are doing during this challenging time.

He noted that the Comptroller has pushed back on appraisal districts using 2019 appraisals.

Regarding the state budget, our budget is based on the oil and gas industry and crude oil prices are at \$19.48 a barrel right now, which is a 6% drop from yesterday. Our 2020 budget was built on \$50/barrel, and the 2021 budget is built on \$53/barrel; we may be seeing budgetary issues and are already seeing issues with OPEC. They have decided to cut their supply and amount, but it could be too little too late; we will likely see a supply and demand issue. Colby thinks the free market will win out and they won't cut their supply.

Texas is by far the largest beneficiary of payroll protection program for small businesses. About \$309 billion of those funds are headed to Texas.

Furthermore, a large portion of the stimulus package is allotted for education. One allotment is a \$3 billion program for governors to use in their states. About \$307 million for K-12 and higher education is going to Texas, to be used at governor's discretion. We don't know what Abbott will spend that money on, but education lobbyists are working with his office to make sure it goes where it is needed.

We are seeing organizations like the Texas Public Policy Foundation pushing for the money to be used for virtual education, as in creating full time virtual programs for students going forward.

Colby notes that the same issues we had in 2009 legislative session with that stimulus money will likely be issues in 2020, meaning they could potentially be able to supplant the money rather than supplement it. The same restrictions (or lack thereof) will be an issue as well. The stimulus package did allow states to have an MOE waiver, but LEAs do not necessarily get the same treatment.

In addition to the \$300 million mentioned above, we will also receive an education stabilization fund from the CARES Act. About \$1.2 billion will likely be allocated to Texas, about 10% of which is discretionary spending by the Commissioner. TEA is supposed to be a flow through for that money but we will have to see what happens.

This week, the governor is expected to make a statement on what will happen with school for the rest of the year.

The Trump administration is pushing Congress to delay the census, meaning a full data set would not get to the states until mid 2021. This in turn means we wouldn't have appropriate data for redistricting during regular session.

Thank you for keeping us all in the know, Colby!

### **[Changes to Instructional Continuity Planning Framework on TEA Website](#)**

Packets are on line now. High school course packets are now available in the four core subjects. English I – IV; Algebra I, Geometry, Algebra II, and Pre-Calculus; Biology, Chemistry, and Physics; and World Geography, World History, US History, Government, and Economics.

Grading is up to each school district according to your grading policy.

You can't order packets through EMAT.

Speech therapy services will be available soon. There are 10,000 seats available for speech therapy through TEA. Districts who don't get any of the initial seats will be given a state rate through a company called AmplioSpeech.

The TEA/PBS At-Home Learning Collaboration has now posted a [resource PDF](#) that shows which PBS stations are in your area along with an Educator Resource Guide.

### **[Special Education/Special Populations](#)**

TEA has added best practice considerations for progress monitoring. Some district sample plans and communications from Tomball, Mansfield, and other ISDs have been posted.

Another document has been added for teachers to give to parents about [managing behaviors at home](#). It includes checklists and videos for parents. Another sheet has been added [for LEAs](#).

There are now resources available for counseling as a related service. For further support, counselors can provide guidance lessons right now and send those out for the kids. Individual counseling is allowed as well. Methods used would include phone calls, texting/chatting, video chats, etc.

This is a good time to consider how your school policies will work in the virtual school space: For example, do you require parent permission to see students for individual counseling sessions? It's important to remember that even if you are having phone or video chats with students, they are still public record if subpoenaed. You need to talk about confidentiality with counselors and teachers. There are easy changes to can make to protect confidentiality, such as using headphones (if others are in your house) while you talk to a student so private information isn't overheard.

### [English Learner Guidance](#)

Rising kindergartners and rising first graders will still need to have a bilingual/ESL summer program; it is not waived by TEA. TEA anticipates summer school happening (even if virtually), so it's beneficial to think about what those programs will look like.

TEA also anticipates school being open come fall, so the 30-day extension on reclassifying students based on LAS Links Assessment or TELPAS will apply.

### [Pregnancy Related Services](#)

This is a newly added document. Whatever services you were providing to pregnant students prior to closure (counseling, wellness checks from the nurse, etc.), you do need to continue those services in a virtual way. Parenting skills classes or resources need to be continued virtually, too. TEA is not requiring contact logs per se, but LEAs should maintain documentation, and contact logs may be the easiest way to do that.

In terms of compensatory education home instruction (CEHI), continue to document what services you are/aren't providing (and if you can't provide certain services, document why).

If a pregnant student gives birth during the time we are out, schools should not withdraw them until they are 6-weeks postpartum. As nurses/counselors do wellness checks, they should check on delivery dates and document it. The guidance linked above provides many links for online services and social services for pregnant students.

### [Gifted & Talented \(G/T\) Students](#)

Schools need to continue these services and document what services are being provided. The requirement to administer new assessments for G/T identification is waived for the Spring of 2020. To minimize disrupted access to G/T services for those students who have not completed the identification process, they recommend LEAs complete the following steps:

- a. Document where you were in the identification process upon the closure of your LEA.
- b. Identify which assessments have been administered to students and maintain the results to facilitate future identification.
- c. Determine which students can move to the selection process and which need further assessments.
- d. Develop a plan for students that will need further assessment for the late Summer or Fall of 2020.

Communicate well with parents.

Furthermore, teachers who are G/T certified need to continue with their professional development hours. All are provided online and are not waived.

### [Assessment](#)

See the [Accountability FAQ](#) provided by TEA for a full run-down of these topics.

Students enrolled in HB 5 college prep courses can get a college readiness test waiver IF the college is able to provide the instruction and assessment. If the student can continue with this process, they can get their college readiness test waived.

### [Waivers/Funding](#)

TEA has created a handout for [virtual enrollment guidance and best practices](#). Texas Education Code 25.001 says all schools be required to fulfill their statutory responsibilities and must continue enrolling and withdrawing students. Review your school board policies and make sure they are adjusted for this time period.

\*\*\*Very important to note: every district website home page must prominently display the process for enrollment and withdrawal during the school closure. Work with your technology team on finding a secure way to receive sensitive documents like birth certificates and immunizations from enrollees. For students coming from a homeless or foster care situation, schools have to enroll them even if they don't have the proper documents.\*\*\*

Schools can start registration for next year, but virtually.

Make sure if you get a new student that you notify staff who may work with the new student - teachers, cafeteria, school nurse, counselors, etc. TEA recommends holding a virtual orientation and mentorship as a best practice for new students so they can "meet" other students prior to starting school in person.

### [Attendance/Enrollment FAQ](#)

Attendance reporting has always been on a 6-week schedule even if your grading is on 9-week schedule. Days during the 5th six-week reporting period should be reported as instructional days with daily operational minutes matching what your LEA would have reported had your school been open. The LEA must complete the missed school day waiver attestation and submit a missed school waiver application in TEAL for all COVID-19 closure days.

Question #10 on the FAQ asks how to properly code days like holidays or staff development days that were originally scheduled to occur as part of the LEA's board-approved calendar. If you were out for spring break, then those are considered non-instructional days. If you should have taken a bad weather makeup day, you should code it as an instructional day and then you need to virtually instruct that day. If you have staff development days planned, you code it as non-instructional and could, with an approved staff development waiver, claim staff development waiver minutes equal to the amount of professional development time that was provided to staff.

You may request a waiver for days where you experienced low attendance prior to your LEA providing home instruction through your instructional continuity plan.

If we return to school but many students stay at home, with the submission of the "Instructional Continuity Attestation While Open" document located on TEA's COVID-19 Support and Guidance web page, a district can count students present for ADA purposes so long as they provide educational resources through the LEAs instructional continuity plan when the students are absent, whether due to concerns about the potential of illness or actual illness associated with COVID-19. Schools should attempt to retain some documentation that instruction is happening for these students who remain home.

If parents want to withdraw and homeschool, get this in writing from the parents so you can track it for your Leaver Reason Code 60.

If any foreign exchange students ended up going home and ended their program, then you withdraw them. If they went home just during this period but plan to return, you have to continue to serve them no matter where they are.

There are no exceptions for immunizations for new students.

### [Federal Funding/Grants FAQ](#)

Not a lot is different in this area.

As we've stated before, if you spend grant money on non-refundable essential travel that was tied to the grant, you can continue to pay out of federal funding.

Keep in mind that for all federal programs, you can amend your applications. If there are programs you can't provide anymore, schools can go back and amend the application to reflect these new needs. If you set goals based around the

STAAR test, don't worry. Reporting on PR3001 will be suspended for SY 2020-2021. LEAs should focus on meeting the needs of students at this time, and not be concerned about goals set in SC3001 and data collection in PR3001.

Districts can continue to charge salaries, including wages and benefits for all employees paid with Special Ed, Title I, and/or other federal funds. Pay should be consistent with how other employees are being paid and consistent with your district's policies and procedures. Document how you are handling this and consult with your attorneys or TASB if you have questions.

The 2020-21 federal applications will come out in June. Prior to filling them out, you need to meet with your private non-profit schools and find out if they plan to participate in federal programs with you for the upcoming year.

In looking at allowable expenses, you can use Title 1 funds for hotspots ONLY if it was included in your comprehensive needs assessment.

Migrant funds are estimated to be cut about 34% this next year. For the current time, your MEP staff should still be connecting with students and filling out certificates of eligibility.

Construction is NOT an allowable expenditure for CARES funding.

### **Staff/Educator Issues**

Teachers can continue to get their CPE hours online to renew their certificates.

TEA is not extending deadlines unless a teacher has a 1-year certificate or is an out of state certified teacher. TEA will automatically extend the validity period one additional year for all current Texas one-year certificate holders whose one-year certificates expire between 3/1/2020 and 8/31/2020.

There are zero exemptions for fingerprinting for new teachers - safety concerns keep them from waiving these.

They provide some guidance on gaining employment verification for new hires (and consult with legal counsel as they consider these options):

1. Utilize an unsigned digital service record and request a signed service record once districts reopen.
2. Conduct a PEIMS search if the educator was employed after 1994.
3. Request a copy of the educator's TRS statement regarding his or her retirement status.
4. Accept scanned service record
5. Ask for email confirmation from the previous employing district that confirms information provided by the educator.
6. Request a copy of the educator's W2 or tax record.

TEA has also verified in writing that yes, educator appraisal waivers DO have to go to the district SBDM team. LEA should document and maintain the comments about waiving appraisals at the LEA.

### **Information Technology**

TEA has added a [PEIMS FAQ](#) you can refer back to.

There is now a COVID 19 drop down. If yours is not showing up yet, contact your SIS vendor.

The extended class roster winter submission due date is now April 23.

### **USDE**

USDE announced an emergency education relief fund for governors. GEERF - Governor's Emergency Education Relief Fund. Sixty percent of funds are tied to the state's relative population for ages 5-24 and the remaining 40% is based on kids counted under ESSA.

Many colleges are dropping the SAT/ACT requirements for this year, or at least making it optional.

### **Other**

You may have also seen the notice from Associate Commissioner Cory Green on [waivers/federal grant flexibility](#) Public comments will be accepted until April 24.

UIL will likely be joining our meeting on Friday for an update, if the governor has made a statement on schools re-opening by then. If the governor doesn't speak until Friday at noon, we will have them join us on Monday.

TEA has delayed the beginning of reading academies. Several ESC's have said the blended model is starting the second week of July and the comprehensive model will start the second Monday in August.

Also, TACS President Jason Marshall sent a 10-question survey to over 2,000 parents seeking input concerning the preferences for the remainder of the year. Response has been heavily toward not returning this year. He will share it with any district that might want it.

### **Outstanding Questions to TEA**

The following are the questions we have asked TEA on behalf of our members, to which we haven't received a response yet:

- Since certification tests are not happening right now, some districts are concerned that teachers who are currently employed will be unable to complete requirements for them to continue employment. With the 10 days before the end of instruction rules, will any of the certification requirements be waived - for example, will TEA give teachers another year to complete certification requirements?
- Is TEA working on any type of checklist for re-entry for students and/or teachers?
- For the PEIMS information addressed in question 1 of the FAQ for Finance, could you give some examples for the following scenarios: 9-week reporting, and situations where the 5th six weeks started prior to spring break.
- ~~Will the waiver for CPR for seniors be placed on the waiver page?~~ **Waivers will be up soon!**
- In looking at vetting the instructional resources (as addressed in the latest information on Information Technology as of 4/9/2020), we wondered if the resources on TEA's pages have been vetted?

If you have heard from TEA on any of these issues and have a response in writing, please forward it to Barry or Crystal so we may share the resource with our other members.

We invite you to continue to visit [our website for updates and information](#),

Barry Haenisch, Executive Director

806-570-7876

Dr. Crystal Dockery, Deputy Executive Director

806.679.9690

Melanie Zumm, External Affairs Coordinator

mzumm@tacsnet.org

*Disclaimer: This information is accurate as of April 15, 2020. It is intended for informational and educational purposes only, and is not a substitute for legal advice.*