

- TEC Section 25.081, specifies that a school district **may not provide student instruction on Memorial Day.**
- The first school day must be scheduled no earlier than the fourth Monday in August. The final school day must not be scheduled earlier than May 15. (Unless an approved DOI.)
- Charter schools are not subject to the fourth-Monday-in-August or May 15 requirement and may schedule an earlier first or final school day.
- **Students must be scheduled for and provided instruction for at least 4 hours each school day to be eligible for full-day attendance.**
- **EXAMPLES MAY NOT BE INCLUSIVE OF ALL SCENARIOS, CONTACT ESC REGION 11 FOR MORE INFORMATION.**

2-through-4 hour Rule Eligibility Chart	
Included: instruction, in-class breakfast, recess, work-based learner, study program for state assessments (if student met graduation requirements)	Not Included: lunch (in & out of class), study hall, sign ins, repeated courses (student previously received credit)

Instructional Program <i>See TEDS Section 2.1/8.2.1 Reporting Requirements: Education Organization</i>	Operational Minutes <i>instructional bell to instructional bell</i>	Instructional Minutes/Days <i>portion of school day in which instruction takes place along with included exceptions (see 2-through-4 hour rule)</i>	Days of Operation <i>reported with instructional minutes</i>	Full Funding Eligibility <i>See Student Attendance Accounting Handbook (SAAH) 3.8</i>	Notes:	REPORTING CALENDAR WAIVERS MUST HAVE WAIVER: Combined waiver minutes must not exceed 4200 minutes. https://tealprod.tea.state.tx.us/WaiversReports/Tea.WaiversReports.Web/			
						(01) Full-Day Staff Development:	(01) Partial Day Staff Development:	(02) Missed School Day:	(04) Low Attendance Day:
School District (Standard Program) <i>Does not include Pre- Kindergarten</i>	75,600 Minimum	Not reported		minutes of operation + waivers = 75,600		Teachers in training for a full day. Must demonstrate providing high quality Staff Development that will impact student outcomes. Audit Documentation: Agenda	Teachers in training for a partial day. Must demonstrate providing high quality Staff Development that will impact student outcomes. Audit Documentation: Agenda	If because of weather, safety, or health issues, your district misses additional instructional days beyond the two designated makeup days scheduled. (Single campus, no makeup necessary.) The first two days missed (district wide) for any reason must be made up, using either designated makeup days or additional minutes.	School was held but attendance rate (district or campus) was at least 10 percentage points lower than prior year overall average attendance rate (district or campus). e.g. If applying for a waiver for a specific campus, include campus prior year overall average attendance rate.
Charter School operating AFTER 1/1/2015 <i>Does not include Pre-Kindergarten</i>	75,600 Minimum	Not reported		minutes of operation + waivers = 75,600	Charters operating BEFORE 1/1/2015 may elect to follow 75,600 Operational Minutes	Instructional Day? No	Instructional Day? Yes	Instructional Day? No	Instructional Day? No
Charter School operating BEFORE 1/1/2015 and electing to follow a 180 day school year calendar <i>Includes Pre-Kindergarten</i>	Not reported.	Not reported	180 days @ minimum of 240 minutes of instruction	• 180 days of attendance (days of instruction + waivers = 180) • minimum of 4 hours of daily instruction • comply with charter contract terms regarding student instruction time	Not available for school districts. Available to select charter schools only.	SCHOOL-DAY- OPERATIONAL- MINUTES or SCHOOL-DAY- INSTRUCTIONAL- MINUTES 0 (Both must be 0)	SCHOOL-DAY- OPERATIONAL- MINUTES or SCHOOL-DAY- INSTRUCTIONAL- MINUTES Actual minutes (operational or instructional), 120 minutes of instruction minimum	SCHOOL-DAY- OPERATIONAL- MINUTES or SCHOOL-DAY- INSTRUCTIONAL- MINUTES 0 (Both must be 0)	SCHOOL-DAY- OPERATIONAL- MINUTES or SCHOOL-DAY- INSTRUCTIONAL- MINUTES 0 (Both must be 0)
Pre-Kindergarten Program	Not reported.	32,400 Minimum		minutes of instruction + waivers = 32,400	PK must be on separate track, even if attending full-day. AM and PM PK students must be placed on separate tracks if either group will not be attending the same days. (e.g. PM class does not attend due to scheduled staff development.)	SCHOOL-DAY- WAIVER- MINUTES >0 (actual staff development minutes provided)	SCHOOL-DAY- WAIVER- MINUTES >0 (actual staff development minutes provided)	SCHOOL-DAY- WAIVER- MINUTES 1-600 minutes (Value reported must represent the minutes students were scheduled to attend that day.)	SCHOOL-DAY- WAIVER- MINUTES 1-600 minutes (Value reported must represent the minutes students were scheduled to attend that day.)
Dropout Recovery Program/Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200		<ul style="list-style-type: none"> • Staff Development Waivers may not exceed 2100 minutes. • May not be used before the first day of instruction or after last day of instruction. • Charters before 01/01/2015 may not exceed 5 days. 	<ul style="list-style-type: none"> • Staff Development Waivers may not exceed 2100 minutes. • May not be used before the first day of instruction or after last day of instruction. • Charters before 01/01/2015 may not exceed 5 days. 	<ul style="list-style-type: none"> • Staff Development Waivers may not exceed 2100 minutes. • May not be used before the first day of instruction or after last day of instruction. • Charters before 01/01/2015 may not exceed 5 days. 	<ul style="list-style-type: none"> • Staff Development Waivers may not exceed 2100 minutes. • May not be used before the first day of instruction or after last day of instruction. • Charters before 01/01/2015 may not exceed 5 days.
Disciplinary Alternative Education Program /Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Correctional Facility Program/Campus (Adult or Juvenile)	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Residential Treatment Facility Program/Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Day Treatment Facility Program/Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Psychiatric Hospital Program/Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Medical Hospital Program/Campus	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Excel Academy 227-827 Only	Not reported.	43,200 Minimum		minutes of instruction + waivers = 43,200					
Juvenile Justice Alternative Education Program (JJAEP)	Not reported.	Not reported	180 days @ minimum of 7 hours of operation	• 180 days of operation • must meet 2-through-4 hour rule	Waivers for operating less than 180 days are issued by the Texas Juvenile Justice Department (TJJD), not TEA.	Students taking Dual Credit Courses through an Institution of Higher Learning (IHL) – if calendar minutes are less than 75,600, the waiver must be applied for first, and the student must be on a separate track. <i>Applicable only for students not on campus, attending full day at IHL.</i>			

*Note: If your district has been approved to provide fewer school minutes to certain students through a program such as the Optional Flexible Year Program, under no circumstances may it offer fewer than 71,400 school minutes.