



Potential Waiver Would Allow Districts to Support Students During a Crisis

TLEEC Testimony for House Bill 2802, Submitted to House Public Education Committee, April 6, 2021

Dear Chairman Dutton, Vice Chair Lozano, and Honorable Members of the House Public Education Committee:

The Texas Legislative Education Equity Coalition (TLEEC) is a collaborative of over 20 organizations and individuals with the mission to improve the quality of public education for all children, with a focus on racial equity. We advocate at the local, state, and national levels for high-quality teaching, curriculum and instructional practices, and bilingual education for English learners, as well as fair funding and enhanced college access and success.

TLEEC supports HB 2802 because it will support students and districts during a major disruption within the school year.

HB 2802 would require the TEA commissioner to apply to the U.S. Department of Education for an assessment waiver under the Every Student Succeeds Act if a statewide disaster is declared within the school year. This would provide reprieve for students and districts experiencing extenuating circumstances beyond their control.

Meaningful assessments and accountability matter, but collecting diagnostic and formative assessments of student performance during a disaster presents incredible challenges and concerns for accuracy and equity. During the COVID-19 pandemic, Texas saw the necessary closure of traditional brick and mortar establishments and an abrupt transition to online distance learning paired with at-home stressors. Since then, schools have had to navigate the identification and engagement of students across online and in-person instructional environments. A TEA report found that 11% of the state student population (more than 600,000 public school students) were disengaged from their classwork or unresponsive to teacher and school outreach in the spring of 2020.¹ This opportunity for a waiver would offer an appropriate opportunity to a district to focus on supporting students and their families during a crisis.

HB 2802 enables the commissioner of education to advocate for Texas students by requesting a waiver. It also permits the commissioner to withhold the evaluation of school districts during turbulent times while school leadership struggles to ensure all of their students are served. This bill will provide the commissioner with the legislative power to advocate for what is best for Texas students.

¹ Swaby, A. (June 30, 2020). Warning of “COVID slide,” Texas Education Agency reports 1 in 10 students have disengaged during the pandemic. Texas Tribune.

For questions, please contact TLEEC either through Ana Ramón (ana.ramon@idra.org) or Dr. Chloe Latham Sikes (chloe.sikes@idra.org) at IDRA, or Fátima Menéndez, J.D., at MALDEF (fmenendez@maldef.org).

The Texas Legislative Education Equity Coalition (TLEEC) is a collaborative of organizations and individuals with the mission to improve the quality of public education for all children, with a focus on racial equity. The coalition convenes organizations and individuals who advocate in the interest of public school students at the local, state and national levels.

TLEEC Member Organizations

ARISE Adelante	Texas American Federation of Teachers
Breakthrough Central Texas	Texas Association for Bilingual Education (TABE)
Coalition of Texans with Disabilities (CTD)	Texas Association for Chicanos in Higher Education (TACHE)
Dr. Hector P. García G.I. Forum	Texas Association of Mexican American Chambers of Commerce (TAMACC)
Easterseals Central Texas	Texas Center for Education Policy, University of Texas – Austin
Every Texan	Texas Hispanics Organized for Political Education (HOPE)
Houston Community Voices for Public Education	Texas League of United Latin American Citizens (LULAC)
Intercultural Development Research Association (IDRA)	Texas NAACP
McNeil Educational Foundation for Ecumenical Leadership	Texas State Teachers Association (TSTA)
Mexican American Legal Defense and Educational Fund (MALDEF)	
Mexican American School Board Members Association (MASBA)	
National Association for Chicana and Chicano Studies (NACCS) – Tejas Foco	
San Antonio Hispanic Chamber of Commerce	