Suspension of Board Training Requirements During COVID-19

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On March 30, 2020, Commissioner Mike Morath waived board training requirements in Texas Education Code section 11.159 and 19 Texas Administrative Code section 61.1 until September 1, 2020. This suspension period provides school board trustees additional time to complete their continuing education requirements if needed due to impacts from the COVID-19 pandemic.

The Commissioner has also waived the requirement to make a board training announcement at the last regular meeting before a trustee election on May 2, 2020. In addition, Governor Abbott has authorized school districts to take board action to postpone their May 2, 2020 elections.

Suspension Period for Board Training Due from March 2020 – August 2020

For trustees who are not able to complete the Education Code training requirements that are due from March 2020 – August 2020, they will have until September 1, 2020 to complete their training without being delinquent. Trustees who have already completed training that is due during the suspension period are not affected since they do not have to use the waiver.

During this period of social distancing and restrictions on public gatherings, board members may seek continuing education online. Live training may be offered via webinars. Boards may do teambuilding during meetings by videoconference.

Impacts on Board Training Announcement Prior to May 2, 2020 Trustee Election

Board training announcements are required at the last regular meeting before a trustee election.

Districts that Postpone Election: A school district that postpones its May 2, 2020 election until the November 3, 2020 election will now have its board training announcement before that election in November.

Districts that Cancel Election: A school district that cancels its May 2, 2020 election due to having no opposed candidates on the ballot is not required to report training until prior to the next trustee election in May 2021. However, if every member of the school board has already completed training for the year, the board may opt to go ahead and make the training announcement before the May 2, 2020 election.
Districts that Proceed with Election: Due to the commissioner’s waiver, a school district that proceeds with a trustee election on May 2, 2020, is not required to report on board member training prior to that election. If every member of the school board has already completed training for the year, the board may opt to go ahead and make the training announcement before the May 2, 2020 election.

Open Government Training and Cybersecurity Training Not Covered by the Waiver

The commissioner has waiver authority for board trustee training required by the Texas Education Code but not training required by other laws. Therefore, training deadlines under other laws remain in place unless suspended by another authorized governmental authority. Both open government and cybersecurity training are available online.

- **Open Government**: Any new board members must complete Open Meetings Act training within the first 90 days of taking the oath of office. Tex. Gov’t Code §551.005.

- **Cybersecurity**: Elected board members are required to complete the new cybersecurity training by June 14, 2020. Tex. Gov’t Code §2054.5191. Additional information about this training that was added during the 2019 Texas Legislative Session may be found at the Texas Department of Information Resources (DIR).

Additional questions about the Commissioner’s temporary suspension of board training requirements should be directed to the Texas Education Agency or TASB Legal Services.

If you email a question, please include a current phone number at which you can be reached.

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/suspension-of-board-training-requirements-during-covid.pdf. For more information on this and other school law topics, visit TASB School Law eSource at schoollawesource.tasb.org.

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