

Texas Education Agency

**2013–2014**

**Student Attendance Accounting Handbook**



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## Foreword

All public school districts and open enrollment charter schools in Texas are required to submit student attendance data through the Public Education Information Management System (PEIMS). The **Student Attendance Accounting Handbook** (handbook) supports that requirement and establishes related student attendance accounting requirements.

The handbook:

- describes the FSP eligibility requirements of all students,
- prescribes the minimum standards for all attendance accounting systems,
- lists the documentation requirements for attendance audit purposes, and
- details the responsibilities of all district and charter school personnel involved in student attendance accounting.

The handbook is for all Texas school district and charter school personnel involved in the student attendance accounting process. No school district or charter school official (or any other person in your district or charter school) has the authority, either implied or actual, to change or alter any rules, regulations, or reporting requirements specified in this handbook.

Michael L. Williams  
Commissioner of Education



## Acknowledgements

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**2013–2014**  
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**Contents**

<b>SECTION 1 OVERVIEW</b> .....	<b>19</b>
1.1 Student Attendance and FSP Funding .....	19
1.2 Taking and Recording Student Attendance.....	20
1.3 Reporting of Attendance Information to the TEA .....	21
1.4 Storage of Attendance Information .....	21
1.5 Auditing of Attendance Information .....	21
1.6 How to Use This Handbook.....	21
1.7 Significant Changes.....	23
<b>SECTION 2 AUDIT REQUIREMENTS</b> .....	<b>27</b>
2.1 General Audit Requirements .....	27
2.2 Accounting System Requirements.....	28
2.2.1 Paper Based Attendance Accounting Systems vs. Automated Attendance Accounting Systems .....	28
2.2.2 Automated Attendance Accounting Systems .....	29
2.2.3 "Paperless" Attendance Accounting Systems .....	29
2.2.4 Disaster Recovery .....	30
2.2.5 Attendance System Procedures Manual.....	30
2.3 Required Documentation .....	31
2.3.1 Student Detail Reports.....	31
2.3.2 Campus Summary Reports.....	

3.2.1 Average Daily Attendance (ADA) Eligibility Coding.....	38
3.2.2 Funding Eligibility.....	41
3.2.3 Age Eligibility.....	43
3.2.4 Dual Credit (High School and College/University) .....	46

### 3.3 Enrollment Procedures and Requirements

3.11 Examples.....	79
<b>SECTION 4 SPECIAL EDUCATION .....</b>	<b>89</b>
4.1 Responsibility.....	89
4.2 Special Education and Eligibility.....	89
4.3 Enrollment	



4.18.10	SpeechTherapyIndicatorCode1 Examples.....	151...
4.18.11	SpeechTherapyIndicatorCode2 Examples.....	153...
4.18.12	Calculationof ExcessContactHoursExamples.....	154...
<b>SECTION 5 CAREER AND TECHNICAL EDUCATION (CTE)</b> .....		<b>159</b>
5.1	Responsibility.....	159
5.2	Eligibility and EligibleDaysPresent.....	159
5.2.1	Eligibilityof Studentsfor Funding.....	160....
5.2.2	Eligibilityof Coursesfor Funding.....	160....
5.2.3	EarningContactHours.....	161....
5.3	EnrollmentProcedures.....	161
5.3.1	Determiningthe Numberof Studentsto Enrollin a Course.....	162
5.4	Withdrawal Procedures.....	162
5.5	Codingto BeUsedon the PEIMS101 and 410Records.....	163
5.5.1	PEIMS101 Record.....	163
5.5.2	PEIMS410Record.....	163
5.6	ComputingContactHours.....	165
5.7	CareerPreparationand PracticumLearningExperiences.....	165
5.7.1	CareerPreparationEligibilityRequirements.....	166...
5.7.2	PracticumCourseEligibilityRequirements.....	166...
5.7.3	TrainingPlanRequirementsand Dateon WhichStudentsMay EarnContactHours.....	167
5.7.4	AdditionalRequirementsfor StudentsParticipatingin PaidLearningExperiences.....	168
5.7.5	RequiredSiteVisitsby Teachers.....	168....
5.8	CTEProblemsand Solutions(FormerlyCTEIndependentStudy).....	168
5.9	Careerand TechnicalEducationfor the Disabled(CTEDC)Courses.....	169
5.10	ContractingWith OtherEntitiesto ProvideCTEInstruction.....	169
5.10.1	AttendanceReportingRequirements.....	169....
5.10.2	StudentAbsencesand ContractedCTECourses.....	169..
5.10.3	DualCreditCTECourses.....	170....
5.11	Documentation.....	170
5.12	Quality Control.....	170
5.13	Examples.....	171
<b>SECTION 6 BILINGUAL/ENGLISH AS A SECOND LANGUAGE (ESL)</b> .....		<b>175</b>
6.1	Responsibility.....	175
6.2	Eligibility.....	175

6.2.1 Students Who Are Eligible to Be Served in the Bilingual or ESL Education Program but Are Not Eligible for Funding .....	176
6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services ....	177
<b>6.3 Enrollment Procedures .....</b>	<b>177</b>
6.3.1 Students Who Move to Your District .....	178
<b>6.4 Eligibility of Your District's Bilingual or ESL Education Program for State Funding .....</b>	<b>179</b>
<b>6.5 Eligible Days Present .....</b>	<b>180</b>
6.5.1 Eligible Days Present and Students Placed in a Disciplinary Setting .....	180
<b>6.6 Requirement to Serve Eligible Students .....</b>	<b>181</b>
<b>6.7 Bilingual and ESL Education Services Your District Is Required to Provide .....</b>	<b>181</b>
<b>6.8 Withdrawal/Reclassification/Exit Procedures .....</b>	<b>182</b>
6.8.1 Effective Date of Withdrawal.....	182
6.8.2 Exit Criteria.....	183
6.8.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services.....	184
6.8.4 Continuation of Bilingual or ESL Education Program Services After a Student Has Met Exit Criteria .....	184
<b>6.9 Evaluation of a Student Who Has Been Transferred (Transitioned/Exited/Reclassified) Out of the Bilingual or ESL Education Program.....</b>	<b>184</b>
<b>6.10 Teacher Certification Requirements.....</b>	<b>185</b>
6.10.1 Students in Grades PK Through 5 .....	185
6.10.2 Students in Grades 6 Through 8.....	185
6.10.3 Students in Grades 9 Through 12.....	185
<b>6.11 Documentation .....</b>	<b>185</b>
6.11.1 Home Language Survey Requirements.....	186
6.11.2 Test Result Documentation Requirement .....	186
6.11.3 LPAC Recommendation and Parental Approval Requirements .....	186
6.11.4 Proof of a Student's Being Served in an Eligible Bilingual or ESL Education Program .....	187
6.11.5 Other Required Documentation .....	188
<b>6.12 Quality Control.....</b>	<b>189</b>
<b>6.13 Examples.....</b>	<b>189</b>

**SECTION 7 7      B**

7.3 Enrollment Procedures .....	197
7.4 Withdrawal Procedures .....	198
7.5 Eligible Days Present and ADA Eligibility .....	198
7.5.1 PK Early Start Grant Program .....	200
7.5.2 Students Who Are Eligible for Special Education (PPCD) and Are Served in a PK Classroom .....	200
7.6 Examples .....	201
<b>SECTION 8 GIFTED/TALENTED .....</b>	<b>205</b>
8.1 Responsibility .....	205
8.2 Eligibility .....	205
8.3 Enrollment Procedures .....	206
8.4 Withdrawal Procedures .....	206
8.5 Policies for Selection of Students to Participate in the Gifted/Talented Program .....	206
8.6 Coding of Gifted/Talented Students .....	207
8.7 Documentation .....	207
8.8 Quality Control .....	208
8.9 Examples .....	208
<b>SECTION 9 PREGNANCY RELATED SERVICES (PRS) .....</b>	<b>211</b>
9.1 Responsibility .....	213
9.2 Eligibility/Eligible Days Present .....	213
9.2.1 Absences .....	213
9.2.2 PRS Eligibility and Participation in Other State Funded Programs .....	213
9.2.3 PRS and the Life Skills Program for Student Parents .....	214
9.2.4 Eligibility Timeline .....	214
9.2.5 Eligible Days Present .....	215
9.3 Enrollment Procedures .....	216
9.4 Withdrawal Procedures .....	216
9.5 PRS and District and Campus Improvement Plans .....	216
9.6 Student Detail Reports .....	217
9.7 On Campus PRS Support Services .....	217
9.8 CEHI During Prenatal Confinement .....	217

<b>9.9 CEHI During Postpartum Confinement</b> .....	<b>217</b>
9.9.1 Beginning and Ending of CEHI During Postpartum Confinement .....	218
9.9.2 CEHI During Extended Confinement .....	218
9.9.3 CEHI During Break in Service Confinement .....	218
9.9.4 Additional Information on CEHI and Confinement .....	219
<b>9.10 Confinement and Earning Eligible Days Present</b> .....	<b>220</b>
<b>9.11 Returning to Campus for Support Services or Testing</b> .....	<b>220</b>
<b>9.12 PRS and Special Education Services (SPED)</b> .....	<b>221</b>
9.12.1 ARD Committee Meetings .....	221
9.12.2 SPED, PRS, and Earning Eligible Days Present .....	222
<b>9.13 PRS and Career and Technical Education (CTE)</b> .....	<b>224</b>
<b>9.14 Test Administration During CEHI</b> .....	<b>224</b>
<b>9.15 Documentation</b> .....	<b>224</b>
<b>9.16 Quality Control</b> .....	<b>225</b>
<b>9.17 Examples</b> .....	<b>226</b>
<b>SECTION 10 NONTRADITIONAL SCHOOLS</b> .....	<b>231</b>
<b>10.1 Responsibility</b> .....	<b>232</b>
<b>10.2 General Eligibility Requirements</b> .....	<b>232</b>
10.2.1 "D...Inc.<281ion.....9160m...TT61Tf.1Count22758(g):-0022Tc(and)Tj7.3(g)2.9(ible)]TJ/TT11Tf2.89220TD0T	



10.9.2 Establishment of a Separate JJAEP Campus.....	238
10.9.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students .....	238
10.9.4 Required Hours and Days of Operation for JJAEPs .....	239
10.9.5 Campus of	

11.9.1 Some Important Compact Definitions .....	258
11.9.2 Notable Compact Provisions and Requirements .....	259
<b>SECTION 12 VIRTUAL, REMOTE, AND ELECTRONIC INSTRUCTION .....</b>	<b>261</b>
12.1 Responsibility .....	261
12.2 Texas Virtual School Network (TxVSN) .....	261
12.2.1 Student Eligibility for the TxVSN .....	262
12.2.2 TxVSN FSP Funding and Attendance Accounting .....	263
12.2.3 Additional TxVSN Requirements and Information .....	265
12.2.4 Examples .....	266
12.3 Remote Instruction That Is Not Delivered Through the TxVSN .....	268
12.3.1 Remote Conferencing—Regular Education Students .....	268
12.3.2 Remote Conferencing—Special Education Students .....	269
12.3.3 Remote Homebound Instruction—Regular Education Students .....	271
12.3.4 Remote Homebound Instruction—Special Education Students .....	271
12.3.5 Distance Learning .....	272
12.4 On Campus Online Courses Not Provided Through the TxVSN .....	273
12.5 Self Paced Computer Courses .....	273
<b>SECTION 13 APPENDIX: AVERAGE DAILY ATTENDANCE (ADA) AND FUNDING .....</b>	<b>275</b>
Definitions .....	275
Information on Weights .....	276
<b>SECTION 14 GLOSSARY .....</b>	<b>281</b>
<b>INDEX .....</b>	<b>293</b>
<b>RESOURCES .....</b>	<b>297</b>

## Section 1 Overview

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Per state law<sup>1</sup>, every



Regardless of the particular accounting system your school district selects or uses, the minimum requirements established in this handbook must be incorporated. It is important to recognize that although these standards are the **minimum** requirements of all attendance accounting systems, your district may desire to

Each section specifies the coding structure and lists all the documentation required to verify student eligibility in the subject area defined by the section title.

Although limited by the complicated nature of attendance accounting, each section is designed to present all essential information about the subject area defined by the section title. The essential information provided includes student eligibility, mandated coding structure, and documentation required for audit purposes. In addition, each section contains the responsibilities of district personnel and examples of how to code students in the accounting system.

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Change	Section(s) Affected
<p><b>Required Bilingual/English as a Second Language (ESL) Curriculum:</b>  The subsection on this topic (former Subsection 6.5) has been deleted, as it was unrelated to student attendance accounting or program requirements for funding</p>	

Change	Section(s) Affected
<p><b>Self Paced Computer Courses, Online Courses, the Texas Virtual School Network (TxVSN), and Remote Instruction:</b> All information on these topics has been moved to new Section 12.</p>	<p><a href="#"><u>Section 12 Virtual, Remote, and Electronic Instruction</u></a></p>
<p><b>TxVSN:</b> The definition of "provider" has been revised to reflect a recent statutory change. Information on reporting of TxVSN attendance has been updated to reflect that the TEA (rather than districts) is responsible for adjusting the ADA eligibility of a student who does not successfully complete a TxVSN course. A statement that no more than three yearlong TxVSN course catalog courses may be counted in determining a student's ADA eligibility has been added to reflect a recent statutory change.</p>	<p><a href="#"><u>12.2 Texas Virtual School Network (TxVSN)</u></a>, <a href="#"><u>12.2.2 TxVSN FSP Funding and Attendance Accounting</u></a>, <a href="#"><u>12.2.4 Examples</u></a></p>
<p><b>Appendix Information on Calculation of ADA and Weighted Funding:</b> Information related to the calculation of flexible attendance and the calculation of weighted special education and CTE funding has been added.</p>	<p><a href="#"><u>Section 13 Appendix: Average Daily Attendance (ADA) and Funding</u></a></p>

## Section 2 Audit Requirements

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As stated in the overview section, the superintendent of schools is responsible for the safekeeping of all attendance records and reports. Your district may store these records or reports in a central office or on the respective school campuses. However, regardless of where they are stored, the records must be readily available for audit<sup>9</sup> by the Texas Education Agency (TEA).<sup>10</sup> Incomplete or inaccurate data will result in attendance not being allowed.

### 2.1 General Audit Requirements

Your district must make available and provide to the Financial Compliance Division of the TEA copies of all required attendance records within 20 working days of written request by the agency. Failure to provide all required attendance records (specific program[s]) is a violation of the TEA's policies.<sup>11</sup>

Your district must retain any student attendance documentation that could be required for audit purposes for 5 years from the completion of the school

## 2.2.2 Automated Attendance Accounting Systems

Your district must retain paper copies of all required attendance records for 5 years, **unless** it uses an automated attendance accounting system. If it chooses, a district using an automated attendance accounting system may store any attendance accounting record/report electronically provided the district also retains the hardware and software necessary to access and reproduce the attendance data in an acceptable format (see the last paragraph of this subsection). If compatible hardware and/or backup copies of software cannot be kept, A



- x which position is responsible for the maintenance and security of the attendance accounting records

## 2.3 Required Documentation

The student attendance data asked for in an audit must be organized into three distinct data sets: the Student Detail Report, the Campus Summary Report(s), and the District Summary Report.

Your district must generate Student Detail Reports, Campus Summary Reports, and District Summary Reports each 6 week reporting period.

For a particular campus, data totals for all **Student Detail Reports** must add up to respective totals on the **Campus Summary Report**. Likewise, data totals for all **Campus Summary Reports** must add up to respective totals on the **District Summary Report**. For schools offering multiple tracks, student detail must be summarized by individual tracks.

### 2.3.1 Student Detail Reports

**Student Detail Reports** must contain the following data:

1. Name of the district and the campus
2. County district campus mb40Czed

- x Speech therapy indicator code (Section 4)
  - x Career and technical education code (Section 5)
  - x Bilingual program type code and ESL program type code (Section 6)
  - x Gifted/talented indicator code (Section 8)
  - x Pregnancy Related Services code (Section 9), where applicable
11. Student's absences (from the official attendance snapshot) by date for





### 2.3.3 District Summary Reports

The **District Summary Reports** must include the following data:

1. Name of the district
2. County district number



10. Copies of the student's schedule showing the date of change if the student experienced a program change, including dates of withdrawal (for example, documentation showing a student changed from a 1 hour to a 3 hour career and technical education course or documentation showing a student withdrew from the program)
11. Copies of any approved waivers your district may have received that affect funding
12. A copy of the official school calendar reflecting all days of instruction and holidays (including bad weather days) for each instructional track offered in your district, with each 6 week reporting period clearly identified
13. Special program documentation as described in each special program section in this handbook, including proof of service (see item 1 above)
14. Documentation that indicates the meaning of all locally designed codes in the attendance system
15. A copy of the Community Based Dropout Recovery Education Program<sup>15</sup> contract, if applicable

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<sup>15</sup> See the definition provided in the glossary.

## Section 3 General Attendance Requirements

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This section provides information on general attendance reporting requirements.

### 3.1 Responsibility

List in the spaces provided below the name and phone number of the district personnel responsible for answering all general attendance questions:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

As stated in previous sections, ultimately, the district **superintendent** is responsible for the accuracy and safekeeping of all attendance records and reports. These records must be available for audit by the Texas Education Agency (TEA) Financial Compliance Division. By signing the District Summary Report—or, in the case of a paperless attendance accounting system, by indicating his or her approval of data electronically—the superintendent affirms that he or she has taken measures to verify the accuracy and authenticity of the attendance data. **Important: If the TEA detects errors during an audit, the agency either will assess an adjustment to subsequent allocations of state funds or will require your district to refund the total amount of the adjustment when the audit is finalized.**<sup>16</sup>

The **principal** of each campus is responsible for reviewing his or her respective Campus Summary Reports for completeness and accuracy. A principal should compare reports from the TEA, which reflect Public Education Information Management System (PEIMS) data, to locally produced reports for reasonableness and accuracy. By signing the Campus Summary Report—or, in the case of a paperless attendance accounting system, by indicating his or her approval of data

The **attendance personnel** generating absence summaries and/or transcribing the absences or coding information into the accounting system are responsible for adhering to all laws and regulations pertaining to student attendance accounting. Each person entering data into the attendance accounting system must sign an affidavit attesting that the data he or she has entered are true and correct to the best of his or her knowledge—or, in the case of a paperless attendance accounting system, indicate electronically that the person attests that the data he or she has entered are true and correct to the best of his or her knowledge.

**Important:** In no case should attendance personnel be assigned the responsibility of determining a student's coding information. Special program staff, directors, and/or teachers should provide attendance personnel with names and coding information of students who are eligible, whose documentation is in order, and who are being served in accordance with an individualized education program (IEP). Special program directors and/or staff are responsible for reviewing special program data and totals for accuracy and completeness. They are also responsible for ensuring that attendance personnel are aware of any changes in a student's services and the effective dates of such changes. The attendance personnel are then responsible for entering the changes in the detailed student attendance accounting system (manual or automated). At the end of each 6 week reporting period, special program staff should verify the Student Detail Report for any coding errors.

## 3.2 General Requirements for Eligibility for Attendance/Foundation School Program (FSP) Funding

This subsection describes student attendance accounting requirements related to funding eligibility and age eligibility.

### 3.2.1 AverageDaily

- x a student who is provided instruction totally in a federal Head Start program
- x a student who has graduated but returned to school (for fewer than 2 hours of instruction per day) to further his or her education
- x a student who receives all his or her special education and related services through an approved nonpublic school
- x a parentally placed private school student with a disability, 5 through 21 years of age, who receives special education and related services through a services plan (see [4.5 Special Education Services for Private or Home School Students Who Are](#)

### 3.2.1.5 Code 4            Ineligible Full Day

Code 4 applies to students who are not eligible for ADA but are provided instruction for at least 4 hours each day. These students include any student who is provided instruction but does not meet the eligibility criteria for the service he or she receives. The types of students who are coded ineligible are listed below.

#### 3.2.1.5.1 Underage:

- x children provided instruction in a preschool program for children with disabilities (PPCD) who are under the age of 3, except for children with serious visual or hearing impairments or both
- x children provided instruction in PK who are under the age of 3 on September 1 of the current school year
- x children provided instruction in any grade (K–12) who are under age 5 on September 1 of the current school year are ineligible for full day funding (see the notes under the table in [3.2.3 Age Eligibility](#) for an exception). However, a 4 year old who is eligible for PK is eligible for half day funding even if the student is provided instruction in a kindergarten classroom. The student must be coded with a grade level of PK.

#### 3.2.1.5.2 Overage:

- x students who are 26 years old on September 1 of the current school year

#### 3.2.1.5.3 Other:

- x nonresident students who have not been transferred into your district
- x students who reside outside the boundaries of the state of Texas
- x students served by a juvenile justice alternative education program (JJAEP) on the basis of an expulsion under the TEC, §37.007(a), (d), or (e), unless specifically authorized in writing by



- x students who are required, as a condition of obtaining or holding the appropriate US student visa, to pay tuition to your district to cover the cost of their education<sup>20</sup>

### 3.2.1.7



Instructional hours may not be averaged to determine attendance eligibility.

### 3.2.2.1 Study Halls Not Eligible as Instructional Hours

To be eligible for attendance for FSP purposes, students must either 1) be provided instruction 2 through 4 hours each day or 2) be eligible for, enrolled in, and provided instruction in an alternative attendance accounting program. **Study halls are not considered instruction** and thus do not count toward the accumulation of attendance hours for FSP funding purposes.

### 3.2.2.2 Time Spent in Course for Which Student Has Already Received Credit Not Eligible as Instructional Hours

If a student repeats a course for which the student has already received credit, the time that the student spends taking the course for a subsequent time does not count toward the accumulation of attendance hours for FSP funding purposes; i.e., this time does not count as instructional time for purposes of the 2 through 4 hour rule.

### 3.2.2.3 Funding Eligibility of Students Who Have Met All Graduation Requirements Except Passing Required State Assessments

Your school district may serve and generate FSP funding for a student who has met all graduation requirements other than passing required state assessments and who continues to attend school to participate in a study program for those assessments, provided all other eligibility requirements are met. Time spent in the study program is considered instructional time for FSP funding purposes; i.e., this time counts as instructional time for purposes of the 2 through 4 hour rule.

**Note:** Students who have met all graduation requirements other than passing required state assessments are the only students for whom time spent in such a study program may be considered instructional time for FSP funding purposes. For any other student, this time is **not** considered instructional time for FSP funding purposes.

## 3.2.3 Age Eligibility

The following table shows the age requirements students must meet to be eligible to attend Texas public schools for FSP benefits. Students who meet the age requirements listed in the "Eligible" column are eligible for free attendance for either full day or half day attendance for the entire school year in the district in which they or their parent(s) reside or are otherwise entitled to attend for FSP benefits. For eligibility based solely on the residence of a parent, please see the TEC, §25.001(b)(2), §25.001, and §42.003.



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Eligible

Ineligible



on the basis of another person's residency, including the residency of the student's parent or grandparent.<sup>36</sup>

On a student's enrollment in your district, your district should make a bona fide effort to secure all records and required documentation pertaining to the student from the previous district and/or the parent or other person with legal control of the student under a court order, if applicable.

Your district must also request the set of required student information listed in [3.4 Withdrawal Procedures](#). Note that student records **must** be requested, sent, and received using the Texas Records Exchange (TREx) system. If your district requests this information from the district where a student was previously enrolled and that district fails to provide the required information within 10 working days, your district should report the noncompliant district to the General Inquiries Division of the TEA at (512) 463 9290.<sup>37</sup>

**Note:** For purposes of transferring records through the TREx, a working day does

proof of the child's identity and age (see list from preceding paragraph) and a signed note explaining why the person was unable to produce a certified copy of the birth certificate.

**Note:** All documentation requirements for audit purposes and the required retention period for such records are outlined in Section 2. The required retention period for all records is outlined in [Local Schedule SD of the Local Records Retention Schedules](#) Texas State Library and Archives Commission (see [Resources](#)).

In establishing whether a student meets residency requirements for enrollment in your district, your district **may not** ask about the citizenship or immigration status of the student or his or her parent or other person with legal control of the student under a court order.<sup>40</sup> To determine whether a student should have an immigrant indicator code of 1 for PEIMS reporting purposes, your district may ask the following questions<sup>41</sup>:

- 1) Is the student 3–21 years of age?
- 2) Was the student born outside of the United States?
- 3) Has the student attended a US school for 3 full academic years?

Note: The 3 years do not need to be consecutive.

If the answer is yes to the first two questions and no to the third question, then the student should have an immigrant indicator code of 1.

Failure to receive the information required for student enrollment must not preclude your district from enrolling and serving a student.<sup>42</sup> However, only students who meet the age and admission requirements may be reported as eligible for FSP purposes (ADA eligibility codes 1, 2, 3, 6, or 7) (see also [3.3.5 Immunization](#)). Your district may report an enrolled student it believes to be eligible for FSP purposes as eligible while awaiting documentation of eligibility from the student's previous school district or parent or other person with legal control of the student under a court order.

A student should be enrolled in only one district at a time, thus eliminating duplicate PEIMS reporting for a student.

### 3.3.1 Discrepancies in Student Name or Person Student Name or Title



### 3.3.2 Entry and Reentry Dates

The student's entry date is the first day the student is physically present during the official attendance accounting period on a particular campus. A student's reentry date is the first day the student is physically present during the official attendance accounting period after having been withdrawn from the same campus. **A student cannot be absent on either the entry or the reentry date. Also, a student cannot be absent on the first day of school.**

The student is in membership on both the entry date and the reentry date. See [3.2 General Requirements for Eligibility for Attendance/Foundation School Program \(FSP\) Funding](#) for minimum time requirements for a student to be in membership.

#### 3.3.2.1 "Auditing" Classes at School District or Charter School at Which the Student Is Not Enrolled

A school district or open enrollment charter school may not permit a student to "audit" classes at the district or school without being enrolled in the district or school.

### 3.3.3 Student Entitlement to Attend School in District of Residence

A student's entitlement to attend a school district is determined under the TEC, §25.001. Your district must serve any students who are entitled to enrollment under the TEC, §25.001, even if they are expected to reside in your district for a short time.

- x is a foreign exchange student placed with a family that resides in your district by a nationally recognized foreign exchange program<sup>44</sup>;
- x resides at a residential facility that is in your district;
- x resides in your district and either is 18 years old or older or has had the disabilities of minority removed; or
- x does not reside in your school district but has a grandparent who does and who provides a substantial amount of after school care for the student<sup>45</sup>.

Also, your school district must admit, tuition free, a student who meets age eligibility requirements if the student has been placed in foster care and the foster parents reside in your district.<sup>46</sup> A student in the conservatorship of the Department of Family and Protective Services who has been placed by the department at a residence outside your district but who was enrolled at a school in your district at the time of placement is entitled to continue to attend that school until he or she successfully completes the highest grade offered by the school without payment of tuition.<sup>47</sup>

A student who meets any of the previous residency criteria is eligible for attendance in your district as a regular student and should not be coded as a transfer student.

### 3.3.3.1 Entitlement of Certain Students to Transfer

of the number

### 3.3.6 Infants and Toddlers With Auditory or Visual Impairments or Both

Infants and toddlers birth through 2 years of age who have auditory or visual impairments or both and an individualized family services plan indicating a need for services by the district must be enrolled in the local district or regional day school program for the deaf (RDSPD). If district services are to be provided through the RDSPD, the RDSPD must involve the home district. Local education agencies should collaborate with the RDSPD to ensure that appropriate services are provided. (See [4.10 Special Education Services for Infants and Toddlers](#).)

### 3.3.7 Students Who Have Received a GED Certificate or Have Been Court Ordered to Obtain a GED Certificate

A student who has received a GED certificate or who has been court ordered to obtain a GED certificate is still eligible to enroll in your district to complete the requirements for a high school diploma if the student chooses, provided all other eligibility requirements are met. If the student meets all other eligibility requirements, your district may not deny enrollment to the student. As with any other student, the ADA eligibility code assigned to the student depends on the number of hours the student is scheduled for and provided instruction, or on whether the student is eligible for and taking part in an alternative attendance

This authority to revoke enrollment does not override your district's responsibility to provide a free appropriate public education to a student who is eligible for special education services.

### 3.4.2 Temporary Absence and Withdrawal

Your district may **not** withdraw a student who is temporarily absent (e.g., as a result of illness or suspension) but still a member of your district.

### 3.4.3 Students Whose Whereabouts Are Unknown

Your district should decide the withdrawal date for a student who never officially withdrew from school, but whose whereabouts can no longer be determined, according to applicable local policies. For example, local policy may state that a student is withdrawn 10 days after he or she last attended if his or her whereabouts are unknown. Once withdrawn, a student in grades 7 through 12 must be reported as a school leaver on a 203 Record and will possibly be considered a dropout according to Section 2 of the PEIMS Data Standards.

### 3.4.4 Information and Record Transfer

When a student moves from one Texas public school district or charter school to another, the student record must be transferred via the TReX within 10 working days of receiving a request. The student record must include the following information at a minimum<sup>59</sup>:

- x Texas Unique Student ID
- x Social Security number or state approved alternate ID last reported through PEIMS
- x first, middle, and last name and generation code, if applicable
- x date of birth
- x gender
- x ethnicity and race
- x current grade level
- x immunization information<sup>60</sup>
- x receipt of special education services and individual education plan, if applicable
- x academic year
- x course completion

**applicable**

For a high school student transferring from one Texas public school district or charter school to another, the following additional information is required to be sent via the TREx for the student's high school transcript:

- x student's address, including city, state, and zip code
- x district name
- x either exit level Texas Assessment of Knowledge and Skills assessment and date the exit level requirement was met or State of Texas Assessments of Academic Readiness end of course assessment information
- x advanced measures completed for the distinguished graduation program, if applicable
- x Texas Grant indicator code required by the end of the student's junior year
- x graduation program type required by the end of the student's junior year
- x College Board campus code
- x certification of coursework completion date, if applicable
- x current and previous coursework, including the following:
  - o academic year
  - o session type
  - o campus awarding credit
  - o course category, name, number, abbreviation, semester, grades and credit
  - o course grade average and/or final grade average
  - o special explanation codes, if applicable
  - o pass/fail credit indicator codes, if applicable

By law, each district is required to transfer student records within 10 working days of receipt of a request by the receiving district.<sup>61</sup> Enrollment by a student in another school district constitutes authority for your district to release the education records of that student, regardless of whether parental authority has been received.<sup>62</sup> Also, the requirement to transfer records within 10 working days of a request applies regardless of whether a student or student's parent

# 3.5 Compulsory Attendance

Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for FSP purposes provided they were with a campus official



These attendance provisions do not apply to alternative attendance programs such as the HSEP or the OFSDP. For special attendance provisions that apply to these programs, please refer to Section 11, on nontraditional programs.

### **3.6.2.1 Attendance Taking and Delayed Start of School Day**

If your district's superintendent delays the start of the school day for your campus for a reason related to health or safety (for example, because of flooding or bad weather), your campus may choose an alternate attendance taking time for that day. This provision does not apply to a delayed start of the school day for a reason unrelated to



- x is participating in an activity that is approved by your local school board and is under the direction of a professional staff member of your school district or an adjunct staff member. The adjunct staff member must have a minimum of a bachelor's degree **and** be eligible for participation in the Teacher Retirement System of Texas.

Students participating in any activity that is not approved by your local school board or without certified district personnel supervision must be counted absent. For attendance to qualify for funding purposes, the certified district staff member or adjunct staff member must be accompanying the students as an official of your school district for the specific purpose of supervising the students and must be approved by your school board to supervise the activity. For example, students would be reported present if they are participating in 4H activities that are supervised solely by a county extension service agent who has been approved by the local school board as an adjunct staff member.<sup>71, 72</sup>

- x is participating, with local school board approval, in a short term (e.g., 5 day) class that is provided by the Texas School for the Blind and Visually Impaired (TSBVI) or the Texas School for the Deaf (TSD) at a location other than the student's campus.<sup>73</sup> The student may not be considered in attendance for FSP purposes on any day the student is traveling between the student's district and the location of the class but is not attending class. (However, travel days may be excused for compulsory attendance purposes. See [3.6.4 Excused Absences for Compulsory Attendance Purposes](#).) Your school district is responsible for obtaining documentation of the student's class attendance from the TSBVI or TSD.

- x is participating in a mentorship approved by district personnel to serve as one or more of the advanced measures needed to complete the Distinguished Achievement Program outlined in 19 TAC Chapter 74.
- x misses school for the purpose of observing religious holy days, including traveling for that purpose.<sup>74</sup> Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student will observe the holy days. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

Your school district is responsible for determining what constitutes a religious holy day for purposes of excusing absences. The agency does not maintain a list of days that qualify as religious holy days for purposes of being considered in attendance for FSP purposes. However, we do provide the following guidance: To be considered a religious holy day, the day should be one generally recognized by the student's religious denomination as a holy day that is required to be observed by all members of that denomination. Church retreats, camps, and mission trips

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<sup>71</sup> 19 TAC §129.21(j)(1)

<sup>72</sup> County extension service agents are eligible to be considered adjunct staff members because they are required to have at least a bachelor's degree and are eligible for participation in the Teacher Retirement System of Texas. They are eligible for participation in the Teacher Retirement System because they are employed by the Texas AgriLife Extension Service, which is a member of the Texas A&M University System.

<sup>73</sup> 19 TAC §129.21(k)

<sup>74</sup> TEC, §25.087(b)(1)(A)

and individual religious rites (baptisms, christenings, bar mitzvahs, etc.) are not considered holy days.

- x is in grades 6 through 12 and misses school for the

as an election clerk or student election clerk<sup>80</sup>. Your school district may excuse a student's absence for this purpose for a maximum of 2 days in a school year.<sup>81</sup>

A student may be considered in attendance for travel days related to an absence to serve as an election clerk or student election clerk but not for travel days to serve as a student early voting clerk. Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student is serving as an election clerk. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes. Travel days do not count toward the 2 days per school year maximum.

To serve as a student election clerk or student early the

diagnosed with autism spectrum disorder with a health care practitioner<sup>87</sup> to receive a generally recognized service<sup>88</sup> for persons with that disorder.<sup>89</sup> To be considered temporarily absent, the student must begin classes or return to school on the same day of the appointment. The appointment should be supported by a document, such as a note from the health care professional.<sup>90</sup>

The appointment must be a face to face consultation with a health care professional. A consultation over the phone or via video (telemedicine) is

**Important:** Title 19 TAC §129.21(l) requires that either 1) your local school board adopt a policy addressing parental consent for a student to leave campus or 2) the superintendent establish procedures addressing parental consent for a student to leave campus after having been delegated authority to do so by the board. It also requires that your school district distribute the policy or procedures to staff and to all parents of district students. **FSP funding is conditional on local adoption of this policy or establishment of these procedures and distribution of the policy or procedures.** The policy or procedures do not affect procedures for taking and recording student attendance.

### 3.6.3.1 Early Graduation/Graduation Ceremonies and Attendance

**Students Who Graduate Early:** If a student has completed the requirements for a high school diploma before the last instructional day of the school year, the student is not eligible to continue to generate ADA for funding purposes for the remaining days of the school year. For example, if a high school's seniors graduate and receive their diplomas two days before the official end of the school year but return to school to "sign in" for those last two days, the students would not generate ADA for funding purposes for those days.

**Students Who Have Not Yet Graduated but Who Have Attended Graduation Ceremonies:** A student who attends a graduation ceremony before completing requirements for a high school diploma is eligible to continue to generate ADA funding as long as the student meets the minimum 2 through 4 hour requirement or is continuing to participate in an alternative attendance accounting program, such as the OFSDP. Your school district may not receive ADA for funding purposes for any student who does not meet the minimum 2 through 4 hour requirement or who is not continuing to participate in an alternative attendance accounting program. A senior who has attended graduation ceremonies before the end of the school year and who attends for the last days of the school year only to "sign in" has not met the minimum 2 through 4 hour requirement<sup>94</sup> for those days.

### 3.6.4 Excused Absences for Compulsory Attendance Purposes

A teacher, principal, or superintendent of the school in which a student is enrolled may excuse the temporary absence of the student for any reason acceptable to the teacher, principal, or superintendent. However, the student will not be counted as present for FSP (funding) purposes for the day(s) of the absence unless the absence is for one of the reasons specified in [3.6.3 Requirements for a Student to Be Considered Present for FSP \(Funding\) Purposes](#) and meets applicable requirements.<sup>95</sup>

Numerous absences, whether excused or unexcused, may jeopardize a student's ability to receive credit or final grades for classes (see the TEC, [§25.092](#), for requirements related to minimum attendance for class credit or a final grade).

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<sup>94</sup> 19 TAC §129.21(g)

<sup>95</sup> TEC, §25.087





Students who are served outside the home/sending district, but who are reported for all PEIMS submissions by the home/sending district, should **not** be included in the official attendance reports of the district where the student is served (see [3.9 Data Submission](#)).

### 3.6.8 "Tardies"

For official attendance accounting and FSP purposes, "tardies" do not exist. However, locally designed codes may be implemented to indicate that the following occurred:

- x a student arrived late to

in all core academic subject area courses in which the student is enrolled. In addition, over the period of confinement, the student should be provided instruction in all other courses the student is enrolled in, if possible.

**Note:** For guidance in determining GEH instruction for pregnant students who are or are not receiving pregnancy related services, please refer to Section 9.



Eligible days present are determined each week. For GEH purposes, a week starts Sunday and ends Saturday. GEH service hours may not be accumulated and carried forward from one week to the next, nor may service hours be applied to a previous week.

### 3.7.4 Test Administration and GEH

A student receiving GEH services may earn eligible days present as stated in the GEH funding chart when a homebound instructor administers routine quizzes, daily or weekly classroom exams, etc., that are required as part of the instructional applied hours

- x The length of the transition period must be

Regardless of how many hours of GEH instruction a student is provided or how many days that student is in attendance at his or her campus, the student

Charter schools are not subject to the fourth Monday in August requirement and may schedule an earlier first day of instruction.

The number of days taught must be the actual number of days instruction is offered (the actual number of instructional days in the school calendar or track calendar for a specific reporting period). Legal holidays, days the school is closed for local events, and days of teacher in service or preparation cannot be counted. Attendance cannot be reported on days







### 3.8.3 Closure for Bad Weather or Other Issues of Health or Safety

The following table provides information on what actions to take in certain situations related to school closure

Situation	Agency Policy
<p>Our school district/charter school closed all campuses for 2 days for a health or safety reason. One of the scheduled makeup day dates has passed.</p>	<p>Use the scheduled makeup day that has not already passed to make up one of the missed days. Choose a new second makeup day to make up the other missed day. Show the days that schools were closed as holidays or other noninstructional days in your district's/charter school's student attendance accounting software calendar so that the days are not reported to the PEIMS.</p> <p><b>Additionally, for charter schools:</b> In the FSP System calendar, delete the 1 makeup day that has not yet passed so that it becomes an instructional day, and add the day that schools were closed as a "health or safety day closed" day in the list of noninstructional days. Rename the makeup day that has passed as an "other" noninstructional day. Add an instructional day by either a) deleting a noninstructional day that has not passed so that it becomes an instructional day or b) adding a day to the end of the last reporting period. Note that your school's student attendance accounting software calendar should reconcile with your school's FSP System calendar.</p>
<p>Our school district/charter school closed all campuses for 2 days for a health or safety reason. Both of the scheduled makeup day dates have passed.</p>	<p>Choose 2 new makeup days to make up the missed days. Show the days that schools were closed as holidays or other noninstructional days in your district's/charter school's student attendance accounting software calendar so that the days are not reported to the PEIMS.</p> <p><b>Additionally, for charter schools:</b> In the FSP System calendar, add the days that schools were closed as "health or safety day closed" days in the list of noninstructional days. Rename the makeup days as "other" noninstructional days. Add 2 instructional days by either a) deleting noninstructional days that have not passed so that they become instructional days or b) adding days to the end of the last reporting period. Note that your school's student attendance accounting software calendar should reconcile with your school's FSP System calendar.</p>

Situation	Agency Policy
<p>Our school district/charter school closed all campuses for 1 day for a health or safety reason. We have a scheduled makeup day left in our calendar; however, we would like to use a different day to make up the missed day.</p>	<p>The TEA advises using the already scheduled makeup day. However, if your school district/charter school chooses to select a different makeup day, be aware that your district/charter school may not request a low attendance day waiver for that makeup day. (The TEA will not grant a low attendance day waiver for any makeup day.)</p>
<p>Our school district/charter school closed all campuses for more than 2 days for a health or safety reason.</p>	<p>Use your district's/charter school's 2 scheduled makeup days to make up the first 2 missed days. (See previous rows for how to report days in the student attendance accounting system and/or FSP System calendar and for information on what to do if 1 or both makeup days have already passed.) Your district/charter school may apply for a waiver for the missed instructional days beyond the first 2 missed days. See Subsection 3.8.2.2 for more information.</p>
<p>Our school district/charter school closed some but not all campuses for 1 day or more for a health or safety reason (e.g., flooding that affected only part of the district/charter school area).</p>	<p>The campuses that were closed do not need to make up the missed instructional days. However, the school district/charter school must request missed instructional day waivers for those campuses.</p>
<p>Our school district/charter school delayed the start of the school day for 2 hours for a health or safety reason.</p>	<p>District/charter school campuses may use an alternate attendance taking time for the day. Please see Subsection 3.6.2.1 for instructions and requirements.</p>
<p>Our school district/charter school has decided to close all campuses early because of an imminent health or safety issue (e.g., ice storm is coming). Campuses have been open for at least 4 instructional hours.</p>	<p>If campuses will close before the official attendance taking time, record attendance before the closure. Your district/charter school does not need to take any further action.</p>

Our school district/charter school has decided to close all campuses early because of an imminent health or safety issue (e.g., ice storm is coming). Campuses have been open for fewer than 4 instructional hours, and the official attendance

<b>Situation</b>	<b>Agency Policy</b>
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Our school district/charter school has decided to close all campuses early

calculating state funding, the state funding calendar year begins the fourth Monday in August unless a district uses a year round system.

Situations sometimes occur in which a student who has been served in one public school throughout the school year moves to another public school that is operating a calendar track during the summer. To account for situations in which school calendars do not align, up to 185 days of state funding will be allowed for individual students. However, no public school will be funded in excess of its 180 day calendar.

The TEA will adjust the state funding accordingly for any school district or charter school that reports a student whose membership exceeds 185 days during a state funding year. The TEA will not make such adjustments when additional attendance is reported for eligible special education extended school year services.

Note that while the OFSDP allows for state funding eligible OFSDP credit recovery classes to be offered during the summer recess, an OFSDP eligible student cannot earn more than the equivalent of one ADA (180 days' worth of perfect attendance in the regular attendance program) for a 12 consecutive month school year. A district may not charge tuition for OFSDP classes, including those offered during the summer recess. For more information on the OFSDP, see [11.6 Optional Flexible School Day Program \(OFSDP\)](#).

### 3.9 Data Submission

Your district must record attendance information for the entire school year. Report student state adjustments 2.4372

regular school). The attendance system should simultaneously allow the time spent in night school to be tracked yet not create any PEIMS records for this time.

## 3.10 Quality Control

The total of all attendance figures reported by student name in the Student Detail Report must balance with/add up to corresponding totals reported in the respective Campus Summary Report covering the same instructional track in the same 6 week period.

The total of all attendance figures reported by campus in the Campus Summary Report must balance with/add up to corresponding district totals reported in the District Summary Report covering the same instructional track in the same 6 week period.

Your district should balance all attendance reports by 6 week period to ensure that all reports match. If any attendance data are changed in the accounting system for a 6 week period whose information previously balanced, new reports must be generated and balanced.

If any attendance data are changed in the accounting system after data submission to TEA, such changes must be documented. Record, by name, the students the change affects, the code each student was assigned before data submission, the code each student was assigned after the change, and the effective date of each change. **New reports reflecting the change should be generated, balanced by 6 week period, and retained for audit purposes.**

## 3.11 Examples

### 3.11.1 Example 1

A 5 year old student enrolls in kindergarten in a district that offers only a half day program. Because of special circumstances, this student attends both the morning and the afternoon sessions.

This student's ADA eligibility code is 2 Eligible for Half Day Attendance because a student cannot attend the same program twice and receive funding twice.

If this same student were served in the regular kindergarten classroom by special education .0003 Tc [76 0 TD 03 Tc [76

This student's ADA eligibility code is 1 Eligible for Full Day Attendance with the grade level of PK. The special education instructional setting code is 43, Self-contained Mild/Moderate/Severe Regular Campus. At Least 50% and No More than 60%, because the student spends at least 50% and no more than 60% of the school day in special education instruction.

### 3.11.3 Example 3

A 3 year old special education student is served in speech therapy for 30 minutes a day. The ARD committee also determines that the student will be placed in a PK classroom for 3 hours each day, although the student is not receiving special education instruction.



This same student decides to take five classes the spring semester.

At the change of semester, this student's ADA eligibility code changes to 4 Ineligible Full Day. |

### 3.11.7

The ADA eligibility code for this student is 1 Eligible Full Day. The special education instructional arrangement/setting code is determined according to the same procedures used for all special education students (see Section 4).

### 3.11.11 Example 11



attendance accounting that is affected by this particular waiver is the requirement that all instructional tracks must consist of at least 180 days.

The attendance of all students who attend this instructional track must be reported in six approximately equal reporting periods. The total number of days of instruction, if added together from all reporting periods, must equal the actual number of instructional days offered over the full year (in this case, 175).

### **3.11.20 Example 20**

The year round track of the middle school is not complete on the date your district attendance data for the district is due at the education service center. The students have met for 21 days, yet 10 days remain at the time your district extracts the



Example 25C

If the student does not receive any service during a week, absences must be recorded every day of that week, resulting in 0

District staff should work with the student and the student's parent to

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Arrangement/Setting Codes). The student's speech therapy indicator code will be based on whether the student receives speech therapy and, if the student does, whether the student receives other services provided through an instructional arrangement/setting (see 4.8.1 Speech Therapy Indicator Codes). Additionally, the ARD committee determines the date that services will begin (the effective date) and records this information in the IEP.

2. The ARD committee provides the student's coding information and the effective date to appropriate district personnel (e.g., attendance personnel, Public Education Information Management System [PEIMS] clerks) as soon as possible.
3. District personnel record the coding information and effective date of service in the attendance accounting system. **The effective date date** District



Note that a student cannot be absent on the

#### 4.5.2 Private or Home School Students Aged 5 Through 21 Years

If an ARD committee determines that a private or home school student aged 5 through 21 years is eligible for and in need of special education instruction and related services, the parent may

committee's determination must be based on the individual needs of the student in accordance with federal and state laws, rules, and regulations.

In developing a student's IEP, the ARD committee should base the determination of the appropriate instructional arrangement/setting code for the student on the percentage of the **instructional day** that the student receives direct, regularly scheduled special education and related services, as required in the student's IEP, **not** on the student's disability. For the purpose of determining a student's instructional arrangement/setting code, the instructional day is defined as that portion of the school day in which instruction takes place (not to include lunch, recess, passing periods, etc.). For guidance on instructional arrangement/setting codes 41–44 and determining the percentage of the instructional day that a student is provided special education services, see [4.7.13 Additional Guidelines for Instructional Arrangement/Setting Codes 41–44](#).

A student's ARD committee must review the student's IEP, including his or her instructional arrangement/setting code, at least annually.<sup>117</sup>

The instructional arrangement/setting codes are as follows:

Instructional Arrangement/Setting Code	Page Code Description Starts On	Page Examples Start On
<a href="#">00 No Instructional Arrangement/Setting (Speech Therapy)</a>	<a href="#">96</a>	<a href="#">151</a>
<a href="#">01 Homebound</a>	<a href="#">98</a>	<a href="#">140</a>
<a href="#">02 Hospital Class</a>	<a href="#">104</a>	<a href="#">143</a>
<a href="#">08 Vocational Adjustment Class</a>	<a href="#">104</a>	<a href="#">143</a>
<a href="#">30 State Supported Living Centers</a>	<a href="#">105</a>	NA
<a href="#">31 Home Based Instruction</a>	<a href="#">107</a>	NA
<a href="#">32 Center Based Instruction</a>	<a href="#">107</a>	NA
<a href="#">34 Other Environment</a>	<a href="#">107</a>	NA

mus

Instructional Arrangement/Setting Code	Page Code Description Starts On	Page Examples Start On
<a href="#">82 Residential Care and Treatment Facility Resource Room/Services Less Than 21%</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">83 Residential Care and Treatment Facility Resource Room/Services At Least 21% but Less Than 50%</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">84 Residential Care and Treatment Facility Self Contained, Mild/Moderate/Severe, Regular Campus At Least 50% but No More Than 60%</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">85 Residential Care and Treatment Facility Self Contained, Mild/Moderate/Severe, Regular Campus More Than 60%</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">86 Residential Care and Treatment Facility Separate Campus</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">87 Residential Care and Treatment Facility Community Class</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">88 Residential Care and Treatment Facility Vocational Adjustment Class</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">89 Residential Care and Treatment Facility Full Time Early Childhood Special Education Setting</a>	<a href="#">114</a>	<a href="#">147</a>
<a href="#">91 Off Home Campus Mainstream</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">92 Off Home Campus Resource Room/Services Less Than 21%</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">93 Off Home Campus Resource Room/Services At Least 21% and Less Than 50%</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">94 Off Home Campus Self Contained, Mild/Moderate/Severe, Regular Campus At Least 50% and No More Than 60%</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">95 Off Home Campus Self Contained, Mild/Moderate/Severe, Regular Campus More Than 60%</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">96 Off Home Campus Separate Campus</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">97 Off Home Campus Community Class</a>	<a href="#">116</a>	<a href="#">149</a>
<a href="#">98 Off Home Campus Full Time Early Childhood Special Education Setting</a>	<a href="#">116</a>	<a href="#">149</a>

#### 4.7.1 Code 00 No Instructional Arrangement/Setting (Speech Therapy)

This code indicates that a student is receiving speech therapy services. Code 00 should **not** be used for any student who does not receive speech therapy.

#### Instructional Arrangement/Setting Code 00: Information Specific to PEIMS 163 Record

The PEIMS 163 record (student data - special education program) allows for only one instructional



services, such as occupational therapy or physical

#### 4.7.2 Code 01 Homebound

To be placed in the special education homebound instructional arrangement/setting, a student aged 6 years or older must meet the following four criteria:

- x The student is eligible for special education and related

The teacher serving a student at home or hospital bedside (“homebound teacher”) while the student is in the special education homebound instructional arrangement/setting must be a highly qualified special education teacher if the homebound teacher is the teacher of record and is providing the student with direct instruction in the



Additional documentation may be maintained as part of this record at the discretion of the district. This documentation may include, but is not limited to, mileage records for the homebound teacher or related service provider and information on subjects that were taught as part of the homebound instruction.

#### **4.7.2.6 or**



**Attendance Accounting Information Related to  
Students With a Recurring Chronic or Acute Health Condition**

For any week in which the student with the recurring condition:	the student earns contact hours and/or attendance:	The student's instructional arrangement/setting code should be as follows:
---	--	--

is

#### 4.7.2.10 Homebound: Career and Technical Education (CTE) Funding Requirements

For a student who receives homebound services to earn CTE contact hours, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the homebound instructional arrangement/setting. CTE teachers must maintain a log to verify all contact hours with students.

#### 4.7.3 Code 02 Hospital Class

This instructional arrangement/setting code should be used when a student is provided special education instruction in a classroom in a hospital facility or a residential care and treatment facility not operated by your school district. A student with a disability who is served in but not residing in the facility is considered to be in an off home campus instructional arrangement/setting. If the student residing in the facility is provided special education services on a school campus, the student is not considered to be in a hospital class.<sup>123</sup>

For hospital class 3n23









#### 4.7.10.1 Requirements

For a student to be coded with an instructional arrangement/setting code of 40 (special education mainstream), the student must have:

- x special education and related services provided in a general education classroom on a regularly scheduled basis;
- x an IEP specifying the special education and related services that enable the student to access the general curriculum and to make progress toward individual goals and objectives; and
- x qualified special education personnel involved in the

student. See [4.9.6 PPCD Services and Students Served in a District Operated Preschool or Child Care Facility](#) for more information.

**4.7.10.3.2 Prekindergarten (PK) Program:** A preschool age student who meets eligibility requirements for PK and special education services and is receiving special education services in the PK classroom may be coded mainstream, provided that the majority of students in his or her class are students who are not receiving special education services. For the student to generate weighted funding, a certified special education teacher must provide services to the student under the 2 through 4 hour rule as applicable to meet the individual needs of the student.

A preschool age student who does not meet eligibility requirements for PK but is eligible for special education services and is receiving special education services in the PK classroom may **not** be coded mainstream.

See [4.9.3 PPCD Services and PK Programs](#) for more information.

**4.7.10.3.3 District Operated Head Start Program:** A preschool age student who meets



arrangement/setting code, the instructional day is defined as that portion of the school day in which instruction takes place (not to include lunch, recess, passing periods, etc.).

For example, if a student is provided:

- x special education and related services for less than 50% of his or her instructional day in a setting other than general education, the student's instructional arrangement/setting code would be 41 or 42.
- x special education and related services for 50% or more of the student's instructional day in a self contained program on a regular education campus, the student's instructional arrangement/setting code would be 43 or 44.
- x full time early childhood (preschool program for children with disabilities) special education and related services in educational programs designed primarily for children with disabilities located on regular school campuses and the student is 3 through 5 years of age, the instructional arrangement/setting code would be 45.

When determining a student's instructional arrangement/setting code (other than mainstream), include the percentage of time allocated for speech therapy services (outside of the general education setting) in the percentage of time in the special education setting.

When determining the instructional arrangement/setting code for a student who attends school less than a full day, use the number of instructional hours he or she attends as determined by the ARD committee as the student's instructional day. Then, review the number of hours in the instructional day that the student receives special education services to determine the student's instructional arrangement/setting code.

The following chart shows the instructional arrangement/setting codes for departmentalized classrooms. This chart is based on fixed instructional periods (all periods are the same length of time each day). For example, an eight period instructional day consists of eight periods, each equal in length.

<b>Number of Periods of Special Education Instruction per Day*</b>	<b>8 Period Instructional Day</b>	<b>7 Period Instructional Day</b>	<b>6 Period Instructional Day</b>	<b>5 Period Instructional Day</b>
One Spec Ed Period	Resource (41)	Resource (41)	Resource (41)	Resource (41)
Two Spec Ed Periods	Resource (42)	Resource (42)	Resource (42)	Resource (42)
Three Spec Ed Periods	Resource (42)	Resource (42)	Mild/Mod/Sev (43)	Mild/Mod/Sev (43)
Four Spec Ed Periods	Mild/Mod/Sev (43)	Mild/Mod/Sev (43)	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)
Five Spec Ed Periods	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)
Six Spec Ed Periods	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)	Mild/Mod/Sev (44)	

#### 4.7.13.1 Semester Block Scheduling

If your district operates semester block scheduling, use the chart above to convert a four period instructional day to an eight period instructional day, and code students accordingly (assuming periods are equal in length). Coding for students on a semester block schedule must be determined each semester. Your district must consider the individual needs of students with disabilities when scheduling courses in a semester block.

**For example**, say that in the first semester a student attends two general education classes and two special education classes. Convert the student's four period instructional day to an eight period instructional day. The student's converted schedule is four general education classes and four special education classes. According to the chart, the student's instructional arrangement/setting code would be 43, self contained, mild/moderate/severe, regular campus at least 50% and no more than 60%. Apply this type of conversion to each semester class schedule.

#### 4.7.13.2 AB Block Scheduling

Students in AB block scheduling should be coded based on a review of the entire instructional block. For example, if a child attends four instructional periods on Monday and four different instructional periods on Tuesday, and these eight classes structure the instructional configuration, then coding determinations are based on the eight period instructional day (see previous chart).

#### 4.7.13.3 Schedules in Which Instructional Periods Are Not Equal in Length

If instructional periods are **not equal in length**, make a coding determination for a student after first calculating the percentage of his or her instructional day that the student spends receiving special education and related services. Calculate this percentage by dividing the student's number of special education and related services instruction minutes by the student's total number of instructional minutes.

$$\frac{\text{\# of special education and related services instructional minutes}}{\text{total \# of instructional minutes}}$$

#### 4.7.14 Code 45 Full Time Early Childhood (Preschool)



**One of the off home campus codes (codes 91–98)** should be used when a child is placed in a multidistrict classroom (located on a regular campus), on a separate campus, or in a community class to receive full time early childhood special education and related





Code 89 indicates a student is **3 to 5 years of age**, resides in a facility, and receives full time special education and related services in educational programs designed primarily for children with disabilities on a local school district campus (other than a separate campus).

For coding examples, see [4.18.8 Codes 81–89 Residential Care and Treatment Facility \(Nonresident\) Examples](#).

#### 4.7.20 Code 91, 92, 93, 94, 95, 96, 97, or 98 Off Home Campus

This instructional arrangement/setting code is used only for a student who is provided special education and related services and meets one of the following criteria:

- x The student is one of a group of students from more than one school district served at a single location in another school district when a FAPE is not available in the sending district.<sup>136</sup>
- x The student is provided instruction by school district personnel in a facility (other than a nonpublic day school) not operated by a school district.<sup>137</sup>
- x The student is in a self contained program at a separate campus operated by your school district that provides only special education and related services.<sup>138</sup>

For a student with an off home campus instructional arrangement/se1Tf3.14750TD0TcwxTD0Tc@87401Tm0Tc@004T1isab



disabilities). Students in such a program would be coded based on the amount of general education and special education services received at a centralized location on a regular campus.

Also, an off home campus instructional arrangement/setting code **must not** be used for students with disabilities placed by school districts in nonpublic day school settings (see [4.7.16 Code 60 Nonpublic Day School](#)).

For coding examples, see [4.18.9 Codes 91–98 Off Home Campus Examples](#).

## 4.8 Speech Language Pathology Services (Speech Therapy) and Speech Therapy Indicator Codes

In Texas, speech language therapy services are considered an instructional service. This means that speech therapy can be a stand alone service (student does not receive any other service that is provided through an instructional arrangement/setting). Speech therapy can also be a related service (student receives speech therapy **in addition to** a service that is provided through another instructional arrangement/setting).

### 4.8.1 Speech Therapy Indicator Codes

Student Detail Reports and the PEIMS 163 record must contain a speech therapy indicator code (Code Table C095, [PEIMS Data Standard](#)) for any student receiving special education services. Use the following information to determine the appropriate speech therapy indicator code.

#### 4.8.1.1 Indicator Code 1 – Speech Therapy "Only"

This code indicates that a student receives speech therapy only (regardless of the environment where the speech therapy services are provided)—or receives speech therapy and another special education [related service](#)<sup>139</sup> (such as occupational therapy)—and that an instructional arrangement/setting (e.g., resource room) is not appropriate. When the only special education service a student receives is speech therapy or speech therapy and another special education related service (such as physical therapy), the student's Student Detail Report and PEIMS 163 record must show an instructional arrangement/setting code of 00 and a speech therapy indicator code of 1. Table C095 (s) MUST show 59650TDOTC0003T/TT61Tf.2240TD.0008Tc

**Note:** A student whose only special education service is speech therapy and who receives fewer than 2 hours (120 minutes) of any form of instruction each day is **not** in membership (i.e., has an ADA eligibility code of 0).

For coding examples, see [4.18.10 Speech Therapy Indicator Code 1 Examples](#).

#### 4.8.1.2 Indicator Code 2 – Speech Therapy With Other Services

This code indicates that a student receives speech therapy **along with other services through another special education instructional arrangement/setting** (e.g., resource room). When a student receives speech therapy services in conjunction with other special education services through an instructional arrangement/setting, the student's Student Detail Report and PEIMS 163 record must show a speech therapy indicator code of 2, regardless of the environment where the speech therapy services are provided. The student's PEIMS 163 record must show an instructional arrangement/setting code **other than** 00. The student's PEIMS 405 record must show both the student's \_\_\_\_\_ that \_\_\_\_\_ day the

## 4.9 Preschool Programs for Children With Disabilities (PPCDs)

Eligible children with disabilities aged 3 through 21 years are entitled to receive a FAPE under the Individuals with Disabilities Education Act (IDEA). In Texas, school district PPCDs provide special education and related services for eligible children with disabilities aged 3 through 5 years. Any child aged 3 through 5 years who is eligible for and receiving special education and related services through a school district is considered to be receiving PPCD services.

PPCD refers to the services provided by the school district, **not** to the place where they are provided. Eligible children may receive PPCD services in a variety of settings, including district settings, such as PK, resource, and self contained classrooms, and community settings, such as community based Head Start programs and preschools.

A student receiving PPCD services may have a grade level of EE, PK, or K (kindergarten), depending on the student's age, the location where services are provided, and whether the student is eligible for PK.

### 4.9.1 Eligibility for PPCD Services

PPCD services are special education services provided to children aged 3 through 5 years. To receive PPCD services, a child aged 3 through 5 years must meet the same eligibility requirements as other special education students. An ARD committee must meet and document in the student's record that the student is eligible to receive services through this program.

See [4.2 Special Education and Eligibility](#) and [4.3 Enrollment Procedures](#).

### 4.9.2 ADA (State Funding) Eligibility for Students Receiving PPCD Services

Students receiving PPCD services are eligible for ADA on the same basis as other students enrolled in your district. That is, they are subject to the 2 through 4 hour rule, based on the time the student is served.

If the student is scheduled for and provided services for which he or she is eligible for at least 4 hours each day, the student is eligible for full day attendance (ADA eligibility code of 1). If the student is scheduled for and provided services for which he or she is eligible for at least 2 hours but fewer than 4 hours each day, the student is eligible for half day attendance (ADA eligibility code of 2). If the student is scheduled for and provided services for which he or she is eligible for fewer than 2 hours each day, the student is not eligible to generate ADA (ADA eligibility code of 0).

For more information on ADA eligibility codes and the 2 through 4 hour rule, see [3.2.1 Average Daily Attendance \(ADA\) Eligibility Coding](#) and [3.2.2 Funding Eligibility](#). For information specific to PPCD students who attend a PK program, see the following subsection.



### 4.9.3 PPCD Services and PK Programs

A student who is eligible for PPCD services may or may not be eligible for free public PK enrollment. Eligibility for free public PK programs is limited by statute.<sup>141</sup> For the eligibility criteria for free PK, see [Section 7 Prekindergarten \(PK\)](#), specifically [7.2 Eligibility](#).

When a student who is eligible for **both** special education and PK is served in a PK classroom, the student should be assigned the appropriate instructional arrangement/setting code based on the location, amount, and type of special education services provided to the student. The student is eligible for full day attendance (ADA eligibility code of 1) if the student is scheduled for and receives at least 4 hours of instruction and services (i.e., receives at least 2 hours of special education services in addition to the 2 hours of PK program instruction). The student is eligible for half day attendance (ADA eligibility code of 2) if the student is scheduled for and receives at least 2 hours of instruction or services.

When a student who is eligible for special education **but is not eligible for PK** is served in a PK classroom, the student's instructional arrangement/setting

**Coding Chart 1: PPCD Services and PK**

Description of Services	Student Age <sup>1</sup>	ADA Elig. Code	Instructional Arrangemt./ Setting Code	Grade Level	PPCD Ind.	ECI Ind.	Child Count	ADA Elig. Code	Instructional Arrangemt./ Setting Code	Grade Level	PPCD Ind.	ECI Ind.	Child Count
		Coding Information for Student Who Is Eligible for Both Special Education AND PK						Coding Information for Student Who Is Eligible for Special Education BUT Ineligible for PK <sup>2</sup>					
served in the PK classroom by PK and special education teachers for ½ day (at least 2, but fewer than 4 hours) <sup>3</sup>	3 or 4	2 half day	40	PK	1	0	3	2 half day	42	EE	1	0	3
served in the PK classroom by PK and special education teachers for full day (at least 4 hours) <sup>3</sup>	3 or 4	1 full day	40	PK	1	0	3	1 full day	42	EE	1	0	3



Coding Chart 2: Kindergarten and Special Education Services								
	Age 09/01	Current Age	ADA Elig. Code	Instructional Arrangemt./ Setting Code	Grade Level	PPCD Ind	ECI Ind	Child Count
<b>A kindergarten student eligible for special education services who is:</b>								
attending a kindergarten classroom for his or her entire instructional day and receives special education services in the kindergarten classroom	5	5	1 full day or 2 half day	40	KG	1	0	3
attending a kindergarten classroom for his or her entire instructional day and receives special education services in the kindergarten classroom	5	6	1 full day or 2 half day	40	KG	0	0	3
attending a kindergarten classroom and receives special education and related services in a special education setting for for for								

## 4.9.5

speech therapy) in the general classroom. However, for code 91 to be used for the student, the majority of students in his or her class must be students who are not receiving special education services.

Community based child care settings/facilities include, but are not limited to, a not not

#### 4.9.8 Coding Chart: PPCD Services Provided to a Student in a Head Start Program, Preschool or Child Care Facility

Coding Chart 3: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility							
	Student Age <sup>1</sup>	ADA Elig. Code	Instructional Arrangemt./ Setting Code	Grade Level	PPCD Ind.	ECI Ind.	Child Count
<b>Community based:</b> A student who is eligible for special education services, is receiving services in a community based Head Start program, community based preschool, or community based child care facility, and is:							
served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day	3 or 4	2 half day	91	EE	1	0	3
served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for 4 or more hours a day	3 or 4	1 full day	91	EE	1	0	3
served in a self contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for at least 2 hours but fewer than 4 hours each day	3 or 4	2 half day	97	EE	1	0	3
served in a self contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for more than 4 hours each day	3 or 4	1 full day	97	EE	1	0	3
<b>District operated:</b> A student who is eligible for special education services, is receiving services in a district operated Head Start program, district operated preschool, or district operated child care facility, and is:							
served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day	3 or 4	2 half day	40	EE	1	0	3

#### 4.9.9 PPS Services and Private or Home School Student Aged 3 or 4 Years and in Need of Special Education

Per 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available by your district to students with disabilities placed in private schools or facilities are determined based on ongoing consultation with representatives of the private school and representatives of parentally placed private school students with disabilities and a proportionate share calculation.<sup>142</sup>

See the TEA Guidance on Parentally Placed Private School Students with Disabilities, [TT11Tf2.68310TD0Tc0003Tj/TT61Tf42.43721.224TD.00338p50TT6ftlly](#)



3.
  - x enroll the student for fewer than 2 hours per day,
  - x count the student as enrolled but not in membership (ADA eligibility code 0), and
  - x count the student on the annual federal child count indicator through the PEIMS but **not** for ADA or contact hours.

If the parent of an eligible student declines dual enrollment for the student, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d), which provides for parents of an eligible child who decline dual enrollment to request a services plan. Since the obligation of your district to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, the student will not generate ADA. However, a **student receiving services under a services plan** should be entered into the PEIMS with an ADA eligibility code of 0 enrolled, not in membership, and counted on the **last Friday of October for the fall PEIMS submission** child count snapshot for data reporting purposes.

#### 4.9.10 Some Common Instructional Arrangement/Setting Codes for Students Receiving PPCD Services

Following is a list of instructional arrangement/setting codes commonly used for students receiving PPCD services. **Note that it is not an exhaustive list.** For a complete list of instructional arrangement/setting codes and detailed information on when to use them, see [4.7 Instructional Arrangement/Setting Codes](#).

Commonly used instructional arrangement/setting codes for students receiving PPCD services:

**00 No Instructional Arrangement/Setting**

See [4.7.1 Code 00 No Instructional Arrangement/Setting \(Speech Therapy\)](#).

**01 Homebound**

See [4.7.2 Code 01 Homebound](#). See especially the information in [4.7.2.4 Preschool Programs for Children with Disabilities and Homebound Services](#).

**40 Mainstream**

See [4.7.10 Code 40 Special Education Mainstream](#). See especially the information in [4.7.10.3 Preschool Programs for Children With Disabilities and Mainstream Instructional Arrangements/Settings](#).

**41 or 42 Resource Room/Services**

See [4.7.11 Code 41 or 42 Resource Room/Services](#).

**43 or 44 Self Contained, Mild/Moderate/Severe, Regular Campus**

See [4.7.12 Code 43 or 44 Self Contained, Mild/Moderate/Severe, Regular Campus](#).

**45 Full Time Early Childhood (PPCD) Special Education Setting**

See [4.7.14 Code 45 Full Time Early Childhood \(Preschool Program for Children With Disabilities\) Special Education Setting](#).

**91, 96, 97, 98 Off Home Campus**

See [4.7.20 Code 91, 92, 93, 94, 95, 96, 97, or 98 Off Home Campus](#).

## 4.10 Special Education Services for Infants and Toddlers

Infants and toddlers (children 0 through 2 years of age) who have visual or auditory impairments or both and who are served by your district are eligible for special education services<sup>143</sup> and are eligible to generate ADA. The following subsections describe the coding information to use for these children.

### 4.10.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services

All infants (birth through 2 years of age) receiving visual impairment and/or O&M services **at home, in day care, or in a nondistrict center based program** should be reported with the information shown in the following table:

Grade Level	EE
Instructional Arrangement/ Setting Code	01, homebound (a doctor's statement is not needed)

All infants receiving visual impairment and/or O&M services **in center based**

All infants receiving auditory impairment (deaf) services **in your school district or in nondistrict centers** should be reported with the information shown in the following table:

<b>Grade Level</b>	EE
<b>Instructional Arrangement/ Setting Code</b>	44, self contained, mild/moderate/severe, regular campus or 97, off home campus depending on the location of the services
<b>ADA Eligibility Code</b>	0—enrolled, not in membership if the infant is served fewer than 2 hours per day 2—eligible for half day attendance if the infant is served at least 2 hours but fewer than 4 hours per day 1—eligible for full day attendance if the infant is served at least 4 hours per day

#### 4.10.3 Infants (Birth Through 2 Years of Age) Receiving Home Based Instruction



## 4.11 Shared Services Arrangements (SSAs), Including Regional Day School Program for the Deaf SSAs

An SSA is an arrangement in which school districts enter into a written contract to jointly operate their special education programs. School districts may also enter into SSAs to establish regional day school programs for the deaf. A student who attends a program operated under an SSA may be reported by the receiving district without the necessity of a legal transfer. However, ADA eligibility codes 3 and 6 are not valid for a student reported by the receiving district without a legal transfer. For more information on ADA eligibility codes, see [3.2.1 Average Daily Attendance \(ADA\) Eligibility Coding](#).

The matter of which district will report the student should be outlined in the SSA agreement between the member districts. The same district reports the student for **all** PEIMS reporting.

### 4.11.1 Regional Day School Programs for the Deaf (RDSPDs)

Students in an RDSPD must be served a minimum of 45 minutes per week by an RDSPD teacher. All students who receive instructional services through the RDSPD for the minimum time indicated should be reported on the PEIMS 163 (Student Data – Special Education) and 405 (Special Education Attendance Data – Student) records using C067 (Reg Day Sch Prog Deaf) code 3.

The following table shows the ADA eligibility codes to use for students in an RDSPD.

<b>If a student is enrolled in an RDSPD:</b>	<b>then use ADA eligibility code:</b>
and the student is a full day student (served for at least 4 hours/ 240 minutes)	1—eligible for full day attendance
and the student is a half day student (served for at least 2 hours/ 120 minutes)	2—eligible for half day attendance

## 4.12 Coding Chart: Services for Students With Disabilities— Exceptions to the Norm

Coding Chart 4: Services for Students With Disabilities—Exceptions to the Norm							
	Student Age	ADA Elig. Code	Instructional Arrangemt./ Setting Code	Grade Level	PPCD Ind.	ECI Ind.	Child Count
<b>District Visual Impairment and/or O&amp;M Services</b>							
Home/day care/nondistrict center based program	0–2	2–4/hr/week rule	01	EE	0	0 <sup>1</sup>	0
In district center based program	0–2	2–4 hr/day rule	44 or 97	EE	0	0 <sup>1</sup>	0
<b>District or RDSPD Auditory Impairment (Deaf) Services<sup>2</sup></b>							
At home or in day care	0–2	2–4 hr/week rule	01	EE	0	0 <sup>1</sup>	0
In district or nondistrict centers	0–2	2–4 hr/day rule	44 or 97	EE	0	0 <sup>1</sup>	0
<b>Texas Department of Assistive and Rehabilitative Services ECI Program—Operated by a School District<sup>3</sup></b> (Service ends on 3 <sup>rd</sup> birthday.)							
Home based instruction	0–2	0	31	EE	0	1	0
Center based instruction	0–2	0	32	EE	0	1	0
Other environment	0–2	0	34	EE	0	1	0
<b>Head Start Programs (Eligibility depends on amount of time with special education teacher.)</b>							
School based Head Start (see chart in <a href="#">4.9.5 PPCD Services and Head Start</a> )	3 or 4	2–4 hr/day rule	40/45	EE	1	0	3
Community based Head Start (see chart in <a href="#">4.9.5 PPCD Services and Head Start</a> )	3 or 4	2–4 hr/day rule	91/97	EE	1	0	3
<b>Private School Students</b>							
Where served not relevant (dual enrolled)	3 or 4	2–4 hr/day rule	Per IEP	EE	1	0	3
Where served not relevant	5–21	0	Per ISP	Approp.	0	0	3

Indirect services—students not reported tohr/

## 4.13 Extended School Year (ESY) Services

Your district will be funded for any ESY services it provides for special education students beyond the regular school year during a period such as winter, spring, or summer break. The ARD committee determines the need for ESY services based on documented evidence that the student may be expected to exhibit severe or substantial regression that cannot be recouped within a





**Contact Hour Multiplier for Each Instructional Arrangement/Setting Code**

<b>Instructional Arrangement/Setting</b>	<b>Instructional Arrangement/ Setting Code(s)</b>	<b>Contact Hour Multiplier</b>
--	---	------------------------------------

no

computed. Campus Summary Reports and District Summary Reports must include eligible mainstream days present for each grade level, total eligible mainstream days present for all grades, and campus or district mainstream ADA. At no time are mainstream eligible days present converted to contact hours.

## 4.16 Special Education Documentation

For your district to claim special education contact hours and receive weighted funding, documentation must be complete. All documentations supporting student eligibility must be on file for every student accumulating special education eligible days present and for every student with a speech therapy indicator code on the Student Detail Report.

Your district must maintain the following:

- x documentation to support the amount of time teachers served students in the homebound instructional arrangement/setting each week
- x documentation to support the IFSR or ARD committee decisions regarding a student and a copy of the student's IFSR or IEP, as applicable, in the student's eligibility folder
- x the following statements, if applicable, in the student's eligibility folder:
  - o homebound—for a student aged 6 years or older, a licensed physician's statement confirming the need for the student to be placed in the homebound instructional arrangement/setting for a minimum of 4 weeks
  - o hospital class—documentation from a proper authority

If a student with disabilities receives instruction in the core academic subject area from an NCLB highly qualified general education teacher and the special education teacher provides direct assistance (e.g., tutoring, reinforcement of content, etc.), the special education teacher does not have to meet the highly qualified criteria. However, if the special education teacher is responsible for or shares responsibility for providing direct instruction in a core academic subject area, the design and delivery of instruction, and evaluation of student performance, then the special education teacher must meet the highly qualified criteria.

For teacher requirements specific to the homebound instructional arrangement/setting, see [4.7.2.1 Homebound Notes](#).

For more information, see the TEA Highly Qualified Teachers web page at [http://www.tea.state.tx.us/index4.aspx?id=4650&menu\\_id=798](http://www.tea.state.tx.us/index4.aspx?id=4650&menu_id=798) and the TEA Requirements for Highly Qualified Paraprofessionals web page at [http://www.tea.state.tx.us/index4.aspx?id=4670&menu\\_id=798](http://www.tea.state.tx.us/index4.aspx?id=4670&menu_id=798).

## 4.18 Examples

This subsection provides

Example A: If the student is served 4 or more hours that week, the student is recorded present every day that week.

Example B: If the student is served 2 hours that week, the student is recorded present for 2 days and absent for 3 days of that week.

Example C: If the student does not receive any service during the week, absences must be recorded for every day of that week, resulting in 0 eligible days present.

3. The ARD committee should convene to review current student information (including the physician's statement) to determine if a transition period is necessary and the date homebound services are no longer appropriate. If the student requires a transition period when returning to the classroom setting, the ARD committee should document the following in the student's IEP:
  - a) The length of time for the transition period
  - b) The amount of time the student will be served in both settings (homebound and classroom) during the transition period
  - c) The effective date that the student's instructional arrangement/setting code will change back to 41

During the transition period, the student's instructional arrangement/setting code remains 01, homebound based on the transition period. The setting code will change to 41 when the student is no longer homebound.

During the third week of the second 6 week reporting period, the student is present all 5 days and receives services following the requirements of the 2 through 4 hour rule. The student generates 5 eligible days present in instructional arrangement/setting



#### 4.18.4 Code 40 Mainstream Examples

**Example 1:** A student attends all general education classes. Qualified special education personnel are involved in the implementation of the student's IEP through the provision of direct, indirect, and/or support services to the student. The student's IEP specifies the services that will be provided by qualified special education personnel to enable the student to appropriately progress in the general education curriculum and/or appropriately advance in achieving the goals set out in the student's IEP.

The instructional arrangement/setting code for this student is 40, mainstream

**Example 2:** A student attends six general education classes a day. In five of the six general education classes the student receives special education services by certified special education personnel.

The instructional arrangement/setting code for this student is 40, mainstream, because the student receives special education services in the general education class.

**Example 3:** A student attends all general education classes. For 1 hour a week, as documented in the IEP, this student receives physical therapy in the general education classroom.

The instructional arrangement/setting code for this student is 40, mainstream, because the student receives related services in the general education class. (If this student received physical therapy as a pull out service, then the instructional arrangement/setting code would be 41, resource room/services less than 21%) The student's physical therapy indicator code is 1.

**Example 4:** A student attends all general education classes with an interpreter from the RDSPD.

The instructional arrangement/setting code for this student is 40, mainstream, because the student receives special education services in the general education class. Regardless of the amount of time the interpreter spends with the student, the instructional arrangement/setting code is 40.

**Example 5:** A 4 year old student with a disability who is eligible for the PK program and the special education program receives special education and related services (including speech therapy) in the PK classroom for 3 hours 5 days a week. The certified special education teacher teaches collaboratively in the PK classroom with the PK teacher for the full 3 hours and the full 5 days. The occupational therapist provides services for 20 minutes twice a week in the PK classroom. The speech therapist provides speech instruction for 30 minutes a week in a pull out setting.

The student generates half day ADA eligibility.

PEIMS 163 Record and Student Detail Report:

The instructional arrangement/setting code for this student is 40, mainstream; the speech therapy indicator code is 2; and the occupational therapy indicator code is 1.

PEIMS 405 Record:

Two instructional arrangement/setting codes are recorded for this student: 40, mainstream, and 00, no instructional arrangement/setting.



#### 4.18.5 Codes 41 and 42 Resource Room/Services Examples

**Example 1:** A student attends four general education classes and three special education classes a day. The student attends the three special education classes in the resource room.

The instructional arrangement/setting code for this student is 42, resource room/services at least 21% and less than 50%, because the student is pulled out of the general education class to receive special education services in the resource room and the student receives special education services for at least 21% and less than 50% ( $3/7 = 43\%$ ) of the student's total instructional day.

If this student attended six general education classes and one special education class a day, then the student would have an instructional arrangement/setting code of 41, resource room/services less than

PEIMS 405 Record:

Two instructional arrangement/setting codes are recorded for this student: 42, resource room/services at least 21% and less than 50%, and 00, no instructional arrangement/setting.

#### 4.18.6 Codes 43 and 44 Self Contained, Mild/Moderate/Severe, Regular Campus Examples

**Example 1:** A student on a departmentalized campus attends four special education classes and three general education classes each day.

The instructional arrangement/setting code for this student is 43, self contained, mild/moderate/severe, regular campus at least 50% and no more than 60%, because the student receives special education services for at least 50% and no more than 60% ( $4/7 = 57\%$ ) of the student's total instructional day.

**Example 2:** A student on an elementary campus spends 3 out of 6 instructional hours in the special education classroom.

The instructional arrangement/setting code for this student is 43, self contained, mild/moderate/severe, regular campus at least 50% and no more than 60% ( $180 \text{ minutes} / 360 \text{ minutes} = 50\%$ ).

**Example 3:** A student on an elementary campus spends 200 minutes out of 300 instructional minutes in the special education cod

**Example 5:** A student legally transferred into the serving

For a special education student who resides in the residential care and treatment facility and attends three special education classes and three general education classes at a local school district campus, the instructional arrangement/setting code is 84, residential care and treatment facility self contained, mild/moderate/severe, regular campus at least 50% and no more than 60% ( $3/6 = 50\%$ ).

For a special education student who resides in the residential care and treatment facility and attends five special education classes and one general education class at a local school district campus, the instructional arrangement/setting code is 85, residential care and treatment facility self contained, mild/moderate/severe, regular campus more than 60% ( $5/6 = 83\%$ ).

For a special education student who resides in the residential care and treatment facility and receives speech therapy services only, the instructional arrangement/setting code is 00, no instructional arrangement/setting.

**Example 2:** A special education student who resides in a residential care and treatment facility within your district's boundaries attends special education classes on a local school district campus that serves only special education students.

The instructional arrangement/setting code for this student is 86, residential care and treatment facility separate campus

**Example 3:** A 3 year old special education student who resides in a residential care and treatment facility within your district's boundaries receives special education and related services in a self contained special education classroom within a child care facility.

The instructional arrangement/setting code for this student is 87, residential care and

The instructional arrangement/setting code for this student is 89, residential care and treatment facility full time early childhood special education setting.

94TT1 1 Tf 10.98 0 0u5898 0 0 10.98 72 6t





**Example 2:** A student receives direct speech therapy services **and** indirect support from the speech therapy program through services provided by a speech therapist. These are the only special education services the student receives.

PEIMS 163 Record and Student Detail Report:

Regardless of whether these services and supports are provided in a general education or pull out setting, the instructional arrangement/setting code for this student is 00, no instructional arrangement/setting, and the speech therapy indicator code is 1.

PEIMS 405 Record:

The instructional arrangement/setting code for this student is 00, no instructional arrangement/setting.

**Example 3:** A 4 year old student with a disability is eligible for and attends the PK program. The only special education services the student receives are speech therapy and support services, which are provided by the speech therapist. The speech therapist provides services 30 minutes twice a week in a pull out setting and goes into the PK classroom to ~~mitigate~~ <sup>mitigate</sup> the PK



The student will not generate contact hours because the student does not meet the requirements of the 2 through 4 r



regardless of whether the direct speech therapy services are provided in the general education classroom or a pull out setting.

PEIMS 405 Record:

Two instructional arrangement/setting codes are recorded for this student: 40, mainstream, and 00, no instructional arrangement/setting. The instructional arrangement/setting code of 40 can be used regardless of whether the direct speech therapy services are provided in the general education classroom or a pull out setting.

#### 4.18.12 Calculation of Excess Contact Hours Examples

**Example 1:** A student attends six CTE classes (V6) and speech therapy (0.25 contact hour multiplier), for a total of 6.25 contact hours a day.

Since this number of contact hours is over the 6.00 hour per day maximum, 0.25 contact hours must be subtracted from the speech therapy setting (instructional arrangement/setting code 00, no instructional arrangement/setting) for every eligible day present the student accumulates.

**Example 2:** A student attends two special education classes and four general education classes a day. All four of the general education classes are CTE classes. The student would earn 2.859 contact total

Calculate Maximum Contact Hours Allowed:	
Number Days Present	28.00
x Maximum Hours per Day	<u>x 6.00</u>
<b>Total Maximum Contact Hours Allowed</b>	<b>168.00</b>

Calculate Total Excess Contact Hours:	
Total Contact Hours	192.052
– Maximum Contact Hours Allowed	<u>– 168.000</u>
<b>Total Excess Contact Hours for First 6 Weeks</b>	<b><u>24.052</u></b>

OR

Calculate Excess Contact Hours per Day:	
Total Contact Hours per Day	6.859
– Maximum Hours per Day	<u>– 6.000</u>
<b>Total Excess Contact Hours per Day</b>	<b>0.859</b>

Calculate Total Excess Contact Hours:	
Total Excess Contact Hours per Day	0.859
x Eligible Days Present	<u>x 28.000</u>
<b>Total Excess Contact Hours for First 6 Weeks</b>	<b><u>24.052</u></b>

**Example 3:** A student attends two special education classes and four general education classes a day. All of the general education classes are CTE classes. The student would earn 2.859 contact hours for special education (contact hour multiplier for instructional arrangement/setting code **42, resource room/services at least 21% and less than 50%**) and 4.00 contact hours for CTE (V4), totaling 6.859 contact hours a day. On the 11th instructional day of the first 6 weeks, the ARD committee meets and changes the student's schedule. The student then attends one special education class and five general education classes a day. All five of the general education classes are CTE classes. The student would earn 2.859 contact hours for special education (contact hour multiplier for instructional arrangement/setting code **41, resource room/services less than 21%**) and 5.00 contact hours for CTE (V5), totaling 7.859 contact hours a day. The first 6 week reporting period has 30 days taught, and this student is present every day.

The lead QP

6a1p1e day.



Calculate Total Excess Contact Hours for First 10 Days:	
Total Excess Contact Hours per Day	0.859
x Eligible Days Present	<u>x 10.000</u>
<b>Total Excess Contact Hours for First 10 Days</b>	<b>8.590</b>
Calculate Excess Contact Hours per Day for Last 20 Days:	
Total Contact Hours per Day	7.859
– Maximum Hours per Day	<u>– 6.000</u>
<b>Total Excess Contact Hours per Day</b>	<b>1.859</b>
Calculate Total Excess Contact Hours for Last 20 Days:	
Total Excess Contact Hours per Day	1.859
x Eligible Days Present	<u>x 20.000</u>
<b>Total Excess Contact Hours for Last 20 Days</b>	<b>37.180</b>
Calculate Total Excess Contact Hours:	
Excess Contact Hours for Last 20 Days	37.180
+ Excess Contact Hours for First 10 Days	<u>+ 8.590</u>
<b>Total Excess Contact Hours for First 6 Weeks</b>	<b><u>45.770</u></b>

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## Section 5 Career and Technical Education (CTE)

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This section addresses unique attendance accounting





### 5.2.3 Earning Contact Hours

A student may enroll simultaneously in as many CTE courses



## 5.5 Coding to Be Used on the PEIMS 101 and 410 Records

This subsection explains the coding to use on the



## 5.6 Computing Contact Hours

No

### 5.7.1 Career Preparation Eligibility Requirements

CTE Career Preparation eligibility requirements are as follows. Refer to [5.7.3 Training Plan Requirements and Date on Which Students May Earn Contact Hours](#) through [5.7.5 Required Site Visits by Teachers](#) for additional information and to the glossary for definitions.

- x The Career Preparation course<sup>153</sup> is for **paid** experience only. The training component must address all the TEKS for the course and provide a student with a variety of learning experiences that will give the student the broadest possible understanding of the business or industry.
- x Each Career Preparation course must consist of student participation in career preparation training appropriate to the instructional program plus partics

- x Each practicum course using a work based learning instructional arrangement must consist of student participation in training appropriate to the student's coherent sequence of courses plus participation in related CTE classroom instruction. A practicum course **spans the entire year**, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a student may enter or exit the course when extenuating circumstances require such a change.
- x A student must be a minimum age of 16 and hold valid work documentation such as a Social Security card to enroll in any of the practicum learning experiences that have a **paid** component.
- x Students unemployed for more than 15 consecutive school days in a **paid** practicum learning experience must be placed in an unpaid learning experience.

Use the following chart to determine the CTE code for students participating in a **paid** practicum learning experience.

Classroom Instruction	Work Based Instruction	Units of Credit	CTE Code
1 hour per day (average)	10 hours per week (average)	2	V2
1 hour per day (average)	15 hours per week (average)	3	V3

Use the following chart to determine the CTE code for students participating in an **unpaid** practicum learning experience.

Classroom and/or Work Based Instruction	Units of Credit	CTE Code
2 hours per day (average)	2	V2
3 hours per day (average)	3	V3

### 5.7.3 Training Plan Requirements and Date on Which Students May Earn Contact Hours

Written training plans must be on file for any student participating in either a paid or unpaid learning experience at an approved training site except for a student participating in an unpaid practicum for

### 5.7.4 Additional Requirements for Students Participating in Paid Learning Experiences

For a student participating in **paid** experiences, employment must begin within 15 instructional days of the student's enrollment date. If a student's employment ends before the end of the school year, contact hours may be counted without interruption provided the student's **paid** training resumes within 15 instructional days and a written training plan is on file within 15 instructional days of employment.

### 5.7.5 Required Site Visits by Teachers

A teacher assigned to teach courses involving work based learning experiences, both **paid** and **unpaid**, must visit each student training site at least six times each school year. The teacher must be provided time within his or her schedule to visit the training sites. The training site visits may not be conducted during the teacher's planning and preparation period.<sup>154</sup> Regardless of the length of a grading period, at least one training site visit must be conducted during each grading period to earn contact hours for that reporting period.

## 5.8 CTE Problems and Solutions (Formerly CTE Independent Study)

A Problems and Solutions course<sup>155</sup> must be cooperatively planned by the student and teacher, with the teacher providing the course content and monitoring the student's progress. The course must be completed within the reporting period and the student must be present for the entire duration of the course. The course must be completed within the reporting period and the student must be present for the entire duration of the course.



## 5.9 Career and Technical Education for the Disabled (CTED) Courses

Any CTE course may be taught as a CTED course, but only students with disabilities who are in grades 7 through 12 may enroll in CTED courses. CTED courses generate CTE contact hours for students in grades 7 through 12.

**CTED courses must be self contained and must serve only special education students.**

For a student to be enrolled in a CTED course, an admission, review, and dismissal committee must determine that services available through a regular CTE course are insufficient for the student to make satisfactory progress and that the specialized services the student needs can only be provided in the specialized, self contained CTED classroom.

## 5.10 Contracting With Other Entities to Provide CTE Instruction

Your school district may contract with another entity to provide CTE instruction for students enrolled in the district to receive high school credit.<sup>156</sup> The entity may be a school district, a community or technical college, or a proprietary school.



District personnel must report a student's course completion data on the PEIMS 415 (course

### 5.13.3 Example 3

A student is enrolled in Principles of Health Science for 55 minutes per day and in Medical Terminology for 55 minutes per day for the first semester and in Medical Microbiology for 55 minutes per day for the second semester.

The CTE code for this student is entered in the attendance accounting system as V2 for the first semester and as V1 for the second semester. The student is coded as V2 for the first semester because the student is enrolled in two 55 minute CTE class periods.

### 5.13.4 Example 4

A grade 8 student is enrolled in Principles of Transportation, Distribution and Logistics (a grade 9–12 course) for the first semester.

This student will not have a CTE code in the attendance accounting system

attend the nearby district's Business Information Management I course, which is taught for a 1 hour course period.

The home district enters this student's CTE code as V1 in the attendance accounting system (see [5.10 Contracting With Other Entities to Provide CTE Instruction](#)).

### 5.13.8 Example 8

A student in grade 7 is taking Touch System



## **Section 6 Bilingual/English as a Second Language (ESL)**

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This section addresses unique provisions for bilingual and ESL education programs. These provisions must be applied in conjunction with the general rules in Sections 1, 2, and 3. If students are served by multiple programs, review and apply the provisions of each applicable program.

The term "limited English proficient (LEP) student," as used in Section 6 of the handbook, is interchangeable with the

- o grades 2 through 12:
  - f* student scores below cutoff score on an approved OLPT, and/or
  - f* student scores below cutoff scores on the English reading and English language arts sections of a norm referenced standardized test in English (selected from the **List of Approved Tests for Assessment of Limited English Proficient Students**);
- x be recommended for placement in the program by a language proficiency assessment committee (LPAC); and
- x have a record of parental approval to place the LEP student in a bilingual or ESL education program. For LEP students in grades 9 through 12, check LPAC documentation for services recommended by the LPAC to meet student needs.

Each student must be served according to the following guidelines: On a





If the student is considered LEP, continue to the next enrollment step. If the student is not considered LEP, the student does not qualify for bilingual/ESL funding.

3. The LPAC recommends placement of the student in either the bilingual or ESL education program, but district personnel **do not yet** assign the student a bilingual or ESL program type code in the attendance accounting system.
4. The LPAC must give written notice to the student's parents informing them that the student has been classified as LEP and requesting approval (through completion of an approval form) to place the student in the required bilingual or ESL education program. The notice must include information about the benefits of the bilingual or ESL education program for which the student has been recommended and state that it is an integral part of the school program.<sup>162</sup>

The parental approval form must contain a space for the parent's or legal guardian's signature and a space for the date the form was signed, as signed and dated documentation of parental approval is required for bilingual/ESL eligible days present to be claimed for funding purposes.

5. Once parental approval has been received, district personnel assign the student the appropriate bilingual or ESL program type code and parental permission code<sup>163</sup> in the attendance accounting system.

A student may be recorded absent on the effective date of a program change. However, as with all other students who are absent, no bilingual/ESL ADA can be earned by the student for that date.

### 6.3.1 Students Who Move to Your District

Within 4 weeks (20 school days) of his or her initial enrollment in the district, a student must be identified as LEP and enrolled in the required bilingual or ESL education program.<sup>164</sup> However, even though the student may be served in the bilingual or ESL education program, the student should not be coded with the bilingual or ESL program type code<sup>165</sup> unless all documentation, including the signed and dated parental approval form, is on file. Funds for bilingual/ESL students cannot be claimed until all documentation is in place.

When a bilingual/ESL student moves to your school district, your district (the receiving district) should immediately begin serving the student in the bilingual or ESL education program while it waits for documentation

district, your district must go through the standard identification and assessment procedures in order to code the student as LEP, ESL, and/or bilingual. Your district should make diligent, documented attempts to get the required documentation from the sending district to avoid possible miscoding.

## 6.4 Eligibility of Your District's Bilingual or ESL Education Program for State Funding

For your district to claim bilingual/ESL eligible days present for funding, your district must show that its bilingual and ESL education programs meet the following state requirements.<sup>166</sup>

1. A student is served in a full time bilingual instructional program by staff certified or on permit to teach bilingual education. The amount of instruction in each language (the student's home language and English) must be commensurate with the student's level of proficiency in both languages and the student's level of academic achievement. LEP students must be provided instruction in language arts, mathematics, science, health, and social studies both in their home language and in English. The appropriate bilingual program type code should be recorded for each student served in a bilingual program.
2. A student is provided instruction in ESL by staff certified or on permit to teach ESL or bilingual education. In PK through grade 8, the amount of time accorded to instruction in ESL Texas Essential Knowledge and Skills (TEKS) may

## 6.5 Eligible Days Present

This subsection describes the procedure for reporting bilingual/ESL eligible days present in the attendance accounting system. District personnel must do the

## 6.6 Requirement to Serve Eligible Students

Your district **must** place a student in a bilingual or ESL education program as soon as your district identifies the student as LEP

**Important:** Students not served in a state required program must be served in a program approved by the TEA under an exception or a waiver.

## 6.8 Withdrawal/Reclassification/Exit Procedures

This subsection explains the procedures for withdrawing a student from the bilingual or ESL education program.

1. A student is withdrawn from the bilingual or ESL education program if:
  - x the LPAC classifies the student as English proficient when the student attains the required exit criteria as stated in the TEC, §29.056(g) (see [6.8.2 Exit Criteria](#)); or
  - x the parent requests in writing to remove his or her child from the program and place the child in a general education classroom; or
  - x the student withdraws from (leaves) the district (not exits from the bilingual or ESL education program).
2. Once a student has met the criteria for exiting the bilingual or ESL program, your district must notify the student's parent of the student's reclassification as English proficient and obtain parental approval for his or her exit from the bilingual or ESL education program.<sup>171</sup>

### 6.8.1 EffectiveDate of Withdrawal

For a student who withdraws from the district, the date the student withdraws is considered the effective date of change. District personnel record the effective date in the attendance accounting

## 6.8.2 Exit Criteria

The following chart shows the criteria for transferring a LEP student out of the bilingual or ESL education program at different grade

### 6.8.3 Exit Procedures and Criteria for LEP Students



## 6.10 Teacher Certification Requirements

The following paragraphs describe the certification requirements for teachers of bilingual and ESL education program courses.

### 6.10.1 Students in Grades PK Through 5

Students in grades PK through 5 (or through 6, if grade 6 is clustered with elementary grades) who are counted for funding in the bilingual education program must be served by bilingual certified staff.

Students in grades PK through 5 (or through 6, if grade 6 is clustered with elementary grades) who are counted for funding in the ESL education program must be served by ESL certified staff.

All staff serving LEP students must receive training in sheltered instruction.<sup>172</sup>

### 6.10.2 Students in Grades 6 Through 8

Students in grades 6 through 8 (if grade 6 is not clustered with elementary grades [PK–5]) must be served by at least one teacher who is certified in ESL for that grade level and is responsible for meeting the linguistic needs of the LEP students.

All staff serving LEP students must receive training in sheltered instruction.<sup>173</sup>

### 6.10.3 Students in Grades 9 Through 12

Students in grades 9 through 12 may be counted for funding in a bilingual or ESL education program even if they are served by staff members who are not bilingual/ESL certified, but only if the staff members have received professional development in sheltered instruction. However, ESOL I and ESOL II **must** be taught by teachers who have an English or English Language Arts certification plus an ESL or Bilingual certification.

All staff serving LEP students must receive training in sheltered instruction.<sup>174</sup>

## 6.11 Documentation

For your district to claim bilingual/ESL eligible days present for funding, documentation must be complete. All documentation supporting student eligibility must be on file for every student accumulating eligible bilingual/ESL days present on the Student Detail Report. Documentation requirements are as follows.

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<sup>172</sup> 19 TAC §89.1210

<sup>173</sup> 19 TAC §89.1210

<sup>174</sup> 19 TAC §89.1210





x served in a program

## 6.12 Quality Control

Your district should record the appropriate bilingual or ESL program type code<sup>180</sup> for a student in the attendance accounting system as soon as the student meets all eligibility requirements. All documentation must be on file before the indicator is recorded. The sooner documentation is on file, the sooner funds may be earned for serving the student.

A student who withdraws from school should be coded with a bilingual or ESL program type code of 0 upon withdrawal.

A student who has been classified by the LPAC as English proficient at the end of the school year should be coded with a bilingual or ESL program type code of 0 at the beginning of the following school year.

At the beginning of each semester and at the end of each 6 week reporting period, the appropriate bilingual/ESL staff should verify the Student Detail Report to ensure that a student's coding is correct.

## 6.13 Examples

### 6.13.1 Example 1

A student's home language survey indicates that Spanish is spoken in the student's home most of the time. The student's test scores on an approved OLPT are below the cutoff score, and the LPAC recommends placement in the bilingual education program. However, the student's parent has denied placing the student in the bilingual or ESL education program.

Your school district cannot serve the student in either program and cannot claim the student for bilingual/ESL state funds. The student should be recorded in the PEIMS as LEP with a parental permission code of "C" for parental denial and a bilingual or ESL program type code of 0.

### 6.13.2 Example 2

A student in grade 3 has a home language survey on file that indicates Spanish is spoken in the student's home most of the time. The student's test scores on the standardized English achievement test are in the 42nd percentile in reading and in the 45th percentile in language arts. The LPAC has recommended placement in the ESL program.

If the student's parent approves, your district can serve the student in the ESL program. However, your district cannot claim the student for bilingual/ESL state funds. Funds cannot be collected even though the LPAC recommended placement in the program and the home language survey indicates a language other than English because the student has scored above the cutoff score on the standardized achievement test.

2 Tc122.7hen tes am.aec o r \*e s

### 6.13.3 Example 3

A LEP student is assessed in March to determine if he or she could be reclassified as English proficient. The LPAC meets in April to recommend that the student be reclassified as non LEP. Your school district will continue to receive funding for the student until the end of the school year.

Your school district should not pull the student from the classroom before the end of the school year. The student should continue to be served in the bilingual and/or ESL program until the end of the school year. Your district should place the student in an all r

## Section 7 Prekindergarten (PK)

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This section addresses unique attendance accounting provisions for PK. They must be applied in conjunction with the general rules in Sections 1, 2, and 3. If students are served by multiple programs, review and apply the provisions of each applicable program.

**Important:** See Section 3 for general attendance requirements that apply to all program areas, including PK.

Any school district may offer PK classes, but your district must offer PK classes if it identifies 15 or more eligible children who are at least 4





## 7.2.2 PK Eligibility Based on a Student's Being Limited English Proficient (LEP)

Appropriate PK staff

### 7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the NSLP)

Any student considered educationally disadvantaged is eligible to receive free PK. The TEC, §5.001(4), defines **educationally disadvantaged** as "eligible to participate in the national free or reduced price lunch program." If a student is eligible for PK because the student is educationally disadvantaged (eligible to participate in the NSLP), your district must document and have on file evidence that the student is eligible to participate in the NSLP, either because the student's family income level meets requirements for participation in the NSLP or because of automatic eligibility for the NSLP.

For a student to qualify for the NSLP, either:

- 1. the student must be automatically eligible for the NSLP**

Children who are automatically eligible for the NSLP under criteria in federal law (42 United States Code [USC], §1758) include the following:

- x a child who is a member of a household receiving benefits from the Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families program, or Food H68.3(e)]TJ/TT11Tf3.c[(Fa)7.6(milies)]TJ/TT11Tf3.32240T

If a student qualifies for PK on the basis of being eligible to participate in the NSLP, and the student then moves to a new district, the new district should review the previous district's determination for accuracy. If the new district finds that the determination was accurate, the student need not requalify for the PK program in the new district. If the new district finds that an error was made, the student must requalify for the PK program in the new district.

#### 7.2.4 PK Eligibility Based on Homelessness

A student is eligible on the basis of homelessness if your district's local basis

If a student qualifies for PK on the basis of being a child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, the student remains eligible for enrollment if the child's parent leaves the armed forces, or is no longer on active duty, after the student begins a PK class.

#### **7.2.5.1 Documentation Required**

If the student is eligible for PK because the student is the child of a member of the armed forces of the United States, including the state state

**wounded or injured in combat.** If this documentation is not available, a copy of an official letter from a commander (at or above the lieutenant colonel or, for the navy, at the commander level) that states that the service member was wounded or injured while on active duty is acceptable. A copy of a letter from the US Department of Veterans Affairs indicating that the service member is eligible for disability compensation is also acceptable.

5. **Documentation that a service member is MIA for children of service members who are MIA.**

### 7.2.6 PK Eligibility Based on a Child's Having Been in Foster Care

Students who are in or who have ever been in the conservatorship of the Texas DFPS (i.e., in foster care) following an adversary hearing are eligible for free PK. These students include not only students who are in or who have ever been in DFPS conservatorship but also students who have been adopted or returned to their parents after having been in DFPS conservatorship.

If a student qualifies for PK on the basis of having ever been in foster care, the student remains eligible for enrollment after the student begins a PK class even if that student is no longer in foster care.

At least annually, the DFPS and Child Protective Services mail verification letters of PK eligibility to the parents and caregivers of eligible children. These letters serve as proof of eligibility. However, if a parent or caregiver

Appropriate PK staff then determine that the student is eligible for PK based on Ž ° ' then a t



At the end of each 6 week reporting period, district personnel must generate a District Summary Report (Section 2). The report must provide a summary of the total eligible days present and ineligible days present for the PK grade level from all Campus Summary Reports for each track in your district.

### 7.5.1 PK Early Start Grant Program

The PK Early Start Grant Program will not be funded for 2013–2014 or 2014–2015.



## 7.6 Examples

### 7.6.1 Example 1

A student is served in the PK program but does not meet any of the PK eligibility requirements.

The ADA eligibility code for this student is 5—Ineligible Half Day, and the grade level is PK.

### 7.6.2 Example 2

Your school district has two PK classes. One class is held in the morning, and the other class is held in the afternoon. A student is served in both classes for the entire day. The student meets the eligibility requirements for the PK program.

The ADA eligibility code for this student is 2—Eligible for Half Day Attendance, and the grade level is PK. The maximum attendance a student can receive in the PK program is half day (unless the PK student receives special education services and receives instruction for at least 4 hours per day).

Note: In a case like this, in which one PK class is held in the morning and one PK class is held in the afternoon, attendance should be taken at a set time in the morning for the morning class and at a set time in the afternoon for the afternoon class. The time attendance is taken must be consistent throughout the entire school year.

### 7.6.3 Example 3

A student is served in the PPCD for half of the day and in PK for the other half of the day. The student meets the eligibility requirements for the PK program.

The ADA eligibility code for this student is 1—Eligible for Full Day Attendance, and the grade level is PK. The instructional arrangement/setting code for this student is 43 (self contained, mild/moderate/severe regular campus at least 50% but no more than 60%) (see [4.7 Instructional Arrangement/Setting Codes](#) for instructional arrangement/setting coding guidelines).

### 7.6.4 Example 4

A student is served in the PPCD for half of the day and in PK for the other half of the day. The student **does not** meet the eligibility requirements for the PK program.

The ADA eligibility code for this student is 2—Eligible for Half Day Attendance, and the grade level is EE. The instructional arrangement/setting code for this student is 43 (self contained, mild/moderate/severe regular campus at least 50% and no more than 60%) (see [4.7 Instructional Arrangement/Setting Codes](#) for instructional arrangement/setting coding guidelines).

### 7.6.5 Example 5

A student is served in the PK program for half of the day. The student meets the eligibility requirements for the PK program. The student is also served by a speech therapist for 1 hour a week.

The ADA eligibility code for this student is 2—Eligible for Half Day Attendance, and the grade level is PK. The instructional arrangement/setting code for this student is 00, and the speech therapy indicator code is 1 (see [4.7 Instructional Arrangement/Setting Codes](#) for

### 7.6.9 Example 9

A student qualifies for PK on the basis of being eligible to participate in the NSLP because the student's family income level meets requirements for participation in the NSLP. The student moves to a new district. The student's previous district provides the student's new district with a copy of the records used to determine the student's eligibility. The new district reviews the records and finds that the previous district's determination that the student is eligible for participation in the NSLP and thus for PK is correct.

The student does not need to requalify for the PK program in the new district.

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## Section 8 Gifted/Talented

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This section addresses unique attendance accounting provisions for the gifted/talented program. They must be applied in conjunction with the general rules in Sections 1, 2, and 3. If students are served by multiple programs, review and apply the provisions of each applicable program.

**Important:** See Section 3 for general attendance requirements that apply to all program areas, including the gifted/talented program.

### 8.1 Responsibility

List in the following spaces the name and phone number of the district personnel to whom all gifted/talented coding questions should be directed:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

### 8.2 Eligibility

Final selection of students to be served in the gifted/talented program must be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students.<sup>193</sup>

Your district must identify a kindergarten student for participation in the gifted/talented program **and serve** him or her in the program **before March 1** of the current school year for the student to be eligible for funding, unless the student has moved to your district from another district where he or she was previously served.

The gifted/talented indicator code must reflect the student's services in the gifted/talented program for each 6 week reporting period. If a student stops being served during a reporting period, he or she is shown with a 0 indicator code in the subsequent period unless the gifted/talented program services are resumed for the student during that subsequent period.<sup>194</sup>

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<sup>193</sup> 19 Texas Administrative Code (TAC) §89.1(4)

<sup>194</sup> PEIMS Data Standards



Your school district must develop written policies on student identification that are approved by the local board of trustees and disseminated to parents. These policies must include the following:

1. provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of Student

## 8.8 Quality Control

Controls must be in place to ensure that your district includes a student in



#### 8.9.4 Example 4

A first grade student is tested and identified for gifted/talented services in April. The student will not be served through the gifted/talented program until the following school year.

The gifted/talented indicator code for this student is entered as 0 for the entire school year. Only students who have been identified and served during the school year are eligible.

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## Section 9 Pregnancy Related Services (PRS)

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**Pregnancy Related Services** are support services, including Compensatory Education Home Instruction (CEHI), that a student receives during the pregnancy prenatal and postpartum periods to help her adjust academically, mentally, and physically and stay in school. These services are delivered to a student when:

- x the student is pregnant and attending classes on a district campus,
- x a valid medical necessity for confinement during the pregnancy prenatal period prevents the student from attending classes on a district campus, or
- x a valid medical necessity for confinement during the pregnancy postpartum period prevents the student from attending classes on a district campus.

Your district may choose whether to offer a PRS program. **If your district chooses to offer a PRS program,** your district may

may valid and whether student campus.

as003Tcses

**Support services** are optional components of a PRS program that may be provided to the student during the prenatal period of the pregnancy while the student is attending school. In addition, support services may be provided during the prenatal or postpartum periods of pregnancy while the student is confined at home or hospital bedside and receiving CEHI. In all cases, support services are supplemental in nature and should not take priority over or interfere with the academic services the student receives. Following are examples of support services that a district may choose to offer:

- x counseling services, including the initial session when the student discloses the pregnancy
- x health services, including services from the school nurse and certified athletic trainer
- x transportation for the student and/or the student's child(ren) to school, child care facility, community service agencies, health services, etc.
- x instruction (inside or outside the classroom) related to parenting knowledge and skills, including child development, home and family living, and appropriate job readiness training
- x child care for the student's child(ren)
- x schedule modifications (see [9.16 Quality Control](#))
- x case management and service coordination (assistance in obtaining services from government agencies and community service organizations)

If your district's PRS program offers both support services and CEHI, a PRS eligible student will generate the additional 2.41 PRS funding allotment when the student:

- x is in the pregnancy prenatal period and is attending regular classes and receiving PRS support services or
- x is confined to the home in the pregnancy prenatal or postpartum periods and is receiving CEHI.

District staff should code a student as PRS in the attendance accounting system on the date the student begins receiving services.

**Note:** The phrase "coded PRS" is used throughout this section. To "code a student as PRS" refers to identifying a student within the Public Education Information Management System (PEIMS) as meeting eligibility requirements for PRS (student is pregnant or in the postpartum period) and receiving services on the 400 (Student Basic Attendance) or 500 (Student Flexible

stu2j/TT1ed15/TT10816-0003j/TT

## 9.1 Responsibility

List in the space provided below the name and phone number of the district

generate special program ADA as long as the student continues to receive services at home as designated by the individual program requirements. (See [9.10 Confinement and Earning Eligible Days Present](#) and [9.17.4 Example 4.](#))

### 9.2.3 PRS and the Life Skills Program for Student Parents

The Life Skills Program for Student Parents (previously called the Pregnancy Education and Parenting [PEP] Program) will not be funded for the 2013–2014 school year.

### 9.2.4 Eligibility Timeline

The following chart illustrates a student's eligibility for PRS and PRS funding during the prenatal and postpartum periods of pregnancy.

Date	Activity	Is student eligible for PRS funding?	Should student be provided CEHI?
------	----------	--------------------------------------	----------------------------------

Date	Activity	Is student eligible for PRS funding?	Should student be provided CEHI?
5/1 to Last Day of School Year	LMP recommends that student remain at home until end of school (5 additional weeks).	Yes, but only for the first 2 weeks.	

## 9.3 Enrollment Procedures

Any school age student may be enrolled in the PRS program if she is eligible for ADA and in the prenatal or postpartum period of pregnancy.

The



2. describe the specific services available to a student through the PRS program; and
3. summarize the use of the compensatory educational allotment for PRS and the strategies when the PRS program is used to serve prenatal and postpartum students.

## 9.6 Student Detail Reports

Student Detail Reports must contain a PRS indicator code for all students who are being served in the PRS program and who are eligible for state funding (see [9.2 Eligibility/Eligible Days Present](#)).

## 9.7 On Campus PRS Support Services

A student may be served with PRS support services while she is \_\_\_\_\_ and \_\_\_\_\_

postpartum CEHI through the sixth week from the beginning date. Provision of CEHI during postpartum confinement |





The time spent on campus receiving temporary, limited support services or taking required state assessments cannot count as any part of the number of hours served as CEHI for eligible days present.

A student receiving CEHI who returns to campus to receive temporary, limited support services or take required state assessments **must have a medical release** from a licensed<sup>202</sup> medical practitioner to do so.

## 9.12 PRS and Special Education Services (SPED)

Regular education students must not be referred for special education services just because they become pregnant. Regular education students who must be confined to the home or hospital bedside for

A certified teacher, nurse, counselor, or social worker must provide the additional hours of PRS support services for a special education student and must maintain logs documenting the actual amount of services each special education student receives.

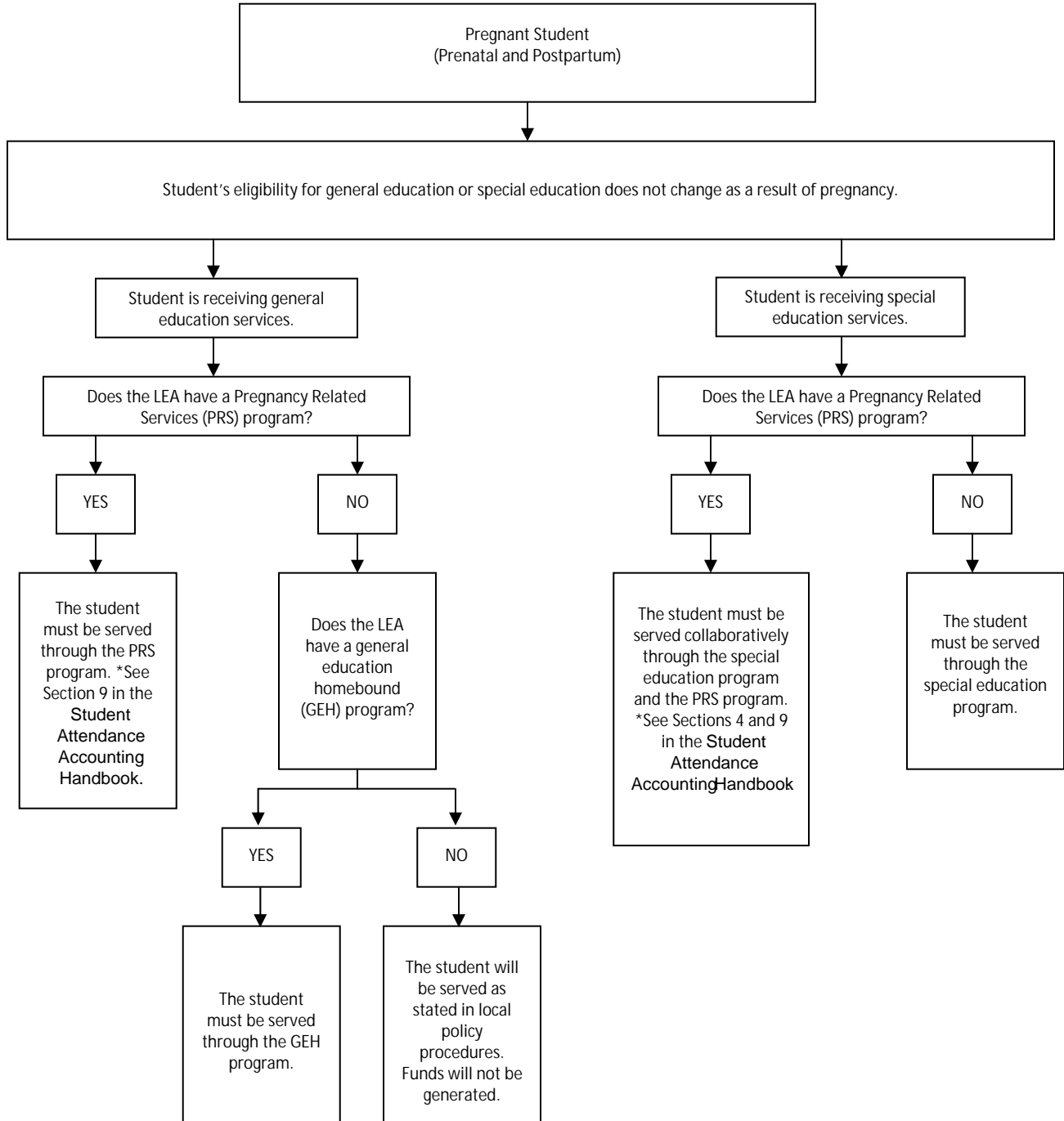
### 9.12.2 SPED, PRS and Earning Eligible Days Present

Use the following chart to determine eligible days present when a student receives homebound services through both the special education and the PRS programs.

**Amount of Time Served per Week  
(Week Is Sunday Through Saturday)**

**SPED and PRS Eligible Days Present Earned**

# Pregnancy Related Services Determination Chart



## 9.13 PRS and Career and Technical Education (CTE)

For a student to earn CTE contact hours while also being provided CEHI, the student must continue to receive the same amount and type of CTE service that she was receiving before she began receiving CEHI. The CTE instruction that the student receives at home or hospital bedside must be **in addition** to the 4 hours necessary for CEHI. The CEHI teacher providing the additional hours for the CTE courses must maintain a log to verify all contact hours with students. (See [9.17.4 Example 4](#), [5.2.1 Eligibility of Students for Funding](#), and [5.2.3.1 Earning CTE Contact Hours While Also Being Served by a Special Education Program](#).)

## 9.14 Test Administration During CEHI

Students confined to the home or hospital bedside may earn eligible days present as stated in the chart above when CEHI instructors administer routine quizzes, daily or weekly classroom exams, etc., that are required as part of the instructional requirements of a class.

A student being administered standardized, 6 weeks, semester, or final exams or required state assessments is limited to earning 1 day present for a minimum of 1 hour or more of testing in 1 calendar day.



4. Documentation by a campus official of the date when the student's pregnancy ended (see [9.9 CEHI During Postpartum Confinement](#))
5. When the break in service option is used, documentation by a campus official of the infant's hospitalization period(s), including the date(s) the infant was released from the hospital (see [9.9 CEHI During Postpartum Confinement](#))
6. For each student whose postpartum period was extended, documentation from a licensed medical practitioner stating a medical necessity for confinement that requires the student to remain at home or in the hospital and specifying the anticipated length of the extended confinement (see [9.9 CEHI During Postpartum Confinement](#))

When serving a special education student, your district is not required to maintain the special education and PRS records in the same file; however, your district will be required to provide documentation from both programs for audit purposes.

During the prenatal period, a student should no longer be identified as receiving PRS if, for any reason, the services stop.

During the postpartum period, a student should no longer be identified as receiving PRS when the student returns to her regular classes at her campus or at the end of the allowable postpartum period, whichever comes first.

At the beginning of each school year and at the end of each 6 week reporting period, the appropriate PRS program staff should verify the Student Detail Report to ensure that initial coding of PRS students is correct.

Schedule modifications are an eligible service under the PRS program. However, these modifications must adhere to general attendance rules in order for students to remain eligible for ADA ([Section 3 General Attendance Requirements](#)). These requirements include attendance for at least 2 hours but fewer than 4 hours each day to be eligible for half day ADA or at least 4 hours each day to be eligible for full day ADA.

No student can be coded PRS unless CEHI is one of the services provided by your district. In the event that CEHI is offered but not provided to a student, your district must maintain documentation explaining why the student was not provided CEHI.

## 9.17 Examples

### 9.17.1 Example 1

A district decides to implement a PRS program but will offer only CEHI. A student informs the counselor that she is pregnant on October 1. The student receives no services while she is attending her regular classes on her campus. When she delivers on February 15, the district begins providing CEHI. The first day the CEHI teacher sees the student is on Monday, February 19. CEHI continues for the student's 6 week postpartum period, and the student returns to school on March 30.

The student is coded with a PRS indicator on February 19. This date is her entrance date into the PRS

### 9.17.3 Example 3

A student begins experiencing difficulties associated with her pregnancy 3 weeks after beginning service under the PRS program. The licensed medical practitioner expects her to be confined to her home for 2 consecutive weeks. The CEHI teacher sees the student 3 hours the first week and 5 hours the second week. As expected, the student returns to school full time after the end of the second week.

The student remains coded PRS during the entire confinement period. The student may accumulate only 3 days present for the first week. For the second week, however, the student accumulates 5 days present since the teacher sees her at least 4 hours that week.

### 9.17.4 Example 4

A student who is receiving PRS is taking a 1 hour CTE course (code V1). She begins CEHI and is expected to be confined for 5 consecutive weeks. Your district provides the 4 hours of CEHI instruction but chooses not to provide the additional CTE hours while the student is confined.

Since the student receives CEHI she remains coded PRS during the entire confinement period. Since the district is not providing the additional hours for CTE the CTE indicator is removed. The student, however, is not withdrawn from the CTE class. She remains enrolled in the class and is assisted in her class assignments by the CEH teacher. During this time period, the student is not reported eligible for CTE contact hours on the 410 PEIMS record; however, the student is reported on the 169 and 170 PEIMS records if the time period falls within the reporting period.

### 9.17.7 Example 7

A student receives CEHI for the entire 6 week postpartum period. She receives at least 4 hours of instruction at home from a CEHI teacher during each of the first 5 weeks. Each of these weeks contains 5 days of instruction. During the sixth week, which contains only 4 days of instruction because of a holiday, the student receives 2 hours of instruction at home.

Since the student receives CEHI while at home, she remains coded PRS during the entire 6 week postpartum period. The student accumulates 5 eligible days present each week for the first 5 weeks because the teacher provides at least 4 hours of instruction each week. During the sixth week, the student accumulates 2 eligible days present because she receives only 2 hours of instruction.

### 9.17.8 Example 8

A special education student becomes pregnant. During her prenatal period, the student is confined to bed rest as a result of a valid medical condition. The student delivers the baby during the period of confinement to bed rest, and services are continued until the 6 week postpartum period is completed.

On your district's obtaining the medical note



### 9.17.15 Example 15

A student who has been receiving PRS support services delivers her baby on October 31 and returns home from the hospital while the baby remains hospitalized. The student asks to use the break in service option. The student receives postpartum CEHI for 3 weeks after delivery (student recovery period) and then returns to school. At the beginning of the 14th week after delivery (February 7), the baby is released from the hospital, and the student returns to confinement to use her 7 remaining consecutive weeks of CEHI eligibility to care for the baby (baby recovery period). Because the district's 1 week spring break falls within the 7 week period, the student receives only 6 weeks of CEHI before returning to school.

The student remains coded PRS during the entire first confinement period (student recovery period) and earns PRS eligible days present according to the number of hours of CEHI she is provided. While the student attends school between the two confinement periods, she is no longer coded PRS. The student is coded PRS again beginning on the date she is first provided CEHI during the second confinement period and remains coded PRS until she returns to school. During the second confinement period, the student again earns PRS eligible days present according to the number of hours of CEHI she is provided.

The 1 week school break does not extend the amount of time that the student may be provided CEHI. A maximum of 6 weeks is funded for PRS during the second period of confinement since the district is closed for one of the weeks in the student's 7 week period of confinement.

## Section 10 Nontraditional Schools

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Many different situations occur in which students are





### 10.2.4 Eligibility and Teacher Certification

Generally, all students reported as eligible to generate ADA must be served by teachers certified by the State Board for Educator Certification or be served under a contract negotiated by the local district. Additional information on contracting for educational services may be obtained by contacting the specific program division(s) at the Texas Education Agency (TEA).

## 10.3 School Calendar Requirements and Waivers to These Requirements

The school calendar for alternative education programs must follow the same regulations as those stated for the regular school, unless a waiver that alters this requirement is submitted to the TEA. Generally, a school calendar must provide for 180 days of instruction at each campus that is identified by a separate campus number (see [3.8 Calendar](#)).<sup>206</sup> It should be noted that charter schools are not subject to the 180 day requirement; however, most charter schools typically offer 180 days of instruction.

The

only the actual

**Accounting**





least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJJD<sup>223</sup>. If a county has a population of 125,000 or less, the county juvenile board may develop and operate a JJAEP independent of the TJJD. A school district cannot develop or create a JJAEP.<sup>224</sup>

### 10.9.1 JJAEPs and School Districts in Counties With Populations Greater Than 125,000 (IC 10-5-79)

7. establishes the circumstances and conditions under which a juvenile may be allowed to remain in the JJAEP setting once the juvenile is no longer under juvenile court jurisdiction; and
8. establishes a plan to address special education services required by law.

A JJAEP is not eligible to receive FSP funding and does not report student attendance to the TEA. The school district in which the student is enrolled immediately preceding the student's JJAEP placement determines ADA eligibility coding for JJAEP students by using the following chart and referring to [3.2.1 Average Daily Attendance \(ADA\) Eligibility Coding](#).

**ADA Eligibility of Students Being Served by a JJAEP**

The student is being served by a JJAEP on the basis of:	Population of County in Which District Is Located	Is the student eligible for ADA?
a <b>mandatory expulsion</b> under the TEC, §37.007 (a), (d), or (e).	Greater than 125,000	No, unless specifically authorized in writing by TEA (ADA code 0, 4, or 5 unless otherwise authorized) <sup>232</sup>

a **mandatory expulsion** under the TEC, §37.007 (a), (d), or (e).

At least 72,000

## 10.10





of the number of days of service, your district must enroll the student and report the student as enrolled through the PEIMS.

## 10.14 Examples

### 10.14.1 Example 1

Your district operates a DAEP for behavior management on a separate campus. Your district has moved a student to this alternative campus because of severe discipline problems. The student attends the alternative campus from 8:15 a.m. to 3:30 p.m.

Your district would code this student with an ADA eligibility code of 1 Eligible for Full Day Attendance

### 10.14.2 Example 2

Your district offers evening school for eligible

as





## College Credit Programs

College Credit Option	Definition	College Credit (at Texas PS <sup>241</sup> Institutions)
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College Credit Option	Definition	College Credit (at Texas PS <sup>241</sup> Institutions)	Eligibility for Foundation School Funds	District Expense	Student Expense	Other Considerations
<b>Early College High School</b> 19 TAC §§4.151–4.161 and §102.1091	A HS redesign model that provides students at risk of not graduating with a blended HS and college curriculum (students earn a HS diploma)					

### 11.3.1 Dual Credit (High School and College/University) Programs

A public junior college, college, or university may offer a course in which a high school student may enroll and for which the student may simultaneously receive both high school and college credit.

Funding eligibility for a student taking a dual credit course will include time instructed in the dual credit course. Your district may count the time that students spend in dual credit courses for state funding purposes even if students are required to pay tuition, fees, or textbook costs for those courses<sup>249</sup> unless the dual credit course is an Early College High School (ECHS) program course. Texas Administrative Code (TAC) rules for ECHS programs<sup>250</sup> prohibit requiring a student enrolled in an ECHS course for high school graduation credit to pay for tuition, fees, or required textbooks.

For your district or charter school to receive FSP funding for a student taking a college course, the district or charter school must have documentation of an agreement between the district or charter school and the college and meet other requirements for dual credit courses<sup>251</sup>.

For more information on dual credit program requirements, see the Texas Education Agency's **Dual Credit Frequently Asked Questions** document at <http://www.tea.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147496738&libID=2147496735>. For statutory requirements related to college credit programs, see the Texas Education Code (TEC), §28.009 and §28.010.

#### 11.3.1.1 Student Eligibility for Dual Credit Courses<sup>252</sup>

A high school student is eligible to enroll in dual credit courses in the 11th and/or 12th grade if the student demonstrates college readiness by achieving the minimum passing standard(s) on a qualifying assessment instrument, as shown in the following chart<sup>253</sup>.

<sup>249</sup> TEC, §28.009(a 2), as amended by SB 435, 83rd Texas Legislature, 2013

<sup>250</sup> 19 Texas Administrative Code (TAC) §102.1091

<sup>251</sup> specified in 19 TAC Part 1, Chapter 4, Subchapter D, and in 19 TAC Part 2, Chapter 74, Subchapter C

<sup>252</sup> 19 TAC §4.85

<sup>253</sup> 19 TAC §4.56 and §4.57

**Minimum Passing Standards to Demonstrate College Readiness**  
 Students must meet applicable eligibility requirements for ONE of the listed assessments.

			To Qualify for Math Courses*		To Qualify for English Courses*			
Academic Courses	Assessment	Grade	Math/ Algebra	Combined/ Composite	ELA/Reading Skills	Objective Writing/ Sentence Skills	Writing/ Essay	Combined/ Composite
	ACT	11/12	19	23	19			23
	SAT	11/12	500	1070	500			1070
	TAKS <sup>254</sup>	11/12	2200		2200		3	
	PSAT/ NMSQT <sup>255</sup>	11	50	107	50			107
	PLAN	11	19	23	19			23



- x The student was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard or service as a member of a reserve component of the armed forces of the United States.
  
- x The student has been exempted from meeting minimum passing standards for demonstrating college readiness by the institution of higher education at which the student will be taking a .serve



The courses offered through a GTC program may be either high school or dual credit courses if specified in the MOU. |

## 11.6 Optional Flexible School Day Program (OFSDP)<sup>258</sup>

Your district may also implement a study program for seniors who have completed the required course work but need additional tutoring to assist them in passing required

middle of a 6 week reporting period. The student's attendance would be reported

the traditional attendance program and classes that are a part of the OFSDP simultaneously, **all attendance must be reported through the OFSDP 500 series records.**

### 11.6.7 Estimating OFSDP Funding

Your school district may estimate the FSP funding to be generated by the OFSDP by entering the OFSDP ADA and full time equivalent (FTE) data into the latest estimate of state aid template available at the Region XIII Education Service Center website at <http://www5.esc13.net/finance/>.

### 11.6.8 OFSDP Withdrawal Policy

Your school district may adopt a local policy for determining when a student enrolled in an OFSDP may be withdrawn for nonattendance.

### 11.6.9 More Information

More information about the OFSDP, including the program application and applicable commissioner's rules, is available on the TEA OFSDP web page at [http://www.tea.state.tx.us/index2.aspx?id=7733&menu\\_id=645&menu\\_id2=789](http://www.tea.state.tx.us/index2.aspx?id=7733&menu_id=645&menu_id2=789).

## 11.7 Optional Flexible Year <sup>XIII</sup> at

is a student

The TEA also strongly encourages each district, upon OFYP approval, to notify parents and students that the district has been approved to provide an OFYP and include in this notice details of how the district plans to implement the program (i.e., whether the district will schedule its OFYP instructional days throughout the year or at the end of the year).

An OFYP instructional day may not be scheduled on the same day as any of the following:

- x an early release day
- x one of your district's scheduled makeup days
- x a day before the fourth Monday in August (this last bullet applies to



### 11.8.1 HSEP Eligibility Requirements

A student is eligible to participate in an HSEP if:

- x the student has been ordered by a court under Code of Criminal Procedure, Article 45.054, or by the Texas Juvenile Justice Department to:
  - o participate in a preparatory class for the high school equivalency examination; or
  - o take the high school equivalency examination administered under the TEC, §7.111; or
- x the following conditions are satisfied:
  - o the student is at least 16 years of age at the beginning of the school year or semester;
  - o the student is at risk of dropping out of school, as defined by the TEC, §29.081(d);
  - o the student and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation; and
  - o at least 2 school years have elapsed since the student first enrolled in grade 9 and the student has accumulated less than one third of the credits required to graduate under the minimum graduation requirements of the district or school.<sup>261</sup>

### 11.8.2 HSEP Attendance Accounting and Funding

The HSEP provides alternatives to the traditional attendance program and provides flexible attendance schedules. Students in the program are still subject to minimum attendance requirements (TEC, §25.092).

District personnel must maintain a separate log of program instructional contact time for each student participating in the HSEP.

A student is counted as in attendance based on the actual number of daily contact minutes the student receives instruction in the HSEP

Note: Attendance reporting for students attending an HSEP in a shared services arrangement is the responsibility of the student's home district.

For additional rules and instructions related to the HSEP, visit the TEA HSEP web page at <http://www.tea.state.tx.us/index2.aspx?id=2808>.

## 11.9 Interstate Compact on Educational Opportunity for Military Children

Texas is a member state of the Interstate Compact on Educational Opportunity for Military Children. The compact is an agreement among member states to abide by a common set of requirements related to education of military page

and command positions in the NOAA and DOC and in the Armed Forces during wartime or national emergencies.

The US Public Health Services Commissioned Corps<sup>266</sup> is made up of approximately 6,000 public health professionals who help administer national public health promotion and disease prevention programs through federal programs and agencies. Corps members include doctors, nurses, pharmacists, therapists, researchers, and engineers.

## 11.9.2 Notable Compact Provisions and Requirements

Following are notable compact provisions and requirements.

### 11.9.2.1 Entitlement to Continue at Grade Level

A child of a military family who moves to your district from another member state is entitled to continue enrollment at the same grade level, including kindergarten, that he or she was enrolled in in that other state regardless of the child's age. The child must be admitted and will be considered to meet minimum age eligibility requirements to generate ADA on presentation of the following:

1. official military orders showing that the military member was assigned to the state or commuting area of the state in which the child was enrolled and attended school. If the child was residing with a legal guardian and not the military member during the previous enrollment, the following must be provided:
  - o a copy of the family care plan, or
  - o proof of guardianship, as specified in the compact, or
  - o any information sufficient for your district to establish eligibility under the compact;
2. an official letter or transcript from the proper school authority showing the child's attendance record, academic information, and grade placement;
3. documented evidence of appropriate immunization; and
4. evidence of date of birth.

A child of a military family who moves to your district from another member state and who satisfactorily completed a particular grade level in the sending state is entitled to enroll in the next highest grade level. The child must be admitted and will be considered to meet minimum age eligibility requirements to generate ADA on presentation of the items specified in the previous paragraph.

### 11.9.2.2 Certain Absences Excused for Compulsory Attendance Purposes

Note that other Texas law<sup>267</sup> already allows for a teacher, principal, or superintendent of the school in which a

## Section 12 Virtual, Remote, and Electronic Instruction

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This section addresses attendance accounting as it relates to virtual instruction, remote instruction, and self-paced computer courses.

### 12.1 Responsibility

List in the space provided below the name(s) and phone number(s) of the district personnel to whom all questions related to virtual, remote, and self-paced electronic instruction should be directed:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

### 12.2 Texas

For more information on the TxVSN and to view the list of available courses in the TxVSN statewide course catalog, visit the TxVSN website at <http://www.txvsn.org/>. For additional commissioner of education rules concerning the TxVSN, see 19 Texas Administrative Code (TAC) §§70.1001–70.1035.

The information and provisions in this subsection (Subsection 12.2, including 12.2.1 through 12.2.4) apply specifically to the TxVSN and TxVSN courses. They do not apply to any other form of electronically delivered instruction. See [12.3 Remote Instruction That Is Not Delivered Through the TxVSN](#) for information on remote instruction. See [12.4 On Campus Online Courses Not Provided Through the TxVSN](#) for requirements related to time spent in on campus online courses not provided through the TxVSN. See [12.5 Self Paced Computer Course](#) for requirements related to time spent in self paced computer courses.

### 12.2.1 Student Eligibility for the TxVSN

A student who is enrolled in a school district or open enrollment charter school in this state may take one or more electronic courses through the TxVSN, provided the student meets eligibility criteria.

A student is eligible to enroll in o5TxVSN statewide.36070TD0Tc0003Tj/TT61Tf.22950TD-0002Tc[(student)4.9(t)]TJ/TT11Tf3.136

2. the student has been placed in substitute care<sup>270</sup> in this state, regardless of whether the student was enrolled in a public school in this state in the preceding

school, the student is eligible to generate FSP funding in the same manner as a student who receives



demonstrated academic proficiency sufficient for promotion to the next grade level. If a student does not complete the entire TxVSN education program at the grade level in which the student is enrolled and demonstrate academic proficiency sufficient for promotion to the next grade level, the district will have any FSP funding for that student reduced to \$0.

For purposes of determining and reporting the ADA eligibility code of a student enrolled in a grade 3 through 8 TxVSN OLS program offered by an

A student who resides in this state but who is not enrolled in a school district or open enrollment charter school in this state as a full time student may<sup>274</sup> enroll in electronic courses through the TxVSN.<sup>275</sup> A student to whom this paragraph applies:

- x may not in any semester enroll in more than two electronic courses offered through the state virtual school network,
- x is not considered to be a public school student and is not eligible to generate FSP funding,
- x must obtain access to a course provided through the network through the school district or open enrollment charter school attendance zone in which the student resides,
- x is not entitled to enroll in a course offered by a school district or open enrollment charter school other than an electronic course provided through the network, and
- x is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course.

#### 12.2.4

Whether the student successfully completes the TxVSN course(s)

|

adjust the student's ADA

- x The student's temporary medical condition is documented by a physician licensed to

instruction as instructional time for FSP funding purposes, including in the calculation of contact hours. To do so, the following conditions must be met:

- x The student's admission, review, and dismissal (ARD) committee must have determined, in a manner consistent with state and federal law<sup>277</sup>, that the remote instruction to be provided meets the needs of the student. \*
- x The ARD committee must have documented that determination in the student's individualized education program.

**\*Note:** If a student's ARD committee determines that instruction through remote conferencing is appropriate for a student, that determination does not necessarily mean that the student's instructional arrangement/setting code will change with the provision of the instruction through remote conferencing. The student's instructional arrangement/setting code may stay the same if the actual instruction and services the student is receiving will remain the same and all that will change is the means of delivery of that instruction. In determining what instructional arrangement/setting code to use for the student, the ARD committee should consider the type of instruction and services being provided instead of the physical location of the student.

The waiver request must include an explanation of the circumstances. Waivers will be granted on a case by case basis.

If a waiver is granted, the affected student will generate attendance according to the 2 through 4 hour rule and based on whether the student is attendance<sup>4</sup>

### 12.3.3 Remote Homebound Instruction—Regular Education Students

In Subsection 12.3.3, "remote homebound instruction" means remote instruction in which a student receives individualized instruction through the GEH

- x The student's ARD committee must have determined, in a manner consistent



## 12.4 On Campus Online Courses Not Provided Through the TxVSN

This section addresses time spent in an online course **that is provided on a student's campus and is not provided through the TxVSN**. For information on funding eligibility of courses provided through the TxVSN, see [12.2 Texas Virtual School Network \(TxVSN\)](#). For information on remote instruction, including distance learning in which a student physically located at his or her home campus participates in a class provided at another campus, see [12.3 Remote Instruction That Is Not Delivered Through the TxVSN](#).

Time that a student spends in an online course that is not provided through the TxVSN and that your district provides to the student on the student's campus may be considered instructional time for FSP funding purposes (i.e., for purposes of the 2 through 4 hour rule) provided that the following conditions are met:

- x For the duration of the course, a certified<sup>279</sup> teacher must be present in the room in which the student is taking the course to answer questions and otherwise assist the student.
- x As with a traditional course, the student must be regularly scheduled for and attending the online course; i.e., the course may not be designed to operate on a "drop in" basis.

Time spent in a CTE online course provided on a ~~provided~~

n



# Section 13 Appendix: Average Daily Attendance (ADA) and Funding

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## Definitions

ADA: ADA is the average attendance of students for the school year. It is calculated by dividing the number of days attended by students in a six week period by the number of days taught in the six week period. The results for all six week periods in a track are then summed, divided by six, and rounded to three decimal places.

ADA =

$$\begin{array}{r} \text{(Total days present in 1}^{\text{st}} \text{ six weeks)} \quad \div \quad \text{(days taught for 1}^{\text{st}} \text{ six weeks)} \\ \text{(Total days present in 2}^{\text{nd}} \text{ six weeks)} \quad \div \quad \text{(days taught for 2}^{\text{nd}} \text{ six weeks)} \\ \text{(Total days present in 3}^{\text{rd}} \text{ six weeks)} \quad \div \quad \text{(days taught for 3}^{\text{rd}} \text{ six weeks)} \\ \text{(Total days present in 4}^{\text{th}} \text{ six weeks)} \quad \div \quad \text{(days taught for 4}^{\text{th}} \text{ six weeks)} \\ \text{(Total days present in 5}^{\text{th}} \text{ six weeks)} \quad \div \quad \text{(days taught for 5}^{\text{th}} \text{ six weeks)} \\ + \text{(Total days present in 6}^{\text{th}} \text{ six weeks)} \quad \div \quad \text{(days taught for 6}^{\text{th}} \text{ six weeks)} \\ \hline \text{Result} \end{array}$$

$$\text{Result} \div 6 = \text{ADA}$$

ADA must be calculated separately for each track and then added together to calculate total ADA.

**Note on ADA and Flexible Attendance:** Attendance for flexible attendance programs (Optional Flexible School Day Program and High School Equivalency Program) is recorded in contact minutes instead of days present. For these programs, 360 contact minutes (60 minutes  $\times$  6 hours), or 6 hours, is equivalent to one full day of attendance (one day present), and 1,080 hours (6 hours  $\times$  180 days), or 180 days, is equivalent to a full school year's attendance, or one ADA (the attendance that would be earned by one traditional program student with perfect attendance). A student must receive at least 45 minutes of instruction in a day for contact minutes to be recorded for the day and can earn a maximum of 600 contact minutes (10 hours) in a single day.

The number of days present that is equivalent to the contact minutes earned by a student for a particular six week period is calculated as follows:

- x Sum the total contact minutes for the reporting period.
- x Divide the total contact minutes by 60 to determine the number of hours for the reporting period.
- x Divide the number of hours for the reporting period by 6 (i.e., the number of hours that is equal to one day present) to determine the number of days present for the reporting period.
- x Round the number of days present down to the nearest half day.

Once the number of days present is determined, that number can be used in the regular ADA calculation shown in the table above.

**Days in Attendance:** Days in attendance are the total number of days that a student was in attendance (present at the designated attendance taking time or absent for a purpose described by 19 TAC §129.21[j] or [k]) during a specific period (for example, a 180 day school year) while that student was eligible to generate funding (in membership).

**Days in Membership:** Days in membership are the total number of days that a student is enrolled in classes and is regularly scheduled for at least 2 hours daily. (The student may still be ineligible due to eligibility issues other than the amount of time served.) A student is not in membership until the student has been present at the official roll call at least one time.

**Instructional Days:** Instructional days are the total number of days that classes are held in the school year. The law requires that districts have 180 instructional days unless a waiver has been issued to shorten the school year. Charter schools are not required to have a 180 day calendar; however, their funding is based on a 180 instructional day calendar minus the number of days that are approved for waivers.

**Refined ADA:** Refined ADA is ADA calculated with waivers. (19 TAC § 129.21 [d] 0

a student's special education



**Gifted/Talented — Weight 0.12**  
Gifted/talented funding pays

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## Section 14 Glossary

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- x students who previously resided or currently reside in a residential placement facility in the district<sup>283</sup>

**Attendance Snapshot** – The moment when official attendance is determined for all students. At the moment the snapshot is taken, a student is either present or absent.

**Average Daily Attendance (ADA)** – The number of students

eligible in the district in

**Early Education (EE)** – A grade level for students 0 through 5 years

**Foundation School Program (FSP)** – The program under which Texas public school districts receive resources to provide a basic instructional program and facilities to eligible students.

**General Education Homebound (GEH)** – The instructional setting under which students receive services at home or hospital bedside from a certified teacher and are counted present for FSP purposes based on the amount of service they receive at home or hospital bedside each week. Students served under this setting do not qualify for special education eligibility. They must be confined for medical reasons only and be expected to be confined for a minimum of 4 weeks (which need not be consecutive).

**High School Equivalency Program (HSEP)** – Also known as the "In School GED Program," a program that provides an alternative for high school students 16 through 21 years of age (22 years of age if qualified for special education) who are at risk of not graduating from high school and earning a high school diploma. The purpose of the program is to prepare eligible students to take a high school equivalency examination (GED).

**Home Based Instruction** – The setting for providing early intervention services through ECI programs operated through the Texas Department of Assistive and Rehabilitative Services in the home of the client. Both parent training and infant instruction are provided. When direct care of the infant is given by someone other than the natural parent, the direct care provider must also receive training. This instructional arrangement/setting does **not** generate contact hours or ADA.

**Homebound** – The special education instructional arrangement/setting under which students receive services at home or hospital bedside from a certified teacher and are counted present for FSP purposes based on the amount of service they receive at home or hospital bedside each week. Students served under this setting must meet all special education eligibility requirements to be counted eligible.

**Homeless Students** – As defined by 42 USC, §11302(a), the terms "homeless", "homeless individual", and "homeless person" means —

- (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence;
- (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- (3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low income individuals or by charitable organizations, congregate shelters, and transitional housing);
- (4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- (5) an individual or family who —
  - (A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal,

State, or local government programs for low income individuals or by charitable organizations, as evidenced by —

- (i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;
  - (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
  - (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
- (B) has no subsequent residence identified; and
- (C) lacks the resources or support networks needed to obtain other permanent housing; and
- (6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who —
- (A) have experienced a long term period without living independently in permanent housing,
  - (B) have experienced persistent instability as measured by frequent moves over such period, and
  - (C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

As defined by 42 USC, §11434a, the term “homeless children and youths” —

- (A) means individuals who lack a fixed, regular, and adequate nighttime residence [within the meaning of §11302(a)(1)]; and
- (B) includes —
  - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings [within the meaning of §11302(a)(2)(C)<sup>289</sup> of this title];
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children (as such term is defined in §6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

**Individualized Education Program (IEP)** – A program developed by an ARD committee for each student served in special education. The IEP should include the special education and related services and the amount of services the student is to receive as well as the instructional arrangement/setting. This information is necessary for proper coding of special education students in the attendance accounting system.

**Ineligible**

**Military (Member of Armed Forces) (Definition Applicable for Prekindergarten Eligibility Requirements)** – Active duty uniformed member (parent or guardian) of the US Army, Navy, Marine Corps, Air Force, or Coast Guard who is assigned to duty stations in Texas or who is a Texan who



**Out of School Suspension** – A student is removed from school according to the TEC, §37.005, Suspension. If the suspension causes the student to be absent at the official attendance time, the student is counted absent for attendance accounting purposes. The use of out of school suspension is limited, without exception, to 3 school days per offense event. A partial day of suspension counts as one of the three

**Scholastic Year** – A period of at least 180 days of instruction. Each school district must operate so that the district provides for at least 180 days of instruction for students.<sup>297</sup>

**School Community Guidance Center** – A guidance center established by school districts or a cooperative of school districts to locate and assist children with problems that interfere with education, including juvenile offenders and children with severe behavioral problems or character disorders.<sup>298</sup> The attendance of a student placed in a school community guidance center is eligible in the district in which the student resides or is otherwise entitled to attend for FSP benefits.

**School Day** – A school day must be at least 7 hours each day, including intermissions and recesses.<sup>299</sup>

**Semester System** – A system in which a school district operates for either two or three semesters during the school year. Each school district must operate using the semester system except as provided under the TEC, §25.084, Year Round System.

**State Assigned Alternative ID Number** – All students attending public school in Texas who do not submit Social Security numbers are assigned alternative numbers from a range of numbers assigned to each district by the state.

When a student withdraws, either this number or the SSN must be sent to the receiving school. Any student entering a Texas public school must bring an SSN or the alternative ID number.

Districts must not assign the student a new number. It is important that the student carry the same number as long as he or she is in a Texas public school.

**Student Detail Report** – A district generated report that reflects the codification of each individual student for the entire school year. This report also summarizes, by 6 week reporting period, the attendance data of each student (Section 2).

**Substitute Care** – The placement of a child who is in the conservatorship of the Texas Department of Family and Protective Services or an authorized agency in care outside the child's home. The term includes foster care, institutional care, adoption, placement with a relative of the child, or commitment to the TJJ.<sup>300</sup>

**Suspension** – See **In School Suspension** and **Out of School Suspension**.

**Texas Administrative Code (TAC)** – Rules adopted by the State Board of Education or the commissioner of education under authority granted by state law.

**Texas Education Code (TEC)** – Statutes governing public education in Texas.

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<sup>297</sup> TEC, §25.081

<sup>298</sup> TEC, §37.051–37.056, School Community Guidance Centers

<sup>299</sup> TEC, §25.082

<sup>300</sup> Texas Family Code, §263.001(a)(4)

**Track** A group of students and teachers scheduled to attend school and take vacations on the same schedule.

**Withdrawal Date**

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Language Proficiency Assessment Committee (LPAC), 176, 178, 181, 182, 186, 189  
Limited English Proficient (LEP), 79, 175, 176, 177, 178, 179, 181, 186, 188, 193, 202  
Membership, 20, 30, 32, 33, 34, 35, 38, 41, 49, 52, 64, 73, 80, 119, 194, 284, 287; Definition, 287  
Memorandum of Understanding (MOU), 135, 237, 238  
Military, 47, 51, 192, 196, 197, 258  
National School Lunch Program (NSLP), 191, 192, 194, 195, 284  
Night / Evening School, 78, 242  
Off Home Campus, 96, 104, 113, 116, 117, 118, 138, 149, 150, 277  
Official Attendance Period / Hour, 35, 49, 64, 282  
Online Courses Not Provided Through the Texas Virtual School Network, 273  
Optional Extended Year Program (OEYP), 251  
Optional Flexible School Day Program (OFSDP),

Zero Filled PEIMS Records, 65, 291

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## Resources

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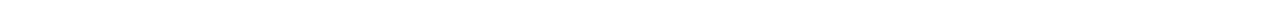
No Child Left Behind (NCLB) Act website:

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## COMPLIANCE STATEMENT

TITLE VI, CIVIL RIGHTS ACT OF 1964; TITLE VII, CIVIL RIGHTS ACT OF 1964 AS AMENDED BY THE EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972; EQUAL PAY ACT OF 1964; TITLE IX, EDUCATION AMENDMENTS; REHABILITATION ACT OF 1973 AS AMENDED; 1974 AMENDMENTS TO THE WAGE HOUR LAW EXPANDING THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967; VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1972 AS AMENDED; IMMIGRATION REFORM AND CONTROL ACT OF 1991; AMERICANS WITH DISABILITIES ACT OF 1990; AND THE CIVIL RIGHTS ACT OF 1991.

The Texas Education Agency shall comply fully with the nondiscrimination provisions of all federal and state laws, rules, and regulations by assuring that no person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any educational programs or activities which it operates on the grounds of race, religion, color, national origin, sex, disability, age, benefits





Texas Education Agency  
Austin, Texas  
August 12, 2013

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