

October 9, 2017

To the Administrator Addressed:

Subject: Commissioner's adjustment to average daily attendance (ADA) for school districts and charter schools experiencing declines in enrollment because of Hurricane Harvey for the 2017–2018 school year.

This letter provides guidance to school districts and charter schools that are eligible for an adjustment to ADA under Texas Education Code (TEC) Sec. 42.0025(d), which provides that the commissioner may adjust the ADA of a school district in which a disaster, flood, extreme weather condition, fuel curtailment, or other calamity has a significant effect on the district's attendance.

Background

During the 2017–2018 school year, many school districts and charter schools may experience losses in ADA due to Hurricane Harvey. As a reminder, in the TEA's *To the Administrator Addressed* letter dated September 12, 2017, the TEA indicated it would continue to make full payments to all school districts and charter schools based on their individual Legislative Payment Estimates (LPE) found on the Summary of Finances regardless of actual enrollment. In addition, charter schools experiencing enrollment losses and needing to stabilize LPE payments were encouraged to contact TEA staff to seek those arrangements.

Because average daily attendance (ADA) is a major component in determining Foundation School Program (FSP) funds, a loss of ADA would normally result in: (1) a loss of FSP funds for affected school districts during the September 2018 FSP settle-up process, or (2) an increase in recapture obligations.

Commissioner's Adjustments to ADA

To mitigate against these changes in FSP funding for the 2017–2018 school year, the commissioner of education is exercising his authority under Texas Education Code (TEC) Sec. 42.005(d) to adjust ADA for affected districts during the 2017–2018 school year, effectively holding districts harmless for a loss of ADA from the storm. **This is a one-time adjustment that will only be made for the 2017–2018 school year.** Please note that the availability of this ADA adjustment does not supersede existing requirements related to minimum minutes and/or days of instruction and/or operation.

The commissioner will hold affected districts and charters harmless to a projected ADA number calculated using a three-year average trend from the 2014–2015 through 2016–2017 school years, unless this projection is both 15% higher and 100 ADA higher than the 2017-2018 LPE projections. In the latter case, 2017-2018 LPE will be used. This calculation is included in the attached spreadsheet.

Eligibility

The TEA has established the following criteria for school districts and charter schools in counties included in the Governor's Disaster Declaration to be eligible for an ADA adjustment:

1. The school district or charter school has had damage to at least one campus which has resulted in a disruption of instruction lasting 2 or more weeks, **OR**
2. The school district or charter school had instructional facilities that were closed for the 9 or 10 hurricane related waiver days, and
3. The school district or charter school must complete the Governor's Commission to Rebuild Texas Worksheet by October 27, 2017.

Additional factors will be considered on a case by case basis.

Verifying Eligibility

Please see the attachment that details the list of school districts and charter schools that have been preliminarily identified or already verified as being eligible for this ADA adjustment given the criteria above. This list has been created using the most current information on file, but the TEA will verify eligibility as information is submitted. It is entirely possible that the TEA has excluded districts that should be on the attached list. If your school system meets either criteria 1 or 2 above and is not on the list, please contact Sara.Kohn@tea.texas.gov or (512) 463-8891 to be included. The list of districts and charters eligible will be updated on our Hurricane Harvey Resources website as verifications occur.

TEA will review submitted missed school day waivers or other written notifications to verify eligibility for criteria #2. For help with waiver submissions or to submit separate written notification of closure, please contact Leah Martin at Leah.Martin@tea.texas.gov or (512) 463-8597.

Districts or charters who do not meet eligibility for either criteria 1 or 2 above can contact us for consideration on a case by case basis. This may be appropriate, for example, in areas where there was significant loss of housing. Please contact Sara.Kohn@tea.texas.gov or (512) 463-8891 for more information.

Rebuild Texas Worksheets

TEA will review the Rebuild Texas worksheets and other written notifications to verify eligibility for the above criteria #1.

Districts have previously been asked by TEA (through their regional service centers) to supply certain facility damage information, primarily focused on basic information about campus costs. The Rebuild Texas Worksheet is meant to replace and expand upon the prior request, to include all costs associated with the Hurricane. The prior information request is no longer needed.

Guidance to fill out the Rebuild Texas Worksheet is available at: https://tea.texas.gov/Rebuild_Texas_Instructions/. This includes examples and basic instructions. We can also provide direct help filling it out. Please contact Candy Stoltz at Candace.Stoltz@tea.texas.gov or (512) 463-9286 for assistance completing the Worksheet.

Once completed, Rebuild Texas Worksheets should be submitted to RebuildTexas@tamus.edu.

To contact us for any other questions about this matter, please contact me at (512) 463-9179 or at Leo.Lopez@tea.texas.gov or Al McKenzie, Director of State Funding at (512) 463-9186 or at Al.McKenzie@tea.texas.gov.

Regards,

Leo Lopez, RTSBA
Associate Commissioner for School Finance

Attachments

[ADA Adjustment Preliminary List \(PDF\)](#)

[ADA Adjustment Preliminary List \(EXCEL\)](#)