

**2003-2004 Student Attendance Accounting Handbook
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Section	Change	2002-2003	2003-2004
Section II Audit Requirements	Revision	(3-4) Student membership from the teacher's roster is to be reconciled to the attendance accounting records at the end of each six-week reporting period. The reconciliation is verification that all students reported on attendance records and whether all "no show" students were purged from the attendance accounting system. District personnel are to develop a form to be used at the end of each six weeks to show the total number of students in membership in each teacher's class during the official attendance period. The total number of students in membership is to be reconciled to the total number of students listed in attendance accounting records. This document is to be certified by the district PEIMS coordinator and his/her supervisor by signature.	(3-4) Student membership from the teacher's roster is to be reconciled to the attendance accounting records at the end of the 1st and 4th six-weeks reporting periods. The reconciliation is to verify that all students are reported on attendance records and that "no show" students were purged from the attendance accounting system. District personnel are to develop a form to be used at the end of the 1st and 4th six week periods to show the total number of students in membership in each teacher's class during the official attendance period. The total number of students in membership is to be reconciled to the total number of students listed in attendance accounting records. This document is to be certified by the district PEIMS coordinator and his/her supervisor by signature. This reconciliation does not need to be conducted on the last day of the six-week period; however, it should be conducted no later than the final week of the six-week period. The reconciliation should be for the official attendance period (usually second period).
Section III General Requirements	Revision	(5-8) A student who is five years of age on or before September 1 of the current school year is automatically eligible for the first grade for the full school term (ADA eligibility code 1) if the student has completed public school kindergarten or has been enrolled in the first grade in a public school in another state prior to transferring to a Texas public school. TEC §42.003(c) The term "enrolled" means actually receiving instruction by attendance in a public school rather than being registered prior to receiving instruction. However, any five-year-old child may be assigned to first grade for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district and require consent from the student's parent or guardian.	(5-8) A child may be enrolled in the first grade if the child is at least six years of age at the beginning of the school year of the district or has been enrolled in the first grade or has completed kindergarten in the public schools in another state before transferring to a public school in this state. TEC §42.003(c) The term "enrolled" means actually receiving instruction by attendance in a public school rather than being registered prior to receiving instruction. However, any five-year-old child that enrolls in the first grade under TEC §42.003(a) and (c) may be assigned to first grade for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district and require consent from the student's parent or guardian.
Section III General	Revision	(6) ADA Eligibility Coding	(6) ADA Eligibility Coding

Note: Revisions are bolded for comparison purposes.

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Requirements		<p align="center">0</p> <p>Enrolled, Not in Membership Code 0 applies to children who do not meet the requirements for membership (two-four hour rule) but are served in the district for less than two hours per day. Examples include:</p> <ul style="list-style-type: none"> • children who are scheduled to attend for less than two hours each school day; • children who attend a nonpublic school but receive some services from the district (e.g., speech therapy services only); • students who are served totally in a federal Head Start program; • students who have graduated but returned to school (for less than two hours per day) to further their education; • students who receive all of their service through a special education non-public contract; and • parentally placed private school students with disabilities, ages 5 through 21, receiving special education and related services through a services plan (SEE, Section IV (5-11)). 	<p align="center">0</p> <p>Enrolled, Not in Membership Code 0 applies to children who do not meet the requirements for membership (two-four hour rule) but are served in the district for less than two hours per day. Examples include:</p> <ul style="list-style-type: none"> • children who are scheduled to attend for less than two hours each school day; • children who attend a nonpublic school but receive some services from the district (e.g., speech therapy services only); • students who are served totally in a federal Head Start program; • students who have graduated but returned to school (for less than two hours per day) to further their education; • students who receive all of their service through a special education non-public contract; • parentally placed private school students with disabilities, ages 5 through 21, receiving special education and related services through a services plan (see, Section IV (5-11)); and • children who receive child care through the Pregnancy, Education, and Parenting program at a district on-site child care center.
Section III General Requirements	Revision	<p align="center">3</p> <p>Eligible Transfer Student Full-Day This code is used when a student is a non-resident, is legally transferred into the district, and is in membership for at least four hours each school day;. This status applies only to students wishing to transfer from one Texas district to another, and these students must meet all the criteria of an eligible student other than residency.</p> <p>The parent or guardian of the student must complete a Student Transfer Form ACC-041BR01, which should be retained at both the sending and receiving districts for audit purposes. The receiving district must submit the form Transfers Approved Prior to</p>	<p align="center">3</p> <p>Eligible Transfer Student Full-Day This code is used when a student is a non-resident, is legally transferred into the district, and is in membership for at least four hours each school day;. This status applies only to students wishing to transfer from one Texas district to another, and these students must meet all the criteria of an eligible student other than residency.</p> <p>School Districts and charter schools are no longer required to send Student Transfer Form ACC-041BR01 to the home district of a transfer student. The receiving district must complete this form (or create an in-house version of this form that collects all of the same data as form ACC-</p>

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		<p>May 1 to TEA by May 10 of the current school year. Additional information and copies of these forms may be obtained by calling the Division of Equal Educational Opportunity of TEA at (512) 463-9519.</p>	<p>041BR01) each year on every student transfer. A copy of this document must be maintained for audit purposes for at least five years.</p>
<p>Section III General Requirements</p>	<p>Revision</p>	<p>(7-3) The number of days taught shall be the actual number of days instruction is offered. Legal holidays and days the school is closed for local events cannot be counted. Attendance cannot be reported on days when no instruction is offered. When a holiday occurs within an attendance accounting period, the date, name, and/or purpose of the holiday must be documented in all reports required for audit purposes (Section II).</p>	<p>(7-3) The number of days taught shall be the actual number of days instruction is offered. Legal holidays and days the school is closed for local events cannot be counted. Attendance cannot be reported on days when no instruction is offered. (e.g., senior days) When a holiday occurs within an attendance accounting period, the date, name, and/or purpose of the holiday must be documented in all reports required for audit purposes (Section II).</p>
<p>Section III General Requirements</p>	<p>Revision</p>	<p>(7-5) School districts should build two "weather" or contingency days into the adopted school calendar. In the event that conditions necessitate the closing of school on scheduled instructional days, these weather days are to be used to ensure that the minimum days of instruction are provided.</p> <p>If a school district designates a Saturday to replace a day lost due to inclement weather or some other emergency (i.e., disaster, flood, fuel curtailment, or other calamity), the attendance for all students who are present will be counted on that day for funding purposes if all other legal requirements are met.</p>	<p>(7-5) Schools should build two "make-up days" for school closures into the adopted school calendar. In the event that the district deems it necessary to close school on a scheduled instructional day, the make-up days are to be used to ensure that the minimum days of instruction are provided. If the dates for the designated make-up days have already passed when the school closes on a scheduled instructional day, the school is still required to make up at least two of the scheduled instructional days lost. Additional days missed due to weather, safety or health issues do not need to be made up.</p> <p>On a make-up day designated to replace a scheduled instructional day lost, the attendance for all students who are present will be counted on that day for funding purposes if all other legal requirements are met. A school day is required to be at least seven hours in length, including intermissions and recesses. No waivers for low attendance on a make-up day will be granted. Schools are encouraged to select practical make-up days (e.g., no national holidays, etc.)</p> <p>Requests to have an early release day on a make-</p>

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			<p>up day are strongly discouraged. Any such request must be submitted in writing at least 31 days in advance of the target date for the early release. Requests should be sent to the TEA Waivers Office. For audit purposes, a copy of the waiver is to be retained for five years.</p> <p>On a day when school was held but attendance was at least 10 percentage points below the overall attendance rate of the district (or campus) for the prior year due to weather-related or health/safety issues, the day may be excused for Foundation School Program funding purposes. For audit purposes, specific written TEA approval is required for the day to be excluded from the ADA calculations. Documentation of low attendance for the day (including the reason for the low attendance rate) and the prior year's attendance report (showing the average for the year) for district or campus must be sent to the Division of State Funding for written approval.</p>
Section IV Special Education	Revision	<p>7 Off Home Campus This instructional arrangement/setting is for providing special education and related services to the following:</p> <ul style="list-style-type: none"> a. a student who is one of a group of students from more than one school district served in a single location when a free appropriate public education is not available in the respective sending district (sending district records/reports this code in PEIMS); b. a student whose instruction is provided by school district personnel in a facility (other than a non-public day school) not operated by a school district; and c. a student in a self-contained program at a separate campus operated by the school district that provides special education and related services. 19 TAC §89.63 (c)(7) 	<p>7 Off Home Campus This instructional arrangement/setting is for providing special education and related services to the following:</p> <ul style="list-style-type: none"> a. a student who is one of a group of students from more than one school district served in a single location when a free appropriate public education is not available in the respective sending district (sending district records/reports this code in PEIMS) [19 TAC §89.63(c)(7)(A)]; b. a student whose instruction is provided by school district personnel in a facility (other than a non-public day school) not operated by a school district [19 TAC §89.63(c)(7)(B)]; or c. a student in a self-contained program at a separate campus operated by the school district that provides only special education and related services [19 TAC §89.63(c)(7)(C)].

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Section IV Special Education	Revision	<p>8. State School for Persons with Mental Retardation - Code 30 This instructional arrangement/setting is for providing special education and related services to a student who currently resides at a state school when the services are provided at a state school location. If services are provided on a local district campus, the student is coded residential care and treatment facility. 19 TAC §89.63(c)(11)</p> <p>Students coded in this setting may also generate special education contact hours in speech therapy.</p> <p>The thirteen state schools in Texas are listed below:</p> <ul style="list-style-type: none"> • Laredo State Center • Corpus Christi State School • Richmond State School • Beaumont State Center • Brenham State School • Lufkin State School • Denton State School • Mexia State School • Austin State School • Abilene State School • Amarillo State Center • San Antonio State School • Lubbock State School 	<p>8. State School for Persons with Mental Retardation - Code 30 This instructional arrangement/setting is for providing special education and related services to a student who currently resides at a state school when the services are provided at a state school location. If services are provided on a local district campus, the student is coded residential care and treatment facility. 19 TAC §89.63(c)(11)</p> <p>Students coded in this setting may also generate special education contact hours in speech therapy.</p> <p>The thirteen state schools in Texas currently serving students 0 – 21 years of age are listed below:</p> <ul style="list-style-type: none"> • Rio Grande State Center • Corpus Christi State School • Richmond State School • El Paso State Center • Brenham State School • Lufkin State School • Denton State School • Mexia State School • Austin State School • Abilene State School • San Angelo State School • San Antonio State School • Lubbock State School
Section IV Special Education	Revision	<p>(4-10) Extended School Year (ESY) Services: Districts will be funded for ESY services for special education students for the summer of 2003. Each student must be recommended for ESY services by the ARD committee (as documented in the student's IEP) based on the justification that, without participation in ESY services, the student may regress over the summer months. TEC §42.151(k),</p>	<p>(4-10) Extended School Year (ESY) Services: Districts will be funded for ESY services for special education students for the summer of 2004. Each student must be recommended for ESY services by the ARD committee (as documented in the student's IEP) based on the justification that, without participation in ESY services, the student may regress over the summer months. TEC §42.151(k), 19 TAC §89.1065</p>

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		<p align="center">19 TAC §89.1065</p> <p align="center">Instructions for ESY services are as follows.</p> <p>1. The student must be reported in the same instructional arrangement/setting in which the student was served during the 2002-2003 school year.</p>	<p align="center">Instructions for ESY services are as follows.</p> <p>1. The student must be reported in the same instructional arrangement/setting in which the student was served during the 2003-2004 school year.</p>
Section IV Special Education	Revision	(5-8) A student should be enrolled in only one district at a time; thus, eliminating duplicate PEIMS reporting for a student.	(5-8) A student should be enrolled in only one district at a time, thus eliminating duplicate PEIMS reporting for a student.
Section IV Special Education	Revision	<p>(5-11) Last paragraph read in 02-03 as below.</p> <p>Outlined in the Provision of Services for Students Placed by their Parents in Private Schools or Facilities (19 TAC §89.1096), the amount and type, if any, of special education and related services made available to students with disabilities placed in private schools or facilities is determined based on consultation with representatives of the private school students with disabilities and a proportionate share calculation. 34 CFR 300.450-300.462 Since the obligation of the LEA to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into PEIMS with an ADA eligibility code of 0 - Enrolled, Not in Membership and counted on the October 25, 2002, child count snapshot for data reporting purposes.</p>	<p>(5-11) Last paragraph has been revised in 03-04 to read as follows.</p> <p>Outlined in the Provision of Services for Students Placed by their Parents in Private Schools or Facilities (19 TAC §89.1096), the amount and type, if any, of special education and related services made available to students with disabilities placed in private schools or facilities is determined based on consultation with representatives of the private school students with disabilities and a proportionate share calculation. 34 CFR 300.450-300.462 Since the obligation of the LEA to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into PEIMS with an ADA eligibility code of 0 - Enrolled, Not in Membership and counted on the October 31, 2003, child count snapshot for data reporting purposes.</p>
Section V Career & Technology Education	Revision	<p>(4-4) Third paragraph read in 02-03 as below.</p> <p>For students who are enrolled in more than one career and technology course, career and technology education codes are combined to determine the correct career and technology education code assigned to each student. For example, a student is enrolled in a</p>	<p>(4-4) Third paragraph has been revised in 03-04 to read as follows.</p> <p>For students who are enrolled in more than one career and technology course, career and technology education codes are combined to determine the correct career and technology education code assigned to each student. For example, a student is enrolled in a</p>

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		career and technology course that averages 50 minutes per day (V1) and a career and technology course that averages 150 minutes per day (V3). When the V1 and the V3 class codes are combined, the student is assigned a code of V4 in the attendance accounting system.	career and technology course that averages 50 minutes per day (V1) and a career and technology course that averages 150 minutes per day (V3). When the V1 and the V3 class codes are combined, the student is assigned a code of V4 in the attendance accounting system. Three contact hours is the maximum a district can claim for a course.								
Section V Career & Technology Education	Revision	(4-8) Some school districts may contract with other entities to provide career and technology education instruction for students enrolled in district to receive high school credit. These contracts may be with another entity, such as a school district, a community college, the Texas State Technical College System, or a proprietary school. Proprietary school teachers must have a Texas teaching certificate. In all cases, the home (sending) district must report the student's attendance when it is a high school only course. See (8-1) for quality control instructions.	(4-8) Some school districts may contract with other entities to provide career and technology education instruction for students enrolled in district to receive high school credit. These contracts may be with another entity, such as a school district, a community college, the Texas State Technical College System, or a proprietary school. Proprietary school teachers must have a Texas teaching certificate for the teaching assignment . In all cases the home (sending) district must report the student's attendance when it is a high school only course. See (8-1) for quality control instructions.								
Section V Career & Technology Education	Addition	None	<p>(4-15) Self-paced instruction is eligible for contact hours if the school can document that the student met the following minimum time requirements in Career and Technology Education course instruction:</p> <table border="1"> <tbody> <tr> <td>Minimum hours</td> <td>1 hour 1 semester 77:30 hours</td> <td>2 hours 1 semester 145 hours</td> <td>3 hours 1 semester 225 hours</td> </tr> <tr> <td>Minimum hours</td> <td>1 hour 2 semesters 155 hours</td> <td>2 hours 2 semesters 290 hours</td> <td>3 hours 3 semesters 450 hours</td> </tr> </tbody> </table>	Minimum hours	1 hour 1 semester 77:30 hours	2 hours 1 semester 145 hours	3 hours 1 semester 225 hours	Minimum hours	1 hour 2 semesters 155 hours	2 hours 2 semesters 290 hours	3 hours 3 semesters 450 hours
Minimum hours	1 hour 1 semester 77:30 hours	2 hours 1 semester 145 hours	3 hours 1 semester 225 hours								
Minimum hours	1 hour 2 semesters 155 hours	2 hours 2 semesters 290 hours	3 hours 3 semesters 450 hours								
Section V Career & Technology Education	Revision	<p>(5-7) Career and Technology Education Career Preparation eligibility requirements are below. Refer to (4-6) for General Rules and to the Glossary for definitions.</p> <p>1. Each career preparation class utilizing the <u>paid work based learning</u> delivery arrangement must consist of an average of one class period of instruction per day <u>for the entire school year</u> in addition to an assignment at a work-based training site.</p>	<p>(5-7) Career and Technology Education Career Preparation eligibility requirements are below. Refer to (4-6) for General Rules and to the Glossary for definitions.</p> <p>1. Each career preparation class utilizing the paid work-based learning delivery arrangement must consist of student participation in work-based training appropriate to the instructional program plus participation in related Career and Technology Education classroom instruction. Classroom</p>								

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			<p>instruction must average one class period each day for every school week and span the entire school year. This instructional arrangement is not appropriate for self-paced instruction.</p>
Section VI Bilingual/ESL	New	None	<p>(9-4) A LEP student is assessed in March to determine if he/she could be reclassified as English proficient. The LPAC meets in April to recommend that the student be classified as non-LEP. A school district will continue to receive funding for this student until the end of the school year.</p> <p><i>A school district should not pull a student from a classroom before the end of the school year. The student continues to be served in the bilingual and/or ESL program until the end of the school year. The student is placed in an all-English classroom at the beginning of the following school year.</i></p> <p>(9-5) A student's parent denies placement of their child into a bilingual and/or ESL program therefore the student is entered into PEIMS as LEP with parental denial. The following school year the student is still considered as LEP with parental denial.</p> <p><i>The school district does not change the status of the student as LEP with parental denial until the student passes the reading subtest of the TAKS (and writing if available) or the student scores at or above the 40th percentile on both the Reading and Language Arts subtests of an English achievement test from the list of State-Approved Tests. The student continues as LEP with the parental denial until the TAKS or English achievement test criteria is met.</i></p>
Section VII Pre-Kindergarten	Revision	<p>(2-2) A student is eligible for PK by meeting the following criteria in 1, 2, or 3.</p> <p>1. Appropriate PK staff determines eligibility for students who do not speak and comprehend the English language, by:</p>	<p>(2-2) A student is eligible for PK by meeting the following criteria in 1, 2, or 3.</p> <p>1. Appropriate PK staff determines eligibility for students who do not speak and comprehend the English language, by:</p>

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		<p>a. administering the home language survey (if a language other than English is indicated on any portion of the survey, then the student must be tested for English proficiency); and</p> <p>b. screening students using informal oral inventories, adaptations of oral proficiency instruments approved by the commissioner of education, or other appropriate commercially-developed instruments; or</p> <p>2. Appropriate PK staff determines eligibility for students who are educationally disadvantaged. Educationally disadvantaged students are eligible to participate in the National Free or Reduced-Price Lunch Program; or</p> <p>3. Appropriate PK staff determines eligibility for students who are homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child.</p> <p>For the purpose of this section, the term "homeless" includes [42 USC §11302]:</p> <p>a. an individual who lacks a regular, fixed, or adequate nighttime residence; and</p> <p>b. an individual who has a primary nighttime residence that is:</p> <p>1. a supervised public or private shelter designed to provide temporary living accommodations (including</p>	<p>a. administering the home language survey (if a language other than English is indicated on any portion of the survey, then the student must be tested for English proficiency); and</p> <p>b. testing students using oral instruments from the list of state approved tests for assessment of limited English proficient students.</p> <p>2. Appropriate PK staff determines eligibility for students who are educationally disadvantaged. Educationally disadvantaged students are eligible to participate in the National Free or Reduced-Price Lunch Program; or</p> <p>3. Appropriate PK staff determines eligibility for students who are homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child.</p> <p>The definition in 42 U.S.C. §11302 is similar, but not identical, to the new definition of "homeless children and youths" enacted in the No Child Left Behind (NCLB) legislation enacted by Congress . As the new definition in the NCLB legislation applies specifically under federal law to the enrollment of homeless children and youth, the Texas Education Agency advises that school districts apply the NCLB definition, in addition to the definition in 42 U.S.C. §11302, when determining if a student is eligible for enrollment.</p> <p>42 U.S.C. §11434(a) provides:</p> <p>a. the term "homeless children and</p>

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		<p>welfare hotels, congregate shelters, and transitional housing for the mentally ill);</p> <p>2. an institution that provides a temporary residence for individuals intended to be institutionalized; or</p> <p>3. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.</p>	<p>youths",</p> <p>b. includes;</p> <p>1. 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;</p> <p>2. 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 section 11302(a)(2)(C) of this title);</p> <p>3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p> <p>4. migratory children (as such term is defined in section 6399 of Title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (1) through (3).</p>

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Section VII Pre- Kindergarten	Revision	<p>(5-4) Once a student is determined to be eligible for PK, the student remains eligible for the remainder of the current school year in the district in which he or she resides or is otherwise entitled to attend for Foundation School Program benefits.</p> <p>For example, a student who qualifies for PK because the student is eligible to participate in the National Free or Reduced-Price Lunch Program (educationally disadvantaged) is eligible for PK the entire school year even if the family's annual income increases above the subsistence level during the school year.</p> <p>In order for a student to qualify for the National Free or Reduced-Price Lunch Program, the student's family is required to provide the school district with current income level information. Many districts pre-register PK students in an attempt to plan for and to determine the size of the following school year's PK program. Since income level information must be current to qualify for the National Free or Reduced-Price Lunch Program, districts will verify income level information again once the new school year approaches or actually begins. Upon re-verification of income, if the family's income level has changed and they are not educationally disadvantaged (eligible for the National Free or Reduced-Price Lunch Program), then the student is not eligible for PK funding.</p>	<p>(5-4) Once a student is determined to be eligible for PK, the student remains eligible for the remainder of the current school year in the district in which he or she resides or is otherwise entitled to attend for Foundation School Program benefits.</p> <p>For example, a student who qualifies for PK because the student is eligible to participate in the National Free or Reduced-Price Lunch Program (educationally disadvantaged) is eligible for PK the entire school year even if the family's annual income increases above the subsistence level during the school year.</p> <p>In order for a student to qualify for the National Free or Reduced-Price Lunch Program, the student's family is required to provide the school district with current income level (documentation). Many districts pre-register PK students in an attempt to plan for and to determine the size of the following school year's PK program. Since income level (documentation) must be current to qualify for the National Free or Reduced-Price Lunch Program, districts will verify income level (documentation) no more than two (2) months prior to the student's first day of membership. Upon re-verification of income, if the family's income level has changed and they are not educationally disadvantaged (eligible for the National Free or Reduced-Price Lunch Program), then the student is not eligible for PK funding.</p>
Section IX Pregnancy Related Services	Revision	<p>(5-3) Eligibility for PRS ends upon the student's return to her regular service at a school campus. When receiving CEHI (a provision of the PRS program), the student will</p>	<p>(5-3) Eligibility for PRS ends upon the student's return to her regular service at a school campus. When receiving CEHI (a required service of the PRS program), the student will continue to generate the</p>

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		continue to generate the additional PRS allotment.	additional PRS allotment.
Section IX Pregnancy Related Services	New	None	(8-7) No student should be coded PRS unless CEHI is one of the services provided by the district. In the event that CEHI is offered but not provided to a student, documentation must be maintained to explain why CEHI was not provided.
Section IX Pregnancy Related Services	New	None	(9-11) CEHI is one of the PRS services provided by a district. However, one of the students does not receive CEHI during her postpartum period due to an extenuating circumstance (for example, the student or baby is in a hospital in a different town, the parents refuse the service). <i>Since PRS rules require that CEHI be provided, the district must maintain documentation explaining the reasons for not providing CEHI to a student.</i>
Section X Non- Traditional Schools	New	None	(9-8) Students with disabilities expelled from school must continue to be provided a free, appropriate public education (FAPE) by the local education agency (LEA). 34 CFR 300.121(d) LEAs providing FAPE to expelled students may claim ADA on the students based on the two-four hour rule related to daily instruction.
Section XI Glossary	Revision	Homeless, Students - As defined by the McKinney Homeless Assistance Act, section 103(a)(1)(2), a homeless individual is one who: <ol style="list-style-type: none"> 1. lacks a fixed, regular, and adequate residence; or 2. has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations, an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. <p>This definition does not include incarcerated individuals. These students are eligible for all programs for which they would otherwise be eligible if they were not homeless.</p>	Homeless Students - As defined by NCLB, Title X, Part C, Section 725(2), the term "homeless children and youths" — (A) means individuals who lack a fixed, regular, and adequate nighttime residence [within the meaning of section 103(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

Note: Revisions are bolded for comparison purposes.

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			<p>regular sleeping accommodation for human beings [within the meaning of section 103(a)(2)(C)];</p> <p>(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p> <p>(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>

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