

## 2007-2008 Student Attendance Accounting Handbook

### CHANGE DOCUMENT

Section	Change	2006-2007	2007-2008
Section I Overview	Revision	(1-1) The <i>Student Attendance Accounting Handbook (Handbook)</i> contains the official attendance accounting rules and regulations for all public school districts in Texas, and it is the official standard of required information for all attendance accounting systems, whether manual or automated. It is the district's responsibility to ensure that the basis used to record and process attendance accounting data meets this standard. 19 TAC §129.21(e), 129.1023, and 129.1025	(1-1) The <i>Student Attendance Accounting Handbook (Handbook)</i> contains the official attendance accounting rules and regulations for all public school districts in Texas <b>including open enrollment charter schools unless otherwise specified in this document</b> , and it is the official standard of required information for all attendance accounting systems, whether manual or automated. It is the district's responsibility to ensure that the basis used to record and process attendance accounting data meets this standard. 19 TAC §129.21(e), 129.1023, and 129.1025
Section I Overview	Revision	<p>(3-4) The following table briefly describes the subject matter contained in each section:</p> <p style="margin-left: 40px;">I The <b>Overview</b> describes the importance of attendance accounting, how funding and attendance are related, the organization of this <i>Handbook</i>, and significant changes.</p> <p style="margin-left: 40px;">II The section entitled <b>Audit Requirements</b> establishes minimum standards for all required documentation, sets the time limit for record retention, and discusses areas of attendance accounting that deserve particular attention.</p> <p style="margin-left: 40px;">III <b>General Attendance Requirements</b> discusses responsibility of district personnel, enrollment and withdrawal procedures, basic rules of attendance accounting for all attendance systems, ADA eligibility codes and general eligibility requirements, the school calendar, data submission, documentation required to prove FSP eligibility, tips for quality control of attendance data, and examples.</p> <p style="margin-left: 40px;">IV - IX These sections address each of the special program areas under the FSP. Each section discusses responsibility of district personnel, enrollment and withdrawal procedures, special rules, documentation to prove special program eligibility, tips for quality control of special program attendance data, and examples.</p>	<p>(3-4) The following table briefly describes the subject matter contained in each section:</p> <p style="margin-left: 40px;">I The <b>Overview</b> describes the importance of attendance accounting, how funding and attendance are related, the organization of this <i>Handbook</i>, and significant changes.</p> <p style="margin-left: 40px;">II The section entitled <b>Audit Requirements</b> establishes minimum standards for all required documentation, sets the time limit for record retention, and discusses areas of attendance accounting that deserve particular attention.</p> <p style="margin-left: 40px;">III <b>General Attendance Requirements</b> discusses responsibility of district personnel, enrollment and withdrawal procedures, basic rules of attendance accounting for all attendance systems, ADA eligibility codes and general eligibility requirements, the school calendar, data submission, documentation required to prove FSP eligibility, tips for quality control of attendance data, and examples.</p> <p style="margin-left: 40px;">IV - IX These sections address each of the special program areas under the FSP. Each section discusses responsibility of district personnel, enrollment and withdrawal procedures, special rules, documentation to prove special program eligibility, tips for quality control of special program attendance data, and examples.</p>

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		<p>X     <b>Non-Traditional Schools</b> discusses waivers, year-round schools, alternative education programs, juvenile justice alternative education programs, suspension, and expulsion.</p>	<p>X     <b>Non-Traditional Schools</b> discusses waivers, year-round schools, alternative education programs, juvenile justice alternative education programs, suspension, and expulsion.</p> <p><b>XI     Non-Traditional Programs discusses education programs with alternative methods of funding or provided in alternative settings.</b></p>
Section III General Requirements	Addition	<b>None</b>	(3-10) Students who are 21 years of age or older who are admitted for the purpose of completing the requirements of a high school diploma are not eligible for placement in a DAEP or JJAEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in conduct that would otherwise require such placement, the district shall revoke admission of the student into the public schools of the district. TEC §25.085(f).
Section III General Requirements	Revision	<p>(4-12) A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes under the following <b>five</b> conditions.</p> <ol style="list-style-type: none"> <li>1. The student is participating in an activity which is approved by the local school board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree <b>and</b> be eligible for participation in the Teacher Retirement System of Texas.</li> <li>2. The student 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 §74.13(a)(3).</li> <li>3. The student is a Medicaid-eligible child participating in the Early and Periodic Screening, Diagnosis, and Treatment Programs (EPSDT)</li> </ol>	<p>(4-12) A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes under the following conditions.</p> <ol style="list-style-type: none"> <li>1. The student is participating in an activity which is approved by the local school board and is under the direction of a professional staff member of the school district or an adjunct staff member. This adjunct staff member must have a minimum of a bachelor's degree <b>and</b> be eligible for participation in the Teacher Retirement System of Texas.</li> <li>2. The student 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 §74.13(a)(3).</li> <li>3. The student is a Medicaid-eligible child participating in the Early and Periodic Screening, Diagnosis, and Treatment Programs (EPSDT)</li> </ol>

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		<p>implemented by the Texas Department of Human Services with contractual cooperation of the Texas Department of Health. Such students may be excused for up to one day at a time without loss of ADA.</p> <p>4. The student misses school for the purpose of observing religious holy days, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than one day for travel to and one day for travel from the site where the student will observe the holy days. A school district may elect to excuse additional travel days, however, the student would be considered to be absent for the additional travel days for attendance accounting purposes.</p> <p>5. The student is temporarily absent due to a documented appointment with a health care professional if that student commences classes or returns 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. 19 TAC §129.21(k), TEC §25.087(b)</p>	<p>implemented by the Texas Department of Human Services with contractual cooperation of the Texas Department of Health. Such students may be excused for up to one day at a time without loss of ADA.</p> <p>4. The student misses school for the purpose of observing religious holy days, including traveling for that purpose. Travel days for which the student is considered in attendance shall be limited to not more than one day for travel to and one day for travel from the site where the student will observe the holy days. A school district may elect to excuse additional travel days, however, the student would be considered to be absent for the additional travel days for attendance accounting purposes.</p> <p><b>5. The student in grades 6 through 12 misses school for the purpose of sounding “Taps” at a military honors funeral held in Texas for a deceased veteran. A student whose absence is excused for this purpose will be allowed a reasonable amount of time to make up school work missed on these days and if the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance. TEC §25.087(c)</b></p> <p><b>6. The student misses school for the purpose of attending a required court appearance, including traveling for that purpose. TEC §25.087(b)(1)(B) Travel days for which the student is considered in attendance shall be limited to not more than one day for travel to and one day for travel from the site where the student is required to appear in court. A school district may elect to excuse additional travel days, however, the student would be considered to be absent for the additional travel days for attendance accounting purposes.</b></p>

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			<p style="text-align: center;"><b>Absences to meet with probation officers do not qualify for funding but must be excused if they meet the criteria in 19 TAC §129.22(a).</b></p> <p>7. The student is temporarily absent due to a documented appointment with a health care professional if that student commences classes or returns 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. 19 TAC §129.21(k), TEC §25.087(b)(1)(A)</p>
Section III General Requirements	Revision	<p>(4-19) Unless specifically exempted by TEC §25.086, a child who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached the child's 18th birthday shall attend school. TEC §25.085(b)</p> <p>A person who is 18 or older and is enrolled in public school is required to attend school each day. If the person has more than five unexcused absences in one semester, a school district <b>may</b> revoke the person's enrollment for the remainder of the year. TEC §25.085(e)</p>	<p>(4-19) Unless specifically exempted by TEC §25.086, a child who is at least six years of age, or who is younger than six years of age and has previously been enrolled in first grade, and who has not yet reached the child's 18th birthday shall attend school. TEC §25.085(b)</p> <p>A person who is 18 or older and is enrolled in public school is required to attend school each day. If the person has more than five unexcused absences in one semester, a school district <b>may</b> revoke the person's enrollment for the remainder of the year. TEC §25.085(e)</p> <p><b>The board of trustees may adopt a policy requiring a student who voluntarily enrolls in school or voluntarily attends school after their 18<sup>th</sup> birthday to require the student to attend school until the end of the school year if the student is under age 21. TEC §25.085(f)</b></p>
Section III General Requirements	Revision	<p>(5-4) All students who are at least 5 years old on September 1 of the current school year, but are less than 21 years old by the same date, are eligible for free attendance for either full-day or half-day attendance for the entire school year in the district in which they <b>or</b> their parent(s) reside or are otherwise entitled to attend for FSP benefits, provided they have not previously graduated from high school. For eligibility based solely on the residence of a parent, please see TEC §25.001(b)(2), TEC §25.001, and §42.003. A</p>	<p>(5-4) All students who are at least 5 years old on September 1 of the current school year, but are less than 21 years old by the same date, <b>or are at least 21 years of age and under 26 years of age and admitted by a school district to complete the requirements of a high school diploma</b> are eligible for free attendance for either full-day or half-day attendance for the entire school year in the district in which they <b>or</b> their parent(s) reside or are otherwise entitled to attend for FSP benefits, provided they have not previously</p>

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		<p>student who does not reside in Texas is not entitled to enroll in a Texas public school under TEC §25.001 on the basis of another person's residency, including the residency of the student's parent or grandparent.</p> <p>Students with disabilities become eligible for either half-day or full-day attendance on their <b>third birthday</b> if other special education eligibility requirements are met (Section IV). Children with serious visual and/or hearing impairments are eligible from <b>date of birth through age two</b> if other special education eligibility requirements are met (Section IV). These students must be served by certified special education personnel for their full school day. The two-four hour rule applies.</p> <p>A student receiving special education services who is 21 years of age on September 1 of a scholastic year shall be eligible for services through the end of that scholastic year or until graduation, whichever comes first. In addition, students with disabilities who graduated as determined by an IEP [19 TAC §89.1070(c)] and who are still in need of special education services may be served through age 21 inclusive, according to the requirements noted above. <b>34 CFR 300.122 (a)(3)</b></p>	<p>graduated from high school. For eligibility based solely on the residence of a parent, please see TEC §25.001(b)(2), TEC §25.001, and §42.003. A student who does not reside in Texas is not entitled to enroll in a Texas public school under TEC §25.001 on the basis of another person's residency, including the residency of the student's parent or grandparent.</p> <p><b>Students who are at least 21 years of age and under 26 years of age admitted for the purpose of completing the requirements for a high school diploma and have not attended school in the three preceding school years may not be placed with a student who is 18 years of age or younger in a classroom setting, cafeteria, or other district-sanctioned school activity. However, these students can attend a school-sponsored event that is open to the public as a member of the public.</b></p> <p>Students with disabilities become eligible for either half-day or full-day attendance on their <b>third birthday</b> if other special education eligibility requirements are met (Section IV). Children with serious visual and/or hearing impairments are eligible from <b>date of birth through age two</b> if other special education eligibility requirements are met (Section IV). These students must be served by certified special education personnel for their full school day. The two-four hour rule applies.</p> <p>A student receiving special education services who is 21 years of age on September 1 of a scholastic year shall be eligible for services through the end of that scholastic year or until graduation, whichever comes first. In addition, students with disabilities who graduated as determined by an IEP [19 TAC §89.1070(c)] and who are still in need of special education services may be served through age 21 inclusive, according to the requirements noted above. <b>[34 CFR 300.102 (a)(3)] Students receiving special education services who are at least 21 years of age and under 26 years of age admitted for the purpose</b></p>

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			of completing the requirements for a high school diploma are not eligible for special education weighted state funding, but are eligible for other weighted state funding.
Section III General Requirements	Revision	<p>(5-8) <b>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.</b> 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.</p> <p>However, any five-year-old child that enrolls in the first grade <b>under TEC §42.003(a) and (c)</b> may be assigned to first grade for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district.</p>	<p>(5-8) <b>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 eligible 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.</b> [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.</p> <p>However, any five-year-old child that enrolls in the first grade may be assigned to first grade for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district.</p>
Section III General Requirements	Revision	<p>6. ADA Eligibility Coding</p> <p style="padding-left: 20px;">0 Enrolled, Not in Membership</p> <p style="text-align: center;">⋮</p> <ul style="list-style-type: none"> <li>• 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)); <b>and</b></li> <li>• children who receive child care through the Pregnancy, Education, and Parenting program at a district on-site child care center.</li> </ul>	<p>6. ADA Eligibility Coding</p> <p style="padding-left: 20px;">0 Enrolled, Not in Membership</p> <p style="text-align: center;">⋮</p> <ul style="list-style-type: none"> <li>• parentally placed private school students with disabilities, ages 5 through <b>25</b>, receiving special education and related services through a services plan (see, Section IV (5-11));</li> <li>• children who receive child care through the Pregnancy, Education, and Parenting program at a district on-site child care center; and</li> <li>• <b>a student who has met graduation requirements but has not passed TAKS.</b></li> </ul>
Section III General Requirements	Revision	<p>6. ADA Eligibility Coding</p> <p style="padding-left: 20px;">4 Ineligible Full-Day</p> <p style="text-align: center;">⋮</p> <p><b>Overage:</b></p> <ul style="list-style-type: none"> <li>• students who are 21 years old on September 1 of the current school year.</li> </ul>	<p>6. ADA Eligibility Coding</p> <p style="padding-left: 20px;">4 Ineligible Full-Day</p> <p style="text-align: center;">⋮</p> <p><b>Overage:</b></p> <ul style="list-style-type: none"> <li>• students who are <b>26</b> years old on September 1 of the current school year.</li> </ul>
Section III General Requirements	Revision	<p>(8-4) When a district other than the student's home/sending district serves a student but the home/sending district reports the student through PEIMS, the student should not be included in any official attendance reports of the district where the student is served [see (1-9) in</p>	<p>(8-4) When a district other than the student's home/sending district serves a student but the home/sending district reports the student through PEIMS, the student should not be included in any official attendance reports of the district where the student is served [see (1-9) in</p>

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		Section I]. Examples include students served in a special education shared services arrangement when the sending district is reporting the student and students served in an Area Career and <b>Technology</b> School. The sending district must report students served in an Area Career and <b>Technology</b> School.	Section I]. Examples include students served in a special education shared services arrangement when the sending district is reporting the student and students served in an Area Career and <b>Technical</b> School. The sending district must report students served in an Area Career and <b>Technical</b> School.
Section III General Requirements	Revision		(11-10) A student who is Auditorially Impaired attends a RDSPD in a neighboring school district. <b>The student is in self-contained classes for more than 50% of the day.</b> The superintendents of the two districts agreed that the sending district will report this student and, as prescribed by rules relating to data submission, must report the student for all student submissions.  <i>The ADA eligibility code for this student would be <b>4 - Ineligible Full-Day.</b> The special education instructional setting code will be determined according to the same procedures used for all special education students (see Section IV).</i>
Section III General Requirements	Addition	<b>None.</b>	(11-11) <b>A student who is Auditorially Impaired attends a RDSPD in a neighboring school district. The student receives special education and related services in general education classes for more than 50% of the day. The superintendents of the two districts agreed that the fiscal agent district will report this student and, as prescribed by rules relating to data submission, must report the student for all student submissions.</b>  <i>The ADA eligibility code for this student would be <b>1 - Eligible Full-Day.</b> The special education instructional setting code will be determined according to the same procedures used for all special education students (see Section IV).</i>
Section III General Requirements	Revision	(11-11) A campus which uses an Automated Data Processing (ADP) attendance accounting system is storing the ⋮	(11-12) A campus which uses an Automated Data Processing (ADP) attendance accounting system is storing the ⋮

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Section	Change	2006-2007	2007-2008
Section III General Requirements	Revision	(11-12) A student is absent for three days to attend the National Cheerleaders Association convention ⋮	(11-13) A student is absent for three days to attend the National Cheerleaders Association convention ⋮
Section III General Requirements	Revision	(11-13) A student is absent for one day to attend College Day at a local university. ⋮	(11-14) A student is absent for one day to attend College Day at a local university. ⋮
Section III General Requirements	Revision	(11-14) A third grade student attends an extended day OEYP for one hour on Monday through Thursday for 18 ⋮	(11-15) A third grade student attends an extended day OEYP for one hour on Monday through Thursday for 18 ⋮
Section III General Requirements	Revision	(11-15) A high school exempts students from having to attend finals if the student has not missed any class ⋮	(11-16) A high school exempts students from having to attend finals if the student has not missed any class ⋮
Section III General Requirements	Revision	(11-16) A district is planning on having several days of early dismissal during the school year. ⋮	(11-17) A district is planning on having several days of early dismissal during the school year. ⋮
Section III General Requirements	Revision	(11-17) A district is planning on having students arrive late on the days of the TAKS exams. Students will be ⋮	(11-18) A district is planning on having students arrive late on the days of the TAKS exams. Students will be ⋮
Section III General Requirements	Revision	(11-18) A school district decides that they will have an early dismissal day on which they are dismissing classes ⋮	(11-19) A school district decides that they will have an early dismissal day on which they are dismissing classes ⋮
Section III General Requirements	Revision	(11-19) A student is required to go to court on a school day. The student is not present at 9:30 AM (the school's official attendance time).  <b><i>The student is absent for FSP funding purposes, since he/she was not present at the school's official snapshot. Absences due to court appearances are not one of the five reasons that a student can be absent from class, but considered present for the day.</i></b>  <b><i>In accordance with TAC §129.22, the student should receive excused absences for the court appearances as long as requirements of that section are met.</i></b>	(11-20) A student is required to go to court on a school day. The student is not present at 9:30 AM (the school's official attendance time).  <b><i>This is an excused absence and the district will receive ADA funding for this student for the days missed to attend a required court appearance. [TEC §25.087]</i></b>
Section III General Requirements	Revision	(11-20) A district determines that the best educational placement for a five-year-old student is first grade, ⋮	(11-21) A district determines that the best educational placement for a five-year-old student is first grade, ⋮

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Section III General Requirements	Revision	(11-21) A student qualifies for prekindergarten based on being educationally disadvantaged (the student qualifies for :	(11-22) A student qualifies for prekindergarten based on being educationally disadvantaged (the student qualifies for :
Section III General Requirements	Deletion	(11-22) <b>Happy Trails ISD administration decides that they would like to begin school on August 13.</b>  <b>Since TEC §25.0811, prohibits instruction from beginning prior to the week that August 21 falls on, the school district administration decides to apply for a waiver. At least sixty days prior to applying for the waiver, the district must:</b>  <b>Publish notice in a newspaper that has general circulation in the district, stating that the district is intending to apply for a waiver of the prohibition concerning the date of the first day of instruction for students. The district must specify the date on which they intend to begin instruction for students and they must hold a public hearing concerning the date of the first day of instruction for the students. (Please see TEC §25.0811)</b>	None.
Section IV Special Education	Revision	(4-1) <b>Instructional Arrangement/Setting Codes:</b> The guiding principle for determining the appropriate instructional arrangement/setting must be the needs of each individual student together with the appropriate support services. If the support services prescribed for the student are over and above what is provided to all students and the ARD committee has determined that these special support services are necessary for the student to succeed in his or her educational program, these services are special education services and the instructional arrangement/setting code should be classified accordingly. If these support services are provided in the general education classroom, the instructional setting would be <i>mainstream</i> . However, if these special education support services are provided outside the general classroom, the instructional setting would be based on the amount of time or the place where these services are provided.  <b>Students with disabilities whose only service is</b>	(4-1) <b>Instructional Arrangement/Setting Codes:</b> The guiding principle for determining the appropriate instructional arrangement/setting must be the needs of each individual student together with the appropriate support services. If the support services prescribed for the student are over and above what is provided to all students and the ARD committee has determined that these special support services are necessary for the student to succeed in his or her educational program, these services are special education services and the instructional arrangement/setting code should be classified accordingly. If these support services are provided in the general education classroom, the instructional setting would be <i>mainstream</i> . However, if these special education support services are provided outside the general classroom, the instructional setting would be based on the amount of time or the place where these services are provided.  <b>Students with disabilities who do not need special</b>

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		<p>transportation are not considered to be eligible for special education since federal regulations require that, in order to be eligible under the IDEA, a student with a disability must need special education. Therefore, if a child does not need special education, there can be no related service such as transportation. The child is not a child with a disability under IDEA and is therefore not covered under IDEA. 34 CFR 300.24(a)</p>	<p>education services are not eligible to receive special education transportation. 34 CFR 300.8(a)(2)(i)</p>
<p>Section IV Special Education</p>	<p>Revision</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : 2. <b>Homebound - Code 01</b></p> <p>Any student who is placed in the special education homebound instructional arrangement/setting must meet the following four criteria:</p> <ol style="list-style-type: none"> <li>1) be eligible for special education and related services as determined by an ARD committee;</li> <li>2) is expected to be confined at home or hospital <b>bedside</b> for a minimum of four consecutive weeks;</li> <li>3) for medical reasons only (unless the child is 0 – 5 years of age);</li> <li>4) medical condition is documented by a physician licensed to practice in the United States. 19 TAC §89.63(c)(2)(A)</li> </ol> <p><b>Homebound Notes</b></p> <ol style="list-style-type: none"> <li>1) In making eligibility and placement decisions the ARD committee must consider the physician’s information. However, the physician’s note/information is not the sole determining factor in the committee’s decision making process.</li> <li>2) Students served in the special education homebound instructional arrangement/setting must be served by a <b>certified</b> special education teacher.</li> <li>3) A student cannot be expelled into the Homebound Instructional Arrangement/Setting. Please see Section X (10-4) for detailed information regarding appropriate Instructional Arrangements/Settings and ADA eligibility when expelling students who are receiving special education and related services.</li> </ol>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : 2. <b>Homebound - Code 01</b></p> <p>Any student who is placed in the special education homebound instructional arrangement/setting must meet the following four criteria:</p> <ol style="list-style-type: none"> <li>5) be eligible for special education and related services as determined by an ARD committee;</li> <li>6) is expected to be confined at home or <b>in a</b> hospital for a minimum of four consecutive weeks;</li> <li>7) for medical reasons only (unless the child is 0 – 5 years of age);</li> <li>8) medical condition is documented by a physician licensed to practice in the United States. 19 TAC §89.63(c)(2)(A)</li> </ol> <p><b>Homebound Notes</b></p> <ol style="list-style-type: none"> <li>1) In making eligibility and placement decisions the ARD committee must consider the physician’s information. However, the physician’s note/information is not the sole determining factor in the committee’s decision making process.</li> <li>2) Students served in the special education homebound instructional arrangement/setting must be served by a <b>NCLB highly qualified</b> special education teacher (<b>See “Teacher Requirements”, page 44</b>).</li> <li>3) A student cannot be expelled into the Homebound Instructional Arrangement/Setting. Please see Section X (10-4) for detailed information regarding appropriate Instructional Arrangements/Settings and ADA eligibility when expelling students who are receiving special education and related services.</li> </ol>

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		<p><b>Homebound Services for Students with Chronic Illness/Acute Health Problems</b></p> <p>The description of chronic illness/acute health problems is found in the eligibility criteria for other health impairment (OHI).</p> <p>The federal definition for OHI found in 34 CFR §300.7(c)(9)(i)(ii) states: Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that –</p> <ul style="list-style-type: none"> <li>(i) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia; and</li> <li>(ii) Adversely affects a child's educational performance.</li> </ul>	<p>4) A student otherwise eligible for special education services who meets the four criteria above does not need to meet the federal definition for OHI to be eligible for homebound services.</p> <p><b>Homebound Services for Students with Chronic Illness/Acute Health Problems</b></p> <p>The federal definition for OHI found in 34 CFR §300.7(c)(9)(i)(ii) states: Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that –</p> <ul style="list-style-type: none"> <li>(i.)</li> <li>(iii.) Is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, <b>and Tourette syndrome</b>; and</li> <li>(ii.) Adversely affects a child's educational performance.</li> </ul>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : <b>Homebound and Pregnancy Related Services (PRS)</b></p> <p>Special education eligibility and services do not change <b>solely</b> due to the student becoming pregnant.</p> <p>During the periods of confinement to the home or hospital bedside, either prenatal or postnatal, special education and related services should be provided in the homebound instructional setting.</p> <p><b>Homebound and PRS Notes</b></p> <p>In order to ensure that there is not a break in special education services, the ARD committee should convene as soon as possible upon verification of the pregnancy in order to:</p> <ol style="list-style-type: none"> <li>1) determine how special education and related services will</li> </ol>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : <b>Homebound and Pregnancy Related Services (PRS)</b></p> <p>Special education eligibility and services do not change due to the student becoming pregnant.</p> <p>During the periods of confinement to the home or hospital bedside, either prenatal or postnatal, special education and related services should be provided in the homebound instructional setting.</p> <p><b>Homebound and PRS Notes</b></p> <p>In order to ensure that there is not a break in special education services, the ARD committee should convene as soon as possible upon verification of the pregnancy in order to:</p> <ol style="list-style-type: none"> <li>1) determine how special education and related services will</li> </ol>

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		<p>be provided in the homebound instructional arrangement during the period of confinement to the home or hospital bedside <b>during either:</b></p> <p>a) prenatal (<b>for</b> medical conditions such as; but not limited to gestational diabetes, high blood pressure, preterm labor, etc.) and/or;</p> <p>b) postpartum period of pregnancy; and,</p> <p>2) document in the IEP the change of placement and type/amount of services which should begin upon receipt of the physician's note.</p>	<p>be provided in the homebound instructional arrangement during the period of confinement to the home or hospital bedside. <b>The committee should:</b></p> <p>a) <b>identify</b> prenatal medical conditions (such as; but not limited to gestational diabetes, high blood pressure, preterm labor, etc.) and/or;</p> <p>b) <b>identify</b> postpartum periods of pregnancy; and,</p> <p>2) document in the IEP the change of placement and type/amount of services which should begin upon receipt of the physician's note.</p>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : PPCD and Homebound</p> <p>Preschool students with disabilities (3 – 5 years of age) may be placed in the homebound instructional arrangement as determined by the ARD committee.</p> <p>Please see (4-13) later in this section for detailed information. 19 TAC §89.63(c)(2)(B)</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : <b>Preschool Programs for Children with Disabilities</b> (PPCD) and Homebound</p> <p>Preschool students with disabilities (3 – 5 years of age) may be placed in the homebound instructional arrangement as determined by the ARD committee.</p> <p>Please see (4-13) later in this section for detailed information. 19 TAC §89.63(c)(2)(B)</p>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : Homebound: Career and <b>Technology</b> Education Funding Requirements</p> <p>In order for a homebound or hospital bedside student to earn career and technology contact hours, the student must continue to receive the same amount and type of career and technology service that he or she was receiving before being placed in the homebound instructional setting. Career and technology education teachers must maintain a log to verify all contact hours with homebound/hospital bedside students.</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : Homebound: Career and <b>Technical</b> Education Funding Requirements</p> <p>In order for a homebound or hospital bedside student to earn career and technical contact hours, the student must continue to receive the same amount and type of career and technical service that he or she was receiving before being placed in the homebound instructional setting. Career and technical education teachers must maintain a log to verify all contact hours with homebound/hospital bedside students.</p>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : 3. <b>Hospital Class - Code 02</b> This instructional arrangement/setting is for providing special education instruction to students in a classroom <b>in a hospital facility or a residential care and treatment facility</b> not operated by the school district. Students with disabilities served, but not residing, in the facility are considered to be in an <i>off home campus</i></p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> : : 3. <b>Hospital Class - Code 02</b> This instructional arrangement/setting is for providing special education instruction to students in a classroom <b>in a hospital facility or a residential care and treatment facility</b> not operated by the school district. Students with disabilities served, but not residing, in the facility are considered to be in an <i>off home campus</i></p>

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		<p>instructional setting. If the students residing in the facility are provided special education services on a school campus, they are not considered to be in a hospital class. 19 TAC §89.63(c)(3)</p> <p>⋮</p> <p>In order for a hospital class student to earn career and <b>technology</b> contact hours, the student must continue to receive the same amount and type of career and <b>technology</b> service that he or she was receiving before being placed in the hospital class instructional setting. Career and <b>technology</b> education teachers must maintain a log to verify all contact hours with hospital class students.</p>	<p>instructional setting. If the students residing in the facility are provided special education services on a school campus, they are not considered to be in a hospital class. 19 TAC §89.63(c)(3)</p> <p>⋮</p> <p>In order for a hospital class student to earn career and <b>technical</b> contact hours, the student must continue to receive the same amount and type of career and <b>technical</b> service that he or she was receiving before being placed in the hospital class instructional setting.</p>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b></p> <p>⋮</p> <p>6. <b>Vocational Adjustment Class (VAC) - Code 08</b> This instructional arrangement/setting is for providing special education and related services to a student who is <b>placed on a job with regularly scheduled direct involvement</b> by special education personnel in the implementation of the student's IEP. 19 TAC §89.63(c)(9)</p> <p>This instructional arrangement/setting shall be used in conjunction with the student's individual transition plan and only after the school district's career and <b>technology</b> classes have been considered and determined inappropriate for the student.</p> <p>This instructional arrangement/setting applies to students in full-time or part-time <b>employment</b>, as documented in the IEP. This instructional setting should not be confused with general career and <b>technology</b> education classes that are offered by the district.</p> <p>Students with disabilities may participate in other occupational preparation programs (which do not generate special education funds) including general career and <b>technology</b> education and career and <b>technology</b> education for the disabled (CTED) classes. However, the student must be employed, receiving special education services as required in the IEP, and coded VAC (08) to claim special education contact hours.</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b></p> <p>⋮</p> <p>6. <b>Vocational Adjustment Class (VAC) - Code 08</b> This instructional arrangement/setting is for providing special education and related services to a student who is <b>placed on a job with regularly scheduled direct involvement</b> by special education personnel in the implementation of the student's IEP. 19 TAC §89.63(c)(9)</p> <p>This instructional arrangement/setting shall be used in conjunction with the student's individual transition plan and only after the school district's career and <b>technical</b> classes have been considered and determined inappropriate for the student.</p> <p>This instructional arrangement/setting applies to students in full-time or part-time <b>employment</b>, as documented in the IEP. This instructional setting should not be confused with general career and <b>technical</b> education classes that are offered by the district.</p> <p>Students with disabilities may participate in other occupational preparation programs (which do not generate special education funds) including general career and <b>technical</b> education and career and <b>technical</b> education for the disabled (CTED) classes. However, the student must be employed, receiving special education services as required in the IEP, and coded VAC (08) to claim special education contact hours.</p>

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Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> ⋮</p> <p>8. <b>State School for Persons with Mental Retardation - Code 30</b> This instructional arrangement/setting is for providing special education and related services to a student who <b>currently resides at a state school</b> 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 align="center">⋮</p> <p>In order for a state school student to earn career and <b>technology</b> contact hours, the student must continue to receive the same amount and type of career and <b>technology</b> service that he or she was receiving before being placed in the state school instructional setting. Career and <b>technology</b> education teachers must maintain a log to verify all contact hours with state school students.</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> ⋮</p> <p>8. <b>State School for Persons with Mental Retardation - Code 30</b> This instructional arrangement/setting is for providing special education and related services to a student who <b>currently resides at a state school</b> 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 align="center">⋮</p> <p>In order for a state school student to earn career and <b>technical</b> contact hours, the student must continue to receive the same amount and type of career and <b>technical</b> service that he or she was receiving before being placed in the state school instructional setting. Career and <b>technical</b> education teachers must maintain a log to verify all contact hours with state school students.</p>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> ⋮</p> <p>9. <b>Residential Care and Treatment Facility (Not school district resident)</b> This instructional arrangement/setting is for providing special education and related services to eligible students with disabilities who <b>reside in care and treatment facilities</b> (including licensed foster homes) and whose parents do not reside within the boundaries of the school district providing educational services to the students. <b>In order to be considered in this instructional arrangement/setting, the services must be provided on a local district campus. If the instruction is provided at the facility rather than on a school district campus, the instructional arrangement/setting is considered to be <i>hospital class</i> (Code 02).</b> 19 TAC §89.63(c)(10)</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b> ⋮</p> <p>9. <b>Residential Care and Treatment Facility (Not school district resident)</b> This instructional arrangement/setting is for providing special education and related services to eligible students with disabilities who <b>reside in care and treatment facilities</b> (including licensed foster homes) and whose parents do not reside within the boundaries of the school district providing educational services to the students. <b>In order to be considered in this instructional arrangement/setting, the services must be provided on a local district campus. If the instruction is provided at the facility rather than on a school district campus, the instructional arrangement/setting is considered to be <i>hospital class</i> (Code 02).</b> 19 TAC §89.63(c)(10)</p>

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		LEAs that code students with disabilities to the Residential Care and Treatment Facility instructional arrangement must be able to demonstrate that the LEA is, to the extent appropriate, in full compliance with all LRE requirements found in <b>34 CFR §300.550-554.</b>	LEAs that code students with disabilities to the Residential Care and Treatment Facility instructional arrangement must be able to demonstrate that the LEA is, to the extent appropriate, in full compliance with all LRE requirements found in <b>34 CFR §§300.114-300.119.</b>
Section IV Special Education	Revision	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b></p> <p><b>10. Special Education Mainstream - Code 40</b> This instructional arrangement/setting is for providing special education and related services to a student in the general classroom in accordance with the student's IEP. The term special education means specially designed instruction to meet the unique needs of a child with a disability. <b>34 CFR 300.26 (a)(1)</b> Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to: address the unique needs that result from the child's disability, and; to ensure access of the child to the general curriculum. <b>34 CFR 300.26 (b)(3)(i)(ii).</b></p> <p>In order to claim funding for special education and related services, the ARD Committee must document in the IEP the specially designed instruction, <b>which</b> the certified special education personnel will provide.</p> <p>Monitoring student progress in and of itself does not constitute a special education service.</p> <p>In order for a student to be coded with an instructional setting code of 40 (Mainstream) the student must have: Special education and related services provided in the general education environment on a regularly scheduled basis; An IEP <b>that specifies</b> the special education and related services that enable the student to access the general curriculum and to make progress towards individual goals and objectives; Qualified special education personnel involved in the implementation of the student's IEP through the provision</p>	<p>(4-1) <b>Instructional Arrangement/Setting Codes</b></p> <p><b>10. Special Education Mainstream - Code 40</b> This instructional arrangement/setting is for providing special education and related services to a student in the general classroom in accordance with the student's IEP. The term special education means specially designed instruction, <b>at no cost to parents</b>, to meet the unique needs of a child with a disability. <b>34 CFR 300.39 (a)(1)</b> Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to: address the unique needs that result from the child's disability, and; to ensure access of the child to the general curriculum. <b>34 CFR 300.39 (b)(3)(i)(ii).</b></p> <p>In order to claim funding for special education and related services, the ARD Committee must document in the IEP the specially designed instruction, <b>that</b> the certified special education personnel will provide.</p> <p>Monitoring student progress in and of itself does not constitute a special education service.</p> <p>In order for a student to be coded with an instructional setting code of 40 (Mainstream) the student must have:</p> <ol style="list-style-type: none"> <li>1) Special education and related services provided in the general education environment on a regularly scheduled basis;</li> <li>2) An IEP <b>specifying</b> the special education and related services that enable the student to access the general curriculum and to make progress towards individual goals and objectives;</li> <li>3) Qualified special education personnel involved in the</li> </ol>

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		<p>of direct, indirect, and/or support services:</p> <p>a) to the student in the general education environment and/or;</p> <p>b) in collaboration with the student's general education classroom teacher(s).</p> <p>Mainstream students can receive speech therapy. <b>Please refer to (4-3) Speech-Language Pathology Services (Speech Therapy), 2. Speech Therapy with Other Services.</b></p> <p><b>PPCD AND MAINSTREAM SETTINGS/INSTRUCTIONAL ARRANGEMENTS:</b></p>	<p>implementation of the student's IEP through the provision of direct, indirect, and/or support services:</p> <p>a. to the student in the general education environment and/or;</p> <p>b. in collaboration with the student's general education classroom teachers(s).</p> <p>Mainstream students can receive speech therapy. <b>Please refer to (4-3) Speech-Language Pathology Services (Speech Therapy), 2. Speech Therapy with Other Services.</b></p> <p><b>Preschool Programs for Children with Disabilities (PPCD) AND MAINSTREAM SETTINGS/INSTRUCTIONAL ARRANGEMENTS:</b></p>
Section IV Special Education	Revision	<p>(4-2) <b>Additional Guidelines for Instructional Setting Codes:</b> The following additional guidelines may be helpful in determining the appropriate instructional arrangement/setting code for a student receiving special education and related services.</p> <p>1. <b>The basis of determination for instructional arrangement/setting codes and related percentages is the instructional portion of the school day.</b></p> <p>2. Instructional arrangement/settings resource room/services and self-contained, mild/moderate/severe, regular campus are to be based on the percentage of time or number of periods that the student receives direct, regularly scheduled special education and related services as required in the IEP, not on the student's <b>disabling condition.</b></p> <p style="text-align: center;">For example, if a student <b>is enrolled to attend:</b></p>	<p>(4-2) <b>Additional Guidelines for Instructional Setting Codes:</b> The following additional guidelines may be helpful in determining the appropriate instructional arrangement/setting code for a student receiving special education and related services.</p> <p>1. <b>The basis of determination for instructional arrangement/setting codes and related percentages is the instructional portion of the school day.</b></p> <p>2. Instructional arrangement/settings resource room/services and self-contained, mild/moderate/severe, regular campus are to be based on the percentage of time or number of periods that the student receives direct, regularly scheduled special education and related services as required in the IEP, not on the student's <b>disability.</b></p> <p style="text-align: center;">For example, if a student <b>attends:</b></p>
Section IV Special Education	Revision	<p>(4-3) <b>Speech-Language Pathology Services (Speech Therapy):</b> Speech-language pathology services can be the only special education service provided to a student. The term special education means specially designed instruction to meet the unique needs of a child with a disability. <b>34 CFR 300.26 (a)(1)</b> Specially designed instruction means adapting, as appropriate to</p>	<p>(4-3) <b>Speech-Language Pathology Services (Speech Therapy):</b> Speech-language pathology services can be the only special education service provided to a student. The term special education means specially designed instruction, <b>at no cost to the parents</b>, to meet the unique needs of a child with a disability. <b>34 CFR 300.39 (a)(1)</b> Specially designed instruction</p>

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		<p>the needs of an eligible child, the content, methodology, or delivery of instruction to:</p> <p>a) address the unique needs that result from the child's disability, and;</p> <p>b) to ensure access of the child to the general curriculum. <b>34 CFR 300.26 (b)(3)(i)(ii).</b></p>	<p>means adapting, as appropriate to the needs of an eligible child, the content, methodology, or delivery of instruction to:</p> <p>a. address the unique needs that result from the child's disability, and;</p> <p>b. to ensure access of the child to the general curriculum. <b>34 CFR 300.39 (b)(3)(i)(ii).</b></p>
Section IV Special Education	Revision	<p>(4-4) <b>Excess Contact Hours:</b> For funding purposes, a student may receive a maximum of six contact hours per day. An excess of six contact hours per day, earned by any combination of special education and career and <b>technology</b> education classes must be deducted from the student's primary special education instructional arrangement/setting. The only time excess contact hours are deducted from speech therapy is if there are no other special education contact hours. See (9-35), (9-36), and (9-37) for examples.</p>	<p>(4-4) <b>Excess Contact Hours:</b> For funding purposes, a student may receive a maximum of six contact hours per day. An excess of six contact hours per day, earned by any combination of special education and career and <b>technical</b> education classes must be deducted from the student's primary special education instructional arrangement/setting. The only time excess contact hours are deducted from speech therapy is if there are no other special education contact hours. See (9-35), (9-36), and (9-37) for examples.</p>
Section IV Special Education	Revision	<p>(4-5) <b>Regional Day School Programs for the Deaf (RDSPD):</b> Students in the RDSPD must be served a minimum of 45 minutes per week by an RDSPD teacher. Only one district may report PEIMS data for RDSPD students. An agreement should be made between sending and receiving districts regarding the reporting of PEIMS and attendance information for students in the program. It is <b>best</b> if PEIMS data are reported by the district where the student attends classes, thereby generating ADA for students in the RDSPD for less than 50% of the day. <b>Only part-time RDSPD students are eligible for ADA.</b> The district which reports these students must report the same students for all data submissions.</p>	<p>(4-5) <b>Regional Day School Programs for the Deaf (RDSPD):</b> Students in the RDSPD must be served a minimum of 45 minutes per week by an RDSPD teacher. Only one district may report PEIMS data for RDSPD students. An agreement should be made between sending and receiving districts regarding the reporting of PEIMS and attendance information for students in the program. It is <b>preferable</b> if PEIMS data are reported by the district where the student attends classes, thereby generating ADA for students in the RDSPD for less than 50% of the day. <b>Only part-time RDSPD students are eligible for ADA.</b> The district which reports these students must report the same students for all data submissions.</p>
Section IV Special Education	Revision	<p>(4-8) <b>Nonpublic Day School:</b> This setting is for providing special education and related services to students through a contractual agreement with a nonpublic school approved for special education. 19 TAC §89.63(c)(8); <b>34 CFR 300.401; 34 CFR 300.402</b> This setting does <b>not</b> generate ADA or contact hours. Nonpublic Day School students should be reported</p>	<p>(4-8) <b>Nonpublic Day School:</b> This setting is for providing special education and related services to students through a contractual agreement with a nonpublic school approved for special education. 19 TAC §89.63(c)(8); <b>34 CFR 300.146; 34 CFR 300.147</b> This setting does <b>not</b> generate ADA or contact hours. Nonpublic Day School students should be reported</p>

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		with an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> and an instructional setting code of <b>60, nonpublic day school</b> . For funding purposes, these students are reported on the SPE-106, Nonpublic Day School Report.	with an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> and an instructional setting code of <b>60, nonpublic day school</b> . For funding purposes, these students are reported on the SPE-106, Nonpublic Day School Report.
Section IV Special Education	Revision	(4-8) <b>Nonpublic Day School:</b> This setting is for providing special education and related services to students through a contractual agreement with a nonpublic school approved for special education. 19 TAC §89.63(c)(8); <b>34 CFR 300.401; 34 CFR 300.402</b> This setting does <b>not</b> generate ADA or contact hours. Nonpublic Day School students should be reported with an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> and an instructional setting code of <b>60, nonpublic day school</b> . For funding purposes, these students are reported on the SPE-106, Nonpublic Day School Report.	(4-8) <b>Nonpublic Day School:</b> This setting is for providing special education and related services to students through a contractual agreement with a nonpublic school approved for special education. 19 TAC §89.63(c)(8); <b>34 CFR 300.146; 34 CFR 300.147</b> This setting does <b>not</b> generate ADA or contact hours. Nonpublic Day School students should be reported with an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> and an instructional setting code of <b>60, nonpublic day school</b> . For funding purposes, these students are reported on the SPE-106, Nonpublic Day School Report.
Section IV Special Education	Revision	(4-14) <b>Infants (birth through two years of age) Receiving Home-Based Instruction:</b> This setting is to be used <u>only</u> by districts which operate ECI) programs through a contract with the Interagency Council on Early Childhood Intervention (ECI). Specifically, it is used when providing early intervention 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 shall also receive training. This instructional setting does <b>not</b> generate contact hours or ADA. Home-based instruction students should be reported with a grade level of EE, an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> , and an instructional arrangement/setting code of <b>31, home-based instruction</b> .	(4-14) <b>Infants (birth through two years of age) Receiving Home-Based Instruction:</b> This setting is to be used <u>only</u> by districts which operate ECI programs through a contract with the Interagency Council on Early Childhood Intervention (ECI). Specifically, it is used when providing early intervention 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 shall also receive training. This instructional setting does <b>not</b> generate contact hours or ADA. Home-based instruction students should be reported with a grade level of EE, an ADA eligibility code of <b>0 - Enrolled, Not in Membership</b> , and an instructional arrangement/setting code of <b>31, home-based instruction</b> .
Section IV Special Education	Revision	(5-2) In accordance with <b>TEC §30.002 and §30.081</b> , a free appropriate public education shall be available from birth to students with visual or auditory impairments. Students from birth through age two who have visual and/or auditory impairments and who are served by the district shall be considered eligible for ADA on the same basis as other students in special education. Students in the RDSPD for 50% or more of the school day; are ineligible for ADA.	(5-2) In accordance with <b>TEC §29.003</b> , a free appropriate public education shall be available from birth to students with visual or auditory impairments. Students from birth through age two who have visual and/or auditory impairments and who are served by the district shall be considered eligible for ADA on the same basis as other students in special education. Students in the RDSPD for 50% or more of the school day; are ineligible for ADA.



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		<p><i>setting code for this student should be 08 and V2 (see Section V - Career and <b>Technology</b> Education). As soon as the student loses his job, the student's instructional arrangement/setting code will be changed to reflect the appropriate code for the interim placement determined by the ARD committee, but the career and technology code will remain V2 if the student remains enrolled in 2 vocational classes. Note that CTED classes are career and <b>technology</b> education classes and not special education classes.</i></p>	<p><i>setting code for this student should be 08 and V2 (see Section V - Career and <b>Technical</b> Education). As soon as the student loses his job, the student's instructional arrangement/setting code will be changed to reflect the appropriate code for the interim placement determined by the ARD committee, but the career and technical code will remain V2 if the student remains enrolled in 2 vocational classes. Note that CTED classes are career and <b>technical</b> education classes and not special education classes.</i></p>
Section IV Special Education	Revision	<p>(9-22) A special education student who resides in a residential care and treatment facility within the district's boundaries works half of the school day; and attends classes at the high school campus the other half of the day. During the instructional half of the day, the student attends one special education class related to job training and two career and <b>technology</b> education for the disabled (CTED) classes.</p> <p><i>The instructional arrangement/setting code for this student should be <b>88, residential care and treatment facility - vocational adjustment class</b>. The student should also be coded V2 (see Section V - Career and <b>Technology</b> Education). Note that CTED) classes are career and technology education classes and not special education classes.</i></p>	<p>(9-22) A special education student who resides in a residential care and treatment facility within the district's boundaries works half of the school day; and attends classes at the high school campus the other half of the day. During the instructional half of the day, the student attends one special education class related to job training and two career and <b>technical</b> education for the disabled (CTED) classes.</p> <p><i>The instructional arrangement/setting code for this student should be <b>88, residential care and treatment facility - vocational adjustment class</b>. The student should also be coded V2 (see Section V - Career and <b>Technical</b> Education). Note that CTED) classes are career and technical education classes and not special education classes.</i></p>
Section IV Special Education	Revision	<p>(9-34) A student receives services from <b>sees</b> the speech therapist 30 minutes a week and attends all general education classes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as <b>00</b> in the attendance accounting system, and the speech therapy indicator code should be recorded as <b>1</b>.</i></p>	<p>(9-34) A student receives services from the speech therapist 30 minutes a week and attends all general education classes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as <b>00</b> in the attendance accounting system, and the speech therapy indicator code should be recorded as <b>1</b>.</i></p>
Section IV Special Education	Revision	<p>(9-36) A four-year-old student with a disability who is eligible for the prekindergarten program receives special education services (speech therapy and support services are <b>only</b> provided by the speech therapist). The speech therapist provides services 30 minutes twice a week in a pull-out setting and goes into the prekindergarten classroom to provide services and/or</p>	<p>(9-36) A four-year-old student with a disability who is eligible for the prekindergarten program receives special education services (speech therapy and support services 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 prekindergarten classroom to provide services and/or</p>

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		consult with the prekindergarten teacher 30 minutes a week.	consult with the prekindergarten teacher 30 minutes a week.
Section IV Special Education	Revision	<p>(9-37) A four-year-old student with a disability receives special education services (speech therapy and support services are <b>only</b> provided by the speech therapist) in a community-based child care center. The speech therapist provides services 30 minutes twice a week and consults with the child care provider for 30 minutes once a week. An aide is in the classroom 2 hours a day five days week to provide support services to the student.</p> <p>The student <u>will not</u> generate ADA because <b>they do</b> not meet the requirements of the 2-4 hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</p>	<p>(9-37) A four-year-old student with a disability receives special education services (speech therapy and support services are provided by the speech therapist) in a community-based child care center. The speech therapist provides services 30 minutes twice a week and consults with the child care provider for 30 minutes once a week. An aide is in the classroom 2 hours a day five days week to provide support services to the student.</p> <p>The student <u>will not</u> generate ADA because <b>he/she does</b> not meet the requirements of the 2-4 hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</p>
Section IV Special Education	Revision	<p>(9-41) A student attends six career and <b>technology</b> education classes (V6) and speech therapy (.25 contact hour multiplier), for a total of 6.25 contact hours a day.</p>	<p>(9-41) A student attends six career and <b>technical</b> education classes (V6) and speech therapy (.25 contact hour multiplier), for a total of 6.25 contact hours a day.</p>
Section IV Special Education	Revision	<p>(9-42) A student attends two special education classes and four general education classes a day. All four of the general education classes are career and <b>technology</b> education 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 career and <b>technology</b> education (V4), totaling 6.859 contact hours a day. The first six-week reporting period has 30 days taught. Of those 30 days, this student was present 28 days.</p> <p><i>Since this is over the 6.00 hour per day maximum, 0.859 contact hours must be subtracted from the resource room instructional arrangement/setting for every eligible day present the student accumulates.</i></p> <p><i>The excess contact hours for the first six-week reporting period for this student would be calculated as</i></p>	<p>(9-42) A student attends two special education classes and four general education classes a day. All four of the general education classes are career and <b>technical</b> education 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 career and <b>technical</b> education (V4), totaling 6.859 contact hours a day. The first six-week reporting period has 30 days taught. Of those 30 days, this student was present 28 days.</p> <p><i>Since this is over the 6.00 hour per day maximum, 0.859 contact hours must be subtracted from the resource room instructional arrangement/setting for every eligible day present the student accumulates.</i></p> <p><i>The excess contact hours for the first six-week reporting period for this student would be calculated as follows:</i></p>

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Section	Change	2006-2007	2007-2008
		<i>follows:</i>	
		Calculate Special Education Contact Hours: Eligible Days Present <span style="float: right;">28.0</span> x Special Education CH multiplier <span style="float: right;"><u>x 2.859</u></span> <b>Total Special Education Contact Hours</b> <span style="float: right;"><b>80.052</b></span>	Calculate Special Education Contact Hours: Eligible Days Present <span style="float: right;">28.0</span> x Special Education CH multiplier <span style="float: right;"><u>x 2.859</u></span> <b>Total Special Education Contact Hours</b> <span style="float: right;"><b>80.052</b></span>
		Calculate Career & Technology Ed Contact Hours: Eligible Days Present <span style="float: right;">28.0</span> x Career & <b>Technology</b> Ed CH multiplier <span style="float: right;"><u>x 4.00</u></span> <b>Total Career &amp; Tech Ed Contact Hours</b> <span style="float: right;"><b>112.00</b></span>	Calculate Career & <b>Technical</b> Ed Contact Hours: Eligible Days Present <span style="float: right;">28.0</span> x Career & <b>Technical</b> Ed CH multiplier <span style="float: right;"><u>x 4.00</u></span> <b>Total Career &amp; Tech Ed Contact Hours</b> <span style="float: right;"><b>112.00</b></span>
		Calculate Total Contact Hours: Career & <b>Technology</b> Ed Contact Hours <span style="float: right;">112.000</span> + Special Education Contact Hours <span style="float: right;"><u>+ 80.052</u></span> <b>Total Contact Hours</b> <span style="float: right;"><b>192.052</b></span>	Calculate Total Contact Hours: Career & <b>Technical</b> Ed Contact Hours <span style="float: right;">112.000</span> + Special Education Contact Hours <span style="float: right;"><u>+ 80.052</u></span> <b>Total Contact Hours</b> <span style="float: right;"><b>192.052</b></span>
		Calculate Maximum Contact Hours Allowed: Number Days Present <span style="float: right;">28.0</span> x Maximum Hours per Day <span style="float: right;"><u>x 6.00</u></span> <b>Total Maximum Contact Hours Allowed</b> <span style="float: right;"><b>168.00</b></span>	Calculate Maximum Contact Hours Allowed: Number Days Present <span style="float: right;">28.0</span> x Maximum Hours per Day <span style="float: right;"><u>x 6.00</u></span> <b>Total Maximum Contact Hours Allowed</b> <span style="float: right;"><b>168.00</b></span>
		Calculate Total Excess Contact Hours: Total Contact Hours <span style="float: right;">192.052</span> - Maximum Contact Hours Allowed <span style="float: right;"><u>- 168.000</u></span> <b>Total Excess Contact Hours for First Six-Weeks</b> <span style="float: right;"><b><u>24.052</u></b></span>	Calculate Total Excess Contact Hours: Total Contact Hours <span style="float: right;">192.052</span> - Maximum Contact Hours Allowed <span style="float: right;"><u>- 168.000</u></span> <b>Total Excess Contact Hours for First Six-Weeks</b> <span style="float: right;"><b><u>24.052</u></b></span>
		OR	OR
		Calculate Excess Contact Hours per Day: Total Contact Hours per Day <span style="float: right;">6.859</span> - Maximum Hours per Day <span style="float: right;"><u>- 6.000</u></span> <b>Total Excess Contact Hours per Day</b> <span style="float: right;"><b>0.859</b></span>	Calculate Excess Contact Hours per Day: Total Contact Hours per Day <span style="float: right;">6.859</span> - Maximum Hours per Day <span style="float: right;"><u>- 6.000</u></span> <b>Total Excess Contact Hours per Day</b> <span style="float: right;"><b>0.859</b></span>
		Calculate Total Excess Contact Hours: Total Excess Contact Hours per Day <span style="float: right;">0.859</span> x Eligible Days Present <span style="float: right;"><u>x 28.0</u></span> <b>Total Excess Contact Hours for First Six-Weeks</b> <span style="float: right;"><b><u>24.052</u></b></span>	Calculate Total Excess Contact Hours: Total Excess Contact Hours per Day <span style="float: right;">0.859</span> x Eligible Days Present <span style="float: right;"><u>x 28.0</u></span> <b>Total Excess Contact Hours for First Six-Weeks</b> <span style="float: right;"><b><u>24.052</u></b></span>
Section IV Special Education	Revision	(9-43) A student attends two special education classes and four general education classes a day. All of the general education classes are career and <b>technology</b> education classes. The student would earn 2.859 contact hours for special education (contact hour	(9-43) A student attends two special education classes and four general education classes a day. All of the general education classes are career and <b>technical</b> education classes. The student would earn 2.859 contact hours for special education (contact hour

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		<p>multiplier for instructional arrangement/setting code 42, resource room/services - at least 21% and less than 50%) and 4.00 contact hours for career and technology education (V4), totaling 6.859 contact hours a day. On the eleventh instructional day of the first six weeks, the ARD committee meets and changes the student's schedule. The student now attends one special education class and five general education classes a day. All five of the general education classes are career and technology education 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 career and <b>technology</b> education (V5), totaling 7.859 contact hours a day. The first six-week reporting period has 30 days taught, and this student was present every day.</p>	<p>multiplier for instructional arrangement/setting code 42, resource room/services - at least 21% and less than 50%) and 4.00 contact hours for career and technical education (V4), totaling 6.859 contact hours a day. On the eleventh instructional day of the first six weeks, the ARD committee meets and changes the student's schedule. The student now attends one special education class and five general education classes a day. All five of the general education classes are career and technical education 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 career and <b>technical</b> education (V5), totaling 7.859 contact hours a day. The first six-week reporting period has 30 days taught, and this student was present every day.</p>
Section V Career and Technical Education	Revision	Section V Career and Technology Education	Section V Career and <b>Technical</b> Education
Section V Career and Technical Education	Revision	(1-1) List in the space provided below the name and phone number of the district personnel to whom all Career and <b>Technology</b> Education (CTE) coding questions should be directed:	(1-1) List in the space provided below the name and phone number of the district personnel to whom all Career and <b>Technical</b> Education (CTE) coding questions should be directed:
Section V Career and Technical Education	Revision	(1-4) Districts are responsible for ensuring that CTE contact hour funding eligibility is determined by meeting the following four criteria: <ol style="list-style-type: none"> <li>1. CTE courses must have a qualified/certified CTE teacher. <ol style="list-style-type: none"> <li>a. "A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, or counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B." (TEC § 21.003 Certification Required)</li> <li>b. The teacher of record must be the teacher in the classroom responsible for teaching and learning, grades, attendance, etc.</li> </ol> </li> <li>2. CTE courses must have a course calendar documenting the number of average minutes per</li> </ol>	(1-4) Districts are responsible for ensuring that CTE contact hour funding eligibility is determined by meeting the following four criteria: <ol style="list-style-type: none"> <li>1. CTE courses must have a qualified/certified CTE teacher. <ol style="list-style-type: none"> <li>a. "A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, or counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B." (TEC § 21.003 Certification Required)</li> <li>b. The teacher of record must be the teacher in the classroom responsible for teaching and learning, grades, attendance, etc.</li> </ol> </li> <li>2. CTE courses must have a course calendar documenting the number of average minutes per</li> </ol>

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		<p>day in the CTE class, [see (4-4) and (6-0) of this section].</p> <p>3. A district must ensure that the appropriate resources, labs, and technology are provided to teach the knowledge and skills for the courses offered.</p> <p>4. To be eligible for <b>career and technology</b> CTE contact hours, a district must comply with TEA CTE <b>program</b>/cluster standards.</p>	<p>day in the CTE class, [see (4-4) and (6-0) of this section].</p> <p>3. A district must ensure that the appropriate resources, labs, and technology are provided to teach the <b>essential</b> knowledge and skills for the courses offered.</p> <p>4. To be eligible for CTE contact hours, a district must comply with TEA CTE cluster standards.</p>
Section V Career and Technical Education	Revision	<p>(1-5) Local school districts may contract with other schools for CTE classes. (TEC § 29.184)</p> <p>a. The board of trustees of a school district may contract with another school district or with a public or private postsecondary educational institution or trade or technical school that is regulated by this state, as designated in the state plan for <b>career and technology education</b> required under TEC § 29.182, to provide <b>career and technology</b> classes for students in the district.</p> <p>b. A student who attends <b>career and technology</b> classes at another school under a contract authorized by Subsection (a) is included in the average daily attendance of the district in which the student is regularly enrolled.</p>	<p>(1-5) Local school districts may contract with other schools for CTE classes. (TEC § 29.184)</p> <p>a. The board of trustees of a school district may contract with another school district or with a public or private postsecondary educational institution or trade or technical school that is regulated by this state, as designated in the state plan for <b>CTE</b> required under TEC § 29.182, to provide <b>CTE</b> classes for students in the district.</p> <p>b. A student who attends <b>CTE</b> classes at another school under a contract authorized by Subsection (a) is included in the average daily attendance of the district in which the student is regularly enrolled.</p>
Section V Career and Technical Education	Addition	<b>None.</b>	<p><b>(1-6) In the determining the number of students to enroll in any class, a school district shall consider the subject to be taught, the teaching methodology to be used, and any need for individual instruction. [TEC § 25.112(c)]</b></p>
Section V Career and Technical Education	Revision	<p>(1-7) This section addresses unique provisions for CTE. They must be applied in conjunction with the general rules in Section I, II, and III. If students are served by multiple programs, review and apply the provisions of each applicable program.</p>	<p>(1-7) This section addresses unique provisions for CTE. They must be applied in conjunction with the general rules in Section I, II, and III. If students are served by multiple programs, <b>districts must</b> review and apply the provisions of each applicable program.</p>
Section V Career and Technical Education	Revision	<p>(4-3) CTE student participation must be correctly coded on the PEIMS 110 record</p> <p style="padding-left: 40px;">0 - not enrolled in CTE course</p> <p style="padding-left: 40px;">1 – enrolled as a CTE <b>elective taker</b> (6-12)</p> <p style="padding-left: 40px;">2 – CTE coherent sequence <b>participant</b> (9-12)</p>	<p>(4-3) <b>Districts must offer three or more programs of study in at least three different clusters to be eligible for CTE funding.</b> CTE student participation must be correctly coded on the PEIMS 110 record</p> <p style="padding-left: 40px;">0 - not enrolled in CTE course</p>

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		{Coherent sequence is defined as two or more CTE courses for three or more credits} 3 – Tech-Prep <b>participant</b> (9-12)	1 – enrolled as a CTE <b>participant</b> (6-12) 2 – CTE coherent sequence <b>concentrator</b> (9-12) {Coherent sequence is defined as two or more CTE courses for three or more credits} 3 – Tech-Prep <b>program</b> (9-12)																
Section V Career and Technical Education	Revision	(4-5) Districts that operate block schedules in which class periods are not in one-hour increments should use the following chart when determining CTE codes for students. <table border="1" style="margin: 10px auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Career and <b>Technology</b> Education Code</th> <th style="padding: 5px;">Average minutes per day in career and <b>technology</b> class</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">V1</td> <td style="padding: 5px;">45 - 89</td> </tr> <tr> <td style="padding: 5px;">V2</td> <td style="padding: 5px;">90 - 149</td> </tr> <tr> <td style="padding: 5px;">V3</td> <td style="padding: 5px;">150 - 180+</td> </tr> </tbody> </table> <p style="margin-top: 10px;">Each CTE class must be examined separately to determine the average minutes per day students attend that class. Average minutes per day must be computed by reviewing a complete cycle of classes. For example, if a class meets on even-numbered days of the month, a two-week cycle must be reviewed. One week the class will meet on Monday, Wednesday, and Friday, and the next week the class will meet on Tuesday and Thursday. Once average minutes are determined, the applicable code is assigned to each CTE class. Then all students attending that CTE class are assigned the corresponding CTE code.</p> <p style="margin-top: 10px;">For students who are enrolled in more than one CTE course, CTE codes are combined to determine the correct <b>CTE</b> code assigned to each student. For example, a student is enrolled in a CTE course that averages 50 minutes per day (V1) and a CTE 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.</p>	Career and <b>Technology</b> Education Code	Average minutes per day in career and <b>technology</b> class	V1	45 - 89	V2	90 - 149	V3	150 - 180+	(4-5) Districts that operate block schedules in which class periods are not in one-hour increments should use the following chart when determining CTE codes for students. <table border="1" style="margin: 10px auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 5px;">Career and <b>Technical</b> Education Code</th> <th style="padding: 5px;">Average minutes per day in career and <b>technical</b> class</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">V1</td> <td style="padding: 5px;">45 - 89</td> </tr> <tr> <td style="padding: 5px;">V2</td> <td style="padding: 5px;">90 - 149</td> </tr> <tr> <td style="padding: 5px;">V3</td> <td style="padding: 5px;">150 - 180+</td> </tr> </tbody> </table> <p style="margin-top: 10px;">Each CTE class must be examined separately to determine the average minutes per day students attend that class. Average minutes per day must be computed by reviewing a complete cycle of classes. For example, if a class meets on even-numbered days of the month, a two-week cycle must be reviewed. One week the class will meet on Monday, Wednesday, and Friday, and the next week the class will meet on Tuesday and Thursday. Once average minutes are determined, the applicable code is assigned to each CTE class. Then all students attending that CTE class are assigned the corresponding CTE code.</p> <p style="margin-top: 10px;">For students who are enrolled in more than one CTE course, CTE codes are combined to determine the correct code assigned to each student. For example, a student is enrolled in a CTE course that averages 50 minutes per day (V1) and a CTE 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.</p>	Career and <b>Technical</b> Education Code	Average minutes per day in career and <b>technical</b> class	V1	45 - 89	V2	90 - 149	V3	150 - 180+
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Section V Career and Technical Education	Revision	<p>(4-7) "Career preparation" work-based learning experiences consist of time spent at an approved training site, as well as time spent in the classroom. See (5-7, 5-8, 5-9) for instructions on coding students enrolled in career preparation programs.</p> <p>Work-based <b>instruction opportunities</b> must be planned and supervised cooperatively by the local education agency and the training sponsor. Students receive instruction by participating in occupationally specific classroom instruction and work-based learning experiences. See (5-8 and 5-9) for contact hour eligibility.</p> <p style="text-align: center;">⋮</p> <p>Teachers assigned to career preparation work-based learning experiences must visit each student training site at least six times each school year. <b>Teachers</b> must be provided time within their schedules to visit the training sites. Whether the district has 6-week or 9-week grading periods, at least one training site visit during each student grading period is required in order to earn contact hours for that reporting period. Districts with four 9-week grading periods are required to provide a minimum of 2 training site visits scheduled as needed in addition to the required visit each grading period.</p>	<p>(4-8) "Career preparation" work-based learning experiences consist of time spent at an approved training site, as well as time spent in the classroom. See (5-7, 5-8, 5-9) for instructions on coding students enrolled in career preparation programs.</p> <p>Work-based <b>learning instruction</b> must be planned and supervised cooperatively by the local education agency and the training sponsor. Students receive instruction by participating in occupationally specific classroom instruction and work-based learning experiences. See (5-8 and 5-9) for contact hour eligibility.</p> <p style="text-align: center;">⋮</p> <p>Teachers assigned to career preparation work-based learning experiences, <b>both paid and unpaid</b>, must visit each student training site at least six times each school year. <b>The teacher of record</b> must be provided time within their schedules to visit the training sites. <b>The training site visits may not be conducted during the teacher's planning and preparation period [TEC § 21.404].</b> Whether the district has 6-week or 9-week grading periods, at least one training site visit during each student grading period is required in order to earn contact hours for that reporting period. Districts with four 9-week grading periods are required to provide a minimum of 2 training site visits scheduled as needed in addition to the required visit each grading period.</p>
Section V Career and Technical Education	Revision	<p>(4-9) School districts may contract with other entities to provide CTE 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 to 8-7 for quality control instructions.</p>	<p>(4-9) School districts may contract with other entities to provide CTE instruction for students enrolled in <b>the</b> 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 to 8-7 for quality control instructions.</p>

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Section V Career and Technical Education	Revision	(4-10) Any CTE course may be taught as a Career and <b>Technology</b> Education for the Disabled (CTED) course, but only students with disabilities who are in grades 7-12 may enroll in CTED courses. CTED classes must be self-contained and must serve special education students only. CTED courses earn CTE contact hours for students in grades 7-12. For students enrolled in a CTED course, the Admission, Review and Dismissal (ARD) committee shall determine that services available through regular CTE are insufficient for the student to make satisfactory progress and shall ensure that the specialized services the student needs can only be provided in the specialized, self-contained CTED classroom.	(4-10) Any CTE course may be taught as a Career and <b>Technical</b> Education for the Disabled (CTED) course, but only students with disabilities who are in grades 7-12 may enroll in CTED courses. CTED classes must be self-contained and must serve special education students only. CTED courses earn CTE contact hours for students in grades 7-12. For students enrolled in a CTED course, the Admission, Review and Dismissal (ARD) committee shall determine that services available through regular CTE are insufficient for the student to make satisfactory progress and shall ensure that the specialized services the student needs can only be provided in the specialized, self-contained CTED classroom.
Section V Career and Technical Education	Revision	(5-1) CTE <b>is designed to</b> serve students in grades 6-12. Students in grades 7-8 can be reported only for contact hours in CTED courses [see (4-10) earlier in this section]. No other students in grades 7-8 may earn contact hours, even if they are enrolled in a grade 9-12 CTE course.	(5-1) CTE <b>may</b> serve students in grades 6-12. Students in grades 7-8 can be reported only for contact hours in CTED courses [see (4-10) earlier in this section]. No other students in grades 7-8 may earn contact hours, even if they are enrolled in a grade 9-12 CTE course.
Section V Career and Technical Education	Revision	(5-2) State approved CTE courses are listed in Section 4, Code Table C022 of the PEIMS Data Standards. Courses with two or five asterisk service ID notations have <u>not</u> been approved for the additional state CTE funding weight and should not be coded in the attendance accounting system as a V1, V2, etc.  :  CTE courses not approved for weighted funding are reported as PEIMS Program Intent Code 11. (Program Intent Code 22 is reserved for CTE courses eligible for weighted funding.) 90% of a districts CTE allotment funding must be spent in support of courses with Program Intent Code 22; CTE courses with Program Intent Code 11 may receive support from the remaining 10% of a district's CTE allotment as well as other funding sources.	(5-2) State approved CTE courses are listed in Section 4, Code Table C022 of the PEIMS Data Standards. Courses with two or five asterisk service ID notations have <u>not</u> been approved for the additional state CTE funding weight and should not be coded in the attendance accounting system as a V1, V2, etc.  :  CTE courses not approved for weighted funding are reported as PEIMS Program Intent Code 11. (Program Intent Code 22 is reserved for CTE courses eligible for weighted funding.) 90% of a districts CTE <b>state</b> allotment funding must be spent in support of courses with Program Intent Code 22; CTE courses with Program Intent Code 11 may receive support from the remaining 10% of a district's CTE <b>state</b> allotment as well as other funding sources.

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Section V Career and Technical Education	Revision	(5-8) Use the following chart to determine the CTE code for <b>unpaid</b> students in CTE "career preparation". <table border="1" style="margin: 10px auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 25%;">Classroom and/or Work-based Instruction</th> <th style="width: 15%;">Units of Credit</th> <th style="width: 60%;">Career and <b>Technology</b> Education Code</th> </tr> </thead> <tbody> <tr> <td>2 hours per day (average)</td> <td>2</td> <td>V2</td> </tr> <tr> <td>3 hours per day (average)</td> <td>3</td> <td>V3</td> </tr> </tbody> </table>	Classroom and/or Work-based Instruction	Units of Credit	Career and <b>Technology</b> Education Code	2 hours per day (average)	2	V2	3 hours per day (average)	3	V3	(5-8) Use the following chart to determine the CTE code for <b>unpaid</b> students in CTE "career preparation". <table border="1" style="margin: 10px auto; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 25%;">Classroom and/or Work-based Instruction</th> <th style="width: 15%;">Units of Credit</th> <th style="width: 60%;">Career and <b>Technical</b> Education Code</th> </tr> </thead> <tbody> <tr> <td>2 hours per day (average)</td> <td>2</td> <td>V2</td> </tr> <tr> <td>3 hours per day (average)</td> <td>3</td> <td>V3</td> </tr> </tbody> </table>	Classroom and/or Work-based Instruction	Units of Credit	Career and <b>Technical</b> Education Code	2 hours per day (average)	2	V2	3 hours per day (average)	3	V3						
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Section V Career and Technical Education	Revision	<b>(6) Contact Hours</b>  No matter what CTE code is assigned, the total number of eligible days present for that code must be recorded for each student for each six-week reporting period in the Student Detail Report. When computing the Campus Summary Report (Section II), contact hours for each CTE code must be recorded. The number of eligible days present for each CTE code is multiplied by the corresponding contact hour multiplier to derive contact hours. Each CTE code has a different contact hour multiplier. Use the following chart when computing CTE contact hours.	<b>(6) Contact Hours</b>  No matter what CTE code is assigned, the total number of eligible days present for that code must be recorded for each student for each six-week reporting period in the Student Detail Report. When computing the Campus Summary Report (Section II), contact hours for each CTE code must be recorded. The number of eligible days present for each CTE code is multiplied by the corresponding contact hour multiplier to derive contact hours. Each CTE code has a different contact hour multiplier. Use the following chart when computing CTE contact hours.																								

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Section V Career and Technical Education	Revision	(7-3) <b>A current letter of approval to the district</b> from TEA or authorized approval entity for magnet courses or innovative courses must be on file in order to obtain CTE funding for these courses.	(7-3) <b>An</b> approval from TEA or authorized approval entity for magnet courses or innovative courses must be on file in order to obtain CTE funding for these courses.																												
Section V Career and Technical Education	Revision	(8-4) At the end of each six-week reporting period, the appropriate CTE staff should verify the Student Detail Report to ensure that coding of CTE students is correct.	(8-4) At the end of each six-week reporting period, the appropriate CTE staff should verify the Student Detail Report to ensure <b>the</b> coding of CTE students is correct.																												
Section V Career and Technical Education	Revision	(9-4) A student is enrolled in PL/Child Care and Guidance, Management, and Services I and in Personal Skill Development in Agriculture for the first semester and in PL/Child Care and Guidance, Management, and Services I for the second semester.  <i>The CTE code for this student would be entered as V3 for the first semester and V2 for the second semester in the attendance accounting system. The student is coded as V3 for the first semester because the student is enrolled in one CTE course that is taught for two one-hour class periods and one CTE course that is taught for a one-hour class period (one <b>one</b>-credit and</i>	(9-4) A student is enrolled in PL/Child Care and Guidance, Management, and Services I and in Personal Skill Development in Agriculture for the first semester and in PL/Child Care and Guidance, Management, and Services I for the second semester.  <i>The CTE code for this student would be entered as V3 for the first semester and V2 for the second semester in the attendance accounting system. The student is coded as V3 for the first semester because the student is enrolled in one CTE course that is taught for two one-hour class periods and one CTE course that is taught for a one-hour class period (one <b>1</b>-credit and</i>																												

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		<p><i>one 1/2-credit class). The student would be coded as V2 for the second semester because PL/Child Care and Guidance, Management, and Services I (taught for two one-hour class periods) generates one (1) credit in the second semester.</i></p>	<p><i>one 1/2-credit class). The student would be coded as V2 for the second semester because PL/Child Care and Guidance, Management, and Services I (taught for two one-hour class periods) generates one (1) credit in the second semester.</i></p>
Section V Career and Technical Education	Revision	<p>(9-5) A student in <b>the Trade and Industrial Education Career Preparation program</b> is employed as an automotive machinist for the entire school year. The student is employed 20 hours a week from 1:00 p.m. until 5:00 p.m., and is enrolled in the career preparation class during fourth period.</p> <p><i>The CTE code for this student would be entered as V3 for the entire school year in the attendance accounting system because the student attends the one-hour career preparation CTE class period and works a minimum of 15 hours a week (<b>one and one-half credits would be earned each semester</b>).</i></p>	<p>(9-5) A student in Career Preparation <b>training</b> is employed as an automotive machinist for the entire school year. The student is employed 20 hours a week from 1:00 p.m. until 5:00 p.m., and is enrolled in the career preparation class during fourth period.</p> <p><i>The CTE code for this student would be entered as V3 for the entire school year in the attendance accounting system because the student attends the one-hour career preparation CTE class period and works a minimum of 15 hours a week.</i></p>
Section V Career and Technical Education	Revision	<p>(9-8) A student enrolled in Interior Design on the first day of school. After two weeks in this class the student decided to take Automotive Technician I, a two-hour CTE course, instead of Interior Design.</p> <p><i>The CTE code for this student would be entered as V1 for the first two weeks of school and V2 for the remainder of the semester in the attendance accounting system. The student is coded as V1 for the first two weeks because the student is enrolled in one <b>one-hour</b> CTE class period (one 1/2-credit class). The student is coded as V2 for the remainder of the semester because the student is enrolled in one CTE class that is taught for two <b>one-hour</b> class periods (a two-credit class). Documentation of the student's schedule change should be maintained.</i></p>	<p>(9-8) A student enrolled in Interior Design on the first day of school. After two weeks in this class the student decided to take Automotive Technician I, a two-hour CTE course, instead of Interior Design.</p> <p><i>The CTE code for this student would be entered as V1 for the first two weeks of school and V2 for the remainder of the semester in the attendance accounting system. The student is coded as V1 for the first two weeks because the student is enrolled in one <b>1-hour</b> CTE class period (one 1/2-credit class). The student is coded as V2 for the remainder of the semester because the student is enrolled in one CTE class that is taught for two <b>1-hour</b> class periods (a two-credit class). Documentation of the student's schedule change should be maintained.</i></p>
Section V Career and Technical Education	Revision	<p>(9-9) A student attends school at the high school campus, which operates on a modified block schedule. The student is enrolled in Nutrition and Food Science in the first semester. This class meets for two hours on even-numbered days of the month.</p> <p>The CTE code for this student would be entered in the attendance accounting system as V1 for the first</p>	<p>(9-9) A student attends school at the high school campus, which operates on a modified block schedule. The student is enrolled in Nutrition and Food Science in the first semester. This class meets for two hours on even-numbered days of the month.</p> <p>The CTE code for this student would be entered in the attendance accounting system as V1 for the first</p>

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		<p>semester. To illustrate, over a two-week period this student will receive 10 hours of instruction in Nutrition and Food Science. One week the class will meet on Monday, Wednesday, and Friday, for a total of six hours, and the next week the class will meet on Tuesday and Thursday, for a total of four hours. This is the same amount of instruction a student on a traditional schedule (one hour each day) would receive. The student is coded as V1 for the first semester because the student is enrolled in one 1/2-credit career and <b>technology</b> class.</p>	<p>semester. To illustrate, over a two-week period this student will receive 10 hours of instruction in Nutrition and Food Science. One week the class will meet on Monday, Wednesday, and Friday, for a total of six hours, and the next week the class will meet on Tuesday and Thursday, for a total of four hours. This is the same amount of instruction a student on a traditional schedule (one hour each day) would receive. The student is coded as V1 for the first semester because the student is enrolled in one 1/2-credit career and <b>technical</b> class.</p>
Section V Career and Technical Education	Revision	<p>(9-11) A student is enrolled in 3 hours of high school credit courses, including a 1-hour CTE course. The student is also enrolled in a 2-hour CTE course provided by a college and meeting all secondary and postsecondary Texas Administrative Code requirements for dual credit.</p> <p><i>The district would receive 1 CTE contact hour for the high school CTE class plus 2 contact hours for the approved career and <b>technology</b>/college course taught for dual credit (V3). The high school student would also be eligible to be counted by the community college for state funding for post-secondary programs. The school district/charter school would be eligible for full ADA funding for the student provided there is a written dual credit agreement with the college (see (5-10) in Section III, General Requirements; 19 TAC Part 1, Chapter 4, Subchapter D; and 19 TAC Part 2, Chapter 74, Subchapter C).</i></p> <p style="text-align: center;">:</p>	<p>(9-11) A student is enrolled in 3 hours of high school credit courses, including a 1-hour CTE course. The student is also enrolled in a 2-hour CTE course provided by a college and meeting all secondary and postsecondary Texas Administrative Code requirements for dual credit.</p> <p><i>The district would receive 1 CTE contact hour for the high school CTE class plus 2 contact hours for the approved career and <b>technical</b>/college course taught for dual credit (V3). The high school student would also be eligible to be counted by the community college for state funding for postsecondary programs. The school district/charter school would be eligible for full ADA funding for the student provided there is a written dual credit agreement with the college (see (5-10) in Section III, General Requirements; 19 TAC Part 1, Chapter 4, Subchapter D; and 19 TAC Part 2, Chapter 74, Subchapter C).</i></p> <p style="text-align: center;">:</p>
Section VI Bilingual/ESL	Revision	<p>(3-1) A student is withdrawn from the bilingual/ESL program if:</p> <ol style="list-style-type: none"> <li>1. the LPAC classifies the student as English proficient when the student attains the required exit criteria as stated in <b>19 TAC §89.1225(h)</b>; or</li> <li>2. the parent requests in writing to remove his or her child from the program and place the child in a regular English classroom; or</li> </ol>	<p>(3-1) A student is withdrawn from the bilingual/ESL program if:</p> <ol style="list-style-type: none"> <li>1. the LPAC classifies the student as English proficient when the student attains the required exit criteria as stated in <b>19 TEC §29.056(g)</b>; or</li> <li>2. the parent requests in writing to remove his or her child from the program and place the child in a regular English classroom; or</li> </ol>

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		<p>3. the student withdraws from the district (not exits from the bilingual/ESL program); or</p> <p>4. <b>the student performs satisfactorily on the reading assessment instrument under TEC §39.023 (a) or an English language arts assessment instrument under TEC §39.023 (c), as applicable, with the assessment instrument administered in English. TEC §29.056 (g)</b></p>	<p>3. the student withdraws from the district (not exits from the bilingual/ESL program).</p>
Section VI Bilingual/ESL	Revision	<p>(4-4) The following guidelines must be followed to determine if a student is being served in a state-funded bilingual education or ESL program.</p> <p>1. 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) shall be commensurate with the student's level of proficiency in both languages and the student's level of academic achievement;</p> <p>2. Student is provided instruction in ESL by staff certified or on permit to teach ESL or bilingual education. In PK through grade 8, instruction in ESL may vary from the amount of time accorded to instruction in English language arts in the regular program for nonlimited English proficient students to a full-time instructional setting utilizing second language methods. In high school, the ESL program must be consistent with graduation requirements under Chapter 74. The LPAC may recommend appropriate services that may include content courses provided through sheltered instructional approaches by trained teachers, enrollment in ESL courses, additional state elective English courses, and special assistance provided through locally determined programs.</p>	<p>(4-4) The following guidelines must be followed to determine if a student is being served in a state-funded bilingual education or ESL program <b>[19 TAC §89 1210]</b>.</p> <p>1. 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) shall be commensurate with the student's level of proficiency in both languages and the student's level of academic achievement. <b>Limited English proficient students shall be provided instruction in mathematics, science, health, and social studies both in their home language and in English;</b></p> <p>2. Student is provided instruction in ESL by staff certified or on permit to teach ESL or bilingual education. In PK through grade 8, instruction in ESL Texas Essential Knowledge and Skills (TEKS) may vary from the amount of time accorded to instruction in English language arts in the regular program for nonlimited English proficient students to a full-time instructional setting utilizing second language methods. In high school, the ESL program must be consistent with graduation requirements under Chapter 74. The LPAC may recommend appropriate services that may include content courses provided through sheltered instructional approaches by</p>

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		<p>3. Student is served in a program approved by the Agency under an Exception <b>or a Waiver</b>. 19 TAC §89.1205(g),(h)</p>	<p>trained teachers, enrollment in ESL courses, additional state elective English courses, and special assistance provided through locally determined programs.</p> <p>3. Student is served in a program approved by the Agency under an Exception <b>to the Spanish bilingual program for 6 consecutive years only and a waiver to the ESL program for one year. Students served in a program approved by the Agency under an Exception to a language other than Spanish for as long as State Board of Educator Certification does not have a certificate for that language.</b> 19 TAC §89.1205(g),(h)</p>
Section VI Bilingual/ESL	Revision	<p>(5-2) The student is considered LEP because the student tested below the cut-off scores on the test appropriately administered for the student's grade level. The following guidelines should be used for testing. 19 TAC §89.1225(f)</p> <p>1. Grades PK-1, scores below cut-off on an approved OLPT, and</p> <p>2. Grades 2-12:</p> <p style="padding-left: 40px;">a. scores below cut-off on an approved OLPT and/or</p> <p style="padding-left: 40px;">b. scores below cut-off in the English reading and English language arts sections of <b>an</b> approved student assessment instrument.</p>	<p>(5-2) The student is considered LEP because the student tested below the cut-off scores on the test appropriately administered for the student's grade level. The following guidelines should be used for testing. 19 TAC §89.1225(f)</p> <p>3. Grades PK-1, scores below cut-off on an approved OLPT, and</p> <p>4. Grades 2-12:</p> <p style="padding-left: 40px;">a. scores below cut-off on an approved OLPT and/or</p> <p style="padding-left: 40px;">b. scores below cut-off in the English reading and English language arts sections of <b>a normed referenced standardized test in English</b> approved student assessment instrument.</p>
Section VI Bilingual/ESL	Addition	<p>(6) Eligible Days Present : <b>None.</b></p>	<p>(6) Eligible Days Present : <b>Bilingual education or ESL program eligible days present may not be claimed when students receiving bilingual education or ESL program services are placed in disciplinary settings [(i.e., In-School Suspension (ISS) or Disciplinary Alternative Education Program (DAEP)] for more than 5 consecutive days if the same amount and type</b></p>

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			of bilingual education or ESL program services are not provided by a bilingual education or ESL program teacher. After 5 consecutive days without bilingual education or ESL program services being provided, the student should be removed from the PEIMS 400 record for bilingual education or ESL program contact hours effective the first day of placement in the disciplinary setting. In other words, a district may place a student in a disciplinary setting for up to and including 5 consecutive days and continue to claim bilingual education or ESL program contact hours even though no bilingual education or ESL program services are provided to the student. Students may earn state credit for English for Speakers of other Languages (ESOL) I and II course(s) if the student continues to work on the course even though direct ESOL instruction is not being provided during periods of disciplinary removal.
Section VI Bilingual/ESL	Revision	(7-4) Record of parental approval to place the LEP student in a bilingual education or ESL program. This record must include the parent's signature and should contain a "date completed by parent" or "date received by district".  b. In the event that during the monitoring period (the two year period following the students exiting from the bilingual education or ESL program) the student is re-identified and reclassified as being LEP the process for obtaining parental approval to place the student in a bilingual education or ESL program must begin anew.	(7-4) Record of parental approval to place the LEP student in a bilingual education or ESL program. This record must include the parent's signature and should contain a "date completed by parent" or "date received by district".  b. In the event that during the monitoring period (the two year period following the students exiting from the bilingual education or ESL program) <b>[TEC §29.0561]</b> the student is re-identified and reclassified as being LEP the process for obtaining parental approval to place the student in a bilingual education or ESL program must begin anew.
Section VI Bilingual/ESL	Revision	(8-5) Students in grades PK through eight who are counted for funding in the bilingual/ESL program must be served by bilingual/ESL certified staff. Students in grades nine through twelve may be counted for funding in a bilingual/ESL program even if they are served by staff that <b>are</b> not bilingual/ESL certified. However, English I for Speakers of Other Languages and English II for Speakers of Other Languages must be taught by ESL <b>endorsed</b> teachers. LPAC's recommendation of services must be documented in the student's permanent record folder. Students not served in a	(8-5) Students in grades PK through eight who are counted for funding in the bilingual/ESL program must be served by bilingual/ESL certified staff. Students in grades nine through twelve may be counted for funding in a bilingual/ESL program even if they are served by staff that <b>is</b> not bilingual/ESL certified. However, English I for Speakers of Other Languages and English II for Speakers of Other Languages must be taught by ESL <b>certified</b> teachers. LPAC's recommendation of services must be documented in the student's permanent record folder. Students not served in a

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		state required program must be served in a program approved by the Agency under an Exception or a Waiver.	state required program must be served in a program approved by the Agency under an Exception or a Waiver.
Section VII Prekindergarten	Revision	(2-1) Obtain proof that the student enrolling is three or four years old as of September 1 of the current school year. Documents acceptable for proof of identification and age are outlined in <b>(7-4)</b> .	(2-1) Obtain proof that the student enrolling is three or four years old as of September 1 of the current school year. Documents acceptable for proof of identification and age are outlined in <b>(7-5)</b> .
Section VII Prekindergarten	Revision	<p>(2-2) A student is eligible for PK by meeting the following criteria in 1, 2, 3, 4 or 5.</p> <ol style="list-style-type: none"> <li>1. Appropriate PK staff determines eligibility for students who do not speak and comprehend the English language, by:                             <ol style="list-style-type: none"> <li>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</li> <li>b. testing students using oral instruments from the list of state approved tests for assessment of limited English proficient students.</li> </ol> </li> <li>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; <b>or</b></li> <li>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.</li> </ol> <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</p>	<p>(2-2) A student is eligible for PK by meeting the following criteria in 1, 2, 3, 4, 5 or <b>6</b>.</p> <ol style="list-style-type: none"> <li>1. Appropriate PK staff determines eligibility for students who do not speak and comprehend the English language by:                             <ol style="list-style-type: none"> <li>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</li> <li>b. testing students using oral instruments from the list of state approved tests for assessment of limited English proficient students.</li> </ol> </li> <li>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.</li> <li>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.</li> </ol> <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</p>

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		<p>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> <ul style="list-style-type: none"> <li>a. the term "homeless children and youths",</li> <li>b. includes;                             <ul style="list-style-type: none"> <li>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;</li> <li>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);</li> <li>3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</li> </ul> </li> </ul> <p>1. 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</p>	<p>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> <ul style="list-style-type: none"> <li>a. the term "homeless children and youths",</li> <li>b. includes;                             <ul style="list-style-type: none"> <li>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;</li> <li>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);</li> <li>3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</li> </ul> </li> </ul> <p>2. 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</p>

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		described in clauses (1) through (3).	described in clauses (1) through (3).
		<p>4. Appropriate PK staff determines eligibility for a child of an active duty member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who is ordered to active duty by proper authority.</p> <p style="padding-left: 40px;">The term “member of the armed forces includes:</p> <p style="padding-left: 40px;">a. active duty uniformed members (parents or official guardians) of the Army, Navy, Marine Corps, Air Force, or Coast Guard who are assigned to duty stations in Texas or who are Texans who have eligible children residing in Texas.</p> <p style="padding-left: 40px;">b. Activated/mobilized uniformed members of the Texas National Guard (Army or Air Guard), or activated/mobilized members of the Reserve components of the Army, Navy, Marine Corps, Air Force, or Coast Guard who are Texas residents regardless of the location of the reserve unit; and</p> <p style="padding-left: 40px;">c. Uniformed service members who are Missing in Action (MIA).</p> <p>5. Appropriate PK staff determines eligibility for a child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty.</p>	<p>4. Appropriate PK staff determines eligibility for a child of an active duty member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who is ordered to active duty by proper authority.</p> <p style="padding-left: 40px;">The term “member of the armed forces” includes:</p> <p style="padding-left: 40px;">d. active duty uniformed members (parents or official guardians) of the Army, Navy, Marine Corps, Air Force, or Coast Guard who are assigned to duty stations in Texas or who are Texans who have eligible children residing in Texas.</p> <p style="padding-left: 40px;">e. activated/mobilized uniformed members of the Texas National Guard (Army or Air Guard), or activated/mobilized members of the Reserve components of the Army, Navy, Marine Corps, Air Force, or Coast Guard who are Texas residents regardless of the location of the reserve unit.</p> <p style="padding-left: 40px;">f. uniformed service members who are Missing in Action (MIA).</p> <p>5. Appropriate PK staff determines eligibility for a child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty.</p> <p>6. <b>Appropriate PK staff determines eligibility for a child who has ever been in the conservatorship (foster care) of the Department of Family and Protective Services (DFPS) following an adversary hearing.</b></p>

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Section VII Prekindergarten	Addition	<p>(5-1) To be eligible for enrollment in a PK class, a child must be three or four years of age on September 1 of the current school year and must be [TEC §29.153(b)]:</p> <ol style="list-style-type: none"> <li>1. unable to speak and comprehend the English language; or</li> <li>2. educationally disadvantaged (eligible to participate in the National Free or Reduced-Price Lunch Program); or</li> <li>3. homeless; or</li> <li>4. the child of an active duty member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who is ordered to active duty by proper authority; or</li> <li>5. the child of a member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who was injured or killed while serving on active duty.</li> </ol>	<p>(5-1) To be eligible for enrollment in a PK class, a child must be three or four years of age on September 1 of the current school year and must be [TEC §29.153(b)]:</p> <ol style="list-style-type: none"> <li>1. unable to speak and comprehend the English language; or</li> <li>2. educationally disadvantaged (eligible to participate in the National Free or Reduced-Price Lunch Program); or</li> <li>3. homeless; or</li> <li>4. the child of an active duty member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who is ordered to active duty by proper authority; or</li> <li>5. the child of a member of the armed forces of the United States, including the state military forces or a reserved component of the armed forces, who was injured or killed while serving on active duty; <b>or</b></li> <li>6. <b>has ever been in the conservatorship (foster care) of the Department of Family and Protective Services (DFPS) following an adversary hearing.</b></li> </ol>
Section VII Prekindergarten	Addition	<p>(5-5) If a student qualifies for PK on the basis of being educationally disadvantaged (eligible to participate in the National Free or Reduced-Price Lunch Program), and then moves out of the district, the student would have to requalify for the PK program in the new district.</p> <p style="text-align: center;">⋮</p> <p>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, include the state military forces or a reserve component of the armed forces, the student</p>	<p>(5-6) If a student qualifies for PK on the basis of being educationally disadvantaged (eligible to participate in the National Free or Reduced-Price Lunch Program), and then moves out of the district, the student would have to requalify for the PK program in the new district.</p> <p style="text-align: center;">⋮</p> <p>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, include the state military forces or a reserve component of the armed forces, the student</p>

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		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 prekindergarten class.	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 prekindergarten class.  <b>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 prekindergarten class even if that student is no longer in foster care.</b>
Section VII Prekindergarten	Revision	<p><b>(6) Eligible Days Present</b></p> <p>Students who are being served in the PK program and are eligible for funding, according to (4) <i>General Rules</i> and (5) <i>Eligibility</i> earlier in this section, will be identified by a Grade Level Code of PK and an ADA Eligibility Code of 2 (eligible for half-day attendance) in the attendance accounting system. The total number of eligible half-days present must be recorded for each six-week reporting period in the Student Detail Report for every student eligible for the program.</p> <p style="text-align: center;">⋮</p> <p>Students who are being served in the PK program for half of the day and PPCD for the other half of the day will be identified by a Grade Level Code of PK and an ADA Eligibility Code of 1 (eligible for full-day attendance) in the attendance accounting system <b>[see (5-6)]</b>. The total number of eligible days present must be recorded for each six-week reporting period in the Student Detail Report for every student eligible for both programs.</p>	<p><b>(6) Eligible Days Present</b></p> <p>Students who are being served in the PK program and are eligible for funding, according to (4) <i>General Rules</i> and (5) <i>Eligibility</i> earlier in this section, will be identified by a Grade Level Code of PK and an ADA Eligibility Code of 2 (eligible for half-day attendance) in the attendance accounting system. The total number of eligible half-days present must be recorded for each six-week reporting period in the Student Detail Report for every student eligible for the program.</p> <p style="text-align: center;">⋮</p> <p>Students who are being served in the PK program for half of the day and PPCD for the other half of the day will be identified by a Grade Level Code of PK and an ADA Eligibility Code of 1 (eligible for full-day attendance) in the attendance accounting system. The total number of eligible days present must be recorded for each six-week reporting period in the Student Detail Report for every student eligible for both programs.</p>
Section VII Prekindergarten	Addition	<b>None.</b>	(7-6) Documentation requirements to determine the eligibility of a child because of foster care status will be published as soon as this information has been finalized.
Section VII Prekindergarten	Revision	<b>(7-6)</b> The propriety of student eligibility is affirmed by the principal or superintendent when affidavits are signed.	<b>(7-7)</b> The propriety of student eligibility is affirmed by the principal or superintendent when affidavits are signed.
Section IX Pregnancy Related Services	Revision	(4-10) Returning to Campus: ...  4. The time spent receiving temporary, limited services on campus cannot count as any part of the number of hours served as PRS CEHI for eligible days present.	(4-10) Returning to Campus: ...  4. The time spent receiving temporary, limited services on campus cannot count as any part of the number of hours served as PRS CEHI for eligible days present <b>with the exception of time spent in TAKS testing.</b>

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			<p><b>Students who return to campus on a temporary, limited basis to take the TAKS test can be credited with receiving a maximum of 1 hour of PRS CEHI for each day they are on campus and involved in actual TAKS testing. If the time spent on campus is less than one hour, only the actual time spent in TAKS testing can be credited.</b></p> <p><b>Students who are provided a TAKS test in the home can be credited with receiving a maximum of 1 hour of CEHI for each day they are tested at home.</b></p> <p><b>TAKS tutoring, practice test, etc. cannot be credited for CEHI. Medical Releases (4-9) must be secured to ensure the student's doctor approves of her being on campus and involved in TAKS testing.</b></p>
Section IX Pregnancy Related Services	Revision	(4-16) In order for a PRS student to earn career and <b>technology</b> education contact hours while also being served in CEHI, the student must continue to receive the same amount and type of career and <b>technology</b> service that she was receiving before being placed in CEHI. The career and <b>technology</b> instruction that a PRS student receives at home would be <b>in addition</b> to the four hours necessary for CEHI. The CEHI teacher providing the additional hours for the career and <b>technology</b> courses must maintain a log to verify all contact hours with PRS students [see (9-4) in this section and also (4-13) and (5-4) in Section V].	(4-16) In order for a PRS student to earn career and <b>technical</b> education contact hours while also being served in CEHI, the student must continue to receive the same amount and type of career and <b>technical</b> service that she was receiving before being placed in CEHI. The career and <b>technical</b> instruction that a PRS student receives at home would be <b>in addition</b> to the four hours necessary for CEHI. The CEHI teacher providing the additional hours for the career and <b>technical</b> courses must maintain a log to verify all contact hours with PRS students [see (9-4) in this section and also (4-13) and (5-4) in Section V].
Section IX Pregnancy Related Services	Revision	(5-7) PRS students may simultaneously participate in other state funded programs [special education; career and <b>technology</b> education; bilingual/ESL], provided all eligibility requirements of the other programs are met (Sections IV, V, and VI). During CEHI, a student may remain coded and continue to generate special program funding as long as the student continues to receive, at home, services as designated by the individual program requirements. See (4-8) and (9-4).	(5-7) PRS students may simultaneously participate in other state funded programs [special education; career and <b>technical</b> education; bilingual/ESL], provided all eligibility requirements of the other programs are met (Sections IV, V, and VI). During CEHI, a student may remain coded and continue to generate special program funding as long as the student continues to receive, at home, services as designated by the individual program requirements. See (4-8) and (9-4).
Section IX Pregnancy Related Services	Revision	(9-4) An ADA eligible PRS student, during the prenatal period, is simultaneously taking a one-hour career and <b>technology</b> education course (code V1). She begins CEHI, since she is expected to be confined for five	(9-4) An ADA eligible PRS student, during the prenatal period, is simultaneously taking a one-hour career and <b>technical</b> education course (code V1). She begins CEHI, since she is expected to be confined for five

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		<p>consecutive weeks. The district provides the four hours of CEHI instruction, but chooses not to provide the additional career and technology hours while the student is on CEHI.</p> <p><i>The student may generate career and <b>technology</b> education contact hours if a certified teacher provides the same amount and type of career and technology instruction the student received at school. This career and <b>technology</b> education instruction is in addition to the four hour requirement for CEHI. Since the student receives CEHI, she should remain coded PRS during the entire confinement period. Since the district is not providing the additional hours for career and <b>technology</b>, the career and <b>technology</b> indicator should be removed. The student, however, should not be withdrawn from the career and <b>technology</b> class. She remains enrolled in the class and is assisted in her class assignments by the CEHI teacher. During this period of time, the student would not be reported eligible for career and <b>technology</b> contact hours on the 410 PEIMS record; however, the student would be reported on the 169 and 170 PEIMS records if the time period falls during the fall snapshot.</i></p>	<p>consecutive weeks. The district provides the four hours of CEHI instruction, but chooses not to provide the additional career and technical hours while the student is on CEHI.</p> <p><i>The student may generate career and <b>technical</b> education contact hours if a certified teacher provides the same amount and type of career and technical instruction the student received at school. This career and <b>technical</b> education instruction is in addition to the four hour requirement for CEHI. Since the student receives CEHI, she should remain coded PRS during the entire confinement period. Since the district is not providing the additional hours for career and <b>technical</b>, the career and <b>technical</b> indicator should be removed. The student, however, should not be withdrawn from the career and <b>technical</b> class. She remains enrolled in the class and is assisted in her class assignments by the CEHI teacher. During this period of time, the student would not be reported eligible for career and <b>technical</b> contact hours on the 410 PEIMS record; however, the student would be reported on the 169 and 170 PEIMS records if the time period falls during the fall snapshot.</i></p>
Section X Non-Traditional Schools	Revision	(2-5) The school calendar for alternative education programs must follow the same regulations as those stated for the regular school, unless a waiver is received which alters this requirement. Generally, a school calendar must provide for 180 days of instruction at each campus that is identified by a separate campus number [see (7-1) in Section III]. TEC §25.081	(2-5) The school calendar for alternative education programs must follow the same regulations as those stated for the regular school, unless a waiver is received which alters this requirement. Generally, a school calendar must provide for 180 days of instruction at each campus that is identified by a separate campus number [see (7-1) in Section III]. TEC §25.081 <b>(a)</b>
Section X Non-Traditional Schools	Revision	(2-7) Generally, all students reported for FSP funding must be served by teachers certified by the <b>State of Texas</b> or be served under a contract negotiated by the local district. Additional information on contracting educational services may be obtained by contacting the specific program division(s) at TEA.	(2-7) Generally, all students reported for FSP funding must be served by teachers certified by the <b>State Board for Educator Certification (SBEC)</b> or be served under a contract negotiated by the local district. Additional information on contracting educational services may be obtained by contacting the specific division(s) at TEA.
Section X Non-Traditional Schools	Revision	(2-11) Some types of alternative education campuses are described in the alternative education accountability procedures <i>Accountability Manual</i> . Others, such as	(2-11) Some types of alternative education campuses are described in the <b>annual</b> alternative education accountability ( <b>AEA</b> ) procedures <i>Accountability</i>

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		Chapter 37 discipline programs, are described in this publication.	<i>Manual</i> . Others, such as Chapter 37 discipline programs, are described in this publication.
Section X Non-Traditional Schools	Revision	(2-12) Students who are being served in non-traditional education programs are eligible for special program (special education, career and <b>technology</b> education, bilingual/ESL, etc.) funding provided all requirements of the special programs are met, including service by certified special program teachers.	(2-12) Students who are being served in non-traditional education programs are eligible for special program (special education, career and <b>technical</b> education, bilingual/ESL, etc.) funding provided all requirements of the special programs are met, including service by certified special program teachers.
Section X Non-Traditional Schools	Addition	<b>None.</b>	(2-12) Students who are 21 years of age or older who are admitted for the purpose of completing the requirements of a high school diploma are not eligible for placement in a DAEP or JJ AEP if the person engages in conduct that would require or authorize such placement for a student under the age of 21. If the student engages in conduct that would otherwise require such placement, the district shall revoke admission of the student into the public schools of the district.
Section X Non-Traditional Schools	Revision	(3-2) The commissioner of education is extended the authority to waive certain requirements established by state law or State Board of Education rule when it is determined the students' education will benefit directly by waiving the law/rule. TEC §7.056	(3-2) The commissioner of education is extended the authority to waive certain requirements established by state law or State Board of Education rule when it is determined the students' education will benefit directly by waiving the law/rule. TEC §7.056 <b>(a) except as provided in TEC §7.056 (e)(f) regarding criminal misconduct; restrictions imposed by federal law or rule; or restrictions imposed by state law.</b>
Section X Non-Traditional Schools	Revision	(4-3) In many cases, year-round instructional tracks are not completed by the PEIMS due date for submission of attendance data. When this situation occurs, the attendance records for students attending year-round programs must be submitted before the final six-week reporting period is completed. Report only the actual number of days of instruction completed as of the date the attendance records are extracted. Report the completed year in the resubmission.	(4-3) In many cases, year-round instructional tracks are not completed by the PEIMS due date for submission of attendance data. When this situation occurs, the attendance records for students attending year-round programs must be submitted before the final six-week reporting period is completed. Report only the number of days of instruction completed—as of the date the attendance records are extracted. Report the completed year <b>during</b> the resubmission <b>period</b> .
Section X Non-Traditional Schools	Revision	(5-1) Each school district shall provide appropriate compensatory and accelerated services for at-risk students. Refer to TEC §29.081 <b>for information on</b> at-risk students.	(5-1) Each school district shall provide appropriate compensatory and accelerated services for at-risk students. Refer to TEC §29.081 <b>regarding statutory requirements for educating</b> at-risk students.
Section X Non-Traditional Schools	Revision	(5-2) An alternative campus for at-risk students must serve one or more of the following student populations.	(5-2) <b>According to TEC §29.081(d)</b> , an alternative campus for at-risk students must serve one or more of the following student populations.

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Section	Change	2006-2007	2007-2008
		<ol style="list-style-type: none"> <li>1. students in at-risk situations,</li> <li>2. recovered dropouts, or</li> <li>3. pregnant or parenting students.</li> </ol>	<ol style="list-style-type: none"> <li>1. students in at-risk situations,</li> <li>2. recovered dropouts,</li> <li>3. <b>pre- and post-adjudicated students,</b></li> <li>4. <b>homeless students,</b></li> <li>5. pregnant or parenting students, <b>or</b></li> <li>6. <b>students who previously resided or currently reside in a residential placement facility in the district.</b></li> </ol>
Section X Non-Traditional Schools	Revision	(6-1) AECs including charter AECs must serve students “at risk of dropping out of school” as defined in <b>Texas Education Code (TEC) §29.081(d)</b> and provide accelerated instructional services to these students. Each AEC registered for evaluation under AEA procedures is designated as an AEC of Choice or a Residential Facility.	(6-1) AECs including charter AECs must serve students “at risk of dropping out of school” as defined in <b>TEC §29.081(d)</b> and provide accelerated instructional services to these students. Each AEC registered for evaluation under AEA procedures is designated as an AEC of Choice or a Residential Facility.
Section X Non-Traditional Schools	Revision	(6-4) DAEPs, JJAEPs, and stand-alone GED programs are ineligible for evaluation under AEA procedures.	(6-4) <b>Statute or statutory intent prohibits the attribution of performance results to Disciplinary Alternative Education Programs (DAEPs) and Juvenile Justice Alternative Education Programs (JJAEPs). Therefore, these programs</b> are ineligible for evaluation under AEA procedures <b>as well as</b> stand-alone <b>General Educational Development (GED)</b> programs.
Section X Non-Traditional Schools	Revision	(6-7) To register AECs of Choice and Residential Facilities for evaluation under AEA procedures, contact the Division of Performance Reporting at (512) 463-9704.	(6-7) To register AECs of Choice and Residential Facilities for evaluation under AEA procedures, contact the Division of Performance Reporting at (512) 463-9704 <b>or visit <a href="http://www.tea.state.tx.us/aea">http://www.tea.state.tx.us/aea</a> for details.</b>
Section X Non-Traditional Schools	Revision	(7-1) The programs covered under this category include, but are not limited to: juvenile detention centers, residential treatment facilities operated under contract to a public agency such as <b>Texas Youth Commission</b> , and residential treatment facilities operated for purposes such as substance and alcohol abuse. The services made available to students under this program may include those services identified in (5) <b>Compensatory and Accelerated Instruction for At-Risk Students</b> in this chapter.	(7-1) The programs covered under this category include, but are not limited to: juvenile detention centers, residential treatment facilities operated under contract to a public agency such as <b>TYC</b> , and residential treatment facilities operated for purposes such as substance and alcohol abuse. The services made available to students under this program may include those services identified in (5) <b>Compensatory and Accelerated Instruction for At-Risk Students</b> in this chapter.
Section X Non-Traditional Schools	Revision	(8-1) Each school district shall provide for a DAEP that: <ol style="list-style-type: none"> <li>1. is provided in a setting other than a student's</li> </ol>	(8-1) Each school district shall provide for a DAEP that: <ol style="list-style-type: none"> <li>1. is provided in a setting other than a student's</li> </ol>

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		<p>regular classroom;</p> <ol style="list-style-type: none"> <li>2. is located on or off of a regular school campus;</li> <li>3. provides for students who are assigned to the DAEP to be separated from students who are not assigned to the DAEP;</li> <li>4. focuses on English language arts, mathematics, science, history, and self-discipline;</li> <li>5. provides for students' educational and behavioral needs;</li> <li>6. provides supervision and counseling;</li> <li>7. requires that to teach in an off-campus disciplinary alternative education program, each teacher meet all certification requirements established under Subchapter B, Chapter 21;</li> <li>8. notwithstanding Subdivision (7), requires that to teach in a disciplinary alternative education program of any kind, each teacher employed by a school district during the 2003-2004 school year or an earlier school year meet, not later than the beginning of the 2005-2006 school year, all certification requirements established under Subchapter B, Chapter 21, [TEC §37.008(a)];</li> <li>9. a student who is younger than 10 years of age shall be removed from class and placed in a DAEP under Section 37.008 if the student engages in conduct describe by Section 37.007. An elementary school student may not be placed in a DAEP with any other student who is not an elementary student. TEC §37.007(f)</li> </ol> <p>An off-campus or on-campus DAEP should be a "mirror image" of the regular education program that is provided by a school district. There should be teacher and student instructional interaction. The significant difference between a DAEP and <b>the</b> regular education program is the type of students housed in the program and the fact that elective courses may not be available. A DAEP serves only students who are removed from a regular education setting because of a disciplinary assignment.</p> <p>In the event that a school district/campus does not</p>	<p>regular classroom;</p> <ol style="list-style-type: none"> <li>2. is located on or off of a regular school campus;</li> <li>3. provides for students who are assigned to the DAEP to be separated from students who are not assigned to the DAEP;</li> <li>4. focuses on English language arts, mathematics, science, history, and self-discipline;</li> <li>5. provides for students' educational and behavioral needs;</li> <li>6. provides supervision and counseling;</li> <li>7. requires that to teach in an off-campus disciplinary alternative education program, each teacher meet all certification requirements established under Subchapter B, Chapter 21;</li> <li>8. requires that to teach in a disciplinary alternative education program of any kind, each teacher employed by a school district during the 2003-2004 school year or an earlier school year meet, not later than the beginning of the 2005-2006 school year, all certification requirements established under Subchapter B, Chapter 21, [TEC §37.008(a)<b>(7)(8)</b>];</li> <li>9. a student who is younger than 10 years of age shall be removed from class and placed in a DAEP under Section 37.008 if the student engages in conduct <b>as described in</b> Section 37.007. <b>Expulsion for Serious Offenses.</b> An elementary school student may not be placed in a DAEP with any other student who is not an elementary student. <b>[TEC §37.006. Removal for Certain Conduct. (f)]</b></li> </ol> <p>An off-campus or on-campus DAEP should be a "mirror image" of the regular education program that is provided by a school district. There should be teacher and student instructional interaction. The significant differences between a DAEP and <b>a</b> regular education program <b>are</b> the type of students in the program and the fact that <b>not all</b> elective courses <b>are</b> available. A DAEP serves only students who are removed from a regular education setting because of a disciplinary assignment.</p>

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		currently have any students assigned to a DAEP, a contingency plan must <b>exist</b> to provide for any placement to a DAEP that might occur during the school year as required under TEC Chapter 37 and the Student Code of Conduct. This is especially significant for elementary schools that typically have fewer students committing behaviors that require placement to a DAEP.	In the event that a school district/campus does not currently have any students assigned to a DAEP, a <b>contingency plan must be written</b> to provide for any placement to a DAEP that might occur during the school year as required under TEC Chapter 37 and the Student Code of Conduct. This is especially significant for elementary schools that typically have fewer students committing behaviors that require placement to a DAEP.
Section X Non-Traditional Schools	Revision	<p>(8-2) An off-campus DAEP under TEC §37.008(a)(2):</p> <ol style="list-style-type: none"> <li>1. has its own campus identification number;</li> <li>2. has its own building (is not a program on a regular campus or an at-risk alternative education campus);</li> <li>3. has its own budget;</li> <li>4. has its own administrator;</li> <li>5. only serves students removed under TEC Chapter 37, (no other non-discipline program may be operated on the campus);</li> <li>6. must use the services of certified teachers to the extent required above in (8-1);</li> <li>7. must provide for a 180 day school year (TEC §25.081); and</li> <li>8. must provide for a seven (7) hour school day; (TEC §25.082).</li> </ol>	<p>(8-2) An off-campus DAEP under TEC §37.008(a)(2):</p> <ol style="list-style-type: none"> <li>1. has its own campus identification number;</li> <li>2. has its own building (is not a program on a regular campus or an at-risk alternative education campus);</li> <li>3. has its own budget;</li> <li>4. has its own administrator;</li> <li>5. only serves students removed under TEC Chapter 37, (no other non-discipline program may be operated on the campus);</li> <li>6. must use the services of certified teachers to the extent required above in (8-1);</li> <li>7. must provide for a 180 day school year [TEC §25.081(a)]; and</li> <li>8. must provide for a seven (7) hour school day; [TEC §25.082(a)].</li> </ol>
Section X Non-Traditional Schools	Revision	<p>(8-3) An on-campus DAEP under TEC §37.008(a)(2) is defined as a DAEP that may have it's own campus identification number. If an on-campus DAEP has its own campus number, then the campus must:</p> <ol style="list-style-type: none"> <li>1. have an administrator (administrator can serve more than one campus);</li> <li>2. have its own budget;</li> <li>3. use the services of certified teachers for delivering educational and behavioral instruction to the students assigned to the on-campus DAEP;</li> <li>4. provide for students who are assigned to the DAEP to be separated from students who are not assigned to the DAEP ("sight and sound barrier"</li> </ol>	<p>(8-3) An on-campus DAEP under TEC §37.008(a)(2) is defined as a DAEP that may have it's own campus identification number. If an on-campus DAEP has its own campus number, then the campus must:</p> <ol style="list-style-type: none"> <li>1. have an administrator (administrator can serve more than one campus);</li> <li>2. have its own budget;</li> <li>3. use the services of certified teachers for delivering educational and behavioral instruction to the students assigned to the on-campus DAEP;</li> <li>4. provide for students who are assigned to the DAEP to be separated from students who are not assigned to the DAEP ("sight and sound barrier"</li> </ol>

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		<p>should exist in order to provide adequate separation);</p> <p>5. <b>provide for a seven (7) hour school day; (TEC §25.082);</b></p> <p>6. <b>provide for a 180 day school year (TEC §25.081); and</b></p> <p>7. share a facility with a non-disciplinary program.</p>	<p>should exist in order to provide adequate separation);</p> <p>5. <b>provide for a 180 day school year [TEC §25.081(a)];</b></p> <p>6. <b>provide for a seven (7) hour school day; [TEC §25.082(a)]; and</b></p> <p>7. share a facility with a non-disciplinary program.</p>
Section X Non-Traditional Schools	Revision	(9-1) Each school district must adopt, in accordance with TEC §37.001, a Student Code of Conduct that outlines the conditions under which a student will be expelled and must be in compliance with <b>Expulsion for Serious Offenses. TEC §37.007.</b>	(9-1) Each school district must adopt, in accordance with TEC §37.001(a), a Student Code of Conduct that outlines the conditions under which a student will be expelled and must be in compliance with <b>TEC §37.007, Expulsion for Serious Offenses.</b>
Section X Non-Traditional Schools	Revision	(9-2) School districts must adopt consistent procedures for determining serious or persistent misbehavior (DISCIPLINARY-ACTION-REASON-CODE 20) for the purposes of expelling students from a DAEP for this reason. TEC §37.007(c)	(9-2) School districts must adopt consistent procedures for determining serious or persistent misbehavior <b>violating the student code of conduct while placed in alternative education program;</b> for the purposes of expelling students from a DAEP for this reason. <b>(DISCIPLINARY-ACTION-REASON-CODE 20) TEC §37.007(c)</b>
Section X Non-Traditional Schools	Revision	(9-3) If a student commits a mandatory expellable offense in one of the 26 Mandatory JJAEP counties, <b>after the due process hearing</b> the student must be referred to the juvenile court. <b>At that time</b> the juvenile court must order the student to <b>immediately attend (on the next school day;) the JJAEP.</b>	(9-3) If a student commits a mandatory expellable offense in one of the 26 Mandatory JJAEP counties, <b>the student must be referred to the juvenile court</b> after the due process hearing. The juvenile court must order the student to attend <b>the JJAEP on the next school day.</b>
Section X Non-Traditional Schools	Revision	(9-4) If a student commits a discretionary expellable offense in one of the 26 Mandatory JJAEP counties, and the local student code of conduct requires an expulsion, then the student must be placed in a disciplinary educational setting in accordance with the local Student Code of Conduct and/or the Memorandum of Understanding (MOU).  If a student commits a discretionary expellable offense in one of the Non-Mandatory JJAEP counties, and the local student code of conduct requires an expulsion, then the student may be placed in a disciplinary educational setting in accordance with the local Student Code of Conduct and/or the Memorandum of Understanding (MOU).	(9-4) If a student commits a discretionary expellable offense in <b>one of the 26 Mandatory JJAEP counties</b> , and the local student code of conduct requires an expulsion, then the student must be placed in a disciplinary educational setting in accordance with the local Student Code of Conduct and/or the Memorandum of Understanding (MOU).  If a student commits a discretionary expellable offense in <b>one of the Non-Mandatory JJAEP counties</b> , and the local student code of conduct requires an expulsion, then the student may be placed in a disciplinary educational setting in accordance with the local Student Code of Conduct and/or the Memorandum of Understanding (MOU).

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Section X Non-Traditional Schools	Revision	(9-7) Refer to the <b>425 Disciplinary Action Record in Section 2 and Appendix E of the PEIMS Data Standards</b> for more information related to the expulsion of students.	(9-7) Refer to <b>PEIMS Data Standards Section 2, 425 Student Disciplinary Action Record and Appendix E</b> for more information related to the expulsion of students.
Section X Non-Traditional Schools	Revision	<p>(9-8) Expulsions Related to Special Education Students</p> <p>Students receiving special education and related services may be expelled from school (<b>for expellable offenses under TEC 37.007</b>) in instances where the behavior is not a manifestation of the student's disability.</p> <p>A student cannot be expelled into the Homebound Instructional Arrangement/Setting.</p> <p>When expelling students who are receiving special education and related services, the district may consider one of the following three options when conducting the change of ARD placement:</p> <ol style="list-style-type: none"> <li>1. Expulsion to the DAEP;               <ol style="list-style-type: none"> <li>a. <b>DISCIPLINARY-ACTION-REASON-CODES 03 and 04.</b></li> </ol> </li> <li>2. Expulsion with services in an alternative interim setting which meets the following three criteria:               <ol style="list-style-type: none"> <li>a. Students are served in a mutually agreed upon alternative setting as determined by the ARD committee;</li> <li>b. Services are provided following the requirements of the 2-4 hour rule. Please see Section III: (5) General Eligibility Requirements <b>(5-2)</b> and (6) ADA Eligibility Coding;</li> <li>c. Students must continue to receive educational services which enable the students to participate in the general education curriculum and to progress toward meeting the goals set out in the students' IEPs.                   <ol style="list-style-type: none"> <li>i. Each student's instructional</li> </ol> </li> </ol> </li> </ol>	<p>(9-8) Expulsions Related to Special Education Students</p> <p>Students receiving special education and related services may be expelled from school in instances where the behavior is not a manifestation of the student's disability. <b>[TEC 37.007. Expulsion for Serious Offenses]</b></p> <p>A student cannot be expelled into the Homebound Instructional Arrangement/Setting.</p> <p>When expelling students who are receiving special education and related services, the district may consider one of the following three options when conducting the change of ARD placement:</p> <ol style="list-style-type: none"> <li>3. Expulsion to the DAEP;               <ol style="list-style-type: none"> <li>a. <b>DISCIPLINARY-ACTION-CODES 03 and 04.</b></li> </ol> </li> <li>4. Expulsion with services in an alternative interim setting which meets the following three criteria:               <ol style="list-style-type: none"> <li>a. Students are served in a mutually agreed upon alternative setting as determined by the ARD committee;</li> <li>b. Services are provided following the requirements of the 2-4 hour rule. Please see Section III: <b>(5-2)</b> General Eligibility Requirements and (6) ADA Eligibility Coding;</li> <li>c. Students must continue to receive educational services which enable the students to participate in the general education curriculum and to progress toward meeting the goals set out in the students' IEPs.                   <ol style="list-style-type: none"> <li>i. Each student's instructional</li> </ol> </li> </ol> </li> </ol>

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		<p align="center">arrangement/setting will be determined by the ARD committee based on the percentage of time the student is removed from the general education setting.</p> <p align="center"><b>d. DISCIPLINARY-ACTION-REASON-CODE 01.</b></p>	<p align="center">arrangement/setting will be determined by the ARD committee based on the percentage of time the student is removed from the general education setting.</p> <p align="center"><b>d. DISCIPLINARY-ACTION- CODE 01.</b></p>
<p>Section X Non-Traditional Schools</p>	<p>Revision</p>	<p>(10-1) If a school district is in a county with a population greater than 125,000, the county juvenile board is required to develop a JJAEP in coordination with the school boards of the county, subject to the approval of the Texas Juvenile Probation Commission (TJPC). TEC §37.011(a) If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJPC. If a county has 125,000 or less in population, the County Juvenile Board may develop and operate a JJAEP independent of TJPC. A school district cannot develop or create a JJAEP.</p> <p>Under TEC §37.011(k), an MOU is an annual written agreement <b>between a school district(s) and the county juvenile board in a particular county</b> that:</p> <ol style="list-style-type: none"> <li>1. outlines the responsibilities of the juvenile board concerning the establishment and operation of a JJAEP under this section;</li> <li>2. defines the amount and conditions on payments from the school district to the juvenile board for students of the school district served in the JJAEP whose placement was not made on the basis of an expulsion under TEC §37.007(a), (d), or (e);</li> <li>3. identifies those categories of conduct that the school district has defined in its Student Code of Conduct as constituting serious or persistent misbehavior for which a student may be placed in the JJAEP;</li> <li>4. identifies and requires a timely placement and specifies a term of placement for expelled students for whom the school district has</li> </ol>	<p>(10-1) If a school district is in a county with a population greater than 125,000, the county juvenile board is required to develop a JJAEP in coordination with the school boards of the county, subject to the approval of the Texas Juvenile Probation Commission (TJPC). TEC §37.011(a) If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJPC. If a county has 125,000 or less in population, the County Juvenile Board may develop and operate a JJAEP independent of TJPC. A school district cannot develop or create a JJAEP. <b>TEC §37.011(a)</b></p> <p>Under TEC §37.011(k), <b>each school district in a county with a population greater than 125,000 and the county juvenile board shall annually enter into a joint memorandum of understanding (MOU)</b>, an annual written agreement, that:</p> <ol style="list-style-type: none"> <li>1. outlines the responsibilities of the juvenile board concerning the establishment and operation of a JJAEP under this section;</li> <li>2. defines the amount and conditions on payments from the school district to the juvenile board for students of the school district served in the JJAEP whose placement was not made on the basis of an expulsion under TEC §37.007(a), (d), or (e);</li> <li>3. identifies those categories of conduct that the school district has defined in its Student Code of Conduct as constituting serious or persistent misbehavior for which a student may be placed in the JJAEP;</li> </ol>

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		<p>received a notice under TEC §52.041(d), Family Code;</p> <ol style="list-style-type: none"> <li>5. establishes services for the transitioning of expelled students to the school district prior to the completion of the student's placement in the JJAEP;</li> <li>6. establishes a plan that provides transportation services for students placed in the JJAEP;</li> <li>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</li> <li>8. establishes a plan to address special education services required by law.</li> </ol> <p>All school districts in the following counties are required to participate in a JJAEP <b>and thus have in place</b> an MOU: Bell, Bexar, Brazoria, Brazos, Cameron, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Hidalgo, Jefferson, Johnson, Lubbock, McLennan, Montgomery, Nueces, Smith, Tarrant, Taylor, Travis, Webb, Wichita, and Williamson.</p>	<ol style="list-style-type: none"> <li>4. identifies and requires a timely placement and specifies a term of placement for expelled students for whom the school district has received a notice under TEC §52.041(d), Family Code;</li> <li>5. establishes services for the transitioning of expelled students to the school district prior to the completion of the student's placement in the JJAEP;</li> <li>6. establishes a plan that provides transportation services for students placed in the JJAEP;</li> <li>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</li> <li>8. establishes a plan to address special education services required by law.</li> </ol> <p>All school districts in the following counties are required to participate in a JJAEP <b>thus an MOU</b>: Bell, Bexar, Brazoria, Brazos, Cameron, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Hidalgo, Jefferson, Johnson, Lubbock, McLennan, Montgomery, Nueces, Smith, Tarrant, Taylor, Travis, Webb, Wichita, and Williamson.</p>
Section X Non-Traditional Schools	Revision	(10-2) According to TEC §37.011(h), "a student enrolled in a JJAEP is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program."	(10-2) According to TEC §37.011(h), " <b>For purposes of accountability under Chapter 39</b> , a student enrolled in a JJAEP is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program."
Section X Non-Traditional Schools	Revision	(10-6) A student enrolled in a JJAEP is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program. TEC §37.011(h) The public agency must provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the child's IEP in these two instances:	(10-6) <b>Academically, the mission of the JJAEP shall be to enable students to perform at grade level. For purposes of accountability under Chapter 39</b> , a student enrolled in a JJAEP is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program. TEC §37.011(h) The public agency must provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the child's IEP in these two instances:

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Section X Non-Traditional Schools	Revision	(11-2) Under TEC §37.005, the principal or other appropriate administrator may suspend a student who engages in conduct identified in the student code of conduct adopted under Section 37.001 as conduct for which a student may be suspended. In addition, if the student was suspended as a preliminary action for a behavior that is identified in TEC §37.007 as a mandatory expellable offense, then the student must be provided " <b>due process</b> " through a formal expulsion hearing.	(11-2) Under TEC §37.005 <b>(a)</b> , the principal or other appropriate administrator may suspend a student who engages in conduct identified in the student code of conduct adopted under Section 37.001 as conduct for which a student may be suspended. In addition, if the student was suspended as a preliminary action for a behavior that is identified in TEC §37.007 as a mandatory expellable offense, then the student must be provided " <b>due process</b> " through a formal expulsion hearing.
Section XI Non-Traditional Programs	Addition	<b>None.</b>	<b>New section has been added.</b>
Section XII Glossary	Revision	Section <b>XI</b> Glossary	Section <b>XII</b> Glossary