

2008–2009 Student Attendance Accounting Handbook

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Section	Change	2007–2008	2008–2009
Changes That Apply to Entire Document	Revision	<ul style="list-style-type: none"> Sections were identified with Roman numerals, e.g. I, II, III, IV, V, VI, etc. 	<ul style="list-style-type: none"> Sections are identified with Arabic numerals, e.g. 1, 2, 3, 4, 5, 6, etc. Additional subheadings have been added. Eligibility information appears before enrollment and withdrawal procedure information in each program section. Information has been placed in tables, when possible, for readability. Statutory and rule citations appear in footnotes.
Section 3 General Attendance Requirements	Addition	None	<p>3.2 General Requirements for Eligibility for Attendance/FSP Funding</p> <p>3.2.1.8 Code 7 Eligible—Alternative Attendance Program Participation Code 7 applies to a student who is eligible for participation in and is enrolled and served in an alternative attendance program, such as the Optional Flexible School Day Program (OFSDP) or the High School Equivalency Program (HSEP).</p> <p>3.2.1.9 Code 8 Ineligible—Alternative Attendance Program Participation Code 8 applies to a student who is ineligible for participation in an alternative attendance program, such as the OFSDP or HSEP, but is enrolled and served in the program.</p>
Section 3 General Attendance Requirements	Revision	<p>(5-1) Any student served by the school district is considered enrolled in the district.</p> <p>(5-2) A student must be enrolled for at least two hours (120 minutes) of daily instruction to be considered in membership for one-half day and for at least four hours (240 minutes) of daily instruction to be considered in membership for one full day (two-four hour rule). 19 TAC §129.21(h)</p> <p>(5-3) Students must be in membership before they are eligible for attendance for FSP purposes. 19 TAC §129.21(i)</p>	<p>3.2.2 Funding Eligibility Any student served by your school district is considered enrolled in the district. However, to be eligible for attendance for FSP purposes (eligible to generate ADA and thus funding), students must either 1) be served 2 through 4 hours each day (what is referred to as the “2-through-4-hour rule”¹) or 2) be eligible for, enrolled in, and served in an alternative attendance accounting program (such as the OFSDP). The following table explains more fully the requirements a student must meet to to be eligible generate ADA.</p> <p>[NEW TABLE]</p>

¹ 19 TAC §129.21(h)

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Section 3 General Attendance Requirements	Addition	None	3.2.4 Dual Credit (High School and College/University) Funding Please see 11.3 Dual Credit (High School and College/University) for information on dual credit courses.
Section 3 General Attendance Requirements	Revision	(2-2) Upon a student's enrollment in the district, a bona fide effort should be made to secure all records and/or required documentation pertaining to the student from the previous district and/or the parent, if applicable.	3.3 Enrollment Procedures and Requirements ... On a student's enrollment in your district, your district should make a bona fide effort to secure all records and required documentation pertaining to the student from the previous district (and/or the parent, if applicable). Your district must also request the set of required student information listed in 3.4 Withdrawal Procedures. Note that student records must be requested, sent, and received using the Texas Student Records Electronic Exchange (TREx) system. . . .
Section 3 General Attendance Requirements	Revision	(4-8) Attendance for all grades must be determined for each campus by the absences recorded at the one particular point in time the roll is taken (a snapshot, e.g., 9:45 a.m.), during the second or fifth instructional hour of the day or its equivalent, unless the local School Board has adopted a district policy for recording absences in an alternate period/hour. The selected time may vary from campus to campus within a district. However, once selected, the time may not be changed during the school year. 19 TAC §129.21(i)	3.6.2 Time of Day for Attendance Taking Each campus must determine attendance for all grades by the absences recorded at the one particular point in time the campus has chosen for roll to be taken (a snapshot, e.g., 9:45 a.m.) during the second or fifth instructional hour of the day or its equivalent, unless your local school board has adopted a district policy for recording absences in an alternate period or hour. The selected time may vary from campus to campus within your district. However, once a time has been selected, a campus may not change it during the school year. These attendance provisions do not apply to alternative attendance programs such as the High School Equivalency Program (HSEP) or the Optional Flexible School Day Program (OFSDP). For special attendance provisions that apply to these programs, please refer to Section 11, on nontraditional programs.
Section 3 General Attendance Requirements	Revision	(4-9) With the exception of any reason listed below in (4-12), students who are absent at the time the attendance snapshot is taken are counted absent for funding purposes. Students present at the time the attendance snapshot is taken are counted present for funding purposes. For official attendance accounting purposes, "excused" and/or "unexcused" absences do	3.6.3 Requirements for a Student's Being Considered Present or Absent For official attendance accounting purposes, "excused" and "unexcused" absences do not exist. Students present at the time the attendance snapshot is taken are counted present for funding purposes. Note that having students sign in is not an

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		<p>not exist. 19 TAC §129.21(i)(3)</p> <p>(4-11) Students who are on campus at the time attendance is taken, but who are not in their assigned classroom, are considered in attendance for FSP purposes provided they were with a responsible campus official (e.g., nurse's office, counselor's office, principal's office, etc.). Class admit slips or other documentation supporting the claim must be retained for audit purposes (Section II).</p>	<p>acceptable method of taking attendance. With the exception of any reason listed in the following paragraphs, students who are absent at the time the attendance snapshot is taken are counted absent for funding purposes.</p> <p>Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for FSP purposes provided they were with a responsible campus official (e.g., nurse, counselor, principal, etc.). Class admit slips or other documentation supporting that a student was with a responsible official must be retained for audit purposes. Note: These attendance provisions do not apply to the OFSDP, the eCP, or the TxVSN. For special attendance provisions that apply to these programs, please refer to Section 11, on nontraditional programs.</p> <p>...</p> <p>Important: Your district or charter school must adopt a policy regarding parental consent for student departures from school. FSP funding is conditional on local adoption of this policy. However, this policy does not affect procedures for taking and recording student attendance.</p>
<p>Section 3 General Attendance Requirements</p>	<p>Addition</p>	<p>None</p>	<p>3.6.3.1 Early Graduation/Graduation Ceremonies and Attendance</p> <p>Students Who Graduate Early: If a student has completed the requirements for a high school diploma before the last instructional day of the school year, the student is not eligible to continue to generate ADA for funding purposes for the remaining days of the school year.</p> <p>Students Who Have Not Yet Graduated but Who Have Attended Graduation Ceremonies: A student who attends a graduation ceremony before completing requirements for a high school diploma is eligible to continue to generate ADA funding as long as the student meets the minimum 2-through-4-hour requirement or is continuing to participate in an alternative attendance accounting program, such as the OFSDP. Your school district may not receive ADA for funding purposes for any student who does not meet the minimum 2-through-4-hour requirement. A senior who has attended graduation ceremonies before the end of the school year and who attends</p>

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			for the last days of the school year only to “sign in” has not met the minimum 2-through-4-hour requirement ² for those days.
Section 3 General Attendance Requirements	Revision	<p>(4-21) General Education Homebound (GEH)</p> <p>Any student who is served through the general education homebound program must meet the following three criteria:</p> <ul style="list-style-type: none"> d) is expected to be confined at home or hospital bedside for a minimum of four consecutive weeks; d) <u>for medical reasons only</u>; d) medical condition is documented by a physician licensed to practice in the United States. 	<p>3.7 General Education Homebound (GEH)</p> <p>Any student who is served through the general education homebound program must meet the following three criteria:</p> <ul style="list-style-type: none"> • The student is expected to be confined at home or hospital bedside for a minimum of 4 weeks. The weeks need not be consecutive. • The student is confined at home or hospital bedside for medical reasons only. • The student's medical condition is documented by a physician licensed to practice in the United States.
Section 3 General Attendance Requirements	Revision	<p>(7-1) Each school district must operate so that the district provides for at least 180 days of instruction for students. TEC §25.081</p> <p>(7-2) Districts have flexibility in setting their calendar with respect to the starting date, the days in each semester/six-week reporting period, and the dates of the preparation days. However, the first day of instruction must be scheduled in compliance with TEC §25.0811.</p>	<p>3.8 Calendar</p> <p>Your school district must operate so that it provides for at least 180 days of instruction for students (minus any days waived by the TEA in writing).³ However, your district has flexibility in structuring its calendar with respect to —</p> <ul style="list-style-type: none"> • the starting date, • the ending date, • the number of days in each semester/6-week reporting period, and • the dates of preparation days. <p>The first day of instruction, however, must be scheduled no earlier than the fourth Monday in August.⁴</p> <p>...</p> <p>Note: All the students in a particular school or track will have the same number of days of instruction (NUMBER-DAYS-TAUGHT). Please refer to the PEIMS Data Standards for additional information.</p>
Section 4 Special Education	Revision	<p>(4-1) Instructional Arrangement/Setting Codes:</p> <p>2. Homebound - Code 01</p> <p>Any student who is placed in the special education homebound instructional arrangement/setting must</p>	<p>4.6.2 Code 01 - Homebound</p> <p>To be placed in the special education homebound instructional arrangement/setting, a student must —</p> <ul style="list-style-type: none"> • be eligible for special education and related services as determined by an ARD committee,

² 19 TAC §129.21(h)

³ TEC, §25.081

⁴ TEC, §25.0811

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		meet the following four criteria: 1) be eligible for special education and related services as determined by an ARD committee; 2) is expected to be confined at home or in a hospital for a minimum of four consecutive weeks ; 3) for medical reasons only (unless the child is 0 – 5 years of age); 4) medical condition is documented by a physician licensed to practice in the United States. 19 TAC §89.63(c)(2)(A)	<ul style="list-style-type: none"> • be expected to be confined at home or in a hospital for a minimum of 4 weeks (the weeks need not be consecutive), • be confined for medical reasons only (unless the child is 0 to 5 years of age), and • have a medical condition that is documented by a physician licensed to practice in the United States.⁵
Section 4 Special Education	Addition	None	<p>4.10 Transferring a Limited English Proficient (LEP) Student Who Is Receiving Special Education Services out of a Bilingual Education or English as a Second Language (ESL) Program</p> <p>Please see 6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services for information on transferring a LEP student who is receiving special education services out of a bilingual education or ESL program.</p>

⁵ 19 TAC §89.63(c)(2)(A)

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Section 4 Special Education	Revision	<p>(7-3) The following statements, where applicable, should be retained in the student's eligibility folder.</p> <ol style="list-style-type: none"> 1. Homebound Physician's statement confirming the need for a student to be placed in the homebound instructional arrangement/setting for a minimum of four consecutive weeks. See (4-11) through (4-13) of this section for exceptions. 	<p>4.12 Special Education Documentation</p> <p>...</p> <p>Your district must maintain —</p> <p>...</p> <ul style="list-style-type: none"> • the following statements, if applicable, in the student's eligibility folder: <ul style="list-style-type: none"> ○ homebound—a physician's statement confirming the need for the student to be placed in the homebound instructional arrangement/setting for a minimum of 4 weeks. See Error! Reference source not found., Error! Reference source not found., and Error! Reference source not found. for exceptions.
Section 4 Special Education	Revision	<p>(9) Examples</p> <p>Homebound - Code 01</p> <p>(9-1) A special education student (instructional arrangement/setting code 41) develops a medical condition, and the school obtains a physician's statement affirming that the medical condition will prevent him from attending school for at least four consecutive weeks. . . .</p>	<p>4.14.1 Code 01 – Homebound Examples</p> <p>A special education student (instructional arrangement/setting code 41) develops a medical condition, and the school obtains a physician's statement affirming that the medical condition will prevent him from attending school for at least 4 weeks. . . .</p>
Section 4 Special Education	Revision	<p>(4-1) Instructional Arrangement/Setting Codes:</p> <p>3. Hospital Class - Code 02</p> <p>...</p> <p>In the case of some students with disabilities residing in residential care and treatment facilities, the ARD committee is limited in its ability to control the location in which services can be provided. This is true in circumstances such as adjudicated or incarcerated youth or students with substance abuse treatment</p>	<p>4.6.6 Applicable Federal Law and Additional Guidance Regarding the Location of Services for Students Currently Residing in a Hospital, Residential Facility, or State School</p> <p>Per 20 United States Code (USC), §1412, "[t]o the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities" must be "educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular</p>

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		<p>plans that preclude their inclusion in and exposure to educational settings on a regular school campus.</p> <p>Given the requirements related to least restrictive environment (LRE) and funding systems and the obligation of the ARD committee to make appropriate placement determinations for students with disabilities, the following clarification is provided in relation to coding students with disabilities residing in residential care and treatment facilities and receiving special education services from impacted LEAs.</p> <p>[NO CHANGE TO TABLE ITSELF]</p> <p>*An ARD committee controls location of services except in situations involving adjudicated or incarcerated youth, students with substance abuse treatment plans that preclude their inclusion in and exposure to educational settings on a regular school campus, or other circumstances in which legal, medical, or governmental authorities document the inability of the student to leave the facility site.</p> <p>9. Residential Care and Treatment Facility (Not school district resident) . . .</p> <p>In the case of some students with disabilities residing in residential care and treatment facilities, the ARD committee is limited in its ability to control the location in which services can be provided. This is true in circumstances such as adjudicated or incarcerated youth or students with substance abuse treatment plans that preclude their inclusion in and exposure to educational settings on a regular school campus.</p> <p>Given the requirements related to least restrictive environment (LRE) and funding systems and the obligation of the ARD committee to make appropriate placement determinations for students with disabilities, the following clarification is provided in relation to coding students with disabilities residing in residential</p>	<p>educational environment" can occur "only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."</p> <p>Both federal law and state law require all students with disabilities to receive their instructional and related services in the least restrictive environment (LRE). This requirement applies to all students with disabilities, including students with disabilities who reside in a hospital, residential facility, or state school. However, in some cases, the ARD committee is limited in its ability to place a student on a local district campus. This is true in the case of an adjudicated or incarcerated youth who is detained in a secure facility and/or when a court order precludes the student's inclusion in and exposure to educational settings on a regular school campus.</p> <p>The following table is meant to clarify which codes to use for students with disabilities who are residing in a hospital or a residential care and treatment facility and receiving special education services from local education agencies (LEAs).</p> <p>[NO CHANGE TO TABLE ITSELF]</p> <p>*The answer will be "yes" except in situations involving adjudicated or incarcerated youth who are detained in secure facilities or other circumstances in which a court orders a student to remain at a facility site. In certain limited circumstances, an ARD committee may review official documentation and determine on a student-by-student basis that an individual student's current legal or medical status precludes removal from the RF. In those individualized and documented cases, codes 81–89 may be used.</p>

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		<p>care and treatment facilities and receiving special education services from impacted LEAs.</p> <p>[NO CHANGE TO TABLE ITSELF]</p> <p>*An ARD committee controls location of services except in situations involving adjudicated or incarcerated youth, students with substance abuse treatment plans that preclude their inclusion in and exposure to educational settings on a regular school campus, or other circumstances in which legal, medical, or governmental authorities document the inability of the student to leave the facility site.</p>	
Section 5 Career and Technical Education	Addition	None	<p>5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules</p> <p>...</p> <p>Important: Three V1 courses are not necessarily equivalent in average minutes per day to one V3 course. District personnel must evaluate each CTE class separately when determining the average minutes per day for the class.</p>
Section 6 Bilingual/ESL	Addition	None	<p>6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services</p> <p>If a student's parent has denied bilingual/ESL services and the only summer school program available is a bilingual education/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program.⁶</p>
Section 6 Bilingual/ESL	Addition	None	<p>6.4.2 Exit Criteria</p> <p>The following chart shows the criteria for transferring a LEP student out of the bilingual education/ESL program at different grade levels.</p> <p>[NEW CHART]</p>
Section 6 Bilingual/ESL	Addition	None	<p>6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services</p> <p>The following flowchart shows the procedures and criteria for</p>

⁶ 19 TAC §89.1250(2)(B)

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			<p>transferring a LEP student who is receiving special education services out of the bilingual education/ESL program.</p> <p>[NEW CHART]</p>
<p>Section 7 Prekindergarten</p>	<p>Revision</p>	<p>(2-2) A student is eligible for PK by meeting the following criteria in 1, 2, 3, 4, 5 or 6.</p> <p>3. Appropriate PK staff determines eligibility for students who are homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child.</p> <p>The definition in 42 U.S.C. §11302 is similar, but not identical, to the new definition of "homeless children and youths" enacted in the No Child Left Behind (NCLB) legislation enacted by Congress . As the new definition in the NCLB legislation applies specifically under federal law to the enrollment of homeless children and youth, the Texas Education Agency advises that school districts apply the NCLB definition, in addition to the definition in 42 U.S.C. §11302, when determining if a student is eligible for enrollment.</p> <p>42 U.S.C. §11434(a) provides:</p> <p>a. the term "homeless children and youths",</p> <p>b. includes;</p> <ol style="list-style-type: none"> 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; 2. children and youths who have a primary nighttime residence that is a public or private place not designed for 	<p>7.2.4 PK Eligibility Based on Homelessness Appropriate PK staff determines PK eligibility based on a student's being homeless, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child.</p> <p>The definition in 42 USC, §11302, is similar, but not identical, to the new definition of "homeless children and youths" in the No Child Left Behind (NCLB) legislation enacted by Congress. As the new definition in the NCLB legislation applies specifically under federal law to the enrollment of homeless children and youth, the TEA advises school districts to apply the NCLB definition, in addition to the definition in 42 USC, §11302, when determining if a student is eligible for enrollment.</p> <p><u>42 USC, §11302(a), provides the following definition:</u></p> <p>For purposes of this chapter, the term "homeless" or "homeless individual or homeless person" includes —</p> <ol style="list-style-type: none"> (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is — <ol style="list-style-type: none"> (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. <p><u>42 USC, §11434(a), (amended by the NCLB Act) provides the</u></p>

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		<p>or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 11302(a)(2)(C) of this title);</p> <ol style="list-style-type: none"> 3. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 4. migratory children (as such term is defined in section 6399 of Title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (1) through (3). 	<p><u>following definition:</u></p> <p>The term “homeless children and youths” —</p> <p>(A) means individuals who lack a fixed, regular, and adequate nighttime residence [within the meaning of §11302(a)(1)]; and</p> <p>(B) includes —</p> <p>(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;</p> <p>(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings [within the meaning of §11302(a)(2)(C) of this title];</p> <p>(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p> <p>(iv) migratory children (as such term is defined in §6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).</p>
<p>Section 7 Prekindergarten</p>	<p>Revision</p>	<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"> 6. has ever been in the conservatorship (foster care) of the Department of Family and Protective Services (DFPS) following an adversary hearing. <p>(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.</p>	<p>7.2.6 PK Eligibility Based on a Child's Having Been in Foster Care</p> <p>Students who are in or who have ever been in the conservatorship of the Texas Department of Family and Protective Services (DFPS) (i.e., in foster care) following an adversary hearing are eligible for free prekindergarten. These students include not only students who are in or who have ever been in DFPS conservatorship but also students who have been adopted or returned to their parents after having been in DFPS conservatorship.</p> <p>...</p> <p>In July 2008 the DPFS and Child Protective Services mailed verification letters of prekindergarten eligibility to the parents and caregivers of 15,000 eligible children.</p>

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			<p>These letters serve as proof of eligibility. However, if a parent or caregiver did not receive this letter, he or she may obtain evidence of a child's eligibility for PK services by contacting a DFPS specialist. A list of DFPS specialists and their contact information is available on the SAAH website at http://www.tea.state.tx.us/school.finance/handbook/index.html. The DFPS specialist will write and sign a letter addressed to the school district attesting to the student's eligibility for free prekindergarten based on having been in foster care. (A sample letter is available on the SAAH website.) The parent or guardian can then present the signed letter to the appropriate district personnel.</p>
Section 7	Addition	None	<p>7.7.11 Example 11 A PK-age student whose parents are divorced resides in your district with her custodial parent. The student's noncustodial parent serves in the U.S. military and is stationed at a base in another state.</p> <p><i>The student is eligible for PK, and her ADA eligibility code would be 2—Eligible for Half-Day Attendance.</i></p> <p><i>If a student has a parent in the U.S. military, he or she is eligible for PK regardless of whether the student's parents are married or where the military parent resides.</i></p>
Section 9 Pregnancy Related Services	Addition	None	<p>Section 9 Pregnancy Related Services . . .</p> <p>Note: The phrase "coded PRS" is used throughout this section. To "code a student as PRS" refers to identifying a female student within the Public Education Information Management System (PEIMS) as meeting eligibility requirements for PRS (student is pregnant or in the postpartum period) and receiving services on the 400 (Student Basic Attendance) record. A student who is pregnant may be coded with an at-risk indicator code on the 110 record (Student Enrollment Record) because of being pregnant.</p>
Section 10 Nontraditional Schools	Addition	None	<p>10.15 Students from Outside Your District Who Are Being Served in Detention or Other Facilities Making Short-Term Residential Placements If your district is serving a student from outside the district in a detention facility or other facility making short-term (10 days or</p>

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			<p>fewer) residential placements, your district is not required to enroll and serve the student if —</p> <ul style="list-style-type: none"> a) it is known at the time the student arrives that the student will be staying for 10 days or fewer and b) your (the serving) district and the sending district both agree that the student will continue enrollment in the sending district for the duration and c) enrollment will not be shown at your (the serving) district. <p>This policy is not a basis for denying educational services if a parent, guardian, or student requests services, regardless of the number of days of enrollment. If your district has served a student, regardless of the number of days of service, your district must enroll the student and report the student as enrolled to PET and PEIMS.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None</p>	<p>11.3 Dual Credit (High School and College/University)</p> <p>A public junior college, college, or university may offer a course in which a high school student may enroll and for which the student may simultaneously receive both high school and college credit.</p> <p>Funding eligibility for a student taking a dual credit course will include time instructed in the dual credit course. However, if a student is required to pay tuition or fees or to buy a textbook to participate in a course, then your school district may not count the student's participation in the public school course for ADA (state funding purposes).</p> <p>If your school district would like to make a course offered by a public junior college, college, or university available to the district's students, it may either —</p> <ul style="list-style-type: none"> • allow access to the course free of charge and count students' participation in the public school course for ADA (state funding purposes), or • allow students to take a course, for which the students pay, at the public junior college, college, or university; not enroll the students in a high school course (i.e., not generate ADA for students' participation in the course); and simply award credit toward completion of high school requirements based on the students' grades in the course.

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			<p>For your district or charter school to receive FSP funding for a student taking a college course, the district or charter school must have documentation of an agreement between the district or charter school and the college and meet other requirements for dual credit courses⁷.</p> <p>More information on dual credit program requirements can be found in the statutes on college credit programs, TEC, §28.009 and §28.010.</p> <p>11.3.1 Student Eligibility for Dual Credit Courses⁸ A high school student is eligible to enroll in dual credit courses in the eleventh and/or twelfth grade if the student —</p> <ul style="list-style-type: none"> • demonstrates college readiness by achieving the minimum passing standards under the provisions of the Texas Success Initiative⁹ on relevant section(s) of an assessment instrument¹⁰ or • demonstrates that he or she is exempt under the provisions of the Texas Success Initiative¹¹. <p>To be eligible for enrollment in a dual credit course offered by a public college, a student must meet all the college's regular prerequisite requirements designated for that course (e.g., minimum score on a specified placement test, minimum grade in a specified previous course, etc.).</p> <p>To be eligible for enrollment in a dual credit course offered by a public college, a student must have at least junior year high school standing. Exceptions to this requirement for students with demonstrated outstanding academic performance and capability (as evidenced by grade-point average, PSAT/NMSQT scores, PLAN or other assessment indicators) may be approved by the principal of the high school and the chief academic officer of the college. Students with less than junior year high school standing must demonstrate eligibility as outlined in the first paragraph of this subsection (11.3.1).</p> <p>High school students must not be enrolled in more than two</p>

⁷ specified in 19 TAC Part 1, Chapter 4, Subchapter D, and in 19 TAC Part 2, Chapter 74, Subchapter C

⁸ 19 TAC Part 1, Chapter 4, Subchapter D, §4.85

⁹ TEC, §4.57

¹⁰ approved by the State Board of Education as set forth in the TEC, §4.56

¹¹ as set forth in the TEC, §4.54

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			<p>dual credit courses per semester. Exceptions to this requirement for students with demonstrated outstanding academic performance and capability (as evidenced by grade-point average, ACT or SAT scores, or other assessment indicators) may be approved by the principal of the high school and the chief academic officer of the college.</p> <p>An institution may impose additional requirements for enrollment in courses for dual credit that do not conflict with TAC rules. Also, an institution is not required to offer dual credit courses for high school students.</p> <p>11.3.1.1 Student Eligibility Requirements Specific to Eleventh Grade Students An eleventh grade high school student is also eligible to enroll in dual credit courses under the following conditions:</p> <ul style="list-style-type: none"> • a student achieves a score of 2200 on Mathematics and/or a score of 2200 on English Language Arts with a writing subsection score of at least 3 on the tenth grade TAKS relevant to the courses to be attempted. An eligible high school student who has enrolled in dual credit courses in the eleventh grade under this provision is not required to demonstrate further evidence of eligibility to enroll in dual credit courses in the twelfth grade; or • the student achieves a combined score of 107 on the PSAT/NMSQT with a minimum of 50 on the critical reading and/or mathematics test relevant to the courses to be attempted. An eligible high school student who has enrolled in dual credit under this provision must demonstrate eligibility to enroll in dual credit courses in twelfth grade; or • the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics and English. An eligible high school student who has enrolled in dual credit under this provision must demonstrate eligibility to enroll in dual credit courses in twelfth grade. <p>11.3.1.2 Student Eligibility Requirements Specific to Workforce Education Dual Credit Courses A high school student is eligible to enroll in workforce education dual credit courses in the eleventh and/or twelfth grade if the student demonstrates that he or she has achieved the</p>

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			<p>minimum high school passing standard on the Mathematics section and/or the English/Language Arts section on the tenth or eleventh grade TAKS.</p> <p>A student may enroll in only those workforce education dual credit courses for which the student has demonstrated eligibility.</p> <p>A student who is exempt from taking TAKS may be otherwise evaluated by an institution to determine eligibility for enrolling in workforce education dual credit courses.</p> <p>11.3.1.3 Special Student Eligibility Requirements Students who are enrolled in private or nonaccredited secondary schools or who are home-schooled must satisfy the requirements in the first paragraph under the 11.3.1 Student Eligibility for Dual Credit Courses subsection heading and the requirements specified in 11.3.1.1 Student Eligibility Requirements Specific to Eleventh Grade Students and 11.3.1.2 Student Eligibility Requirements Specific to Workforce Education Dual Credit Courses.</p> <p>11.3.2 Dual Credit Course Types and Their Eligibility for FSP Funding The chart on the following two pages provides information on different types of courses and whether they are eligible for FSP funding.</p> <p>[NEW CHART]</p>
Section 11 Nontraditional Programs	Revision	<p>(3) Optional Flexible School Day Program</p> <p>The Optional Flexible School Day Program (OFSDP) is a program approved by the commissioner of education to provide flexible hours and days of attendance for students in grades 9-12, who are at risk of not graduating or are participating in an approved early college high school plan or are attending a campus implementing an innovative redesign under a plan approved by the commissioner of education.</p> <p>For additional rules and instructions related to OFSDP, visit the Texas Education Agency website at</p>	<p>11.5 Optional Flexible School Day Program (OFSDP)</p> <p>The OFSDP is a program that your district may offer to provide flexible hours and days of attendance for students in grades 9–12 who are at risk of not graduating, are participating in an approved early college high school plan, or are attending a campus implementing an innovative redesign under a plan approved by the commissioner of education. The goal of the program is to target those students who are unable to attend school in a traditional setting, for example, because the students must seek employment to support their families, must provide child care during traditional school hours, or are involved in an Early College High School that is designed to</p>

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		<p>http://www.tea.state.tx.us/school.finance/ofsdp for additional information and instructions.</p>	<p>complement a traditional college schedule. Under these circumstances, the students might only be able to attend school during evening hours or for a couple of hours during the day.</p> <p>Students participating in an OFSDP may attend on a fixed or flexible schedule that does not meet the traditional 180-day, 5-days-per-week requirement. Typical OFSDP instructional arrangements include the following:</p> <ul style="list-style-type: none"> • Weekend or night classes • Extended day classes • Classes offered throughout the year • Flexible schedule <p>11.5.1 Student Eligibility</p> <p>A student is eligible to participate in an OFSDP authorized under the TEC, §29.0822, if —</p> <ul style="list-style-type: none"> • the student is enrolled in grades 9–12 at the beginning of the school year or semester; <p style="text-align: center;">and</p> <p>the student meets one of the following conditions:</p> <ul style="list-style-type: none"> • the student is at risk of dropping out of school, as defined by the TEC, §29.081, • the student is attending a school implementing an approved innovative campus plan, or • the student is attending a school with an approved early college high school program designation; and • the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation. <p>Your district may also implement a study program for seniors who have completed the required course work but need additional tutoring to assist them in passing the TAKS test so that they may graduate and obtain their high school diploma.</p> <p>11.5.2 OFSDP Funding</p>

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			<p>The OFSDP is not a competitive grant program. The OFSDP program provides an alternate method of attendance accounting. The standard attendance rule requiring students to receive instruction for a minimum of 2 hours per day for half-time funding and a minimum of 4 hours per day for full-time funding does not apply to students who earn attendance through the OFSDP. Funding is based on the total eligible minutes of instructional contact time each student receives. A student must receive instruction in the OFSDP at least 45 minutes on a given day for instructional contact time to be recorded.</p> <p>11.5.3 Participation in the OFSDP and the Regular Attendance Program A student may receive instruction and earn minutes of attendance in both 1) classes held during the regular school day and 2) classes specifically designed for the OFSDP. However, the student may not be simultaneously enrolled in the OFSDP and the traditional attendance program, in terms of how the student's attendance is reported in the attendance accounting system. In other words, a student —</p> <ul style="list-style-type: none"> • may not have the same attendance time/minutes reported simultaneously through the OFSDP and the regular attendance program • may not have the same attendance time/minutes reported simultaneously through the Public Education Information Management System (PEIMS) with both a 400 record and a 500 (OFSDP) record <p>However, it is acceptable for a student to earn both traditional attendance and OFSDP attendance if the student's enrollment status changes from a traditional program to the OFSDP or if the status changes back to a traditional program from the OFSDP. Note: The sum of traditional average daily attendance (ADA) earned and OFSDP ADA earned cannot exceed one ADA total.</p> <p>11.5.4 Application Process To participate in the OFSDP, your district must submit an annual application notifying the Texas Education Agency (TEA)</p>

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			<p>that it plans to participate. The application requires the following information: implementation plan description, staff plans, schedules, and student attendance accounting security procedures and documentation.</p> <p>Note: Applications no longer need to be submitted 90 days before the program's start date.</p> <p>11.5.5 Increase in Age Requirements for FSP Funding Eligibility Note that a student who is at least 21 years of age and under 26 years of age and admitted by your school district to complete the requirements for a high school diploma is eligible to generate ADA (and thus Foundation School Program [FSP] funding [including OFSDP funding]).</p> <p>Also, a student receiving special education services who is 21 years of age on September 1 of a scholastic year is eligible for services (including OFSDP services) through the end of that scholastic year or until graduation, whichever comes first. In addition, a student with a disability who graduated as determined by an individualized education program (IEP)¹² and who is still in need of special education services may be served through age 21 inclusive¹³. A student receiving special education services who is 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 is not eligible for special education weighted state funding, but is eligible for other weighted state funding.</p> <p>11.5.6 Reporting Requirements Beginning with the 2008–2009 school year, your district will be able to report OFSDP attendance data using the PEIMS, http://www.tea.state.tx.us/peims/standards/index.html. PEIMS Data Standards Records for OFSDP attendance include —</p> <ul style="list-style-type: none"> ● 500 Flexible Attendance Data – Student ● 505 Special Education Flexible Attendance Data – Student ● 510 Career and Technical Flexible Attendance Data – Student

¹² 19 TAC §89.1070(c)

¹³ 34 CFR, §300.102(a)(3)

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			<p>It is acceptable to create and report both 400 and 500 series records for a student if the student’s enrollment status changes from a traditional program to the OFSDP or if the status changes back to a traditional program from the OFSDP. Note: If a student is participating in both classes that are a part of the traditional attendance program and classes that are a part of the OFSDP simultaneously, all attendance must be reported through the OFSDP 500 series records.</p> <p>11.5.7 Estimating OFSDP Funding Your school district may estimate the FSP funding to be generated by the OFSDP by entering the OFSDP ADA and full-time equivalent (FTE) data into the Estimate of State Aid Template at http://www5.esc13.net/finance/docs/state_aid/sof_FY09_r5_HB_1_effrate_not.xls.</p> <p>11.5.8 More Information More information about the OFSDP, including the program application and applicable commissioner’s rules, is available at the following link on the TEA website: http://www.tea.state.tx.us/school.finance/ofsdp/index.html.</p>
Section 11 Nontraditional Programs	Addition	None	<p>11.6 Option Flexible Year Program (OFYP) An OFYP is a program for students who did not or are likely not to perform successfully on the Texas Assessment of Knowledge and Skills (or an alternate testing instrument) or who would not otherwise be promoted to the next grade level.</p> <p>To provide additional instructional days for an OFYP, with the approval of the commissioner, your school district may:</p> <ul style="list-style-type: none"> • provide for at least 170 days of instruction (for students who are not at risk) and at least 180 days of instruction (for students who are at risk) during the regular school year; and • use for instructional purposes no more than 5 days that would otherwise be used for staff development or teacher preparation. <p>Students who are participating in an OFYP should be reported on a separate instructional track from students who are not participating in an OFYP. Also, the number of instructional days reported should be the same for all students participating in a</p>

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			<p>particular OFYP.</p> <p>To participate in the OFYP, your school district must submit an application. The application is available on the TEA's OFYP website at http://www.tea.state.tx.us/school.finance/ofyp.html.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None</p>	<p>11.7.1 HSEP Eligibility Requirements A student is eligible to participate in an HSEP if —</p> <ul style="list-style-type: none"> • the student has been ordered by a court under Code of Criminal Procedure, Article 45.054, or by the Texas Youth Commission to: <ul style="list-style-type: none"> ○ participate in a preparatory class for the high school equivalency examination; or ○ take the high school equivalency examination administered under the TEC, §7.111; or • the following conditions are satisfied: <ul style="list-style-type: none"> ○ the student is at least 16 years of age at the beginning of the school year or semester; ○ the student is at risk of dropping out of school, as defined by the TEC, §29.081; ○ the student and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation; and ○ either: <ul style="list-style-type: none"> ▪ at least 2 school years have elapsed since the student first enrolled in Grade 9 and the student has accumulated less than one third of the credits required to graduate under the minimum graduation requirements of the district or school; or ▪ for students who left school before being enrolled in Grade 9, at least 3 years have elapsed since the student last enrolled in Grade 8, or 4 years since the student last enrolled in Grade 7, or 5 years since the student last enrolled in Grade 6. <p>11.7.2 HSEP Attendance Accounting and Funding For a student enrolled only in an HSEP, the following funding rules apply.</p> <p>A student is counted as in attendance based on the actual number of hours each school day the student receives</p>

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			<p>instruction in the HSEP and/or traditional classes toward graduation requirements. A student must receive instruction in the HSEP (or HSEP in combination with traditional coursework) at least 2 hours on a given day for instructional contact time to be recorded. If actual instructional contact time in the HSEP (or the HSEP in combination with traditional coursework) does not equal at least 2 hours, your district must record 0 hours of instructional contact time for that day. Instructional contact time is to be recorded in increments of 30 minutes (e.g., 2 hours and 30 minutes will equate to 2.5 instructional contact hours, 2 hours and 29 minutes will equate to 2.0 instructional contact hours).</p> <p>District personnel must maintain a separate log of program instructional contact time for each student participating in the HSEP.</p> <p>Your school district may designate a student who receives instruction in an HSEP as either full-day eligible or half-day eligible for purposes of determining the number of days absent and the related attendance rate for accountability purposes. The maximum number of instructional contact hours allowed each school day, including any instructional time accounted for in traditional courses toward graduation requirements, shall be 6 hours for students designated as full-day eligible and 3 hours for students designated as half-day eligible.</p> <p>During the time a student receives instruction in the HSEP, any time in attendance in courses that may be counted toward graduation credit will also be measured as instructional contact time, but must be separately recorded. To determine attendance for Public Education Information Management System (PEIMS) reporting and Foundation School Program (FSP) funding purposes, instructional contact time recorded for the HSEP will be summed with attendance time in courses that may be counted toward graduation each 6-week reporting period. The sum will be divided by six and rounded down to determine the number of days to be reported as present for that reporting period for students who are designated as full-day eligible. For a student reported as full-day eligible, the number of days absent must be reported as the difference between the days of instruction and the number of days of attendance that will be reported as described in this paragraph. For students reported as half-day eligible, the sum of instructional contact</p>

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			<p>time recorded for the HSEP program and attendance time in courses toward graduation must be divided by six and rounded down to the nearest number evenly divisible by 0.5 to determine the number of days present. For a student reported as half-day eligible, the number of days absent must be reported as the difference between half the number of days of instruction and the number of days of attendance that will be reported as described in this paragraph.</p> <p>Instructional contact time is funded at the same rate under the FSP formulas as attendance for a full-time equivalent student. A full-time equivalent student is expected to have 1,080 contact hours per year.</p> <p>Attendance in an HSEP that is not authorized or does not meet the requirements of the TEC, §29.087, or 19 TAC Chapter 89, Subchapter DD, is not eligible for state funding.</p> <p>HSEP attendance is reported using the 500 series PEIMS records. Note: Attendance reporting for students attending an HSEP in a shared services arrangement is the responsibility of the student's home district.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None</p>	<p>11.8 Electronic Course Pilot (eCP) Through the Electronic Course Pilot (eCP), districts and open-enrollment charters selected to participate in the program are given the opportunity to provide online learning options to public school students in grades 3–8 who are not required to be physically present on campus during instruction.</p> <p>Students may participate in electronic eCP courses from a location other than the school campus (virtual setting) or may combine regular program courses taught in a traditional face to face classroom and electronic eCP courses taught in a virtual setting. Grade 3–8 students must be enrolled in a Texas public school district or open-enrollment charter school as full-time students.</p> <p>The eCP is not a grant program; schools selected for participation are eligible to earn FSP funding for students enrolled in electronic courses through the eCP.</p> <p>11.8.1 eCP Definitions [NEW TABLE]</p>

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			<p>11.8.2 Student Eligibility Requirements for the eCP</p> <p>To participate in the eCP, a student must —</p> <ul style="list-style-type: none"> • reside in Texas; • be enrolled in grades 3–8 in a Texas public school district or open-enrollment charter school participating in the eCP; and • either <ul style="list-style-type: none"> ○ reside within the school district boundaries in which they are enrolled, unless there is a written agreement between the eCP school district and the student’s home district (independent school district of residence); or ○ reside within the existing boundaries of the charter school geographic service area in which they are enrolled. <p>To participate in the eCP, a student must not —</p> <ul style="list-style-type: none"> • be enrolled in more than one school district or charter school; • already earn full state funding based on attendance in a traditional setting; or • be a private school student. <p>If the school district or charter school the student is enrolled in is the same school district or charter school that is participating in the eCP program, the student may participate in electronic eCP courses from a location other than the school campus (virtual setting) or may combine regular program courses taught in a traditional face-to-face classroom and electronic eCP courses taught in a virtual setting.</p> <p>Grade 3–8 students must be enrolled full time.</p> <p>11.8.3 eCP and PEIMS Coding</p> <p>A school district or charter school that participates in the eCP must enter all standard data into the PEIMS, to the extent the PEIMS allows. District (or charter school) personnel must enter data for eCP student attendance in regular program courses delivered in a traditional classroom setting and participation in electronic eCP courses delivered in a virtual setting, and required eCP program data, into the special eCP Attendance</p>

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			<p>Reporting and Funding Request database template as specified in Section I.6.a-b. of the eCP Terms of Participation.</p> <p>All students participating in the eCP must be reported in the PEIMS as follows:</p> <table border="1"> <thead> <tr> <th align="left">If the student —</th> <th align="left">Then the student should be reported as —</th> </tr> </thead> <tbody> <tr> <td>is not receiving at least 2 hours of daily scheduled instruction in a regular program course delivered in a traditional classroom setting on campus,</td> <td>enrolled, not in membership</td> </tr> <tr> <td>is receiving at least 2 hours of daily instruction in a regular program course delivered in a traditional classroom setting on campus, and is also participating in an electronic eCP course delivered in a virtual setting,</td> <td>ineligible half-day</td> </tr> </tbody> </table> <p>Students already earning full ADA based on attendance in a traditional setting are not eligible to participate in the eCP.</p>	If the student —	Then the student should be reported as —	is not receiving at least 2 hours of daily scheduled instruction in a regular program course delivered in a traditional classroom setting on campus,	enrolled, not in membership	is receiving at least 2 hours of daily instruction in a regular program course delivered in a traditional classroom setting on campus, and is also participating in an electronic eCP course delivered in a virtual setting,	ineligible half-day
If the student —	Then the student should be reported as —								
is not receiving at least 2 hours of daily scheduled instruction in a regular program course delivered in a traditional classroom setting on campus,	enrolled, not in membership								
is receiving at least 2 hours of daily instruction in a regular program course delivered in a traditional classroom setting on campus, and is also participating in an electronic eCP course delivered in a virtual setting,	ineligible half-day								
Section 11 Nontraditional Programs	Addition	None	<p>11.9 Texas Virtual School Network (TxVSN)</p> <p>The Texas Virtual School Network (TxVSN) is a state virtual school network that will provide students throughout the state with access to online courses that are reviewed to ensure they meet the Texas Essential Knowledge and Skills (TEKS) and national standards for quality online courses.^[1] The network was established by Senate Bill 1788, passed by the 80th Texas Legislature, Regular Session, in May 2007. The TEC, §30A, which established the TxVSN, does not affect the provision of distance learning courses offered under other law. The TxVSN creates an additional distance learning option for districts.</p> <p>A limited number of courses approved through the TxVSN review process will be available for grades 9 through 12 beginning in spring of the 2008–2009 school year.</p> <p>TxVSN online courses can be provided by a TxVSN provider</p>						

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			<p>school district or school, defined as a school district or open-enrollment charter school that meets certain eligibility requirements^[2]; Texas public and private institutions of higher education; and regional education service centers (ESCs), per commissioner’s rule.</p> <p>For more information on the TxVSN, visit the TxVSN website at http://www.txvsn.org/.</p> <p>11.9.1 Student Eligibility for the TxVSN A student is eligible to enroll in a course provided by the TxVSN only if the student —</p> <ul style="list-style-type: none"> • is younger than 21 years of age on September 1 of the school year, • has not graduated from high school, and • is otherwise eligible to enroll in a public school in Texas. <p>A student may enroll in courses full-time only if the student —</p> <ul style="list-style-type: none"> • was enrolled in a public school in the state of Texas the preceding year or • is a dependent of a member of the United States military and <ul style="list-style-type: none"> ○ was previously enrolled in a high school in the state of Texas and ○ does not reside in the state as a result of military deployment or transfer. ○ <p>11.9.2 TxVSN and FSP Funding for 2008–09 If an eligible student participates in the TxVSN, meets the legal requirements for enrollment in a Texas school district, and meets the normal attendance accounting rules, the student is eligible to generate ADA and thus FSP funding as an enrolled student in that district. If the student does not meet the normal attendance accounting rules, the student is not eligible to generate ADA and thus FSP funding.</p> <p>If an eligible student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student participates in the TxVSN, the student is not eligible to generate ADA or FSP funding.</p>

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			<p>11.9.3 Options for Providers and Students A TxVSN provider school district or school may offer electronic courses provided through the network to —</p> <ul style="list-style-type: none"> • students who reside in this state and • students who reside outside this state and who meet the eligibility requirements under the TEC, §30A.002(b). <p>A student who is enrolled in a school district or open-enrollment charter school in this state as a full-time student may take one or more electronic courses through the state virtual school network.</p> <p>A student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state may¹⁴ enroll in electronic courses through the state virtual school network. A student to whom this subsection applies —</p> <ul style="list-style-type: none"> • may not in any semester enroll in more than two electronic courses offered through the state virtual school network, • is not considered to be a public school student, • must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides, • is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network, and • is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course. <p>Your school district or open-enrollment charter school may not require a student to enroll in an electronic course.</p> <p>11.9.4 Fees Your school district or open-enrollment charter school shall charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in this state and is not enrolled in a school district or open-enrollment charter</p>

¹⁴ subject to TEC, §30A.155

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Glossary	Revision	<p>Homeless Students - As defined by NCLB, Title X, Part C, Section 725(2), the term “homeless children and youths” —</p> <p>(A) means individuals who lack a fixed, regular, and adequate nighttime residence [within the meaning of section 103(a)(1)]; and</p> <p>(B) includes —</p> <p>(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;</p> <p>(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings [within the meaning of section 103(a)(2)(C)];</p> <p>(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p> <p>(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>	<p>school as a full-time student.</p> <p>Homeless Students – As defined by <u>42 USC, §11302(a)</u>, the term "homeless" or "homeless individual or homeless person" includes —</p> <p>(1) an individual who lacks a fixed, regular, and adequate nighttime residence; and</p> <p>(2) an individual who has a primary nighttime residence that is —</p> <p>(A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);</p> <p>(B) an institution that provides a temporary residence for individuals intended to be institutionalized; or</p> <p>(C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.</p> <p>As defined by the No Child Left Behind Act, Title X, Part C, §725(2), the term “homeless children and youths” —</p> <p>(A) means individuals who lack a fixed, regular, and adequate nighttime residence [within the meaning of §11302(a)(1)]; and</p> <p>(B) includes —</p> <p>(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;</p> <p>(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings [within the meaning of §11302(a)(2)(C) of this title];</p> <p>(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and</p>

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			(iv) migratory children (as such term is defined in §6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).
Glossary	Revision	<p>Membership - The number of students on the current roll of a class, school, or district as of a given date (including ineligible students) is called membership. Membership is obtained by subtracting the withdrawals from the entries.</p> <p>A student is counted in membership from the date he or she is present at school and is placed on the current roll until he or she leaves the class or school. The date of withdrawal is the date on which it is officially known that the student has left school, not necessarily the first day after the last day of attendance.</p> <p>All students, including special education students, must be enrolled to receive at least two hours of instruction per day to be eligible for membership. Students enrolled at least two but less than four hours of instruction per day are eligible for half-day attendance (ADA eligibility code 2). Students enrolled for four or more hours of instruction per day are eligible for full-day attendance (ADA eligibility code 1).</p>	<p>Membership – The total number of public school students who were reported in membership as of the October snapshot date (the last Friday in October) at any grade, from early childhood education through grade 12. Membership is a slightly different number from enrollment, because it does not include those students who are served in the district for fewer than 2 hours per day. For example, the count of Total Students excludes students who attend a nonpublic school but receive some services, such as speech therapy—for fewer than 2 hours per day—from their local public school district.</p>
Resources	Addition	None	New section “Resources” has been added.