

Frequently Asked Questions
2011-2012
Student Attendance Accounting Handbook

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Alternative Attendance Accounting Programs

Q1 Our charter school currently serves at-risk students in intensive after-school and weekend programs designed to ensure that the students advance to the next grade level. Is our school eligible to participate in the Optional Flexible School Day Program (OFSDP)?

A Possibly. However, if the students your school is serving through the after-school and weekend programs already attend school during the regular school day and week, your school would not be eligible to receive any additional Foundation School Program funding through the OFSDP related to their attendance.

The OFSDP is an *alternative* to the regular attendance accounting program. It is designed to serve at-risk students who are unable to attend school during regular school hours, students attending a campus implementing an innovative redesign, students attending an early college high school, and students who are at risk of being denied credit for classes because of failure to meet attendance requirements. A 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 (although a student may attend a combination of classes held during the regular school day and classes specifically designed for the OFSDP).

The OFSDP is not a grant program. However, to institute an OFSDP, your school district or charter school must submit an application. For more information on the OFSDP, please visit the OFSDP web page at <http://www.tea.state.tx.us/index2.aspx?id=7733>.

Career and Technical Education (CTE)

Q1 If a full-time student is enrolled in an evening college CTE course (taken at the college, not at the high school) for which dual credit will be awarded, can the high school claim any CTE contact hours for this course?

A Yes. The student's taking more than the required number of hours of instruction will not prevent your district from claiming the student's CTE contact hours. Please see Section 5.10.3 of the *2011–2012 Student Attendance Accounting Handbook (SAAH)* for more information on dual credit CTE courses.

Credit Recovery

Q1 Our school district would like to implement a program for students who were enrolled in certain courses *last year* but who did not receive academic credit for the courses because of failure to meet attendance requirements. The program would allow the students to receive academic credit for the courses by making up the instructional time that they missed last year. Is this type of program permissible?

A Yes. However, the instructional time for this type of credit recovery would not be eligible for Foundation School Program (state funding) purposes.

Delayed Start of School Day

Q1 Section 3.6.2.1 allows for a superintendent to delay the start of the school day for a particular campus for a health or safety reason and for the campus to then set an alternate attendance-taking time for that particular day. What if only a particular group of students are affected by the health or safety issue (for example, numerous campus students live at an apartment complex that had a fire)? Can the start of the school day be delayed for just that group of students, whose attendance would be taken at an alternate time?

A Unfortunately, no. The start of the school day may be delayed only for the campus as a whole.

However, if attendance at the campus for the day turned out to be at least 10 percentage points below the overall attendance rate of the campus for the prior year, the charter school or district could apply for a low-attendance day waiver to prevent an impact on funding. The application for a low-attendance day waiver is available at http://www.tea.state.tx.us/index2.aspx?id=7089&menu_id=932.

Documentation

Q1 Section 7.2.5.1 of the *SAAH* states that, in verifying the military identification of a student's parent, our district should *not* make a copy of the identification. Why is this?

A Your district should not photocopy or otherwise copy a military ID because making a copy of a military identification is prohibited by federal law ([18 United States Code, §701](#)).

Q2 What documentation is required in a student's folder once the student withdraws from your district? Any specifics for charters?

A Per Section 2 of the *SAAH*, any documentation relating to *student attendance* must be kept for five years, regardless of whether the local education agency is a school district or a charter school. Other kinds of documentation, such as documentation required for a student's permanent record, may need to be kept longer. The required retention period for all records is outlined in *Local Schedule SD* of the *Local Records Retention Schedules*, Texas State Library and Archives Commission:
<http://www.tsl.state.tx.us/slr/recordspubs/sd.html#part1>.

Q3 How many home language survey (HLS) forms are needed in any student file? Is it true that the oldest-dated one should remain and all others be destroyed even if the oldest one is not from the district the student is currently attending?

A Only one HLS should be in a student's file. That HLS should be the original HLS for the student (i.e., the oldest-dated one [or a copy of the oldest-dated one]). Also, if there is already an existing HLS for a student, a new one should not be created.

Q4 Can our district document whether a student is homeless on the district's enrollment forms?

A Yes. As long as the forms are kept secure and are available only to appropriate district staff members, your district may document this information.

Enrollment

Q1 Our charter school [or school district] would like to implement online registration and enrollment processes. Is there anything in statute or administrative rule that would prevent us from doing this?

A No. We are not aware of any statute or rule prohibiting an online registration or enrollment process. However, having online registration and enrollment processes would not exempt your district from complying with documentation and document verification requirements related to enrollment. Examples include verifying a student's age by examining appropriate documentation, such as a birth certificate, and verifying immunization by examining validated immunization records.

Also, your charter school would need to ensure that any online system developed was secure and that student data remained confidential.

Q2 Section 3.3.5 of the handbook states that a student must be fully immunized but that a district "may admit a student provisionally if the student has begun the required immunizations and continues to receive the necessary immunizations as rapidly as medically feasible." How many of the required immunizations must a student have received to be considered to have "begun" the required immunizations?

A A student must have received at least one dose of each specified age-appropriate vaccine required by the Department of State Health Services (DSHS) rules for provisional enrollment.

For further information, please see the DSHS document *Frequently Asked Questions on Immunization Requirements for School Admittance*, available at <http://www.dshs.state.tx.us/immunize/docs/school/E11-13160.pdf>. See also the DSHS web page on immunization requirements at <http://www.dshs.state.tx.us/immunize/school/default.shtm>, where you can find a flowchart on provisional enrollment and immunizations: <http://www.dshs.state.tx.us/immunize/docs/11-13255.pdf>.

Q3 Section 3.3.5 of the handbook states, "A homeless student may be admitted for 30 days pending initiation of vaccinations or receipt of vaccination documentation.¹ A student who is a military dependent or any student coming from another Texas school may be enrolled for 30 days pending transfer of immunization records.²" May we provisionally enroll a student coming to our district from another state while our district awaits the student's immunization records (the student is not homeless and is not a military dependent)?

A No. Your district must receive the immunization records before enrolling the student. If the student or the student's guardian indicates that immunization records are not going to be produced or sent from the previous school district, your district may provisionally enroll the student once the student or guardian provides evidence that the student has begun the required immunizations.

Q4 We received documentation via the Texas Records Exchange System and have enrolled and provided services to a student based on this documentation. Does this documentation count as the documentation required to enroll and provide services to a student and thus receive funding?

A Yes. The use of Texas Records Exchange System is prescribed by statute, and the student records transmitted using it are official student records for purposes of enrollment and eligibility for provision of services and thus for purposes of generating Foundation School Program funding.

¹ 25 TAC §97.66(b)

² 25 TAC §97.69

Q5 Section 3.3 of the SAAH provides a list of documents acceptable for proof of identity and age for purposes of student enrollment (birth certificate; driver's license; passport; school ID card, records, or report card; military ID; hospital birth record; adoption records; church baptismal record; or any other legal document that establishes identity). May our district adopt narrower requirements for what constitutes acceptable proof of identity and age (e.g., only birth or adoption records accepted)?

A Yes. Your district may adopt narrower requirements. However, please be aware that a failure to receive the information required for student enrollment does not preclude your district's responsibility to serve a student. Therefore, by adopting narrower requirements, your district may be forced to serve a student without receiving Foundation School Program funding for that student.

"Excused" and Unexcused Absences

Q1 Is an appointment with a health care professional considered an excused absence for purposes of circumstances under which a student is considered in attendance for Foundation School Program (FSP) purposes even though the student is not on campus at official attendance-taking time?

A Yes. A student not actually on campus at the time attendance is taken may be considered in attendance for funding purposes if the student begins classes or returns to school on the same day of the appointment.

The Texas Health and Safety Code, [§105.003](#), requires the statewide health coordinating council to collect information on the following professionals, any of which would be considered examples of health care professionals.

- audiologists
- chiropractors
- licensed professional counselors
- licensed chemical dependency counselors
- dentists
- dental hygienists
- emergency medical services personnel
- marriage and family therapists
- medical radiologic technologists
- licensed vocational nurses
- registered nurses
- certified nurse aides
- occupational therapists
- optometrists
- pharmacists
- physical therapists
- physicians
- physician assistants
- psychologists
- social workers
- speech-language pathologists

Q2 If a student attends school for part of the day, is sent to the school nurse because the student is ill, and then is sent home sick after being evaluated by the school nurse, is the student's absence considered excused for funding purposes?

A No. The TEC, [§25.087](#), provides for absences for appointments with a health care practitioner but not for absences for illness.

In this case, the student would be absent from school because (s)he was ill and not because (s)he was attending a health care appointment.

Q3 If a student is absent for part of the day to attend a health care appointment for her child (either begins classes or returns to school on the same day as the appointment) and provides a note documenting the appointment, is the absence considered an excused absence for FSP (state) funding purposes?

A No. To be considered an excused absence for FSP funding purposes, the health care appointment would have to be for the student herself, not for her child. Your district could excuse the absence for academic purposes, however. Please see Sections 3.6.3 and 3.6.4 of the *SAAH* for more information.

Q4 The handbook states that "a documented appointment with a health care professional includes an appointment of a student diagnosed with autism spectrum disorder with a health care practitioner to receive a generally recognized service for persons with that disorder." What is the definition of "health care practitioner" as it relates to this provision?

A This provision is based on the Texas Education Code (TEC), [§25.087\(b-3\)](#), which specifies that a "health care practitioner," for purposes of appointments for autism services, is a health care practitioner as described by the Texas Insurance Code (TIC), [§1355.015\(b\)](#). That section provides that the individual providing treatment "must be a health care practitioner (1) who is licensed, certified, or registered by an appropriate agency of this state; (2) whose professional credential is recognized and accepted by an appropriate agency of the United States; or (3) who is certified as a provider under the TRICARE military health system."

The TEC, [§25.087\(b-3\)](#), also states that a "generally recognized service for persons with autism spectrum disorder" includes such services as applied behavioral analysis, speech therapy, and occupational therapy. Following is information on who is considered a health care practitioner with regard to these types of services.

Regarding behavioral analysis services: According to guidance provided by the Texas Department of Insurance, currently, a practitioner holding a certification issued by the Behavior Analyst Certification Board is considered a health care practitioner qualified to provide generally recognized services for autism spectrum disorder. This qualification is based on the TRICARE military health system's recognition of certifications issued by the board, and this recognition is based on the absence of any state licensure or certification of applied behavior analysis providers. For this reason, if Texas begins to license or certify these providers in the future, a practitioner holding only a certification issued by the Behavior Analyst Certification Board may no longer be considered a health care practitioner qualified to provide generally recognized services for autism spectrum disorder.

Regarding speech therapy services: Per the TIC, [§1355.015\(b\)\(1\)](#), a speech-language pathologist or an audiologist licensed by the State Board of Examiners for Speech-Language Pathology and Audiology would be an example of a person considered a health care practitioner for purposes of this provision.

Regarding occupational therapy services: Per the TIC, [§1355.015\(b\)\(1\)](#), an occupational therapy practitioner licensed by the Texas Board of Occupational Therapy Examiners would be an example of a person considered a health care practitioner for purposes of this provision.

Note: This is **not** an exhaustive list of the services considered generally recognized services for persons with autism spectrum disorder or an exhaustive list of individuals recognized as health care practitioners authorized to provide these services. For further guidance, please consult the TIC, [§1355.015\(b\) and \(c\)](#). See also the TEC, [§25.087\(b-3\)](#).

Q5 Our district has several students whose parents are doctors. A few of these students are absent frequently and then bring in notes from their parents asking that the absences be excused. The notes are written on the parents' doctor notepads. Should the absences that these notes are for be considered absences for a health care appointment? Is this a matter of local policy?

A A student who is not actually on campus at the official attendance-taking time may be considered in attendance for FSP funding purposes if the student is temporarily absent because of a documented appointment with a health care professional and either begins classes or returns to school on the same day of the appointment.

What kind of documentation your district requires as evidence that a student was absent because of an appointment with a health care professional is a matter of local policy. As long as the student produces documentation meeting your local district's policy requirements and either began classes or returned to school on the day of the appointment, the student would be considered in attendance for FSP funding purposes.

Q6 If a student's parent is appearing in court on truancy charges and the parent brings the student with him or her to court, is the student's absence considered excused (i.e., is the student considered to be attending a required court appearance)?

A No. Unless the court had ordered both the student and the parent to appear (and not only the parent), the student's absence would not be considered excused for FSP funding purposes (i.e., the student would not be considered in attendance for FSP funding purposes). Please see Section 3.6.3 of the *SAAH* for more information.

Q7 What should or can our school do about an 18-year-old student who frequently leaves campus, sometimes without permission, to run brief errands?

A Per the Texas Education Code (TEC), [§25.085\(e\)](#), your school district or charter school may withdraw the student after (s)he has accumulated more than five absences in a semester that are not excused absences under the TEC, [§25.087](#). Also, if your local district or charter school code of conduct addresses this kind of conduct, you may take whatever action is provided for in your local code of conduct.

General Education Homebound (GEH) Program

Q1 Section 3.7 of the handbook states that, over the course of a GEH student's confinement, "the student must be provided instruction in all the courses, including elective courses, in which the student is enrolled." What if the student is enrolled in an elective course for which instruction cannot be provided in a homebound setting, such as a course requiring the use of special equipment?

A If it is not feasible to provide instruction for a particular elective course within the homebound setting, as determined by a GEH student's GEH committee, then instruction for that course does not need to be provided. A GEH committee should make determinations about whether elective courses can reasonably be provided in the homebound setting on a course-by-course basis.

A determination that a course cannot be offered within the homebound setting should be made only in cases where the course cannot be provided with reasonable accommodations by the school district (i.e., in cases where providing the course in a homebound setting would place an undue hardship on the district). If your district could provide the course by making certain reasonable accommodations, then it must do so. An example of an elective course that could be reasonably accommodated in the homebound setting is a foreign language course or a drawing course. Examples of elective courses that *might* not be reasonably accommodated are culinary labs, marching band, or advanced welding courses.

Q2 If our charter school [or school district] is serving a student through the GEH program, is the student marked absent or present?

A For a particular week, the student is marked present for the same number of days as the number of eligible days present the student earned for that week. The number of eligible days present earned is based on the GEH funding chart in Section 3.7.4 of the *SAAH*.

Nontraditional Schools

Q1 A student who receives special education has been placed in in-school suspension (ISS) for three days. Does the student's placement in ISS constitute a change in placement that requires a meeting of the student's admission, review, and dismissal (ARD) committee? Also, is our district required to provide the student with special education services while she is in ISS?

A Regarding your first question: No. Because the student will not be in ISS for more than 10 school days, the removal to ISS does not constitute a change in placement that would require the student's ARD committee to meet. Note, however, that if the student is subjected to a series of removals that total more than 10 school days in a school year (for example, the student had been placed in ISS for nine days earlier in the school year and is now being placed in ISS for three days), the removal **would** be considered a change in placement.

Regarding your second question: Yes. If your school district provides educational services to students without disabilities who are placed in ISS, then it must provide a student with a disability who is placed in ISS the services specified in the student's individualized education program (IEP). For example, if the student's IEP states that the student must receive two hours of instruction from a special education teacher daily, then the student must continue to receive this instruction while in ISS.

Q2 Our district was just informed that one of our students has been incarcerated in the city jail. Are we required to provide instructional services to this student while he is in jail?

A Yes. If the jail is within your school district, your district is required to provide instructional services to the student and should coordinate with the jail to provide them. Also, to be able to report the student as an eligible full-day student for FSP funding purposes, your district must schedule and provide at least four hours of instruction each day (two hours for half-day eligibility).

Q3 Our district has a juvenile detention center located within its boundaries. It is my understanding that we have to coordinate the delivery of instructional services to a student from his or her home district. Is this true?

A No. Once the student has been sentenced to the juvenile detention center, he or she is considered to be in a residential facility, and thus becomes a resident of your school district. If the juvenile detention center does not provide its own instruction, your district must provide the instructional services.

Older Students

- Q1** In Section 3.2.3.2 of the *SAAH*, it states that students who are age 21 or older, have been admitted for the purpose of completing high school diploma requirements, and have not attended school in the three preceding school years may not be placed with students who are age 18 or younger in a classroom setting, cafeteria, or other district-sanctioned school activity. We have a student who is age 21 but who has been attending school continuously for the past three years. May this student be placed with students who are age 18 or younger?
- A** Yes. The 21-year-old student may be placed with students who are age 18 or younger since the student has been attending school for the past three school years.

Pregnancy Related Services (PRS)

- Q1** Can a baby's mother continue to receive compensatory education home instruction (CEHI) if she is released as healthy and the baby is healthy but the doctor has issued an order that the baby cannot go into daycare before reaching the age of two months?
- A** No. The student cannot continue to receive CEHI because both she and the baby are healthy. There must be a medical condition/complication to continue CEHI. It also appears that the student would not be eligible for general education homebound services because she is not confined as a result of illness or treatment.

Your school district can choose to excuse the student's absences for compulsory attendance purposes, and the principal can develop a plan for the student to make up the work if she has less than 90 percent attendance but at least 75 percent attendance.

Prekindergarten

- Q1** If a student qualifies for free prekindergarten on the basis of being limited English proficient (LEP) but the student's parent denies permission for the student to be served through the bilingual/English as a Second Language (ESL) program, can our district still serve the student in the prekindergarten program and receive FSP funding for the student's attendance?
- A** Yes.

Also, if the student moves out of your district, the student remains eligible for prekindergarten if he or she is enrolled in another district within 30 days and your district provides documentation of the home language survey and testing to that district. However, if the student is enrolled after 30 days, the student must be requalified for prekindergarten.

Additionally, if the LEP student with the parental denial is in a prekindergarten program for 3-year-olds, he or she must be requalified to be eligible for the prekindergarten program for 4-year-olds, whether the student remains in the same district or moves to a new one.

Q2 At a recent training session, we were told that when a five-year-old student who is in a preschool program for children with disabilities (PPCD) turns six, we should change the PPCD code (used for federal reporting purposes) from 1 to 0 and also change the student's instructional arrangement setting. Is this correct?

A The information is partly correct. It is correct that your district must change the PPCD code to 0 when a student in a PPCD turns six. However, it is not correct that your district must change the student's instructional arrangement setting. The instructional arrangement setting is determined by the student's admission, review, and dismissal (ARD) committee and should be changed only when the ARD committee determines a change in setting is necessary.

Q3 The "PK and Special Education Services" charts that appear in Section 4.2.10 state that certain categories of students must be served by both a prekindergarten teacher and a special education teacher at the same time. For these students, do both teachers have to be present for the entire half day or full day? Is it permissible for just one teacher to be present if the teacher is dually certified as both a prekindergarten teacher and a special education teacher?

A Yes. For those categories of students for which the chart indicates that both a prekindergarten teacher and a special education teacher must be teaching, both teachers must be teaching concurrently for the entire instructional day. Also, yes, it is permissible for just one teacher to be present if the teacher is dually certified.

Q4 Our district has an afternoon prekindergarten program. On early release days, the afternoon prekindergarten program students do not attend school. Is there any way that we can count these students in attendance on early release days?

A No. The students are not in attendance on these days and are therefore not present at their official attendance-taking time. They may not be reported as being in attendance.

Q5 The prekindergarten eligibility letter provided by the Department of Family and Protective Services (DFPS) seems to indicate that children other than those who are under or ever have been under the conservatorship of the DFPS following an adversary hearing are eligible for prekindergarten based on foster care eligibility criteria. Is this true?

A No. Under the TEC, [§29.153](#), to be eligible for enrollment in a prekindergarten class based on foster care criteria, a child must be or have been "in the conservatorship of the Department of Family and Protective Services following an adversary hearing held as provided by [Section 262.201, Family Code](#)."

Q6 Our district has a question about which students should be reported as "at risk" on the Public Education Information Management System (PEIMS) 110 record. Are all students who are eligible for prekindergarten considered to be at risk?

A No. Only those students who meet one of the statutory criteria for being considered at risk, as listed in the TEC, [§29.081\(d\)](#), should be reported as at risk. Some prekindergarten students will meet one or more of these criteria, but others will not.

Q7 Our district has a question about reporting PK Funding Source Codes on the PEIMS 110 record. If we serve eligible students (Average Daily Attendance [ADA] Eligibility Code 2 – Eligible Half Day) in a full-day program (PK Program Type Code 02 – Full Day), how do we record the Primary and Secondary PK Funding Source Codes?

A For these students, the agency assumes the initial source of funding is state/FSP funding, so that source of funding does not have to be reported. Your district has the ability to report up to two additional sources of funding. The primary source of funding would be the first source of funding that allows the district to operate a full-day prekindergarten program, and the secondary source would be any other additional source of funding.

Texas Records Exchange System (TREx)

Q1 In the TREx, I do not see our charter school [or school district] listed. Why is this, and who can I contact about the problem?

A If you are looking at the list of entities from which you can request records, you will not see your charter school or school district listed, as the TREx system does not allow an entity to request records from itself. If you are experiencing a different type of problem in which you should be seeing your charter school's or district's name but are not, please contact the TREx system support staff by telephone at (512) 463-7246 or by email at TREx@tea.state.tx.us.

Q2 Does any law or rule prohibit our district from scanning and attaching a copy of a birth certificate, Social Security card, or report card when sending records through the TREx?

A No. In fact, the TEA encourages districts to send all available relevant information. The introduction of Section 1 of the *2011–2012 TREx Version 3.7 Data Standards* states, "Registrars are encouraged to send all relevant information that is available through TREx when a student transfers from one school to another. While schools are not required to send copies of birth certificates of [sic] social security cards through TREx when a student transfers, these documents may be scanned and transmitted as attachments if the registrar chooses."

Q3 When transferring student records using the TReX, is our district required to send all the special education documentation we have for a student?

A Yes. Per the TEC, [§7.010\(c\)](#), your district must send any "information concerning a student's receipt of special education services, including placement in a special education program and the individualized education program developed." Note that the individualized education program and other documents concerning receipt of services may be scanned and sent as attached files.

Q4 Our district used the TReX to send a student's records to the student's new school district. That school district is asking our district to also fax the records. Are we required to comply with the request to fax the records?

A No. If your district has sent the student's records using the TReX, it has complied with its obligation to provide the records to the student's new school district.

Texas Virtual School Network (TxVSN)

Q1 Can TxVSN courses be used for course recovery/course completion?

A Yes. TxVSN courses can be used in this manner.

Waivers

Q1 Can our charter school apply for a low-attendance-day waiver if we will have a lot of absences because of a religious holy day? The majority of the students will be out.

A Yes. Your charter school would be able to apply for a low attendance day waiver after the low attendance day(s) occurred. To receive the waiver, your charter school would have to meet the requirements described in Section 3.8.2.3 of the *SAAH* and in the low attendance day waiver application.

You can access the 2011–2012 low attendance day waiver application from the State Waiver Applications web page at http://www.tea.state.tx.us/index2.aspx?id=6637&menu_id=932&menu_id2=788. Additional information on waivers can be found at the main State Waivers Unit web page at http://www.tea.state.tx.us/index.aspx?id=6635&menu_id=932&menu_id2=788.

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