

2012–2013 Student Attendance Accounting Handbook

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Section	Change	2011–2012 Version 2	2012–2013
Section 1 Overview	Addition	[SECTION INTRODUCTION] Per state law . . . funds to your district.	<p>[SECTION INTRODUCTION] Per state law . . . funds to your district.</p> <p>The <i>Student Attendance Accounting Handbook</i> (handbook) contains the official attendance accounting rules and regulations for all public school districts in Texas, including open-enrollment charter schools, unless otherwise specified in this document. This handbook is the official standard of required information for all attendance accounting systems, whether manual or automated. Unless a distinction is made between manual and automated systems, all standards described in this handbook apply to all attendance accounting systems.</p> <p>No school district official (or any other person in your school district) has the authority, either implied or actual, to change or alter any rules, regulations, or reporting requirements specified in this handbook.</p> <p>The handbook incorporates the same codes that are defined in the PEIMS <i>Data Standards</i>, as they relate to attendance, and requires all attendance accounting systems to follow the same coding structure. Participation in the PEIMS is mandated¹ for Texas public schools.</p> <p>Throughout the handbook, the term <i>school district</i> or <i>district</i> includes open-enrollment charter schools, except where it is noted that different requirements apply to open-enrollment charter schools.</p>

¹ Texas Education Code (TEC), §42.006(a)

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Section 1 Overview	Addition	<p>1.2 Taking and Recording Student Attendance It is your district's responsibility to ensure that the basis used to record and process attendance accounting data meets the standard set forth in this <i>Student Attendance Accounting Handbook</i>².</p> <p>The TEA does not formally approve or certify attendance accounting systems . . . The TEA . . . Your district . . . handbook³.</p>	<p>1.2 Taking and Recording Student Attendance It is your district's responsibility to ensure that the basis used to record and process attendance accounting data meets the standard set forth in this <i>Student Attendance Accounting Handbook</i>⁴.</p> <p>District personnel must create the original documentation of attendance at the time of attendance. Original documentation may not be created after the fact. Original documentation that is not created at the time of attendance will not be accepted by agency auditors. If auditors determine that original documentation was not created at the time of the attendance it is intended to support, the TEA will retain 100% of your district's FSP allotment for the inappropriately documented attendance for the school year(s) for which records have been requested. The TEA will either assess an adjustment to subsequent allocations of state funds or require your district to refund the total amount of the adjustment when the audit is finalized.</p> <p>The TEA does not formally approve or certify attendance accounting systems . . . The TEA . . . Your district . . . handbook⁵.</p>
Section 1 Overview	Deletion	<p>1.6 About This Handbook The <i>Student Attendance Accounting Handbook</i> (handbook) contains the official attendance accounting rules and regulations for all public school districts in Texas, including open-enrollment charter schools, unless otherwise specified in this document. Throughout the handbook, the term <i>school district</i> or <i>district</i> includes open-enrollment charter schools, except where it is noted that different requirements apply to open-enrollment charter schools. This handbook is the official standard of required information for all attendance accounting systems, whether manual or automated. Unless a distinction is made between manual and automated systems, all standards described in this handbook apply to all attendance accounting systems.</p>	[INFORMATION MOVED TO SECTION 1 INTRODUCTION.]

² 19 TAC §§129.21(e), 129.1023, and 129.1025

³ 19 TAC §129.21(e)

⁴ 19 TAC §129.21(f) and 129.1025

⁵ 19 TAC §129.21(f)

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<i>Continued</i>		<p>No school district official (or any other person in your school district) has the authority, either implied or actual, to change or alter any rules, regulations, or reporting requirements specified in this handbook.</p> <p>The handbook incorporates the same codes that are defined in the PEIMS <i>Data Standards</i>, as they relate to attendance, and requires all attendance accounting systems to follow the same coding structure. Participation in the PEIMS is mandated⁶ for Texas public schools.</p>	
Section 1 Overview	Addition	<p>1.7 How to Use This Handbook The handbook . . .</p> <p>. . .</p> <p>Throughout this handbook, . . . was printed.</p> <p>Note: The web addresses . . .</p>	<p>1.6 How to Use This Handbook The handbook . . .</p> <p>. . .</p> <p>Throughout this handbook, . . . was printed.</p> <p>In the electronic Word version of this handbook, the entries in the table of contents and the boldfaced cross-references that appear throughout the handbook (e.g., 3.2.2 Funding Eligibility) are hyperlinked. If you place your cursor over the entry or cross-reference and then press CTRL and click, you will be taken to the section of the handbook specified in the entry or cross-reference. To return to the original location, press ALT + the left arrow key.</p> <p>Note: The web addresses . . .</p>
Section 2 Audit Requirements	Addition	<p>[SECTION INTRODUCTION] As stated . . . However, regardless of where they are stored, the records must be readily available for audit by the Texas Education Agency (TEA).⁷ Incomplete . . . allowed.</p>	<p>[SECTION INTRODUCTION] As stated . . . However, regardless of where they are stored, the records must be readily available for audit⁸ by the Texas Education Agency (TEA).⁹ Incomplete . . . allowed.</p>
Section 2 Audit Requirements	Revision and Addition	<p>2.1 General Audit Requirements Your district must . . . agency. Failure to provide all required attendance records (specific program[s] and/or grant[s]) could result in the TEA's retaining 100% of your district's Foundation School Program (FSP) allotment for the undocumented attendance for the school year(s) for which records have been requested.</p>	<p>2.1 General Audit Requirements Your district must . . . agency. Failure to provide all required attendance records (specific program[s] and/or grant[s]) will result in the TEA's retaining 100% of your district's Foundation School Program (FSP) allotment for the undocumented attendance for the school year(s) for which records have been requested.</p>

⁶ TEC §42.006(a)

⁷ 19 Texas Administrative Code (TAC) §129.21(m)

⁸ as authorized by the Texas Education Code (TEC), §§42.255, 44.008, and 44.010

⁹ 19 Texas Administrative Code (TAC) §129.21(d)

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		<p>Reports must include . . . in one layout.</p> <p>All documentation . . . Documentation must —</p> <ul style="list-style-type: none"> • cover . . . 	<p>Attendance will be considered undocumented if documentation of the attendance either is missing or is so inadequate that a reasonable person could not conclude from the documentation that the attendance it is intended to support actually occurred. If attendance is undocumented at the days of attendance level, any special program attendance based on those days of attendance also will be considered undocumented. The adjustment to the FSP allotment for any undocumented attendance will apply to the time period for which documentation was missing or inadequate. For example, if the documentation provided to support a particular campus's daily attendance for a semester consisted only of period absence slips for certain students and no documentation was provided showing the names of students present for classes each day, the TEA would adjust the district's FSP allotment to withhold 100% of the funding for all students at that campus for the semester.</p> <p>Reports must include . . . in one layout.</p> <p>All documentation . . . Documentation must do the following:</p> <ul style="list-style-type: none"> • cover . . .
<p>Section 2 Audit Requirements</p>	<p>Revision</p>	<p>2.2 Accounting System¹⁰ Requirements</p> <p>The attendance accounting system your district uses must —</p> <ul style="list-style-type: none"> • use the coding structure defined in the Public Education Information Management System (PEIMS) <i>Data Standards</i> as they relate to attendance.¹¹ • possess . . . uses. <p>Important: When a school's classroom instruction is organized on a departmentalized basis, a centralized attendance accounting system must be used.</p>	<p>2.2 Accounting System Requirements</p> <p>The attendance accounting system¹² your district uses must do the following:</p> <ul style="list-style-type: none"> • use the coding structure defined in the Public Education Information Management System (PEIMS) <i>Data Standards</i> as they relate to attendance.¹³ • possess . . . uses.
<p>Section 2 Audit Requirements</p>	<p>Revision</p>	<p>2.2.1 Paper-Based Attendance Accounting Systems vs. Electronic Attendance Accounting Systems</p>	<p>2.2.1 Paper-Based Attendance Accounting Systems vs. Automated Attendance Accounting Systems</p>

¹⁰ Unless a distinction is made between manual and automated systems, all standards described in the handbook apply to all attendance accounting systems.

¹¹ 19 TAC §129.21(e)

¹² Unless a distinction is made between manual and automated systems, all standards described in the handbook apply to all attendance accounting systems.

¹³ 19 TAC §129.21(f)

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		<p>Your district should carefully consider both its particular needs and the information in 2.2.2 Electronic Attendance Accounting Systems and 2.2.3 "Paperless" Electronic Attendance Accounting Systems before deciding on an attendance accounting system and/or on a storage medium or electronic format for audit documentation.</p> <p>Your district . . . format.</p> <p>Note: All . . . must be —</p> <ul style="list-style-type: none"> • complete . . . 	<p>Your district should carefully consider both its particular needs and the information in 2.2.2 Automated Attendance Accounting Systems and 2.2.3 "Paperless" Attendance Accounting Systems before deciding on an attendance accounting system and/or on a storage medium or automated format for audit documentation.</p> <p>Your district . . . format.</p> <p>Note: All . . . must be as follows:</p> <ul style="list-style-type: none"> • complete . . .
Section 2 Audit Requirements	Revision	<p>2.2.2 Electronic Attendance Accounting Systems Your district must retain paper copies of all required attendance records for 5 years, unless it uses an electronic attendance accounting system. If it chooses, a district using an electronic attendance accounting system . . . period.</p> <p>Your . . . format.</p> <p>If your district uses an electronic attendance accounting system, . . .</p>	<p>2.2.2 Automated Attendance Accounting Systems Your district must retain paper copies of all required attendance records for 5 years, unless it uses an automated attendance accounting system. If it chooses, a district using an automated attendance accounting system . . . period.</p> <p>Your . . . format.</p> <p>If your district uses an automated attendance accounting system, . . .</p>
Section 2 Audit Requirements	Revision	<p>2.2.3 "Paperless" Electronic Attendance Accounting Systems If your district uses a system . . .</p> <p>. . .</p> <p>Proper information system management is the key to a successful paperless electronic attendance accounting system. . . .</p>	<p>2.2.3 "Paperless" Attendance Accounting Systems If your district uses a system . . .</p> <p>. . .</p> <p>Proper information system management is the key to a successful paperless automated attendance accounting system. . . .</p>
Section 2 Audit Requirements	Revision	<p>2.2.4 Disaster Recovery Disaster or attendance accounting system malfunction or sabotage do not negate . . .</p>	<p>2.2.4 Disaster Recovery Disaster or attendance accounting system malfunction or sabotage does not negate . . .</p>
Section 2 Audit Requirements	Revision	<p>2.3.5 Additional Required Documentation The following documentation will also be required in the event of an audit:</p> <ol style="list-style-type: none"> 1. Gradebooks (retained for 1 year after entering grades into the student's Academic Achievement Records [AAR]). Gradebooks are especially important in proving a student's special program service when end-of-semester grades were not received 2. Period absence reports (e.g., slips, 6-week attendance cards, 	<p>2.3.5 Additional Required Documentation The following documentation will also be required in the event of an audit:</p> <ol style="list-style-type: none"> 1. Grade books (retained for 1 year after entering grades into the student's Academic Achievement Records [AAR]). Grade books are especially important in proving a student's special program service when end-of-semester grades were not received 2. Period absence reports (e.g., slips, 6-week attendance cards,

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		<p>etc.), if used, from the official attendance hour/period, signed by the teacher</p> <p>3. For paperless accounting systems in which absences are posted directly to the electronic system, sufficient paper documentation to support any changes to posted absences (see 2.2.3 "Paperless" Electronic Attendance Accounting Systems)</p> <p>4. . . .</p>	<p>etc.), if used, from the official attendance hour/period, signed and dated within one calendar week of the attendance by the teacher</p> <p>3. For paperless accounting systems in which absences are posted directly to the automated system, sufficient paper documentation to support any changes to posted absences (see 2.2.3 "Paperless" Attendance Accounting Systems)</p> <p>4. . . .</p>
Section 3 General Attendance Requirements	Revision	<p>3.1 Responsibility [BOX]</p> <p>As stated . . . is finalized.¹⁴</p> <p>The principal . . .</p>	<p>3.1 Responsibility [BOX]</p> <p>As stated . . . is finalized.¹⁵</p> <p>The principal . . .</p>
Section 3 General Attendance Requirements	Revision	<p>3.2.1.1 Code 0 Enrolled, Not in Membership Code 0 applies . . . Code 0 applies to the following:</p> <ul style="list-style-type: none"> • a child • a student who receives all his or her service through a special education nonpublic contract • a parentally placed private school student, aged 5 through 25, with disabilities who receives special education and related services through a services plan . . . <p>3.2.1.6 Code 5 Ineligible Half-Day Code 5 applies to students who are ineligible for ADA (for any of the reasons listed in the previous section on code 4) . . .</p> <p>3.2.1.7 Code 6 Eligible Transfer Student Half-Day Code 6 . . .</p> <p>The information on transferring students included in the previous section on code 3 applies for code 6 as well.</p>	<p>3.2.1.1 Code 0 Enrolled, Not in Membership Code 0 applies . . . Code 0 applies to the following:</p> <ul style="list-style-type: none"> • a child • a student who receives all his or her special education and related services through an approved nonpublic school • a parentally placed private school student with a disability, 5 through 21 years of age, who receives special education and related services through a services plan . . . <p>3.2.1.6 Code 5 Ineligible Half-Day Code 5 applies to students who are ineligible for ADA (for any of the reasons listed in the previous subsection on code 4) . . .</p> <p>3.2.1.7 Code 6 Eligible Transfer Student Half-Day Code 6 . . .</p> <p>The information on transferring students included in the previous subsection on code 3 applies for code 6 as well.</p>
Section 3 General Attendance	Revision	<p>3.2.2 Funding Eligibility Any . . . must either 1) be scheduled for and provided instruction 2</p>	<p>3.2.2 Funding Eligibility Any . . . must either 1) be scheduled for and provided instruction 2</p>

¹⁴ 19 Texas Administrative Code (TAC) §129.21(m); Texas Education Code (TEC), §42.255

¹⁵ 19 Texas Administrative Code (TAC) §129.21(d); Texas Education Code (TEC), §42.255

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Requirements		through 4 hours each day (what is referred to as the “2-through-4-hour rule” ¹⁶) or . . . ADA. [TABLE: IN ROW RELATED TO ADA ELIGIBILITY CODE 5, SUBSECTION CORRECTED TO READ "3.2.1.6" INSTEAD OF "3.2.1.5."] Students who . . . day. Attendance . . . present. ¹⁷ If . . .	through 4 hours each day (what is referred to as the “2-through-4-hour rule” ¹⁸) or . . . ADA. [TABLE: IN ROW RELATED TO ADA ELIGIBILITY CODE 5, SUBSECTION CORRECTED TO READ "3.2.1.6" INSTEAD OF "3.2.1.5."] Students who . . . day. Attendance . . . present. ¹⁹ If . . .
Section 3 General Attendance Requirements	Revision	3.2.2.3 Time Spent in Self-Paced Course Time spent . . . "drop-in" basis. . . . Section 3.2.2.3 addresses time spent in self-paced courses, not time spent in online virtual courses or CTE independent study courses. For information about eligibility of virtual courses for FSP funding, please see 11.9 Texas Virtual School Network (TxVSN) . For information about CTE independent study courses, please see . . .	3.2.2.3 Time Spent in Self-Paced Course Time spent . . . "drop-in" basis. . . . Subsection 3.2.2.3 addresses time spent in self-paced courses, not time spent in virtual courses, remote courses, or CTE independent study courses. For information about eligibility of virtual courses for FSP funding, see 11.9 Texas Virtual School Network (TxVSN). For information on remote instruction, including distance learning in which a student physically located at his or her home campus participates in a class provided at another campus, see 11.10 Remote Instruction That Is Not Delivered Through the TxVSN. For information about CTE independent study courses, see . . .
Section 3 General Attendance Requirements	Addition	None.	3.2.2.4 Time Spent in an On-Campus Online Course Not Provided Through the Texas Virtual School Network (TxVSN) This subsection addresses time spent in an online course that is provided <u>on a student's campus</u> and is <u>not</u> provided through the TxVSN. For information on funding
<i>Continued</i>			eligibility of courses provided through the TxVSN, see 11.9 Texas Virtual School Network (TxVSN) . For information on remote instruction, including distance learning in which a student physically located at his or her home campus participates in a class provided at another campus, see 11.10 Remote Instruction That Is Not Delivered Through the TxVSN .

¹⁶ 19 TAC §129.21(h)

¹⁷ 19 TAC §129.21(i)(1)

¹⁸ 19 TAC §129.21(g)

¹⁹ 19 TAC §129.21(h)(1)

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			<p>Time that a student spends in an online course that is not provided through the TxVSN and that your district provides to the student on the student's campus may be considered instructional time for FSP funding purposes (i.e., for purposes of the 2-through-4-hour rule) provided that the following conditions are met:</p> <ul style="list-style-type: none"> • For the duration of the course, a certified²⁰ teacher must be present in the room in which the student is taking the course to answer questions and otherwise assist the student. • As with a traditional course, the student must be regularly scheduled for and attending the online course; i.e., the course may not be designed to operate on a "drop-in" basis. <p>Time spent in a CTE online course provided on a student's campus may be considered for purposes of computing a student's CTE contact hours provided that the following conditions are met:</p> <ul style="list-style-type: none"> • For the duration of the course, a teacher who is appropriately qualified/certified to teach the course, as defined in 19 TAC 231.1(e)²¹, must be present in the room in which the student is taking the course to answer questions and otherwise assist the student. • As with any other CTE course, the student must be regularly scheduled for and attending the online course; i.e., the course may not be designed to operate on a "drop-in" basis. <p>All other requirements specified in Section 5 Career and Technical Education (CTE) must be met.</p>
Section 3 General Attendance Requirements	Revision	<p>3.2.3 Age Eligibility The following table . . .</p> <p>[TABLE: 5TH ROW IN "ELIGIBLE" COLUMN: A student receiving special education services who is 21 years of age on September 1 of a scholastic year shall be eligible for services</p>	<p>3.2.3 Age Eligibility The following table . . .</p> <p>[TABLE: 5TH ROW IN "ELIGIBLE" COLUMN: A student receiving special education services who is 21 years of age on September 1 of a scholastic year is eligible for services through</p>

²⁰ For a teacher other than a special education or bilingual/ESL teacher, the requirement that a teacher be certified does not apply to an open-enrollment charter school unless the school's charter requires that courses be taught by certified teachers. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

²¹ The requirement that a teacher be appropriately qualified/certified does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

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		through the end of that scholastic year or until graduation, whichever comes first.]	the end of that scholastic year or until graduation, whichever comes first.]
Section 3 General Attendance Requirements	Revision	<p>***3.2.3.3 Additional Information About PK and Eligibility Eligible students who attend PK for half of the day and a self-contained PPCD for the other half . . .</p>	<p>***3.2.3.3 Additional Information About PK and Eligibility Eligible students who attend PK for half of the day and receive PPCD services for the other half . . .</p>
Section 3 General Attendance Requirements	Revision	<p>3.3 Enrollment Procedures and Requirements Your local . . . grandparent. ... Your . . . Note that student records must be requested, sent, and received using the Texas Student Records Electronic Exchange (TREx) system. If . . . report the noncompliant district to the Governance and General Inquiries Division of the TEA at (512) 475-3697. Note: For . . . A parent . . . Any . . . proof of identity and age²²: <ul style="list-style-type: none"> • birth certificate; • . . . • any other legal document that establishes identity. Note: All . . .</p>	<p>3.3 Enrollment Procedures and Requirements Your local . . . grandparent. ... Your . . . Note that student records must be requested, sent, and received using the Texas Records Exchange (TREx) system. If . . . report the noncompliant district to the General Inquiries Division of the TEA at (512) 463-9290. Note: For . . . A parent . . . Any . . . proof of identity and age: <ul style="list-style-type: none"> • birth certificate; • . . . • any other legal document that establishes identity. If a student who is under age 11 is enrolling in your school for the first time, please see the Texas Code of Criminal Procedure, Article 63.019, for additional information related to documentation of identity and age. [SENTENCE MOVED FROM FOOTNOTE TO BODY OF SUBSECTION.] Note: All . . .</p>
Section 3 General Attendance Requirements	Addition	None.	<p><i>3.3.7 Students Who Have Received a GED Certificate or Have Been Court-Ordered to Obtain a GED Certificate</i> A student who has received a GED certificate or who has been court ordered to obtain a GED certificate is still eligible to enroll in your district to complete the requirements for a high school diploma if the student chooses, provided all other eligibility requirements are</p>

²² If a student who is under age 11 is enrolling in your school for the first time, please see the Texas Code of Criminal Procedure, [Article 63.019](#), for additional information related to documentation of identity and age.

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			<p>met. If the student meets all other eligibility requirements, your district may not deny enrollment to the student. As with any other student, the ADA eligibility code assigned to the student depends on the number of hours the student is scheduled for and provided instruction, or on whether the student is eligible for and taking part in an alternative attendance program.</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.4.4 Information and Record Transfer When a student moves from one Texas public school district or charter school to another, the student record must be transferred via the Texas Student Records Exchange (TREx) within 10 working days of receiving a request. The student record must include the following information at a minimum:</p> <ul style="list-style-type: none"> • Social Security number . . . PEIMS • . . . <p>For a high school student . . . via TREx for . . . transcript:</p> <ul style="list-style-type: none"> • student's address, including city, state, and zip code • district name • exit level assessment and date the exit level requirement was met • . . . <p>By law, each . . .</p>	<p>3.4.4 Information and Record Transfer When a student moves from one Texas public school district or charter school to another, the student record must be transferred via the TREx within 10 working days of receiving a request. The student record must include the following information at a minimum²³:</p> <ul style="list-style-type: none"> • Social Security number . . . PEIMS • . . . <p>For a high school student . . . via the TREx for . . . transcript:</p> <ul style="list-style-type: none"> • student's address, including city, state, and zip code • district name • either exit level Texas Assessment of Knowledge and Skills assessment and date the exit level requirement was met or State of Texas Assessments of Academic Readiness end-of-course assessment information • . . . <p>By law, each . . .</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.4.5 Students 21 Years of Age or Older and Placement in a DAEP or JJAEP Students who are 21 years of age or older who are admitted for the purpose of completing the requirements of a high school diploma are not eligible for placement in a disciplinary alternative education program (DAEP) or juvenile justice alternative education program (JJAEP) if the person engages . . .</p>	<p>3.4.5 Students 21 Years of Age or Older and Placement in a Disciplinary Alternative Education Program (DAEP) or JJAEP A student who is 21 years of age or older who is admitted for the purpose of completing the requirements of a high school diploma is not eligible for placement in a DAEP or JJAEP if he or she engages . . .</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.5 Compulsory Attendance PK and . . . rules. ...</p>	<p>3.5 Compulsory Attendance PK and . . . rules. ...</p>

²³ For a complete list of data elements that are able to be sent through the TREx, see Appendix A of the current-year *TREx Data Standards*, available at <http://www.tea.state.tx.us/index4.aspx?id=3412>.

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		Note that, because of recent statutory changes ²⁴ , the offense of failure to attend school applies only to an individual who is 12 years of age or older and younger than 18 years of age.	Note that the offense of failure to attend school applies only to an individual who is 12 years of age or older and younger than 18 years of age. ²⁵ The offense of parent contributing to nonattendance, however, is not limited to parents of students who fall within this age range. ²⁶
Section 3 General Attendance Requirements	Revision	<p>3.6 General Attendance-Taking Rules</p> <p>Each teacher or other school employee who records student attendance must certify, in writing, that all such records are true and correct to the best of his or her knowledge and that the records have been prepared in accordance with laws and regulations pertaining to student attendance accounting. Electronic signatures are acceptable. Signature stamps and pencil are not acceptable.</p> <p>Students . . . Attendance may not be taken by students, classroom aides, or clerks. Using a "sign-in" sheet to record attendance is not acceptable.</p>	<p>3.6 General Attendance-Taking Rules</p> <p>Each teacher or other school employee who records student attendance must certify, in writing, that all such records are true and correct to the best of his or her knowledge and that the records have been prepared in accordance with laws and regulations pertaining to student attendance accounting by signing and dating the record of attendance within one calendar week of the attendance recorded. Electronic signatures are acceptable. Signature stamps and pencil are not acceptable. If your district uses an automated attendance accounting system but the system does not meet the requirements for a secure paperless system that are specified in 2.2.3 "Paperless Attendance Accounting Systems" (i.e., if the system cannot report the date and time of any attendance record alterations and the identity of the individual altering the record), then the attendance records must be printed out on a weekly (one calendar week) basis and be signed and dated by the teacher taking the roll.</p> <p>Students . . . Attendance may not be taken by students, classroom aides, or clerks. Using a student "sign-in" sheet to record attendance is not an acceptable method of taking roll and will result in the attendance being disallowed.</p>
Section 3 General Attendance Requirements	Revision	<p>3.6.2 Time of Day for Attendance Taking²⁷</p> <p>Each . . . equivalent. . . . However, . . . school year.</p> <p>Your campus may select an official attendance-taking time that is not during the second or fifth instructional hour of the day if your local school board has adopted a district policy allowing for recording absences in an alternate period or hour. The policy may —</p>	<p>3.6.2 Time of Day for Attendance Taking²⁸</p> <p>Each . . . equivalent. . . . However, . . . school year.</p> <p>Your campus may select an official attendance-taking time that is not during the second or fifth instructional hour of the day if your local school board has adopted a district policy allowing for recording absences in an alternate hour, or if the superintendent has</p>

²⁴ TEC, §25.094(a) [SB 1489, 82nd Texas Legislature, Regular Session, 2011]

²⁵ TEC, §25.094(a); **Opinion of the Texas Attorney General No. GA-0946 (2012)**

²⁶ **TEC, §25.093**

²⁷ 19 TAC §129.21(i)

²⁸ 19 TAC §129.21(h)(3)

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		<ul style="list-style-type: none"> • ... <p>The policy may be adopted at any time during a school year. If the policy allows for a campus to choose an alternate attendance-taking time for certain groups of students as described in 3.6.2.2, a campus is free to choose an alternate attendance-taking time for a group of students as soon as the policy is adopted. If the policy allows for a campus to choose an alternate attendance-taking time for the campus as a whole and the policy is adopted after the start . . .</p>	<p>established documented procedures allowing for recording absences in an alternate hour after having been delegated authority to do so by the board.²⁹ The policy or procedures may:</p> <ul style="list-style-type: none"> • ... <p>The policy may be adopted or the procedures established at any time during a school year. If the policy or documented procedures allow for a campus to choose an alternate attendance-taking time for certain groups of students as described in 3.6.2.2, a campus is free to choose an alternate attendance-taking time for a group of students as soon as the policy is adopted or the procedures are established. If the policy or documented procedures allow for a campus to choose an alternate attendance-taking time for the campus as a whole and the policy is adopted or procedures established after the start . . .</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.6.2.2 Alternate Attendance-Taking Time for Certain Student Populations</p> <p>Your . . . To implement . . . , your local school board must have first adopted a district policy allowing for an alternate attendance-taking time as described in 3.6.2. (The policy may be adopted at any time during the school year.) The . . .</p>	<p>3.6.2.2 Alternate Attendance-Taking Time for Certain Student Populations</p> <p>Your . . . To implement . . . , your local school board must have first adopted a district policy allowing for an alternate attendance-taking time, or the superintendent must have established documented procedures allowing for an alternate attendance-taking time after having been delegated authority to do so by the board, as described in 3.6.2. (The policy may be adopted or procedures established at any time during the school year.) The . . .</p>

²⁹ 19 TAC §129.21(h)

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Section 3 General Attendance Requirements	Revision	<p>3.6.3 Requirements for a Student's Being Considered Present or Absent for FSP (Funding) Purposes For official attendance accounting purposes, "excused" and "unexcused" absences do not exist.³⁰ Students . . .</p> <p>...</p> <p>Note: . . . (general education homebound [GEH], special education homebound, or Compensatory Education Home Instruction [CEHI]). For . . .</p> <p>A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes if the student —</p> <ul style="list-style-type: none"> • . . . • is participating . . . Teacher Retirement System of Texas. <p>Students . . . adjunct staff member.³¹</p>	<p>3.6.3 Requirements for a Student's Being Considered Present or Absent for FSP (Funding) Purposes For official attendance accounting purposes, "excused" and "unexcused" absences do not exist.³² Students . . .</p> <p>...</p> <p>Note: . . . (general education homebound, special education homebound, or Compensatory Education Home Instruction). For . . .</p> <p>A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes if the student:</p> <ul style="list-style-type: none"> • . . . • is participating . . . Teacher Retirement System of Texas. <p>Students . . . adjunct staff member.³³³⁴</p>

³⁰ 19 TAC §129.21(i)(3)

³¹ 19 TAC §129.21(k)(1)

³² 19 TAC §129.21(h)(4)

³³ 19 TAC §129.21(j)(1)

³⁴ County extension service agents are eligible to be considered adjunct staff members because they are required to have at least a bachelor's degree and are eligible for participation in the Teacher Retirement System of Texas. They are eligible for participation in the Teacher Retirement System because they are employed by the Texas AgriLife Extension Service, which is a member of the Texas A&M University System.

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<i>Continued</i>		<ul style="list-style-type: none"> • is participating . . . 19 TAC §74.13(a)(3). • is a Medicaid-eligible child participating in the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) programs implemented by the Texas Health and Human Services Commission. Such students may be excused for up to 1 day at a time without loss of ADA. • misses school for the purpose of observing religious holy days, . . . • . . . • misses school for the purpose of serving as an election clerk, . . . purposes. <p>To serve as an election clerk, a student must —</p> <ul style="list-style-type: none"> ○ be . . . , or ○ be . . . election. <ul style="list-style-type: none"> • . . . 	<ul style="list-style-type: none"> • is participating, with local school board approval, in a short-term (e.g., 5-day) class that is provided by the Texas School for the Blind and Visually Impaired (TSBVI) or the Texas School for the Deaf (TSD) at a location other than the student's campus.³⁵ The student may not be considered in attendance for FSP purposes on any day the student is traveling between the student's district and the location of the class but is not attending class. (However, travel days may be excused for compulsory attendance purposes. See 3.6.4 Excused Absences for Compulsory Attendance Purposes.) Your school district is responsible for obtaining documentation of the student's class attendance from the TSBVI or TSD. • is participating . . . 19 TAC §74.13(a)(3). <p>[BULLET REGARDING MEDICAID-ELIGIBLE CHILD PARTICIPATING IN EPSDT PROGRAMS DELETED.]</p> <ul style="list-style-type: none"> • misses school for the purpose of observing religious holy days, . . . • . . . • misses school for the purpose of serving as an election clerk, . . . purposes. <p>To serve as an election clerk, a student must meet one of the following requirements:</p> <ul style="list-style-type: none"> ○ be . . . , or ○ be . . . election. <ul style="list-style-type: none"> • . . .

³⁵ 19 TAC 129.21(k)

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		<ul style="list-style-type: none"> misses school for the purpose of taking part in a United States naturalization oath ceremony, . . . 	<ul style="list-style-type: none"> misses school for the purpose of taking part in the student's own United States naturalization oath ceremony, . . .
<i>Continued</i>		<ul style="list-style-type: none"> is temporarily absent because of a documented appointment . . . United States. A . . . disorder. To be . . . appointment. The appointment should . . . health care professional.³⁶ The appointment must . . . professional. A consultation . . . professional. is in his or her junior or . . . higher education. <p>Your . . . days. If . . . attendance.</p> <p>. . .</p> <p>Important: Your district or charter school must adopt a policy regarding parental consent for student departures from school.³⁷ FSP funding is conditional on local adoption of this policy. However, this policy does not affect procedures for taking and recording student attendance.</p>	<ul style="list-style-type: none"> is temporarily absent because of a documented appointment . . . United States. A . . . disorder. To be . . . appointment. The appointment should . . . health care professional.³⁸ The appointment must . . . professional. A consultation . . . professional. is in his or her junior or . . . higher education. <p>Your . . . days. If . . . attendance.</p> <p>. . .</p> <p>Important: Title 19 TAC §129.21(l) requires that either 1) your local school board adopt a policy addressing parental consent for a student to leave campus or 2) the superintendent establish procedures addressing parental consent for a student to leave campus after having been delegated authority to do so by the board. It also requires that your school district distribute the policy or procedures to staff and to all parents of district students. FSP funding is conditional on local adoption of this policy or establishment of these procedures and distribution of the policy or procedures. The policy or procedures do not affect procedures for taking and recording student attendance.</p>
Section 3 General Attendance Requirements	Revision	<p>3.6.3.1 Early Graduation/Graduation Ceremonies and Attendance</p> <p>Students Who Graduate Early: If a student . . . days.</p> <p>Students Who Have Not Yet Graduated but Who Have Attended Graduation Ceremonies: A . . . A senior who has attended graduation ceremonies before the end of the school year and who attends for the last days of the school year only to “sign in” has not met the minimum 2-through-4-hour requirement³⁹ for those days.</p>	<p>3.6.3.1 Early Graduation/Graduation Ceremonies and Attendance</p> <p>Students Who Graduate Early: If a student . . . days.</p> <p>Students Who Have Not Yet Graduated but Who Have Attended Graduation Ceremonies: A . . . A senior who has attended graduation ceremonies before the end of the school year and who attends for the last days of the school year only to “sign in” has not met the minimum 2-through-4-hour requirement⁴⁰ for those days.</p>

³⁶ 19 TAC §129.21(k)

³⁷ 19 TAC §129.21(d)

³⁸ 19 TAC §129.21(j)(3)

³⁹ 19 TAC §129.21(h)

⁴⁰ 19 TAC §129.21(g)

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Section 3 General Attendance Requirements	Revision	<p>3.6.6 Attendance Accounting During Testing Days If standardized . . . exam.</p> <p>A student who is exempt from taking exams and who attends school on an exam day only to "sign in" during the attendance-taking time has not met the minimum 2-through-4-hour requirement⁴¹ for that day (see 3.2.2 Funding Eligibility).</p>	<p>3.6.6 Attendance Accounting During Testing Days If standardized . . . exam.</p> <p>If your district exempts certain students from taking final exams, note that that exemption does not exempt the students from the 2-through-4-hour requirement. Also, a student who is exempt from taking exams and who attends school on an exam day only to "sign in" during the attendance-taking time has not met the minimum 2-through-4-hour requirement for that day. A student must either be provided the appropriate number of hours of instruction, or the student must be counted absent. See 3.2.2 Funding Eligibility.⁴²</p>
Section 3 General Attendance Requirements	Revision	<p>3.6.8 "Tardies" For . . . However, locally designed codes may be implemented to indicate that —</p> <ul style="list-style-type: none"> • . . . 	<p>3.6.8 "Tardies" For . . . However, locally designed codes may be implemented to indicate that the following occurred:</p> <ul style="list-style-type: none"> • . . .
Section 3 General Attendance Requirements	Addition	<p>3.7 General Education Homebound (GEH) Any student . . . United States.</p> <p>. . .</p> <p>A student . . . the GEH program.</p>	<p>3.7 General Education Homebound (GEH) Any student . . . United States.</p> <p>. . .</p> <p>A student . . . the GEH program.</p> <p>For information on remote homebound instruction, see 11.10.3 Remote Homebound Instruction—Regular Education Students.</p>
Section 3 General Attendance Requirements	Revision	<p>3.7.2 GEH Committee A . . . not limited to —</p> <ul style="list-style-type: none"> • . . . 	<p>3.7.2 GEH Committee A . . . not limited to the following:</p> <ul style="list-style-type: none"> • . . .
Section 3 General Attendance Requirements	Revision	<p>3.7.2.1 GEH Committee Documentation Responsibilities In . . . , the following documentation is required:</p> <ul style="list-style-type: none"> • a district-developed . . . GEH; • . . . • the teacher’s homebound instruction log. 	<p>3.7.2.1 GEH Committee Documentation Responsibilities In . . . , the following documentation is required:</p> <ul style="list-style-type: none"> • a district-developed . . . GEH; • . . . • the teacher’s homebound instruction log.

⁴¹ 19 TAC §129.21(h)

⁴² 19 TAC §129.21(g)

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Section	Change	2011–2012 Version 2	2012–2013
		<p>The minimum documentation required in homebound logs (the attendance record maintained by a homebound teacher) is —</p> <ul style="list-style-type: none"> • ... 	<p>The minimum documentation required in homebound logs (the attendance record maintained by a homebound teacher) is the following:</p> <ul style="list-style-type: none"> • ...
<p>Section 3 General Attendance Requirements</p>	<p>Deletion</p>	<p>3.7.3 GEH Services for Students With Chronic Illness/Acute Health Problems</p> <p>The federal definition for OHI found in 34 Code of Federal Regulations, §300.8(c)(9), states, "Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that —</p> <ol style="list-style-type: none"> 1. is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and 2. adversely affects a child’s educational performance." 	<p>[SUBSECTION DELETED]</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.7.4 GEH Funding Chart</p> <p>...</p> <p>3.7.5 Test Administration and GEH</p> <p>A ... class.</p> <p>...</p> <p>A student receiving ... to do so.</p> <p>3.7.6 Transition From GEH to the Classroom</p> <p>...</p> <p>3.7.7 Transitioning Students With Chronic Illness Between Homebound and the Classroom</p> <p>...</p>	<p>3.7.3 GEH Funding Chart</p> <p>...</p> <p>3.7.4 Test Administration and GEH</p> <p>A ... class.</p> <p>...</p> <p>A student receiving ... to do so. The time spent on campus taking required state assessments cannot count as any part of the number of hours of GEH service for eligible days present.</p> <p>3.7.5 Transition From GEH to the Classroom</p> <p>...</p> <p>3.7.6 Transitioning Students With Chronic Illness Between Homebound and the Classroom</p> <p>...</p>

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		<p>3.7.8 Students With a Recurring Chronic or Acute Health Condition</p> <p>...</p>	<p>3.7.7 Students With a Recurring Chronic or Acute Health Condition</p> <p>...</p> <p>[TABLE: TABLE TITLE ADDED: Attendance Accounting Information Related to Students With a Recurring Chronic or Acute Health Condition]</p>
Section 3 General Attendance Requirements	Revision	<p>3.8 Calendar</p> <p>Your school district . . . such as the Optional Flexible Year Program (OFYP). . . .</p> <p>Your district has flexibility . . . with respect to —</p> <ul style="list-style-type: none"> • . . . <p>The first day . . . the fourth Monday in August.⁴³ Charter schools . . .</p>	<p>3.8 Calendar</p> <p>Your school district . . . such as the Optional Flexible Year Program. . . .</p> <p>•</p> <p>Your district has flexibility . . . with respect to the following:</p> <ul style="list-style-type: none"> • . . . <p>The first day . . . the fourth Monday in August.⁴⁴ Charter schools . . .</p>
Section 3 General Attendance Requirements	Revision	<p>3.8.4 Summer School and State Funding</p> <p>Summer school programs are not eligible for state funding except for specific programs authorized by statute, such as the OFSDP. If a student . . . year-round system.</p> <p>Situations . . . 180-day calendar.</p> <p>The TEA will adjust . . . state funding year. Note that the TEA will not make such adjustments when additional attendance is reported through the OFSDP or another authorized program.</p>	<p>3.8.4 Summer School and State Funding</p> <p>Summer school programs (programs that provide for instructional days beyond the 180 days that make up the state funding year) are not eligible for state funding except for specific programs authorized by statute. For the 2012–2013 school year, the only funded program that allows for state funding of instructional days beyond the 180 days that make up the state funding year is the program for providing extended school year services for certain students receiving special education services. See 4.13 Extended School Year (ESY) Services for more information. The Optional Extended Year Program, a grant program that allows for state funding of instructional days beyond the 180 days that make up the state funding year, has not been funded for the 2012–2013 school year.</p> <p>If a student . . . year-round system.</p> <p>Situations . . . 180-day calendar.</p> <p>The TEA will adjust . . . state funding year. The TEA will not make such adjustments when additional attendance is reported for eligible special education extended school year services.</p>

⁴³ TEC, §25.0811. A school district . . . under the TEC, §25.081. Each district campus . . . educationally disadvantaged students [House Bill 1555, 82nd Texas Legislature, Regular Session, 2011].

⁴⁴ TEC, §25.0811. A school district . . . under the TEC, §25.081. Each district campus . . . educationally disadvantaged students.

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			<p>Note that while the OFSDP allows for state-funding-eligible OFSDP credit recovery classes to be offered during the summer recess, an OSFDP-eligible student cannot earn more than the equivalent of one ADA (180 days' worth of perfect attendance in the regular attendance program) for a 12-consecutive-month school year. A district may not charge tuition for OFSDP classes, including those offered during the summer recess. For more information on the OFSDP, see 11.6 Optional Flexible School Day Program (OFSDP).</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.9 Data Submission Your . . . PEIMS <i>Data Standards</i>.</p> <p>If your district is registered with the TEA to operate a year-round program, your district must submit initial attendance records for all students by June 21, 2012, regardless of which track students are attending. On completion of all tracks, your district must resubmit all records for each student. If your district's year-round tracks end later than June 21, your district may delay resubmission until 2 weeks after the completion of the latest year-round track or August 25, 2012, whichever comes first. In no case may any resubmission occur after August 25, 2012. Corrections made after August 25, 2012, will be handled by the State Funding Division.</p> <p>Regardless . . .</p>	<p>3.9 Data Submission Your . . . PEIMS <i>Data Standards</i>.</p> <p>If your district is registered with the TEA to operate a year-round program, your district must submit initial attendance records for all students by June 27, 2013, regardless of which track students are attending. On completion of all tracks, your district must resubmit all records for each student. If your district's year-round tracks end later than June 27, your district may delay resubmission until 2 weeks after the completion of the latest year-round track or August 8, 2013, whichever comes first. In no case may any resubmission occur after August 8, 2013. Corrections made after August 8, 2013, will be handled by the Office of School Finance.</p> <p>Regardless . . .</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.11.10 Example 10 A student who is auditorily impaired . . . submissions.</p> <p>The ADA eligibility code . . . The special education instructional setting code . . . (see Section 4).</p>	<p>3.11.10 Example 10 A student who is auditorily impaired . . . submissions.</p> <p>The ADA eligibility code . . . The special education instructional arrangement/setting code . . . (see Section 4).</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.11.12 Example 12 A campus that uses an electronic attendance accounting system . . .</p>	<p>3.11.12 Example 12 A campus that uses an automated attendance accounting system . . .</p>
<p>Section 3 General Attendance Requirements</p>	<p>Revision</p>	<p>3.11.18 Example 18 Your school district . . . does not meet.</p> <p><i>District . . . Personnel may —</i></p> <ul style="list-style-type: none"> • . . . 	<p>3.11.18 Example 18 Your school district . . . does not meet.</p> <p><i>District . . . Personnel may do any of the following:</i></p> <ul style="list-style-type: none"> • . . .

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Section	Change	2011–2012 Version 2	2012–2013
Section 4 Special Education	Revision	<p>4.2 Special Education and Eligibility/Eligible Days Present</p> <p>This section explains which students your school district must provide special education services to and describes the requirements that must be met for students who are receiving special education services to be eligible for funding.</p> <p>Special education services must be made available to —</p> <ul style="list-style-type: none"> • ... 	<p>4.2 Special Education and Eligibility</p> <p>This subsection explains which students are eligible for special education and must be provided special education services by your school district. It also describes the requirements that must be met for students who are receiving special education services to be eligible for funding.</p> <p>To be eligible to receive special education services, a student must be a child with a disability.⁴⁵ The determination of whether a student is eligible for special education and related services is made by the student's individualized family services plan (IFSP) committee (for children from birth through age 2) or admission, review, and dismissal (ARD) committee (for a student aged 3 years or older).⁴⁶</p> <p>Your district must make special education services available to the following:</p> <ul style="list-style-type: none"> • ...

⁴⁵ The term "child with a disability" is defined in 34 Code of Federal Regulations (CFR), §300.8(a), subject to the provisions of 34 CFR, §300.8(c); the Texas Education Code (TEC), §29.003; and 19 Texas Administrative Code (TAC) §89.1040.

⁴⁶ 19 TAC §89.1040

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<i>Continued</i>		<p>Students from birth through age 2 who have visual or auditory impairments or both and who are served by your district are also eligible for special education services. These students shall be considered eligible for average daily attendance (ADA) on the same basis as other students in special education.</p> <p>To be eligible for special education contact hours, students must be served by qualified special education staff.</p> <p>A student with a disability may not be assigned . . . begins.</p>	<p>Your district also must make special education services available to an infant or toddler (child from birth through age 2) who has a visual or auditory impairment and whom an IFSP committee has determined to be eligible for special education services. Such a child is eligible for average daily attendance (ADA) on the same basis as other students receiving special education services.⁴⁷</p> <p>Provided that they are served by appropriately certified and qualified special education staff, students who are eligible for special education services and are provided those services by your district are eligible for special education contact hours and weighted funding.</p> <p>A student with a disability may not be assigned . . . begins.</p> <p>For teacher certification requirements, see 4.17 Teacher Requirements. For information specific to infants and toddlers receiving special education services, see 4.10 Special Education Services for Infants and Toddlers. For information specific to students who are 3 through 5 years of age and receiving special education services, see 4.9 Preschool Programs for Children With Disabilities (PPCDs).</p>
Section 4 Special Education	Revision and Deletion	<p>4.2.1 Eligibility Examples</p> <p>For every eligible day present, a student earns special education contact hours for the instructional setting the student is assigned, even if the student does not attend all scheduled classes. For example:</p> <ol style="list-style-type: none"> 1. A student was scheduled for speech therapy only twice a week. The student was present at the time attendance was taken all five days that week. The student earns contact hours for speech therapy all 5 days. 2. A student has a special education class at 1:00 p.m. each day. The student leaves school for the day after attendance is taken (10:30 a.m.) and does not attend the 1:00 p.m. class. The student was present at the time attendance was taken; therefore, he or she earns contact hours for the special education class that day even though he or she did 	<p>[MOST OF SUBSECTION DELETED. FIRST SENTENCE NOW APPEARS IN 4.15.]</p>

⁴⁷ 19 TAC §89.1121(g)

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		<p>not actually attend.</p> <p>3. A student has a scheduled special education class at 1:00 p.m. The student arrives at school at 11:00 a.m., after attendance is taken. The student was absent at the time attendance was taken; therefore, he or she earns no contact hours for the special education class that day even though he or she attended the class.</p> <p>Note: Students reported in the Student Detail Report with an ADA eligibility code of 2 (Eligible for half-day attendance) should not have full-day special education attendance reported. The special education days present must be reported as half days.</p>	
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.2 (RE: PRESCHOOL PROGRAMS FOR CHILDREN WITH DISABILITIES) NOW APPEARS AS A PART OF NEW MAJOR SUBSECTION 4.9.]	—
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.3 (RE: SHARED SERVICES ARRANGEMENTS) NOW APPEARS AS A PART OF NEW SUBSECTION 4.11.]	—
Section 4 Special Education	Deletion	<p>4.2.4 Private or Home School Students See 4.3.5 Enrollment Procedures for a Private or Home School Student Who Is Eligible and in Need of Special Education.</p>	[DELETED. INFORMATION ON PRIVATE OR HOME SCHOOL STUDENTS APPEARS IN NEW 4.5 AND 4.9.9.]
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.5 (RE: HEAD START AND ELIGIBILITY CODING) NOW APPEARS AS A PART OF NEW 4.9.5]	—
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.6 (RE: SCHOOL-BASED PRESCHOOL, OPEN TO COMMUNITY) NOW APPEARS AS A PART OF NEW 4.9.6]	—
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.7 (RE: SPECIAL EDUCATION, PREKINDERGARTEN ELIGIBILITY, AND FUNDING) NOW APPEARS AS A PART OF NEW 4.9.3.]	—
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.2.8 (RE: HALF-DAY KINDERGARTEN OR PK AND SPECIAL EDUCATION) NOW APPEARS AS A PART OF NEW 4.9.3 AND 4.9.4.]	—

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Section	Change	2011–2012 Version 2	2012–2013
Section 4 Special Education	Deletion	<p>4.2.9 Eligibility for Special Education Transportation Students with disabilities who do not need special education services are not eligible to receive special education transportation.⁴⁸</p>	[DELETED]
Section 4 Special Education	Revision	<p>4.2.10 PEIMS Coding Charts for Students With Disabilities Use the charts on the following pages as frameworks for determining ADA, special education, and grade level coding for students with disabilities.</p> <p>[REVISED VERSION OF "Services for Students With Disabilities—Exceptions to the Norm" CHART NOW APPEARS IN NEW 4.12.</p> <p>REVISED VERSION OF 1ST PAGE OF "PK and Special Education Services" CHART NOW APPEARS AT END OF NEW 4.9.3.</p> <p>REVISED VERSION OF 2ND PAGE OF "PK and Special Education Services" CHART NOW APPEARS IN NEW 4.9.8.</p> <p>REVISED VERSION OF "Kindergarten and Special Education Services" CHART NOW APPEARS AT END OF NEW 4.9.4.]</p>	—
Section 4 Special Education	Revision	<p>4.3 Enrollment Procedures This section explains enrollment procedures as they relate to students who receive special education services.</p>	<p>4.3 Enrollment Procedures This subsection explains the procedures for special education program enrollment.</p>
Section 4 Special Education	Revision	<p>4.3.1 Enrollment Procedures for a Student in Your District Who Was Not Previously in Special Education</p> <p>1. An ARD committee meets and . . . (IEP). The ARD committee also . . . IEP. The instructional arrangement/setting code and/or speech therapy indicator code for the student will be based on the setting in which the student receives services and the amount of time for which the student receives services (see 4.6 Instructional Arrangement/Setting Codes).</p>	<p>4.3.1 Enrollment Procedures for a Student in Your District Who Was Not Previously Receiving Special Education Services The enrollment procedures for a student in your district who was not previously receiving special education services are as follows:</p> <p>1. An ARD committee meets and . . . (IEP). The ARD committee also . . . IEP. The instructional arrangement/setting code for the student will be based on the setting in which the student receives special education services and the percentage of time the student receives special education services in a setting (see 4.7 Instructional Arrangement/Setting Codes). The student's speech therapy indicator code will be based</p>

⁴⁸ 34 Code of Federal Regulations (CFR), §300.8(a)(2)(i)

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		<ol style="list-style-type: none"> 2. District personnel record these codes in the attendance accounting system. 3. District personnel record the effective date of service in the IEP and the attendance accounting system. The effective date is the date service begins, not the date on which the ARD committee developed the IEP. 	<p>on whether the student receives speech therapy and, if the student does, whether the student receives other services provided through an instructional arrangement/setting (see 4.8.1 Speech Therapy Indicator Codes). Additionally, the ARD committee determines the date that services will begin (the effective date) and records this information in the IEP.</p> <ol style="list-style-type: none"> 2. The ARD committee provides the student's coding information and the effective date to appropriate district personnel (e.g., attendance personnel, Public Education Information Management System [PEIMS] clerks) as soon as possible. 3. District personnel record the coding information and effective date of service in the attendance accounting system. The effective date is the date services begin (as determined by the ARD committee), not the date on which the ARD committee developed the IEP.
Section 4 Special Education	Revision	<p><i>4.3.2 Enrollment Procedures for a Student in Your District Whose Instructional Arrangement/Setting Is Changing</i> Note: This subsection . . .</p> <ol style="list-style-type: none"> 1. The ARD committee . . . IEP. If the . . . (see 4.6 Instructional Arrangement/Setting Codes and 4.8.1 Speech Therapy Indicator Codes). 2. District personnel record these codes in the attendance accounting system. 3. District personnel record the effective date of service in the IEP and the attendance accounting system. The effective date is the first date student receives new service, not the date on which the ARD committee revised the IEP. 	<p><i>4.3.2 Enrollment Procedures for a Student in Your District Whose Instructional Arrangement/Setting Is Changing</i> Note: This subsection . . .</p> <p>The enrollment procedures for a student in your district whose instructional arrangement/setting is changing are as follows:</p> <ol style="list-style-type: none"> 1. The ARD committee . . . IEP. If the A. . . (see 4.7 Instructional Arrangement/Setting Codes and 4.8.1 Speech Therapy Indicator Codes). The ARD committee determines the date that any change in service will begin (the effective date) and records this information in the IEP. 2. The ARD committee provides any changes in the student's coding information and the effective date to appropriate district personnel (e.g., attendance personnel, PEIMS clerks) as soon as possible. 3. District personnel record the coding information and effective date of services in the attendance accounting system. The effective date is the date the student begins receiving the services in the new placement (as determined by the ARD committee), not the date on which the ARD committee revised the IEP.

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Section 4 Special Education	Revision	<p>4.3.3 Enrollment Procedures for a Student Who Is New to Your District but Was Previously in Special Education</p> <ol style="list-style-type: none"> When a student moves from one district to another within the state and the parents verify that the student was receiving special education services in the previous school district or the previous school district verifies in writing or by telephone that the student was receiving special education services, your school district must . . . Specifically, your district must provide a FAPE to the student, including services comparable to those described in the student’s IEP from the previous district, until the ARD committee either — <ul style="list-style-type: none"> adopts the student’s IEP from the previous district or develops, adopts, and implements a new IEP. <p>The ARD committee’s timeline . . . services.</p> <p>Your district must determine the instructional arrangement/setting code and/or speech therapy indicator code according to the ARD committee's temporary or final placement . . . services.</p> District personnel record these codes in the attendance accounting system. District personnel record the effective date of the service in the IEP and the attendance accounting system. After a temporary placement, . . . data. 	<p>4.3.3 Enrollment Procedures for a Student Who Is New to Your District but Was Previously Receiving Special Education Services</p> <p>The enrollment procedures for a student who is new to your district but was previously receiving special education services are as follows:</p> <ol style="list-style-type: none"> When a student moves from one district to another within the state and either a) the parents verify that the student was receiving special education services in the previous district or b) the previous district verifies in writing or by telephone that the student was receiving special education services, your district must . . . Specifically, your district must provide a free appropriate public education (FAPE) to the student, including services comparable to those described in the student’s IEP from the previous district, until the ARD committee does either of the following: <ul style="list-style-type: none"> adopts the student’s IEP from the previous district or develops, adopts, and implements a new IEP. <p>The ARD committee’s timeline . . . services.</p> <p>The ARD committee must determine the instructional arrangement/setting code and speech therapy indicator code according to the committee's temporary or final placement . . . services. Additionally, the ARD committee determines the date that services will begin (the effective date).</p> The ARD committee provides the student's coding information and the effective date to appropriate district personnel (e.g., attendance personnel, PEIMS clerks) as soon as possible. District personnel record the coding information and effective date of services in the attendance accounting system. After a temporary placement, . . . data, recording in the IEP the effective date of any change in services.

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		5. District personnel record any necessary changes . . .	5. The ARD committee provides any changes in the student's coding information and the effective date to appropriate district personnel (e.g., attendance personnel, PEIMS clerks) as soon as possible. 6. District personnel record any necessary changes . . .
Section 4 Special Education	Revision	4.3.3.1 Transfer of Records A district is expected to transfer the most recent ARD committee deliberations, including the current IEP, to a requesting district within 10 days using the Texas Records Exchange (TReX) system.	4.3.3.1 Transfer of Records A district must transfer a student's records , including the student's current IEP, to a requesting district within 10 working days using the Texas Records Exchange (TReX) system. See the Texas Education Agency (TEA) TReX web page at http://www.tea.state.tx.us/index4.aspx?id=3190 for more information on the system.
Section 4 Special Education	Revision	4.3.4 Enrollment Procedures for a Student Who Is New to Your District and Was Not Previously in Special Education Follow the enrollment procedures for a student in your district who was not previously in special education. Note that . . .	4.3.4 Enrollment Procedures for a Student Who Is New to Your District and Was Not Previously Receiving Special Education Services For a student who is new to your district and was not previously receiving special education services , follow the enrollment procedures for a student already in your district who was not previously receiving special education services . Note that . . .
Section 4 Special Education	Revision	[INFORMATION IN SUBSECTION THAT WAS 4.3.5 (RE: PRIVATE OR HOME SCHOOL STUDENTS) NOW APPEARS IN NEW 4.5 AND 4.9.9.]	—
Section 4 Special Education	Revision and Addition	4.4 Withdrawal Procedure A student is withdrawn when the student withdraws from school or the ARD committee meets and dismisses the student from special education. As soon as a student has been dismissed from special education, as documented by the ARD committee, district personnel record the effective date of dismissal in the attendance accounting system. The	4.4 Withdrawal Procedure A student is withdrawn when the student withdraws from school or the ARD committee determines the student is no longer a child with a disability and, therefore, no longer eligible for special education services. A student is also withdrawn if the student's parent revokes consent in writing for the student's receipt of special education services. ⁴⁹ After the ARD committee determines that a student is no longer a child with a disability, the district must provide the student's parent with prior written notice that it proposes to change the student's

⁴⁹ 34 CFR, §300.9(c)(3)

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		<p>effective date, which is stated in the IEP, is the date the ARD committee dismisses the student from the special education program.</p>	<p>eligibility determination. A district must also provide the parent with prior written notice upon receipt of the parent’s written revocation of consent for the continued provision of special education services. The district must provide prior written notice at least 5 school days before special education services will be discontinued, unless the parent agrees otherwise.⁵⁰ A school cannot discontinue services until prior written notice has been provided. The ARD committee must provide the effective date of the dismissal to appropriate district personnel as soon as possible, and district personnel record the effective date of dismissal in the attendance accounting system. The effective date, which is stated in the IEP and/or the prior written notice, is the date that services end.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.3.5 Enrollment Procedures for a Private or Home School Student Who Is Eligible and in Need of Special Education</p> <p>Per 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available to students with disabilities placed in private schools or facilities is determined based on ongoing consultation with representatives of the private school students with disabilities and a proportionate share calculation. Since the obligation of the LEA to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into the PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of October for the fall PEIMS submission child count snapshot for data reporting purposes.</p> <p>4.3.5.1 Students Aged 3–4</p> <p>If an ARD committee determines that a private or home school student aged 3–4 is eligible and in need of special education instruction and/or related services, the parent may enroll the student full-time in the public school. If the parent does not do this, for a student aged 3–4, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d). Parents of an eligible student have the right to “dual</p>	<p>4.5 Special Education Services for Private or Home School Students Who Are Eligible for and in Need of Special Education</p> <p>Per 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available by your district to students with disabilities placed in private schools or facilities are determined based on ongoing consultation with representatives of the private school and representatives of parentally placed private school students with disabilities and a proportionate share calculation.</p> <p>See the TEA Guidance on Parentally Placed Private School Children With Disabilities web page at http://www.tea.state.tx.us/index2.aspx?id=2147492070 for more information.</p> <p>4.5.1 Private or Home School Students Aged 3 or 4 Years</p> <p>If an ARD committee determines that a private or home school student aged 3 or 4 years is eligible for and in need of special education instruction and/or related services, the parent may 1) enroll the student only in the public school, 2) "dual enroll" the student, or 3) decline to have the student enroll in public school. For more information, see 4.9.9 PPCD Services and Private or Home</p>

⁵⁰ 34 CFR, §300.503; 19 TAC §89.1015

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		<p>enroll” the student beginning on the student’s third birthday and continuing until the end of the school year in which the student turns 5, or until the student is eligible to attend your district’s public school kindergarten program, whichever comes first.</p> <p>When parents choose to enroll a child under the dual enrollment provision, your school district should take the following steps to enroll the student, based on the services and amount of time needed to provide those services as set forth in the student's IEP:</p> <ol style="list-style-type: none"> 1. •enroll the student for at least 4 hours per day, •count the student as eligible for full-day attendance (ADA eligibility code 1), •record an instructional arrangement/setting code for contact hours based on the student's special education service, and •count the student on the annual federal child count indicator through the PEIMS; or 2. •enroll the student for at least 2 hours but fewer than 4 hours per day, •count the student as eligible for half-day attendance (ADA eligibility code 2), •record an instructional arrangement/setting code for contact hours based on the student's special education service, and •count the student on the annual federal child count indicator through the PEIMS; or 3. •enroll the student for fewer than 2 hours per day, •count the student as enrolled but not in membership (ADA eligibility code 0), and •count the student on the annual federal child count indicator through the PEIMS but not for ADA or contact hours. <p>4.3.5.2 Students Aged 5 Through 21 If an ARD committee determines that a private or home school student is eligible and in need of special education instruction and</p>	<p><u>School Student Aged 3 or 4 Years and in Need of Special Education.</u></p> <p>[MORE INFORMATION APPEARS IN NEW 4.9.9.]</p> <p>4.5.2 Private or Home School Students Aged 5 Through</p>

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		<p>related services, the parent may enroll the student full-time in the public school. If the parent does not do this, for students aged 5 through 21, your school district shall make the special education and related services available as provided for in 19 TAC §89.1096.</p>	<p>21 Years If an ARD committee determines that a private or home school student aged 5 through 21 years is eligible for and in need of special education instruction and related services, the parent may enroll the student full-time in the public school.</p> <p>If the parent does not do this, your school district must make the special education and related services available as provided for in 19 TAC §89.1096. Since the obligation of your district to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into the PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of October for the fall PEIMS submission child count snapshot for data reporting purposes. [INFORMATION IN THIS PARAGRAPH MOVED FROM BEGINNING OF WHAT WAS PREVIOUSLY 4.3.5.]</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.5 Interim Alternative Educational Placements . . . (i.e., in-school suspension [ISS], disciplinary alternative education program [DAEP]), special education contact hours may be claimed. . . . (See Section 10 Nontraditional Schools for information related to students with disabilities who are expelled from school.)</p>	<p>4.6 Interim Alternative Educational Placements . . . (e.g., in-school suspension or disciplinary alternative education program), special education contact hours may be claimed. . . . (See 10.10 Disciplinary Removals of Students With Disabilities for more information on disciplinary removals of students with disabilities.)</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.6 Instructional Arrangement/Setting Codes The ARD committee’s determination of the appropriate educational placement for implementing a student’s IEP must be based on the individual needs of the student. If the support services are provided to the student in the general education classroom, the instructional setting code is <i>mainstream</i>. If, however, the support services are provided outside of the general education classroom, the instructional setting code is based on the amount of time for which or the setting where the services are provided.</p> <p>[BOXED TEXT MOVED TO NEW 4.7.10.]</p> <p>Student Detail Reports must contain an instructional arrangement/setting code for any student receiving special education and related services. A student may be funded for only one instructional setting for special education at any given time. Speech therapy may be combined with any other instructional setting. Use</p>	<p>4.7 Instructional Arrangement/Setting Codes This subsection provides a description of each instructional arrangement/setting as well as the numeric code that is used to report that arrangement/setting in the local attendance accounting system and in the PEIMS. (See code table C035, PEIMS Data Standards, available at http://www.tea.state.tx.us/peims/.)</p> <p>Student Detail Reports must contain an instructional arrangement/setting code for any student receiving special education and related services. A student may be funded for only one instructional arrangement/setting for special education at any given time. However, speech therapy may be combined with any other</p>

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		<p>the following definitions in determining the appropriate instructional arrangement/setting code (Code Table C035, PEIMS <i>Data Standards</i>).</p> <p>Note: Base the determination of instructional arrangement/setting codes on the percentage of the instructional day that the student receives direct, regularly scheduled special education and related services, as required in a student's IEP, not on the student's disability. For the purpose of determining a student's instructional arrangement/setting code, the instructional day is defined as that portion of the school day in which instruction takes place (not to include lunch, recess, passing periods, etc.).</p> <p>A student's ARD committee must review the student's IEP, including his or her instructional arrangement/setting code, at least annually.</p>	<p>instructional setting.⁵¹</p> <p>A student's ARD committee is responsible for determining the appropriate educational placement, including the appropriate instructional arrangement/setting, for implementing a student's IEP. The committee's determination must be based on the individual needs of the student in accordance with federal and state laws, rules, and regulations.</p> <p>In developing a student's IEP, the ARD committee should base the determination of the appropriate instructional arrangement/setting code for the student on the percentage of the instructional day that the student receives direct, regularly scheduled special education and related services, as required in the student's IEP, not on the student's disability. For the purpose of determining a student's instructional arrangement/setting code, the instructional day is defined as that portion of the school day in which instruction takes place (not to include lunch, recess, passing periods, etc.). For guidance on instructional arrangement/setting codes 41–44 and determining the percentage of the instructional day that a student is provided special education services, see 4.7.13 Additional Guidelines for Instructional Arrangement/Setting Codes 41–44.</p> <p>A student's ARD committee must review the student's IEP, including his or her instructional arrangement/setting code, at least annually.</p> <p>The instructional arrangement/setting codes are as follows: [INSTRUCTIONAL ARRANGEMENT/SETTING CODE "TABLE OF CONTENTS."]</p>

⁵¹ In Texas, speech-language therapy services are considered an instructional service. This means that speech therapy can be a stand-alone service (student does not receive any other service that is provided through an instructional arrangement/setting). Speech therapy can also be a related service (student receives speech therapy in addition to a service that is provided through an instructional arrangement/setting).

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Section 4 Special Education	Revision and Addition	<p>4.6.1 Code 00 - No Instructional Arrangement/Setting This code indicates that although the student receives some special education services (such as speech therapy), an instructional setting is not appropriate. A student receiving speech therapy services must have the speech therapy indicator code recorded on the Student Detail Report. (See 4.8 Speech-Language Pathology Services (Speech Therapy) and Speech Therapy Indicator Codes for guidance and specific instructions regarding speech therapy services.)</p> <p>This instructional arrangement/setting code applies to a student receiving speech therapy, whether the therapy is provided in the general education classroom or in a pull-out setting. If a student with disabilities receives special education and related services in addition to speech therapy, the code 00 is not used, and the speech therapy indicator code is reported as 2.</p>	<p>4.7.1 Code 00 - No Instructional Arrangement/Setting This code indicates that a student is receiving speech therapy services and an instructional arrangement/setting (e.g., mainstream, resource room) is not appropriate. It may be used for a student who receives only speech therapy or for a student who receives speech therapy as well as one or more other special education related services⁵² (i.e., supportive services that do not constitute instructional services, such as occupational therapy or physical therapy). Code 00 may be used regardless of whether the speech therapy is provided in the general education classroom or in a pull-out setting.</p> <p>Code 00 should not be used for any student who does not receive speech therapy.</p> <p>Code 00 also should not be used for any student who receives speech therapy services but for whom an instructional arrangement/setting is appropriate. (If a student is served through an instructional arrangement/setting and receives speech therapy, the student should be reported with the code for that arrangement/setting [not with 00] and with a speech therapy indicator code of 2.)</p> <p>A student whose instructional arrangement/setting code is 00 must have a speech therapy indicator code of 1. See 4.8 Speech-Language Pathology Services (Speech Therapy) and Speech Therapy Indicator Codes for guidance and specific instructions regarding speech therapy services.</p> <p>For coding examples, see 4.18.10 Speech Therapy Indicator Code 1 Examples.</p>

⁵² For information on related services, see the TEA State Guidance: Related Services page at <http://www.tea.state.tx.us/index2.aspx?id=2147496881>.

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Section 4 Special Education	Revision and Addition	<p>4.6.2 Code 01 - Homebound</p> <p>To be placed in the special education homebound instructional arrangement/setting, a student with a disability must meet the following three criteria:</p> <ul style="list-style-type: none"> • The student is expected to be confined . . . • The student is confined . . . • The student's medical condition is documented by a physician licensed⁵³ to practice in the United States. <p>The student's ARD committee determines the amount of services to be provided to the student in this instructional arrangement/setting.</p>	<p>4.7.2 Code 01 - Homebound</p> <p>To be placed in the special education homebound instructional arrangement/setting, a student aged 6 years or older must meet the following four criteria:</p> <ul style="list-style-type: none"> • The student is eligible for special education and related services as determined by an ARD committee. • The student is expected to be confined . . . • The student is confined . . . • The student's medical condition is documented by a physician licensed⁵⁴ to practice in the United States. <p>Infants and toddlers from birth through age 2 may be placed in the homebound instructional arrangement/setting if their IFSP committees determine that placement is appropriate. Students aged 3 through 5 years may be placed in the homebound instructional arrangement/setting if their ARD committees determine that placement is appropriate.⁵⁵</p> <p>A student's IFSP or ARD committee determines the amount of services to be provided to the student in this instructional arrangement/setting.</p> <p>A student aged 6 or older who meets the four criteria above does not need to meet the criteria in the federal definition for other health impairment (OHI) to be eligible for homebound services. Neither does a student under the age of 6 for whom an ARD or IFSP committee has determined that the homebound instructional arrangement/setting is appropriate.</p> <p>For information on the General Education Homebound program, which is a program for providing instruction to general education students who are confined at home or hospital bedside, see 3.7 General Education Homebound (GEH).</p> <p>For information on remote homebound instruction, see 11.10.4 Remote Homebound Instruction—Special Education Students.</p>

⁵³ You . . . Throughout Section 4.6.2 and other parts of Section 4 . . .

⁵⁴ You . . . Throughout Subsection 4.7.2 and other parts of Section 4 . . .

⁵⁵ 19 TAC §89.63(c)(2)(B)

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Section 4 Special Education	Revision	<p>4.6.2.1 Homebound Notes In making . . . However, the licensed physician’s note/information should not be the sole . . .</p> <p>The teacher serving a student at home . . . core academic subject area. However, the homebound teacher does not have to be highly qualified (but must be a special education teacher) if the homebound teacher is not the teacher of record and . . . See 4.13 Teacher Requirements and . . .</p> <p>A student served in the special education homebound instructional arrangement/setting retains the same ADA eligibility code he or she had before . . .</p> <p>A student cannot be expelled into the homebound instructional arrangement/setting (see 10.12 Disciplinary Removals of Students With Disabilities for detailed information . . . services).</p> <p>A student otherwise eligible for special education services who meets the three criteria above does not need to meet the criteria in the federal definition for other health impairment (OHI) to be eligible for homebound services. [INFORMATION IN THIS PARAGRAPH MOVED TO INTRODUCTION FOR NEW 4.7.2.]</p>	<p>4.7.2.1 Homebound Notes In making . . . However, the licensed physician’s information should not be the sole . . .</p> <p>The teacher serving a student at home . . . core academic subject areas. However, the homebound teacher does not have to be highly qualified (but must be a certified special education teacher) if the homebound teacher is not the teacher of record and . . . See 4.17 Teacher Requirements and . . .</p> <p>A student aged 6 years or older who is served in the special education homebound instructional arrangement/setting retains the same ADA eligibility code he or she had before . . .</p> <p>The placement of a student who is expelled cannot be changed to the homebound instructional arrangement/setting (see 10.10 Disciplinary Removals of Students With Disabilities for detailed information . . . services).</p> <p>For homebound coding examples, see 4.18.1 Code 01 - Homebound Examples.</p>
Section 4 Special Education	Deletion	<p>4.6.2.2 Homebound Services for Students With Chronic Illness/Acute Health Problems The federal definition for OHI found in 34 CFR, §300.8(c)(9)(i)(ii), states, "Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that —</p> <ol style="list-style-type: none"> 1. is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and 2. adversely affects a child’s educational performance. <p>Any student with a chronic illness/acute health problem who is placed in the special education homebound instructional arrangement/setting must —</p> <ul style="list-style-type: none"> • meet eligibility for OHI as a result of having a chronic illness 	[DELETED]

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		<p>or acute health problem(s),</p> <ul style="list-style-type: none"> • have a chronic illness or acute health problem that adversely affects the student's educational performance as determined by the ARD committee, • be expected to be confined for any period of time totaling at least 4 weeks throughout the school year, and • have a medical condition that is documented by a licensed physician. <p>For those students who have a chronic illness/acute health problem and are expected to be confined at home or hospital bedside but do not meet eligibility criteria for special education services, see 3.7 General Education Homebound (GEH) for GEH eligibility criteria.</p>	
Section 4 Special Education	Revision	<p>4.6.2.3 Homebound Services and Pregnancy Related Services (PRS) See 9.12 PRS and Special Education Services (SPED) for detailed information on serving pregnant students through PRS and/or special education.</p>	<p>4.7.2.2 Homebound Services and Pregnancy Related Services (PRS) See 9.12 PRS and Special Education Services (SPED) for detailed information on serving pregnant students through the PRS and/or special education program.</p>
Section 4 Special Education	Revision	<p>4.6.2.4 Homebound Services for Infants and Toddlers With AI/VI Infants and toddlers (children who are 0 to 2 years of age) with auditory impairments or visual impairments or both may receive homebound instruction as determined by the Individualized Family Services Plan (IFSP) team (see 4.9.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services and 4.9.2 Infants Receiving Auditory Impairment (Deaf) Services later in this section for detailed information).</p>	<p>4.7.2.3 Homebound Services for Infants and Toddlers With Auditory or Visual Impairments or Both Infants and toddlers (children from birth through 2 years of age) with auditory impairments or visual impairments or both may receive homebound instruction as determined by the IFSP team. See 4.10.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services and 4.10.2 Infants Receiving Auditory Impairment (Deaf) Services for detailed information.</p>
Section 4 Special Education	Revision and Addition	<p>4.6.2.5 Preschool Programs for Children with Disabilities (PPCD) and Homebound Services The ARD committee may place preschool students (3 to 5 years of age) with disabilities in the homebound instructional arrangement (see 4.9.6 Preschool Program for Children With Disabilities later in this section for detailed information).</p>	<p>4.7.2.4 Preschool Programs for Children with Disabilities and Homebound Services Students aged 3 through 5 years for whom the ARD committee has determined that homebound is the appropriate instructional arrangement/setting should be reported with a grade level of EE (early education) and with the ADA eligibility code shown in the following table: [MOST OF THE TEXT OF THIS SENTENCE PREVIOUSLY APPEARED IN PREVIOUSLY EXISTING 4.9.9.]</p> <p>[TABLE SHOWING ADA ELIGIBILITY CODING FOR STUDENTS RECEIVING PPCD SERVICES IN THE HOMEBOUND SETTING ADDED]</p> <p>Note: The ADA eligibility coding information in the preceding chart</p>

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			<p>does not apply to students aged 6 years or older. A student aged 6 years or older who is served in the homebound instructional arrangement/setting retains the same ADA eligibility code he or she had before receiving homebound services, regardless of how many hours the student will be served in the homebound instructional arrangement/setting.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.6.2.6 Homebound Funding and Documentation Requirements A student . . . homebound instructional setting earns . . . served at home by . . . Use the following chart . . .</p> <p>[TABLE]</p> <p>. . .</p> <p>The minimum documentation required in homebound logs (the attendance record maintained by a homebound teacher) is —</p> <ul style="list-style-type: none"> • the name of the homebound teacher, • the student name and . . . , • the date that the homebound teacher visited the homebound student, and • the specific time period that . . . <p>Additional documentation may be maintained as part of this record at the discretion of the local education agency. This documentation may include, but is not limited to, mileage records for the homebound teacher and information on subjects that were taught as part of the homebound instruction.</p>	<p>4.7.2.5 Homebound Funding and Homebound Documentation Requirements A student . . . homebound instructional arrangement/setting earns . . . served at home or hospital bedside by . . . Use the following chart . . .</p> <p>[TABLE]</p> <p>. . .</p> <p>The minimum documentation required in a homebound log (the attendance record maintained by a homebound teacher or provider of related services) is the following:</p> <ul style="list-style-type: none"> • the name of the homebound teacher or related service provider, • the student name and . . . , • the date that the homebound teacher or related service provider visited the homebound student, and • the specific time period that . . . <p>Additional documentation may be maintained as part of this record at the discretion of the district. This documentation may include, but is not limited to, mileage records for the homebound teacher or related service provider and information on subjects that were taught as part of the homebound instruction.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.6.2.7 Test Administration and the Homebound Instructional Arrangement/Setting A student . . . homebound instructional setting may earn . . . when a certified special education instructor administers . . .</p> <p>A student being . . .</p> <p>If the . . . testing requires less than 1 hour, then the certified special education instructor must complete the hour . . . For example, . . .</p>	<p>4.7.2.6 Test Administration and the Homebound Instructional Arrangement/Setting A student . . . homebound instructional arrangement/setting may earn . . . when a certified special education teacher administers . . .</p> <p>A student being . . .</p> <p>If the . . . testing requires less than 1 hour, then the certified special education teacher must complete the hour . . . For example, . . .</p>

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		<p>exam. The student must . . .</p> <p>A student receiving services in the special education homebound instructional setting who returns to his or her campus to take required state assessments must have a medical release from a licensed physician to do so.</p> <p>(See 4.14.1 Code 01 - Homebound Examples.)</p>	<p>exam. The student must receive . . .</p> <p>A student receiving services in the special education homebound instructional arrangement/setting who returns to his or her campus to take required state assessments must have a medical release from a licensed physician to do so. The time spent on campus taking required state assessments cannot count as any part of the number of hours of homebound service for eligible days present.</p> <p>(See 4.18.1 Code 01 - Homebound Examples.)</p>
Section 4 Special Education	Revision	<p>4.6.2.8 Transition From Homebound to the Classroom ...</p> <p>During the transition period, students are to be served in the homebound instructional setting for the period . . .</p>	<p>4.7.2.7 Transition From Homebound to the Classroom ...</p> <p>During the transition period, students are to be served in the homebound instructional arrangement/setting for the period . . .</p>
Section 4 Special Education	Revision	<p>4.6.2.9 Transitioning Students With Chronic Illness Between Homebound and the Classroom</p> <p>A student with a chronic illness or acute health problem that is a long-term condition that requires the student to be in the homebound instructional setting for at least 4 weeks will generate contact hours based on the following:</p> <ul style="list-style-type: none"> • ... <p>During the transition period, students are to be served in the homebound instructional setting for the period . . .</p>	<p>4.7.2.8 Transitioning Students With Chronic Illness Between Homebound and the Classroom</p> <p>A student with a chronic illness or acute health problem that is a long-term condition that requires the student to be in the homebound instructional arrangement/setting for at least 4 weeks will generate contact hours based on the following:</p> <ul style="list-style-type: none"> • ... <p>During the transition period, students are to be served in the homebound instructional arrangement/setting for the period . . .</p>
Section 4 Special Education	Revision	<p>4.6.2.10 Students With a Recurring Chronic or Acute Health Condition</p> <p>A student . . . the homebound instructional setting . . . contact hours based on the following:</p> <ul style="list-style-type: none"> • Students moving back and forth between the homebound instructional setting and a school-based placement must be coded homebound for those days they are in the homebound instructional setting subject to the homebound funding chart. • ... <p>[TABLE]</p> <p>...</p>	<p>4.7.2.9 Students With a Recurring Chronic or Acute Health Condition</p> <p>A student . . . the homebound instructional arrangement/setting . . . contact hours based on the following:</p> <ul style="list-style-type: none"> • Students moving back and forth between the homebound instructional arrangement/setting and a school-based placement must be coded homebound for those days they are in the homebound instructional arrangement/setting subject to the homebound funding chart. • ... <p>[TABLE:</p> <p>TABLE TITLE ADDED: Attendance Accounting Information Related to</p>

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			<p>Students With a Recurring Chronic or Acute Health Condition</p> <p>ALL INSTANCES OF "instructional setting" CHANGED TO "instructional arrangement/setting."]</p> <p>...</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.6.2.11 Homebound: Career and Technical Education Funding Requirements</p> <p>For a homebound or hospital bedside student to earn career and technical contact hours, the student must continue to receive the same amount and type of career and technical service that he or she was receiving before being placed in the homebound instructional setting. Career and technical education teachers must maintain a log to verify all contact hours with homebound/hospital bedside students.</p>	<p>4.7.2.10 Homebound: Career and Technical Education (CTE) Funding Requirements</p> <p>For a student who receives homebound services to earn CTE contact hours, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the homebound instructional arrangement/setting. CTE teachers must maintain a log to verify all contact hours with students.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.6.3 Code 02 - Hospital Class</p> <p>This . . . A student with a disability who is served in but not residing in the facility is considered to be in an <i>off home campus</i> instructional setting. If . . . hospital class.</p> <p>4.6.3.1 Hospital Class: Career and Technical Education Funding Requirements</p> <p>For a hospital class student to earn career and technical contact hours, the student must continue to receive the same amount and type of career and technical service that he or she was receiving before being placed in the hospital class instructional setting. Career and technical education teachers must maintain a log (see 4.6.2.6 Homebound Funding and Documentation Requirements) to verify all contact hours with hospital class students.</p>	<p>4.7.3 Code 02 - Hospital Class</p> <p>This . . . A student with a disability who is served in but not residing in the facility is considered to be in an <i>off home campus</i> instructional arrangement/setting. If . . . hospital class.</p> <p>For hospital class coding examples, see 4.18.2 Code 02 - Hospital Class Examples.</p> <p>4.7.3.1 Hospital Class: CTE Funding Requirements</p> <p>For a hospital class student to earn CTE contact hours, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the hospital class instructional arrangement/setting. CTE teachers must maintain a log (see 4.7.2.5 Homebound Funding and Homebound Documentation Requirements) to verify all contact hours with hospital class students.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>[SUBSECTION THAT WAS 4.6.4 (RE: RESIDENTIAL CARE AND TREATMENT FACILITY) IS NOW NEW SUBSECTION 4.7.19.]</p>	<p>—</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>[SUBSECTION THAT WAS 4.6.5 (RE: STATE SUPPORTED LIVING CENTERS) IS NOW NEW SUBSECTION 4.7.5.]</p>	<p>—</p>
<p>Section 4</p>	<p>Revision</p>	<p>4.6.9 Code 08 - Vocational Adjustment Class (VAC)</p>	<p>4.7.4 Code 08 - Vocational Adjustment Class (VAC)</p>

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Special Education		<p>This . . .</p> <p>This . . . only after your school district's career and technical classes have been considered and determined inappropriate for the student.</p> <p>This code applies to a student in paid full-time or part-time employment, as documented in the IEP. This instructional setting code should not be confused with general career and technical education classes that are offered by your district.</p> <p>A student . . . , including general career and technical education and career and technical education for the disabled (CTED) classes. However, . . . hours.</p>	<p>This . . .</p> <p>This . . . only after your school district's CTE classes have been considered and determined inappropriate for the student by the student's ARD committee.</p> <p>This code applies to a student in paid full-time or part-time employment, as documented by the ARD committee in the student's records. This instructional arrangement/setting code should not be confused with general CTE classes that are offered by your district.</p> <p>A student . . . , including general CTE and career and technical education for the disabled (CTED) classes. However, . . . hours.</p> <p>For a VAC coding example, see 4.18.3 Code 08 - Vocational Adjustment Class (VAC) Example.</p>
Section 4 Special Education	Revision	<p>4.6.5 Code 30 - State Supported Living Centers</p> <p>This . . .</p> <p>4.6.5.1 Career and Technical Contact Hours for Students in State Supported Living Centers</p> <p>For a student in a state supported living center to earn career and technical contact hours, the student must continue to receive the same amount and type of career and technical service that he or she was receiving before being placed in the state supported living center instructional setting. Career and technical education teachers must . . .</p>	<p>4.7.5 Code 30 - State Supported Living Centers</p> <p>This . . .</p> <p>4.7.5.1 CTE Contact Hours for Students in State Supported Living Centers</p> <p>For a student in a state supported living center to earn CTE contact hours, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the state supported living center instructional arrangement/setting. CTE teachers must . . .</p>
Section 4 Special Education	Revision	<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 Supported Living Center</p> <p>Per 20 United States Code, §1412, . . .</p> <p>. . .</p> <p>The following table . . . services from local education agencies (LEAs).</p> <p>[TABLE]</p>	<p>4.7.6 Applicable Federal Law and Additional Guidance Regarding the Location of Services for Students Currently Residing in a Hospital, Residential Facility, or State Supported Living Center</p> <p>Per 20 United States Code, §1412, . . .</p> <p>. . .</p> <p>The following table . . . services from school districts.</p> <p>[TABLE:</p>

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		<p>*The answer will be “no” . . . facility site. In certain . . . from the RF. In those . . .</p> <p>**Local LEA campus indicates . . .</p> <p>Placement . . .</p>	<p>TABLE TITLE ADDED: Coding for Students With Disabilities Residing in a Hospital or Care and Treatment Facility and Receiving Education Services From Local School District</p> <p>ALL INSTANCES OF "LEA" CHANGED TO "district."]</p> <p>*The answer will be “no” . . . facility site. In certain . . . from the residential facility. In those . . .</p> <p>**Local district campus indicates . . .</p> <p>Placement . . .</p>
Section 4 Special Education	Revision	[SUBSECTION THAT WAS 4.6.7 (RE: RESOURCE ROOM/SERVICES) IS NOW NEW SUBSECTION 4.7.11.]	—
Section 4 Special Education	Revision	[SUBSECTION THAT WAS 4.6.8 (RE: SELF-CONTAINED, MILD/MODERATE/SEVERE, REGULAR CAMPUS) IS NOW NEW SUBSECTION 4.7.12.]	—
Section 4 Special Education	Revision	4.6.17 Code 31 – Home-Based Instruction See 4.9.3 Infants (Birth Through 2 Years of Age) Receiving Home-Based Instruction.	4.7.7 Code 31 - Home-Based Instruction See 4.10.3 Infants (Birth Through 2 Years of Age) Receiving Home-Based Instruction.
Section 4 Special Education	Revision	4.6.18 Code 32 – Center-Based Instruction See 4.9.4 Infants (Birth Through 2 Years of Age) Receiving Center-Based Instruction.	4.7.8 Code 32 - Center-Based Instruction See 4.10.4 Infants (Birth Through 2 Years of Age) Receiving Center-Based Instruction.
Section 4 Special Education	Revision	4.6.19 Code 34 – Other Environment See 4.9.5 Infants (Birth Through 2 Years of Age) Receiving Services in Other Environment.	4.7.9 Code 34 - Other Environment See 4.10.5 Infants (Birth Through 2 Years of Age) Receiving Services in Other Environment.
Section 4 Special Education	Revision	4.6.11 Code 40 - Special Education Mainstream This . . . special education and related services in the general classroom . . . The term <i>special education</i> means specially designed instruction, at no cost to parents, to meet the unique needs . . . <i>Specially designed instruction</i> means content, methodology, or delivery of instruction that has been adapted, as appropriate to the needs of an eligible child, to — <ul style="list-style-type: none"> • . . . 	4.7.10 Code 40 - Special Education Mainstream This . . . special education and related services in the general education classroom . . . The term "special education" means specially designed instruction, at no cost to parents, to meet the unique needs . . . "Specially designed instruction" means content, methodology, or delivery of instruction that has been adapted, as appropriate to the needs of an eligible child, to: <ul style="list-style-type: none"> • . . .

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		<p>To claim funding for special education and related services for a student, the ARD committee must document in the IEP the specially designed instruction that the certified special education personnel will provide.</p> <p>Monitoring student progress in and of itself does not constitute a special education service.</p> <p>4.6.11.1 Requirements For a student to be coded with an instructional setting code of 40 (Special Education Mainstream), the student must have —</p> <ul style="list-style-type: none"> • Special . . . • An IEP . . . • Qualified special education personnel involved in the implementation of the student’s IEP through the provision, on at least a weekly basis, of direct, indirect, and/or support services — <ul style="list-style-type: none"> ○ . . . 	<p>Examples of special education and related services⁵⁶ provided to a student in the mainstream instructional arrangement/setting include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/accommodations, special materials/equipment, consultation with the student and his or her general classroom teacher(s), staff development, and reduction of ratio of students to instructional staff.</p> <p>For mainstream coding examples, see 4.18.4 Code 40 - Mainstream Examples.</p> <p>4.7.10.1 Requirements For a student to be coded with an instructional arrangement/setting code of 40 (special education mainstream), the student must have:</p> <ul style="list-style-type: none"> • special . . . • an IEP . . . • qualified special education personnel involved in the implementation of the student’s IEP through the provision of direct, indirect, and/or support services: <ul style="list-style-type: none"> ○ . . . <p>Monitoring student progress in and of itself does not constitute a special education service. If certified special education personnel are only monitoring student progress, mainstream special education funding cannot be generated.</p> <p>BOXED INFORMATION [PREVIOUSLY APPEARED IN INTRODUCTION TO WHAT WAS 4.6 Instructional Arrangement/Setting Codes]: Requirements Related to Teachers Providing Instruction in Mainstream Settings: A student with a disability receives specially designed instruction. The specially designed instruction documented in the IEP is provided by special education personnel. One teacher, even if dually certified, may not serve in both a general education and a special education role simultaneously when serving students in grades K–12. Students with disabilities who are aged 3 or 4 years may have an instructional arrangement/setting code of 40, mainstream, if special education services are provided in classroom settings with nondisabled peers. The only context in which a dually certified</p>

⁵⁶ For information on related services specifically, see the TEA State Guidance: Related Services page at <http://www.tea.state.tx.us/index2.aspx?id=2147496881>.

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			teacher may serve in both a general education and a special education role is in an early childhood program for students aged 3 or 4 years .
Section 4 Special Education	Revision	4.6.11.2 Special Education Mainstream and Speech Therapy Mainstream students can receive speech therapy. Please refer to . . .	4.7.10.2 Special Education Mainstream and Speech Therapy Students with an instructional arrangement/setting of mainstream can receive speech therapy. Please refer to . . .
Section 4 Special Education	Revision	<p>4.6.11.3 Preschool Programs for Children With Disabilities (PPCD) and Mainstream Instructional Settings/Arrangements</p> <p>[INFORMATION IN SUBSECTION THAT WAS 4.6.11.3.1 (RE: COMMUNITY-BASED PRESCHOOL) NOW APPEARS AS A PART OF NEW 4.7.20.1 Off Home Campus Categories.]</p> <p>4.6.11.3.2 School-Based Preschool, Staff and/or Community Access (3- Through 5-Year-Olds): If your school district establishes a preschool education program to serve preschool-aged children regardless of eligibility or other criteria, your district may use the mainstream code for a student in the program who receives special education services (other than speech therapy) in the general classroom. However, . . . For the student to generate contact hours, a certified special education teacher must provide services under the 2-through-4-hour rule as applicable to meet the individual needs of the student. (Refer to 3.2 General Requirements for Eligibility for Attendance/Foundation School Program (FSP) Funding.)</p> <p>4.6.11.3.3 Prekindergarten Program: A preschool student who meets eligibility requirements for prekindergarten (PK) and special education services and is receiving special education services in the PK classroom may be coded mainstream, provided that the majority of students in his or her class are students who are not receiving special education services. For the student to generate contact hours, a certified special education teacher must provide services to the student under the 2-through-4-hour rule as applicable to meet the individual needs of the student. (Refer to subsections 3.2 General Requirements for Eligibility for Attendance/Foundation School Program (FSP) Funding and 7.5.2 Students Served Through Special Education and PK Who Are Not PK Eligible.)</p> <p>A preschool student who does not meet eligibility requirements for PK but is eligible for special education services and is receiving special</p>	<p>4.7.10.3 Preschool Programs for Children With Disabilities and Mainstream Instructional Arrangements/Settings</p> <p>—</p> <p>4.7.10.3.1 District-Operated Preschool or Child Care Center, Staff and/or Community Access (3- Through 5-Year-Olds): If your school district establishes a preschool education program or child care center to serve preschool-age children regardless of eligibility or other criteria, your district may use the mainstream code for a student in the program who receives special education services (other than speech therapy) in the general classroom. However, . . . For the student to generate ADA and weighted funding, a certified special education teacher must provide services under the 2-through-4-hour rule as applicable to meet the individual needs of the student. See 4.9.6 PPCD Services and Students Served in a District-Operated Preschool or Child Care Facility for more information.</p> <p>4.7.10.3.2 Prekindergarten (PK) Program: A preschool-age student who meets eligibility requirements for PK and special education services and is receiving special education services in the PK classroom may be coded mainstream, provided that the majority of students in his or her class are students who are not receiving special education services. For the student to generate weighted funding, a certified special education teacher must provide services to the student under the 2-through-4-hour rule as applicable to meet the individual needs of the student.</p> <p>A preschool-age student who does not meet eligibility requirements for PK but is eligible for special education services and is receiving</p>

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		<p>education services in the PK classroom may not be coded mainstream (see subsequent paragraphs and the charts in 4.2.10 PEIMS Coding Charts when determining special education coding for students 3 through 5 years of age).</p> <p>4.6.11.3.4 Head Start Program: Your school district and a Head Start program should provide collaborative services as documented in a memorandum of understanding between the two entities. A preschool student who meets eligibility requirements for Head Start and is receiving special education services in a collaborative . . . services. [FIRST SENTENCE OF THIS PARAGRAPH NOW APPEARS IN NEW 4.9.5.]</p>	<p>special education services in the PK classroom may not be coded mainstream.</p> <p>See 4.9.3 PPCD Services and PK Programs for more information.</p> <p>4.7.10.3.3 District-Operated Head Start Program: A preschool-age student who meets eligibility requirements for Head Start and is receiving special education services in a collaborative . . . services. See 4.9.5 PPCD Services and Head Start for more information.</p>
Section 4 Special Education	Revision and Deletion	<p>4.6.11.4 Mainstream Notes</p> <p>4.6.11.4.1 Examples: Examples of special education and related services provided to a student in the mainstream instructional arrangement/setting include, but are not limited to, direct instruction, helping teacher, team teaching, co-teaching, interpreter, education aides, curricular or instructional modifications/ accommodations, special materials/equipment, consultation with the student and his/her general classroom teacher(s), staff development, and reduction of ratio of students to instructional staff.</p> <p>4.6.11.4.2 Funding: For a student to generate mainstream special education funding, certified special education personnel must provide direct, indirect, and/or support services (including consultation services) on a weekly basis as outlined in the student’s IEP.</p> <p>If certified special education personnel are only monitoring student progress, mainstream special education funding cannot be generated.</p> <p>[INFORMATION IN THESE SUBSECTIONS MOVED TO INTRODUCTION FOR NEW 4.7.10 AND TO NEW 4.7.10.1. FIRST SENTENCE IN WHAT WAS 4.6.11.4.2 Funding DELETED BECAUSE ITS INFORMATION WAS ALREADY PROVIDED IN NEW 4.7.10.1.]</p>	[MOVED/DELETED]
Section 4 Special Education	Revision	<p>4.6.7 Code 41 or 42 - Resource Room/Services This . . . for less than 50% of the student’s school day.</p> <p>Code 41 . . . for less than 21% of the student's school day.</p>	<p>4.7.11 Code 41 or 42 - Resource Room/Services This . . . for less than 50% of the student’s instructional day.</p> <p>Code 41 . . . for less than 21% of the student's instructional day.</p>

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		<p>Code 42 . . . for at least 21% but less than 50% of the student's school day. Code 42 is also used to report a 3- or 4-year-old student in a PK classroom who is ineligible for PK services, provided that the PK and special education teachers are teaching concurrently for the entire half day (if the student is being reported as eligible for half-day attendance) or the entire day (if the student is being reported as eligible for full-day attendance).</p> <p>Code 41 or 42 is used for a student who is receiving related services in the special education class provided that the student is pulled out of the general education class . . .</p> <p>Note that if a student is pulled out of general education classes to receive special education services and speech therapy, the appropriate resource room code is used, and the speech therapy indicator code is reported as 2. If the student is a 3- or 4-year-old student in a PK classroom and is ineligible for PK services, code 42 is used even if the student is not pulled out of the classroom to receive special education and related services.</p> <p>Codes 41 and 42 should not be used for a student receiving special education services solely in a general education class, with the exception of 3- and 4-year-old students described above related to code 42.</p> <p>A student whose only special education service is speech therapy should be coded with an instructional arrangement/setting code of 00 and a speech therapy indicator code of 1 (see the examples under 4.14.10 Speech Therapy Indicator Code 1 Examples).</p>	<p>Code 42 . . . for at least 21% but less than 50% of the student's instructional day.</p> <p>Code 41 or 42 is used for a student who is receiving related services in the special education class provided that the student is pulled out of the general education class . . .</p> <p>Note that if a student is pulled out of general education classes to receive special education services and speech therapy, the appropriate resource room code is used, and the speech therapy indicator code is reported as 2.</p> <p>BOXED INFORMATION: Codes 41 and 42 should not be used for a student receiving special education services solely in a general education class, with the following exception: Code 42 is also used to report a 3- or 4-year-old student who is receiving special education services solely in a general education PK classroom and who is ineligible for PK services, provided that the PK and special education teachers are teaching concurrently for the entire half day (if the student is being reported as eligible for half-day attendance) or the entire day (if the student is being reported as eligible for full-day attendance).</p> <p>For guidance on determining the percentage of the instructional day that a student is provided special education services, see 4.7.13 Additional Guidelines for Instructional Arrangement/Setting Codes 41–44. For coding examples, see 4.18.5 Codes 41 and 42 - Resource Room/Services Examples. For coding examples specific to 3- or 4-year-old students who are ineligible for PK but are provided special education services solely in a general education PK classroom, see the chart in 4.9.3 PPCD Services and PK Programs.</p>
Section 4 Special Education	Revision	<p>4.6.8 Code 43 or 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus</p> <p>This instructional arrangement/setting is used for a student who is provided special education and related services and is in a self-</p>	<p>4.7.12 Code 43 or 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus</p> <p>This instructional arrangement/setting code is used for a student who is provided special education and related services and is in a</p>

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		<p>contained program for 50% or more of the student’s school day, on a regular school campus.</p> <p>Code 43 indicates a student is provided special education and related services and is in a self-contained program at least 50% but no more than 60% of the student’s school day, on a regular school campus.</p> <p>Code 44 indicates a student is provided special education and related services and is in a self-contained program more than 60% of the student’s school day, on a regular school campus.</p>	<p>self-contained class or classes for 50% or more of the student’s instructional day, on a regular school campus.</p> <p>Code 43 indicates a student is provided special education and related services and is in a self-contained class or classes at least 50% but no more than 60% of the student’s instructional day, on a regular school campus.</p> <p>Code 44 indicates a student is provided special education and related services and is in a self-contained class or classes more than 60% of the student’s instructional day, on a regular school campus.</p> <p>For guidance on determining the percentage of the instructional day that a student is provided special education services, see the following subsection. For coding examples, see 4.18.6 Codes 43 and 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus Examples.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.7 Additional Guidelines for Instructional Arrangement/Setting Codes</p> <p>The . . .</p> <p>Base a student’s . . . , as required in a student’s IEP, not on . . .</p> <p>For example, if a student is provided —</p> <ul style="list-style-type: none"> • . . . • full-time early childhood special education and related services in educational programs designed primarily for children with disabilities located on regular school campuses and the student is age 3 through 5 years of age, the instructional arrangement/setting code would be 45. <p>When determining the instructional arrangement/setting code for a</p>	<p>4.7.13 Additional Guidelines for Instructional Arrangement/Setting Codes 41–44</p> <p>The . . .</p> <p>Base a student’s . . . , as required in the student’s IEP, not on . . .</p> <p>For example, if a student is provided:</p> <ul style="list-style-type: none"> • . . . • full-time early childhood (preschool program for children with disabilities) special education and related services in educational programs designed primarily for children with disabilities located on regular school campuses and the student is 3 through 5 years of age, the instructional arrangement/setting code would be 45. <p>When determining a student’s instructional arrangement/setting code (other than mainstream), include the percentage of time allocated for speech therapy services (outside of the general education setting) in the percentage of time in the special education setting.</p> <p>When determining the instructional arrangement/setting code for a</p>

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		<p>student who attends school less than a full day, use the number of hours he or she attends as determined . . .</p> <p>4.7.1 Semester Block Scheduling If your district operates semester block scheduling, use the chart above to convert a 4-period instructional day to an 8-period instructional day, and . . .</p> <p>For example, say that in the first semester a student attends two general education classes and two special education classes. Convert the student’s 4-period instructional day to an 8-period instructional day. The . . .</p> <p>4.7.2 AB Block Scheduling Students . . . For example, if a child attends four instructional periods on Monday and four different instructional periods on Tuesday, and these 8 classes structure the instructional configuration, then coding determinations are based on the 8-period instructional day (see previous chart).</p> <p>4.7.3 Schedules in Which Instructional Periods Are Not Equal in Length If . . .</p>	<p>student who attends school less than a full day, use the number of instructional hours he or she attends as determined . . .</p> <p>4.7.13.1 Semester Block Scheduling If your district operates semester block scheduling, use the chart above to convert a four-period instructional day to an eight-period instructional day, and . . .</p> <p>For example, say that in the first semester a student attends two general education classes and two special education classes. Convert the student’s four-period instructional day to an eight-period instructional day. The . . .</p> <p>4.7.13.2 AB Block Scheduling Students . . . For example, if a child attends four instructional periods on Monday and four different instructional periods on Tuesday, and these eight classes structure the instructional configuration, then coding determinations are based on the eight-period instructional day (see previous chart).</p> <p>4.7.13.3 Schedules in Which Instructional Periods Are Not Equal in Length If . . .</p>
Section 4 Special Education	Revision	<p>4.6.12 Code 45 - Full-Time Early Childhood Special Education Setting This instructional arrangement/setting code is used for children aged 3 through 5 who . . . A student . . . If a student . . . not applicable.</p> <p>One of the off home campus codes . . . services.</p>	<p>4.7.14 Code 45 - Full-Time Early Childhood (Preschool Program for Children With Disabilities) Special Education Setting This instructional arrangement/setting code is used for children aged 3 through 5 years who . . . A student . . . If a student . . . not applicable. For a coding example, see 4.18.7 Code 45 - Full-Time Early Childhood (PPCD) Special Education Setting (FT EC SPED) Example.</p> <p>One of the off home campus codes . . . services.</p> <p>For more information on special education services for students aged 3 through 5 years, see 4.9 Preschool Programs for Children With Disabilities (PPCDs).</p>

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Section 4 Special Education	Revision	<p>4.6.16 Code 50 – Residential Nonpublic School This instructional arrangement/setting code . . . approved residential nonpublic school. A student is placed in a residential nonpublic school through the ARD process. This . . . ADA or contact hours. A residential nonpublic school student should be reported with an ADA eligibility code of 0 - Enrolled, Not in Membership and an instructional setting code of 50.</p> <p>For funding purposes, . . . Residential Placement.</p>	<p>4.7.15 Code 50 - Residential Nonpublic School This instructional arrangement/setting code . . . approved residential nonpublic school. ⁵⁷ A student is placed in a residential nonpublic school through the ARD committee process. This . . . ADA or contact hours. A residential nonpublic school student should be reported with an ADA eligibility code of 0 - Enrolled, Not in Membership.</p> <p>For funding purposes, . . . Residential Placement. For more information, see the TEA Special Education Funding page at http://www.tea.state.tx.us/index2.aspx?id=2147493439&menu_id=934&menu_id2=941.</p>
Section 4 Special Education	Revision	<p>4.6.15 Code 60 – Nonpublic Day School This instructional arrangement/setting code . . . agreement with a nonpublic school approved for special education. ⁵⁸ This . . . contact hours. A nonpublic day school student should be reported with an ADA eligibility code of 0 - Enrolled, Not in Membership and an instructional arrangement/setting code of 60.</p> <p>For funding purposes, . . . Report.</p>	<p>4.7.16 Code 60 - Nonpublic Day School This instructional arrangement/setting code . . . agreement with an approved nonpublic day school. ⁵⁹ A student is placed in a nonpublic day school through the ARD committee process. This . . . contact hours. A nonpublic day school student should be reported with an ADA eligibility code of 0 - Enrolled, Not in Membership.</p> <p>For funding purposes, . . . Report. For more information, see the TEA Nonpublic Day School Programs Report page at http://www.tea.state.tx.us/index2.aspx?id=2147497536.</p>
Section 4 Special Education	Revision	<p>4.6.13 Code 70 - Texas School for the Blind and Visually Impaired ...</p>	<p>4.7.17 Code 70 - Texas School for the Blind and Visually Impaired ...</p>
Section 4 Special Education	Revision	<p>4.6.14 Code 71 – Texas School for the Deaf ...</p>	<p>4.7.18 Code 71 - Texas School for the Deaf ...</p>
Section 4 Special Education	Revision	<p>4.6.4 Code 81, 82, 83, 84, 85, 86, 87, 88, or 89 - Residential Care and Treatment Facility (Not School District Resident) This instructional arrangement/setting code is used for a student who is provided special education and related services, who has a</p>	<p>4.7.19 Code 81, 82, 83, 84, 85, 86, 87, 88, or 89 - Residential Care and Treatment Facility (Not School District Resident) This instructional arrangement/setting code is used for a student who is provided special education and related services, who has a</p>

⁵⁷ 19 TAC §89.63(c)(8); 34 CFR, §300.146 and §300.147. A list of approved nonpublic schools can be accessed from the following TEA web page:

http://www.tea.state.tx.us/index2.aspx?id=2147495614&menu_id=2147483703&menu_id2=2147483714.

⁵⁸ 19 TAC §89.63(c)(8); 34 CFR, §300.146; 34 CFR, §300.147

⁵⁹ 19 TAC §89.63(c)(8); 34 CFR, §300.146 and §300.147. A list of approved nonpublic schools can be accessed from the following TEA web page:

http://www.tea.state.tx.us/index2.aspx?id=2147495614&menu_id=2147483703&menu_id2=2147483714.

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		disability and resides in a care and treatment facility (including a licensed foster home), and whose parents do not reside within the boundaries of the school district providing educational services to the student. For this code to be used . . . local district campus. If the instruction is provided at the facility . . . <i>hospital class</i> (code 02).	disability and resides in a care and treatment facility, and whose parents do not reside within the boundaries of the school district providing educational services to the student. A residential care and treatment facility includes a licensed foster group-home but does not include a licensed foster family-home. ⁶⁰ For this code to be used . . . local district campus. If the instruction is provided at the facility . . . <i>hospital class</i> (code 02). For additional guidance, see 4.7.6 Applicable Federal Law and Additional Guidance Regarding the Location of Services for Students Currently Residing in a Hospital, Residential Facility, or State Supported Living Center.
Section 4 Special Education	Revision	4.6.4.1 Students Receiving Only Speech Therapy ...	4.7.19.1 Students Receiving Only Speech Therapy ...
Section 4 Special Education	Revision	4.6.4.2 Residential Care and Treatment Facility Categories The categories for this instructional arrangement/setting are — [LIST OF CODE NAMES AND CODE DESCRIPTIONS]	4.7.19.2 Residential Care and Treatment Facility Categories The categories for this instructional arrangement/setting are as follows: [LIST OF CODE NAMES AND CODE DESCRIPTIONS: EACH DESCRIPTION HAS BEEN PLACED IMMEDIATELY AFTER THE CODE NAME.] For coding examples, see 4.18.8 Codes 81–89 - Residential Care and Treatment Facility (Nonresident) Examples.
Section 4 Special Education	Revision and Addition	4.6.10 Code 91, 92, 93, 94, 95, 96, 97, or 98 - Off Home Campus This instructional arrangement/setting code is used for a student who is provided special education and related services and is — <ul style="list-style-type: none"> • one of a group of students from more than one school district served in a single location when a free appropriate public education is not available in the respective sending district (sending district records/reports this code in the PEIMS) or • provided instruction by school district personnel in a facility (other than a nonpublic day school) not operated by a school district or • in a self-contained program at a separate campus operated by your school district that provides only special education and related services. 	4.7.20 Code 91, 92, 93, 94, 95, 96, 97, or 98 - Off Home Campus This instructional arrangement/setting code is used only for a student who is provided special education and related services and meets one of the following criteria: <ul style="list-style-type: none"> • The student is one of a group of students from more than one school district served at a single location in another school district when a FAPE is not available in the sending district. • The student is provided instruction by school district personnel in a facility (other than a nonpublic day school) not operated by a school district. • The student is in a self-contained program at a separate campus operated by your school district that provides only special education and related services.

⁶⁰ as "foster group-home" and "foster family-home" are defined in 40 TAC §700.1321

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			<p>For a student with an off home campus instructional arrangement/setting who is served in a district other than his or her home district, there should be an agreement between the home district and the receiving district regarding the reporting of PEIMS and attendance data. If the home district reports these data, it may report the student as being enrolled in the home district, even though the student attends the entire instructional day in the receiving district. However, it is also permissible for the receiving district to report the student in the PEIMS, instead of the home district. Only one district can report PEIMS data for an individual student. The receiving district is responsible for recording student absences and attendance. The receiving district must either submit this information to the home district (if the home district is responsible for reporting PEIMS data) or enter the information (if the receiving district is responsible for reporting PEIMS data for the student).</p> <p>[INFORMATION IN THIS PARAGRAPH PREVIOUSLY APPEARED ONLY IN THE EXAMPLES FOR CODES 91–98.]</p>
<p>Section 4 Special Education</p>	<p>Revision and Addition</p>	<p>4.6.10.1 Off Home Campus Categories The categories for this instructional arrangement/setting are —</p> <p>91, off home campus - mainstream; 92, off home campus - resource room/services - less than 21%; 93, off home campus - resource room/services - at least 21% and less than 50%; 94, off home campus - self-contained, mild/moderate/severe, regular campus - at least 50% and no more than 60%; 95, off home campus - self-contained, mild/moderate/severe, regular campus - more than 60%; 96, off home campus - separate campus; 97, off home campus - community class; and 98, off home campus - full-time early childhood special education setting.</p> <p>Code 91 indicates a student is receiving mainstream services in an off-home-campus setting.</p>	<p>4.7.20.1 Off Home Campus Categories The categories for this instructional arrangement/setting are as follows:</p> <ul style="list-style-type: none"> 91, off home campus - mainstream <p>Code 91 indicates a student is receiving mainstream services in an off-home-campus setting.</p> <p>A student 3 through 5 years of age who is receiving special education services in a licensed community child care facility or preschool that is working in a collaborative partnership with your school district may be coded 91, provided that the majority of students in his or her class are students who are not receiving special education services. For the student to generate ADA and contact hours, a certified special education teacher must provide services under the 2-through-4-hour rule as applicable to meet the individual needs of the student. See 4.9.7 PPCD Services and Students Served in a Community-Based Preschool or Child Care Facility for more information.</p>

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		<p>Code 92 indicates a student is receiving resource room/services for less than 21% of the student's total instructional day in an off-home-campus setting.</p>	<ul style="list-style-type: none"> • 92, off home campus - resource room/services - less than 21%
		<p>Code 93 indicates a student is receiving resource room/services for at least 21% and less than 50% of the student's total instructional day in an off-home-campus setting.</p>	<p>Code 92 indicates a student is receiving resource room/services for less than 21% of the student's total instructional day in an off-home-campus setting.</p> <ul style="list-style-type: none"> • 93, off home campus - resource room/services - at least 21% but less than 50%
		<p>Code 94 indicates a student is receiving self-contained services for at least 50% and no more than 60% of the student's total instructional day in an off-home-campus setting.</p>	<p>Code 93 indicates a student is receiving resource room/services for at least 21% but less than 50% of the student's total instructional day in an off-home-campus setting.</p> <ul style="list-style-type: none"> • 94, off home campus - self-contained, mild/moderate/severe, regular campus - at least 50% but no more than 60%
		<p>Code 95 indicates . . .</p>	<p>Code 94 indicates a student is receiving self-contained services for at least 50% but no more than 60% of the student's total instructional day in an off-home-campus setting.</p> <ul style="list-style-type: none"> • 95, off home campus - self-contained, mild/moderate/severe, regular campus - more than 60%
		<p>Code 96 indicates . . . This code also applies to students aged 3 to 5 who . . .</p>	<p>Code 95 indicates . . .</p>
		<p>Code 97 indicates . . . This code also applies to students aged 3 to 5 who . . .</p>	<ul style="list-style-type: none"> • 96, off home campus - separate campus
			<p>Code 96 indicates . . . This code also applies to students aged 3 to 5 years who . . .</p>
			<ul style="list-style-type: none"> • 97, off home campus - community class
			<p>Code 97 indicates . . . This code also applies to students aged 3 to 5 years who . . .</p>
			<ul style="list-style-type: none"> • 98, off home campus - full-time early childhood special

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		<p>Code 98 indicates . . .</p> <p>An off-home-campus instructional arrangement/setting code should not be used when an LEA establishes . . .</p> <p>Also, . . . nonpublic day school settings (see 4.6.15 Code 60 - Nonpublic Day School).</p>	<p>education setting</p> <p>Code 98 indicates . . .</p> <p>An off-home-campus instructional arrangement/setting code should not be used when a district establishes . . .</p> <p>Also, . . . nonpublic day school settings (see 4.7.16 Code 60 - Nonpublic Day School).</p> <p>For coding examples, see 4.18.9 Codes 91–98 - Off Home Campus Examples.</p>
Section 4 Special Education	Revision	<p>4.8 Speech-Language Pathology Services (Speech Therapy) and Speech Therapy Indicator Codes</p> <p>It is permitted for speech-language pathology services to be the only special education service provided to a student. For your district to claim funding for speech-language pathology services provided to a student, the ARD committee must document in the student's IEP the specially designed instruction (see the definition of special education provided in 4.6.11 Code 40 -Special Education Mainstream) that the student's speech therapist will provide.</p> <p>Monitoring student progress does not constitute a special education service. If certified special education personnel are only monitoring student progress, contact hours cannot be generated.</p>	<p>4.8 Speech-Language Pathology Services (Speech Therapy) and Speech Therapy Indicator Codes</p> <p>In Texas, speech-language therapy services are considered an instructional service. This means that speech therapy can be a stand-alone service (student does not receive any other service that is provided through an instructional arrangement/setting and so has an instructional arrangement/setting code of 00). Speech therapy can also be a related service (student receives speech therapy in addition to a service that is provided through an instructional arrangement/setting).</p>
Section 4 Special Education	Revision	<p>4.8.1 Speech Therapy Indicator Codes</p> <p>Student Detail Reports must contain a speech therapy indicator code for any student receiving speech therapy services. Use the following information to determine the appropriate speech therapy indicator code.</p>	<p>4.8.1 Speech Therapy Indicator Codes</p> <p>Student Detail Reports must contain a speech therapy indicator code (Code Table C095, PEIMS Data Standards) for any student receiving special education services. Use the following information to determine the appropriate speech therapy indicator code.</p>
Section 4 Special Education	Revision	<p>4.8.1.1 Indicator Code 1 – Speech Therapy Only</p> <p>This code indicates that a student receives speech therapy only (Code Table C095, PEIMS <i>Data Standards</i>), regardless of the environment where the speech therapy services are provided. When the only special education service a student receives is speech therapy, the student's Student Detail Report must show an instructional arrangement/setting code of 00 and a speech therapy indicator code</p>	<p>4.8.1.1 Indicator Code 1 – Speech Therapy "Only"</p> <p>This code indicates that a student receives speech therapy only (regardless of the environment where the speech therapy services are provided)—or receives speech therapy and another special education related service⁶¹ (such as occupational therapy)—and that an instructional arrangement/setting (e.g., mainstream, resource room) is not appropriate. When the only special education</p>

⁶¹ For information on related services, see the TEA State Guidance: Related Services page at <http://www.tea.state.tx.us/index2.aspx?id=2147496881>.

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		<p>of 1.</p> <p>Note: If a student’s only special education service is speech therapy and the student receives speech therapy services in the general education classroom, an instructional arrangement/setting code of 00 and a speech therapy indicator code of 1 should be used for the student. An instructional arrangement/setting code of 40 must not be used.</p> <p>Note: A student whose only special educational service is speech therapy and who receives fewer than 2 hours (120 minutes) of any form of instruction each day is not in membership (i.e., has an ADA eligibility code of 0).</p>	<p>service a student receives is speech therapy or speech therapy and another special education related service (such as physical therapy), the student's Student Detail Report must show an instructional arrangement/setting code of 00 and a speech therapy indicator code of 1. An instructional arrangement/setting code of 40 must not be used.</p> <p>For your district to claim funding for speech-language pathology services provided to a student, the ARD committee must document in the student's IEP the services that the student's speech therapist will provide.</p> <p>Note: A student whose only special education service is speech therapy and who receives fewer than 2 hours (120 minutes) of any form of instruction each day is not in membership (i.e., has an ADA eligibility code of 0).</p> <p>For coding examples, see 4.18.10 Speech Therapy Indicator Code 1 Examples.</p>
Section 4 Special Education	Revision	<p>4.8.1.2 Indicator Code 2 – Speech Therapy With Other Services</p> <p>This code indicates that a student receives speech therapy along with service through another special education instructional setting (Code Table C095, PEIMS <i>Data Standards</i>). When a student receives speech therapy services in conjunction with other special education and/or related services, the student's Student Detail Report must show an instructional arrangement/setting code other than 00 and a speech therapy indicator code of 2, regardless of the environment where the speech therapy services are provided.</p> <p>For a student to be coded with an instructional setting code of 40 (Mainstream) and a speech therapy indicator code of 2, the student must have —</p> <ul style="list-style-type: none"> • qualified special education personnel . . . involved in the implementation of the student’s IEP through the provision, on at least a weekly basis, of direct, indirect, and/or support services — <ul style="list-style-type: none"> ○ . . . <p>When determining the primary . . . setting.</p>	<p>4.8.1.2 Indicator Code 2 – Speech Therapy With Other Services</p> <p>This code indicates that a student receives speech therapy along with other services through a special education instructional arrangement/setting (e.g., mainstream, resource room, etc.). When a student receives speech therapy services in conjunction with other special education services through an instructional arrangement/setting, the student's Student Detail Report must show an instructional arrangement/setting code other than 00 and a speech therapy indicator code of 2, regardless of the environment where the speech therapy services are provided.</p> <p>For a student to be coded with an instructional arrangement/setting code of 40 (mainstream) and a speech therapy indicator code of 2, the student must have:</p> <ul style="list-style-type: none"> • qualified special education personnel . . . involved in the implementation of the student’s IEP through the provision of direct, indirect, and/or support services: <ul style="list-style-type: none"> ○ . . . <p>When determining a student's primary . . . setting.</p>

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			For coding examples, see 4.18.11 Speech Therapy Indicator Code 2 Examples .
Section 4 Special Education	Revision	<p>4.8.1.3 Indicator Code 0 – No Speech Therapy This code indicates that a student does not receive speech therapy (Code Table C095, PEIMS <i>Data Standards</i>). When a student has an instructional arrangement of 00 and the student does not receive speech therapy services, the student's Student Detail Report must show a speech therapy indicator code of 0.</p>	<p>4.8.1.3 Indicator Code 0 – No Speech Therapy This code indicates that a student does not receive speech therapy. If a student does not receive speech therapy, the student's Student Detail Report must show a speech therapy indicator code of 0 and an instructional arrangement/setting code other than 00.</p>
Section 4 Special Education	Addition	<p>None.</p>	<p>4.9 Preschool Programs for Children With Disabilities (PPCDs) Eligible children with disabilities aged 3 through 21 years are entitled to receive a FAPE under the Individuals with Disabilities Education Act (IDEA). In Texas, school district PPCDs provide special education and related services for eligible children with disabilities aged 3 through 5 years. Any child aged 3 through 5 years who is eligible for and receiving special education and related services through a school district is considered to be receiving PPCD services.</p> <p>PPCD refers to the services provided by the school district, not to the place where they are provided. Eligible children may receive PPCD services in a variety of settings, including district settings, such as PK, resource, and self-contained classrooms, and community settings, such as community-based Head Start programs and preschools.</p> <p>A student receiving PPCD services may have a grade level of EE, PK, or K (kindergarten), depending on the student's age, the location where services are provided, and whether the student is eligible for PK.</p>
Section 4 Special Education	Revision and Addition	<p>4.2.2 Student Attending a Preschool Program for Children With Disabilities (PPCD) A PPCD is a special education service to children aged 3 through 5. A student attending a PPCD must meet the same eligibility requirements as other special education students. An admission, review, and dismissal (ARD) committee must meet and document in the student's individualized education program that the student is eligible to receive services through this program.</p>	<p>4.9.1 Eligibility for PPCD Services PPCD services are special education services provided to children aged 3 through 5 years. To receive PPCD services, a child aged 3 through 5 years must meet the same eligibility requirements as other special education students. An ARD committee must meet and document in the student's record that the student is eligible to receive services through this program.</p> <p>See 4.2 Special Education and Eligibility and 4.3 Enrollment</p>

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		<p>To meet ADA eligibility criteria, the student must be scheduled for at least 2 hours (see 4.9.6 Preschool Program for Children With Disabilities).</p>	<p><u>Procedures.</u></p> <p>4.9.2 ADA (State Funding) Eligibility for Students Receiving PPCD Services Students receiving PPCD services are eligible for ADA on the same basis as other students enrolled in your district. That is, they are subject to the 2-through-4-hour rule, based on the time the student is served.</p> <p>If the student is scheduled for and provided services for which he or she is eligible for at least 4 hours each day, the student is eligible for full-day attendance (ADA eligibility code of 1). If the student is scheduled for and provided services for which he or she is eligible for at least 2 hours but fewer than 4 hours each day, the student is eligible for half-day attendance (ADA eligibility code of 2). If the student is scheduled for and provided services for which he or she is eligible for fewer than 2 hours each day, the student is not eligible to generate ADA (ADA eligibility code of 0).</p> <p>For more information on ADA eligibility codes and the 2-through-4-hour rule, see <u>3.2.1 Average Daily Attendance (ADA) Eligibility Coding</u> and <u>3.2.2 Funding Eligibility</u>. For information specific to PPCD students who attend a PK program, see the following subsection.</p>
<p>Section 4 Special Education</p>	<p>Revision and Addition</p>	<p>4.2.7 Special Education, Prekindergarten Eligibility, and Funding When a student who is eligible for special education but not eligible for PK is served in a PK classroom, a special education teacher must be in the classroom for the entire half or full day for contact hours to be generated.</p> <p>When a student who is eligible for both special education and PK is served in a PK classroom, the student should be assigned the appropriate instructional arrangement/setting code based on the location, amount, and type of special education services provided to the student.</p>	<p>4.9.3 PPCD Services and PK Programs A student who is eligible for PPCD services may or may not be eligible for free public PK enrollment. Eligibility for free public PK programs is limited by statute.⁶² For the eligibility criteria for free PK, see <u>Section 7 Prekindergarten (PK)</u>, specifically <u>7.2 Eligibility</u>.</p> <p>When a student who is eligible for both special education and PK is served in a PK classroom, the student should be assigned the appropriate instructional arrangement/setting code based on the location, amount, and type of special education services provided to the student. The student is eligible for full-day attendance (ADA eligibility code of 1) if the student is scheduled for and receives at least 4 hours of instruction and services (i.e., receives at least 2 hours of special education services in addition to the 2 hours of PK</p>

⁶² TEC, §29.153

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		<p>When a student who is eligible for special education is served in a childcare facility, a special education teacher must provide services at the facility for the entire half or full day for contact hours to be generated.</p>	<p>program instruction). The student is eligible for half-day attendance (ADA eligibility code of 2) if the student is scheduled for and receives at least 2 hours but fewer than 4 hours of instruction or services.</p> <p>When a student who is eligible for special education but is not eligible for PK is served in a PK classroom, the student's instructional arrangement/setting code should be determined based on the information in the chart on the following page. The student's ADA eligibility is determined by the amount of time that the student is provided special education services each day. The student is eligible for full-day attendance (ADA eligibility code of 1) if the student is scheduled for and receives at least 4 hours of special education services each day. The student is eligible for half-day attendance (ADA eligibility code of 2) if the student is scheduled for and receives at least 2 hours but fewer than 4 hours of special education services each day.</p> <p>When a student who is eligible for special education but not eligible for PK is served in a PK classroom, a special education teacher must be in the classroom for the student's entire instructional day for ADA and weighted funding to be generated.</p> <p>For coding examples, see the chart on the following page. For additional examples, see the applicable examples in 7.7 Examples.</p> <p>[CHART: THIS CHART IS A REVISED VERSION OF THE 1ST PAGE OF THE "PK and Special Education Services" CHART THAT PREVIOUSLY APPEARED IN PREVIOUSLY EXISTING 4.2.10.</p> <p>THE CHART'S NAME HAS BEEN CHANGED FROM "PK and Special Education Services" TO "Coding Chart 1: PPCD Services and PK."</p> <p>CODING INFORMATION FOR PK-ELIGIBLE STUDENTS AND CODING INFORMATION FOR PK INELIGIBLE STUDENTS HAVE BEEN PLACED SIDE BY SIDE INSTEAD OF ONE ABOVE THE OTHER. THE STUDENT DESCRIPTIONS THAT NOW BOTH APPEAR NEAR THE TOP OF THE CHART HAVE BEEN REVISED FOR CLARITY. DESCRIPTIONS OF SERVICES HAVE BEEN REORDERED SO THAT THE INSTRUCTIONAL ARRANGEMENT/SETTING CODES FOR STUDENTS ELIGIBLE FOR BOTH SPECIAL EDUCATION AND PK APPEAR IN ORDER. SEVERAL</p>

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Section	Change	2011–2012 Version 2	2012–2013
			<p>DESCRIPTIONS OF SERVICES HAVE BEEN REVISED FOR CLARITY.</p> <p>CODING INFORMATION FOR PK-ELIGIBLE STUDENTS HAS BEEN PROVIDED FOR THE TWO SERVICE DESCRIPTIONS THAT LACKED THIS INFORMATION. SEE THE 7TH AND 9TH ROWS.</p> <p>CODING INFORMATION FOR PK-INELIGIBLE STUDENTS HAS BEEN PROVIDED FOR THE FIVE SERVICE DESCRIPTIONS THAT LACKED THIS INFORMATION. SEE THE 3RD, 4TH, 5TH, 8TH, AND 11TH (LAST) ROWS.</p> <p>CHART FOOTNOTES HAVE BEEN REVISED FOR CLARITY.]</p>
<p>Section 4 Special Education</p>	<p>Revision and Addition</p>	<p>4.2.8 Half-Day Kindergarten or PK and Special Education Eligible students who receive special education services in addition to attending a half-day kindergarten or PK program are eligible for a full day of attendance if they attend school for at least 4 hours of instruction each day.</p>	<p>4.9.4 PPCD Services and Kindergarten Programs An eligible student who receives special education services and attends a full-day kindergarten program is eligible for a full day of attendance (ADA eligibility code 1). The student should be assigned the appropriate instructional arrangement/setting code based on the location, amount, and type of special education services provided to the student.</p> <p>An eligible student who receives special education services in addition to attending a half-day kindergarten program is also eligible for a full day of attendance (ADA eligibility code 1) if the student is scheduled for and receives at least 4 hours of instruction and services (i.e., receives at least 2 hours of special education services in addition to the 2 hours of kindergarten program instruction). The student should be assigned the appropriate instructional arrangement/setting code based on the location, amount, and type of special education services provided to the student.</p> <p>If a kindergarten student who receives special education services turns 6 years of age during the school year, the PPCD indicator code for that student should be changed from 1 to 0 on the date that the student turns 6. Also, note that a 6-year-old student may not have an instructional arrangement/setting code of 45, full-time early childhood (PPCD) special education setting.</p> <p>For coding examples, see the chart on the following page. Each row that shows a "current age" age of 5 shows the coding that should be used for a kindergarten student while the student is 5 years of age.</p>

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Section	Change	2011–2012 Version 2	2012–2013
			<p>Each row that shows a "current age" age of 6 shows the coding that should be used for a kindergarten student beginning on the date the student turns 6 years of age.</p> <p>[CHART: THIS CHART IS A REVISED VERSION OF THE "Kindergarten and Special Education Services" CHART THAT PREVIOUSLY APPEARED IN PREVIOUSLY EXISTING 4.2.10.</p> <p>THE CHART'S NAME HAS BEEN CHANGED FROM "Kindergarten and Special Education Services" TO "Coding Chart 2: Kindergarten and Special Education Services."</p> <p>THE COLUMN LABEL THAT PREVIOUSLY READ "On as of Date" HAS BEEN CHANGED TO READ "Current Age."</p> <p>THE STUDENT DESCRIPTION NEAR THE TOP OF THE CHART HAS BEEN REVISED FOR CLARITY.</p> <p>IN THE FIRST TWO DESCRIPTIONS OF SERVICES, "school day" HAS BEEN CHANGED TO "instructional day." Some other DESCRIPTIONS OF SERVICES HAVE BEEN VERY SLIGHTLY REVISED FOR CLARITY.]</p>
Section 4 Special Education	Revision	<p>4.2.5 Head Start and Eligibility Coding</p> <p>For students with disabilities served in a school-based Head Start program, refer to the PK information in the charts on the following pages to make coding determinations for grade level, instructional setting code, and PPCD indicator.</p> <p>For students with disabilities served in a community-based Head Start program, refer to childcare facility information in the charts on the following pages to make coding determinations.</p> <p>ADA eligibility for these arrangements depends on the amount of time served directly by special education staff, since Head Start does not generate contact hours.</p>	<p>4.9.5 PPCD Services and Head Start</p> <p>Your district and a Head Start program should provide collaborative services as documented in a memorandum of understanding between the two entities. For students with disabilities served in a district-operated or community-based Head Start program, refer to the chart in 4.9.8 Coding Chart: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility to make coding determinations for grade level, instructional arrangement/setting code, and PPCD indicator.</p> <p>ADA eligibility and weighted funding for these arrangements depend on the amount of time served directly by special education staff, since Head Start attendance does not generate ADA or weighted funding.</p> <p>[FIRST SENTENCE OF THIS SUBSECTION PREVIOUSLY APPEARED IN WHAT WAS 4.6.3.11.4.]</p>
Section 4 Special	Addition	None.	4.9.6 PPCD Services and Students Served in a District-

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Section	Change	2011–2012 Version 2	2012–2013
Education			<p><i>Operated Preschool or Child Care Facility</i> For students with disabilities served in a district-operated preschool or child care facility, refer to the chart in 4.9.8 Coding Chart: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility to make coding determinations for grade level, instructional arrangement/setting code, and PPCD indicator. ADA eligibility and weighted funding for these arrangements depend on the amount of time served directly by special education staff, since preschool and child care services do not generate ADA or weighted funding.</p> <p>If your district establishes an early childhood education program to serve all 3- and/or 4-year-olds regardless of eligibility or other criteria, your district may use the mainstream code (40) for a student in the program who receives special education services (other than speech therapy) in the general classroom. However, for the mainstream code to be used for the student, the majority of students in his or her class must be students who are not receiving special education services.</p> <p>District-operated preschool and child care settings include, but are not limited to, a staff child day care facility, a staff child care center open to the community, and a district therapy setting not primarily designed for children with disabilities and in which the majority of the children are nondisabled.</p>
Section 4 Special Education	Addition	None.	<p><i>4.9.7 PPCD Services and Students Served in a Community-Based Preschool or Child Care Facility</i> For students with disabilities served in a community-based preschool or child care facility, refer to the chart in 4.9.8 Coding Chart: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility to make coding determinations for grade level, instructional arrangement/ setting code, and PPCD indicator. ADA eligibility and weighted funding for these arrangements depend on the amount of time served directly by special education staff, since preschool and child care services do not generate ADA or weighted funding.</p> <p>If your district enters into a collaborative effort with a preschool or child care center to serve all 3- and/ or 4-year-olds regardless of eligibility or other criteria, your district may use the off home</p>

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			<p>campus - mainstream code (91) for a student in the program who receives special education services (other than speech therapy) in the general classroom. However, for code 91 to be used for the student, the majority of students in his or her class must be students who are not receiving special education services.</p> <p>Community-based child care settings/facilities include, but are not limited to, a private child care center, a private preschool, and a community-based Head Start program.</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>[4.2.10: 2ND PAGE OF "PK and Special Education Services" CHART:</p> <p>CHART NAME: PK and Special Education Services (cont.)</p> <p>FACILITY/STUDENT DESCRIPTION FOR TOP PART OF CHART: A student who is eligible for special education services, is receiving services in a community-based childcare facility, and is —</p> <p>1ST DESCRIPTION OF SERVICES: served (in a collaborative effort with childcare personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>2ND DESCRIPTION OF SERVICES: served (in a collaborative effort with childcare personnel) by a special education teacher for 4 or more hours a day</p> <p>3RD DESCRIPTION OF SERVICES: served in a S-C classroom within a childcare facility by a special education teacher for at least 2 hours, but fewer than 4 hours each day</p> <p>4TH DESCRIPTION OF SERVICES: served in a S-C classroom within a childcare facility by a special education teacher for more than 4 hours each day</p>	<p>4.9.8 Coding Chart: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility</p> <p>[CHART: THIS CHART IS A REVISED VERSION OF THE 2ND PAGE OF THE "PK and Special Education Services" CHART THAT PREVIOUSLY APPEARED IN PREVIOUSLY EXISTING 4.2.10.</p> <p>CHART NAME: Coding Chart 3: PPCD Services Provided to a Student in a Head Start Program, Preschool, or Child Care Facility.</p> <p>FACILITY/STUDENT DESCRIPTION FOR TOP PART OF CHART: <u>Community-based</u>: A student who is eligible for special education services, is receiving services in a community-based Head Start program, community-based preschool, or community-based child care facility, and is:</p> <p>1ST DESCRIPTION OF SERVICES: served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>2ND DESCRIPTION OF SERVICES: served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for 4 or more hours a day</p> <p>3RD DESCRIPTION OF SERVICES: served in a self-contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>4TH 1ST DESCRIPTION OF SERVICES: served in a self-contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for more than 4</p>

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		<p>FACILITY/STUDENT DESCRIPTION FOR BOTTOM PART OF CHART: A student who is eligible for special education services, is receiving services in a district-operated childcare facility, and is —</p> <p>5TH DESCRIPTION OF SERVICES: served (in a collaborative effort with childcare personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>6TH DESCRIPTION OF SERVICES: served (in a collaborative effort with childcare personnel) by a special education teacher for 4 or more hours a day</p> <p>7TH DESCRIPTION OF SERVICES: served in a S-C classroom within a childcare facility by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>8TH DESCRIPTION OF SERVICES: served in a S-C classroom within a childcare facility by a special education teacher for more than 4 hours each day]</p>	<p>hours each day</p> <p>FACILITY/STUDENT DESCRIPTION FOR BOTTOM PART OF CHART: <u>District-operated</u>: A student who is eligible for special education services, is receiving services in a district-operated Head Start program, district-operated preschool, or district-operated child care facility, and is:</p> <p>5TH DESCRIPTION OF SERVICES: served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>6TH DESCRIPTION OF SERVICES: served (in a collaborative effort with Head Start or preschool/child care personnel) by a special education teacher for 4 or more hours a day</p> <p>7TH DESCRIPTION OF SERVICES: served in a self-contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for at least 2 hours but fewer than 4 hours each day</p> <p>8TH DESCRIPTION OF SERVICES: served in a self-contained classroom within the Head Start program location or preschool/child care facility by a special education teacher for more than 4 hours each day]</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p><i>4.3.5 Enrollment Procedures for a Private or Home School Student Who Is Eligible and in Need of Special Education</i></p> <p>Per 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available to students with disabilities placed in private schools or facilities is determined based on ongoing consultation with representatives of the private school students with disabilities and a proportionate share calculation. Since the obligation of the LEA to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into the PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of</p>	<p><i>4.9.9 PPCD Services and Private or Home School Student Aged 3 or 4 Years and in Need of Special Education</i></p> <p>Per 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available by your district to students with disabilities placed in private schools or facilities are determined based on ongoing consultation with representatives of the private school and representatives of parentally placed private school students with disabilities and a proportionate share calculation.</p> <p>See the TEA Guidance on Parentally Placed Private School Children With Disabilities web page at http://www.tea.state.tx.us/index2.aspx?id=2147492070 for more information.</p>

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		<p>October for the fall PEIMS submission child count snapshot for data reporting purposes.</p> <p>4.3.5.1 Students Aged 3–4 If an ARD committee determines that a private or home school student aged 3–4 is eligible and in need of special education instruction and/or related services, the parent may enroll the student full-time in the public school. If the parent does not do this, for a student aged 3–4, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d). Parents of an eligible student have the right to “dual enroll” the student beginning on the student’s third birthday and continuing until the end of the school year in which the student turns 5, or until the student is eligible to attend your district’s public school kindergarten program, whichever comes first.</p> <p>When parents choose to enroll . . . as set forth in the student's IEP:</p> <ol style="list-style-type: none"> 1. . . . 	<p>4.9.9.1 Dual Enrollment of Private or Home School Student If an ARD committee determines that a private or home school student aged 3 or 4 years is eligible for and in need of special education instruction and/or related services, the parent may 1) enroll the student only in the public school, 2) "dual enroll" the student, or 3) decline to have the student enroll in public school.</p> <p>"Dual enrollment" means the enrollment of a 3- or 4-year-old student who is eligible for special education services in both a public school district, through which the student receives special education services, and a private or home school.</p> <p>Parents of an eligible student have the right to “dual enroll” the student beginning on the student’s third birthday and continuing until the end of the school year in which the student turns 5, or until the student is eligible to attend your district’s public school kindergarten program, whichever comes first.</p> <p>When parents choose to enroll . . . as set forth in the student's IEP:</p> <ol style="list-style-type: none"> 1. . . . <p>If the parent of an eligible student declines dual enrollment for the student, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d), which provides for parents of an eligible child who decline dual enrollment to request a services plan. Since the obligation of your district to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, the student will not generate ADA. However, a student receiving services under a services plan should be entered into the PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of October for the fall PEIMS submission child count snapshot for data reporting purposes.</p>
Section 4 Special Education	Addition	None.	<p>4.9.10 Some Common Instructional Arrangement/ Setting Codes for Students Receiving PPCD Services Following is a list of instructional arrangement/setting codes commonly used for students receiving PPCD services. Note that it is not an exhaustive list. For a complete list of instructional</p>

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Section	Change	2011–2012 Version 2	2012–2013
			<p>arrangement/setting codes and detailed information on when to use them, see 4.7 Instructional Arrangement/Setting Codes.</p> <p>Commonly used instructional arrangement/setting codes for students receiving PPCD services:</p> <p>00 - No Instructional Arrangement/Setting See 4.7.1 Code 00 - No Instructional Arrangement/Setting.</p> <p>01 - Homebound See 4.7.2 Code 01 - Homebound. See especially the information in 4.7.2.4 Preschool Programs for Children with Disabilities and Homebound Services.</p> <p>40 - Mainstream See 4.7.10 Code 40 - Special Education Mainstream. See especially the information in 4.7.10.3 Preschool Programs for Children With Disabilities and Mainstream Instructional Arrangements/Settings.</p> <p>41 or 42 - Resource Room/Services See 4.7.11 Code 41 or 42 - Resource Room/Services.</p> <p>43 or 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus See 4.7.12 Code 43 or 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus.</p> <p>45 - Full-Time Early Childhood (PPCD) Special Education Setting See 4.7.14 Code 45 - Full-Time Early Childhood (Preschool Program for Children With Disabilities) Special Education Setting.</p> <p>91, 96, 97, 98 - Off Home Campus See 4.7.20 Code 91, 92, 93, 94, 95, 96, 97, or 98 - Off Home Campus.</p>
Section 4 Special	Revision	4.9 Other Special Education Services	4.10 Special Education Services for Infants and

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Section	Change	2011–2012 Version 2	2012–2013
Education		This section provides attendance information on regional day school programs for the deaf, extended school year services, and special education services for children aged 5 and under.	Toddlers Infants and toddlers (children 0 through 2 years of age) who have visual or auditory impairments or both and who are served by your district are eligible for special education services ⁶³ and are eligible to generate ADA. The following subsections describe the coding information to use for these children.
Section 4 Special Education	Revision and Addition	4.9.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services All . . . [TABLE] All . . . [TABLE]	4.10.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services All . . . [TABLE] See 4.7.2 Code 01 - Homebound for more information on the homebound instructional arrangement/setting. All . . . [TABLE]
Section 4 Special Education	Revision and Addition	4.9.2 Infants Receiving Auditory Impairment (Deaf) Services All . . . [TABLE] All infants receiving auditory impairment (deaf) services in your school district or in non–school district centers should . . . [TABLE]	4.10.2 Infants Receiving Auditory Impairment (Deaf) Services All . . . [TABLE] See 4.7.2 Code 01 - Homebound for more information on the homebound instructional arrangement/setting. All infants receiving auditory impairment (deaf) services in your school district or in nondistrict centers should . . . [TABLE]
Section 4 Special Education	Revision	4.9.3 Infants (Birth Through 2 Years of Age) Receiving Home-Based Instruction Important: Only a district that operates an ECI program through a	4.10.3 Infants (Birth Through 2 Years of Age) Receiving Home-Based Instruction Important: Only a district that operates an ECI program through a

⁶³ Under the TEC, §29.003, a FAPE must be available from birth to students with visual or auditory impairments.

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Section	Change	2011–2012 Version 2	2012–2013
		<p>contract with the Interagency Council on Early Childhood Intervention (ECI) may code . . .</p> <p>An instructional arrangement/setting code of 31, home-based instruction, is used . . . It is used . . . When . . . This instructional setting does not generate contact hours or ADA.</p> <p>The following . . .</p> <p>[TABLE]</p>	<p>contract with the Texas Department of Assistive and Rehabilitative Services may code . . .</p> <p>An instructional arrangement/setting code of 31, home-based instruction, is used . . . It is used . . . When . . . This instructional arrangement/setting does not generate contact hours or ADA.</p> <p>The following . . .</p> <p>[TABLE]</p>
Section 4 Special Education	Revision	<p>4.9.4 Infants (Birth Through 2 Years of Age) Receiving Center-Based Instruction</p> <p>An instructional arrangement/setting code of 32, center-based instruction, is used for an infant (birth through age 2) when the infant and his or her family are provided early intervention services through an ECI program operated through the Interagency Council on ECI and in a facility . . .</p> <p>The following . . .</p> <p>[TABLE]</p>	<p>4.10.4 Infants (Birth Through 2 Years of Age) Receiving Center-Based Instruction</p> <p>An instructional arrangement/setting code of 32, center-based instruction, is used for an infant (birth through age 2) when the infant and his or her family are provided early intervention services through an ECI program operated through the Texas Department of Assistive and Rehabilitative Services and in a facility . . .</p> <p>The following . . .</p> <p>[TABLE]</p>
Section 4 Special Education	Revision	<p>4.9.5 Infants (Birth Through 2 Years of Age) Receiving Services in Other Environment</p> <p>Important: Only a district that operates an ECI program through a contract with the Interagency Council on Early Childhood Intervention (ECI) may code . . .</p> <p>Infants . . . It is used . . . When . . . This instructional setting does not generate contact hours or ADA.</p> <p>The following . . .</p> <p>[TABLE]</p>	<p>4.10.5 Infants (Birth Through 2 Years of Age) Receiving Services in Other Environment</p> <p>Important: Only a district that operates an ECI program through a contract with the Texas Department of Assistive and Rehabilitative Services may code . . .</p> <p>Infants . . . It is used . . . When . . . This instructional arrangement/setting does not generate contact hours or ADA.</p> <p>The following . . .</p> <p>[TABLE]</p>
Section 4 Special Education	Deletion	<p>4.9.6 Preschool Program for Children With Disabilities (PPCD)</p> <p>A student who attends a PPCD should be coded with the information in the following table:</p>	<p>[DELETED. THE MAJORITY OF INFORMATION ON PPCD SERVICES NOW APPEARS IN NEW MAJOR SUBSECTION 4.9. THE SENTENCE THAT MADE UP WHAT WAS PREVIOUSLY 4.9.9 NOW APPEARS IN NEW 4.7.2.4.]</p>

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Section	Change	2011–2012 Version 2	2012–2013
		<p>[TABLE]</p> <p>Important: If a PPCD student is receiving only special education instruction, his or her grade level should be reported as EE.</p> <p>A student who attends the PK program for half of the day and a PPCD for the other half of the day (at least 2 hours [120 minutes] in each program) should be coded with the information in the following table:</p> <p>[TABLE]</p> <p>4.9.9 Students Aged 3 Through 5 Receiving Homebound Services Home Instruction</p> <p>Students aged 3 through 5 for whom the ARD committee has determined that homebound is the appropriate instructional placement/setting should be reported with the information shown in the following table:</p> <p>[TABLE]</p>	
Section 4 Special Education	Revision and Addition	<p>4.2.3 Students Attending a Shared Services Arrangement</p> <p>A student who attends a shared services arrangement, such as an RDSPD (see 4.9.7 Regional Day School Programs for the Deaf (RDSPD)), may be reported by the receiving district without the necessity of a legal transfer. However, eligibility codes 3 and 6 are not valid for a student reported by the receiving district without a legal transfer.</p> <p>The matter of which district will report the student should be outlined in an agreement between the superintendents of the two districts involved. The same district reports the student for all Public Education Information Management System (PEIMS) reporting.</p> <p>An off home campus instructional arrangement/setting code (codes 91–98) is valid only for students who are reported by the home district but receive instruction in another district. An off home campus code may also be used for a student who attends classes in a nondistrict facility.</p>	<p>4.11 Shared Services Arrangements (SSAs), Including Regional Day School Programs for the Deaf SSAs</p> <p>An SSA is an arrangement in which school districts enter into a written contract to jointly operate their special education programs. School districts may also enter into SSAs to establish regional day school programs for the deaf. A student who attends a program operated under an SSA may be reported by the receiving district without the necessity of a legal transfer. However, ADA eligibility codes 3 and 6 are not valid for a student reported by the receiving district without a legal transfer. For more information on ADA eligibility codes, see 3.2.1 Average Daily Attendance (ADA) Eligibility Coding.</p> <p>The matter of which district will report the student should be outlined in the SSA agreement between the member districts. The same district reports the student for all PEIMS reporting.</p>
Section 4	Revision	4.9.7 Regional Day School Programs for the Deaf	4.11.1 Regional Day School Programs for the Deaf

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Section	Change	2011–2012 Version 2	2012–2013
Special Education	and Deletion	<p>(RDSPD) Students in the RDSPD must be served . . . All students . . . code 3.</p> <p>Only one district may report PEIMS data for RDSPD students. Sending and receiving districts should make an agreement regarding the reporting of PEIMS and attendance information for students in the program. The district that reports these students must report the same students for all data submissions.</p> <p>The following table shows the ADA eligibility codes to use for students in the RDSPD.</p> <p>[TABLE]</p>	<p>(RDSPDs) Students in an RDSPD must be served . . . All students . . . code 3.</p> <p>The following table shows the ADA eligibility codes to use for students in an RDSPD.</p> <p>[TABLE]</p>
Section 4 Special Education	Revision	<p>[4.2.10: "Services for Students With Disabilities—Exceptions to the Norm" CHART]</p>	<p>4.12 Coding Chart: Services for Students With Disabilities—Exceptions to the Norm</p> <p>[CHART: THIS CHART IS A REVISED VERSION OF THE "Services for Students With Disabilities—Exceptions to the Norm" CHART THAT PREVIOUSLY APPEARED IN PREVIOUSLY EXISTING 4.2.10.</p> <p>THE CHART'S NAME HAS BEEN CHANGED FROM "Services for Students With Disabilities—Exceptions to the Norm" TO "Coding Chart 4: Services for Students With Disabilities—Exceptions to the Norm."</p> <p>REFERENCES TO THE INTERAGENCY COUNCIL ON EARLY CHILDHOOD HAVE BEEN CHANGED TO BE REFERENCES TO THE TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES.</p> <p>INFORMATION IN THE PART OF THE CHART LABELED "HEAD START PROGRAMS" HAS BEEN CHANGED. THE TEXT IN THE 1ST COLUMN OF THE 1ST ROW OF THAT PART OF THE CHART HAS BEEN CHANGED FROM "School-based Head Start (see PK chart on next page)" TO "School-based Head Start (see chart in 4.9.5 PPCD Services and Head Start)."</p> <p>THE INSTRUCTIONAL ARRANGEMENT/SETTING CODE INFORMATION FOR THAT ROW HAS BEEN CHANGED FROM "Based on service" TO "40/45."</p> <p>THE TEXT IN THE 1ST COLUMN OF THE 2ND ROW OF THAT PART OF THE CHART HAS BEEN CHANGED FROM "Community-based Head Start (see services in a childcare facility on next page)" TO "Community-based Head Start (see chart in 4.9.5 PPCD Services and Head Start)."</p> <p>THE INSTRUCTIONAL</p>

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Section 4 Special Education	Revision	<p>4.9.8 Extended School Year (ESY) Services Your district will be funded for any ESY services it provides for special education students for the summer of 2012. The ARD committee . . .</p> <p>The procedures for providing ESY services are as follows:</p> <ol style="list-style-type: none"> At the review of the student’s IEP, . . . from the ECI service providers, . . . <p>The student to receive ESY services must be reported with the same instructional arrangement/setting code with which the student was reported during the 2011–2012 school year, if . . .</p> <p>If the student being considered for ESY services is turning 3 during the summer, the ARD committee may begin to implement the IEP on the start of the school year. Or, . . .</p> <ol style="list-style-type: none"> Each special education ESY services teacher and speech therapist is responsible for maintaining a record or register of the actual instructional eye-to-eye contact hours that each student receives throughout the summer. The ESY services record or register must contain the following data: . . . At the end of the summer, the teacher or special education service provider making the original entries in the original contact-hour records or registers signs these documents and forwards them to the superintendent (or the superintendent's designee) for safekeeping. Your district retains the ESY services contact hour records or registers locally for audit purposes. Your district must report ESY services data to the Texas Education Agency (TEA) using 408 ESY Services Student Records according to Section 2 of the PEIMS <i>Data Standards</i>. <p>Note: A student coded with an instructional setting/arrangement code of 40, mainstream, . . .</p>	<p>ARRANGEMENT/SETTING CODE INFORMATION FOR THAT ROW HAS BEEN CHANGED FROM "40/97" TO "91/97."]</p> <p>4.13 Extended School Year (ESY) Services Your district will be funded for any ESY services it provides for special education students beyond the regular school year during a period such as winter, spring, or summer break. The ARD committee . . .</p> <p>The procedures for providing ESY services are as follows:</p> <ol style="list-style-type: none"> At the review of the student’s IEP, . . . from the service providers, . . . <p>A student who receives ESY services must be reported with the same instructional arrangement/setting code with which the student was reported during the school year, if . . .</p> <p>If a student is turning 3 during the summer, the ARD committee may begin to implement the IEP at the start of the school year. Or, . . .</p> <ol style="list-style-type: none"> Each special education teacher and related service provider who provides ESY services is responsible for maintaining an ESY services record or register of the actual instructional eye-to-eye contact hours that each student receives. The ESY services record or register must contain the following data: . . . After the period for the provision of ESY services ends, the teachers and related service providers must sign ESY services records or registers and forward them to the superintendent (or the superintendent's designee) for safekeeping. Your district retains the ESY services records or registers locally for audit purposes. Your district must report ESY services data to the TEA using 408 ESY Services Student Records according to Section 2 of the PEIMS <i>Data Standards</i>. <p>Note: A student coded with an instructional arrangement/setting code of 40, mainstream, . . .</p>

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Section 4 Special Education	Revision	<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 Please see 6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services for information . . .</p>	<p>4.14 Exiting a Limited English Proficient (LEP) Student Who Is Receiving Special Education Services From a Bilingual Education or English as a Second Language (ESL) Program See 6.9.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services for information . . .</p>
Section 4 Special Education	Revision and Addition	<p>4.11 Contact Hours No matter what instructional arrangement/setting code is assigned to a student, the student's total number of eligible days present for that instructional setting must be recorded for each 6-week reporting period in the Student Detail Report.</p>	<p>4.15 Eligible Days Present and Contact Hours No matter what instructional arrangement/setting code is assigned to a student, the student's total number of eligible days present for that instructional arrangement/setting must be recorded for each 6-week reporting period in the Student Detail Report. Eligible days present are determined by whether the student was present at the official attendance-taking time each day or, for the homebound instructional arrangement/setting, by the number of eligible days present earned each week according to the homebound funding chart (see 4.7.2.5 Homebound Funding and Homebound Documentation Requirements).</p> <p>For every eligible day present, a student earns special education contact hours for the instructional arrangement/setting the student is assigned, even if the student does not attend all scheduled classes. [THIS SENTENCE PREVIOUSLY APPEARED IN WHAT WAS 4.2.1.]</p>
Section 4 Special Education	Revision	<p>4.11.1 Contact Hours for Each Instructional Setting When computing information for the Campus Summary Report (see Section 2), contact hours for each instructional setting must be recorded. To compute contact hours, multiply the total eligible days present for that instructional setting by the corresponding contact-hour multiplier. Each instructional setting has a different contact-hour multiplier. Use . . .</p> <p>[TABLE]</p>	<p>4.15.1 Contact Hours for Each Instructional Arrangement/Setting When computing information for the Campus Summary Report (see Section 2), contact hours for each instructional arrangement/setting must be recorded. To compute contact hours, multiply the total eligible days present for that instructional arrangement/setting by the corresponding contact-hour multiplier. Each instructional arrangement/setting has a different contact-hour multiplier. Use . . .</p> <p>[TABLE: TABLE TITLE ADDED: Contact-Hour Multiplier for Each Instructional Arrangement/Setting Code TABLE NOW HAS THREE COLUMNS INSTEAD OF TWO. THE FIRST COLUMN OF THE TABLE, LISTING EACH INSTRUCTIONAL</p>

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			ARRANGEMENT/SETTING AND ITS CODE, HAS BEEN SPLIT INTO TWO COLUMNS, ONE LISTING ARRANGEMENTS/SETTINGS AND THE OTHER LISTING THE CORRESPONDING CODES.]
Section 4 Special Education	Revision	4.11.2 Special Education Contact Hours	4.15.2 Special Education Contact Hours
Section 4 Special Education	Revision and Addition	4.11.3 Excess Contact Hours Excess contact hours should also be totaled for each instructional setting. For funding purposes, a student may receive a maximum of 6 contact hours per day. Time in excess of 6 contact hours per day, earned by any combination of special education and career and technical education classes, . . . Excess . . . hours.	4.15.3 Excess Contact Hours Excess contact hours should also be totaled for each instructional arrangement/setting . For funding purposes, a student may receive a maximum of 6 contact hours per day. Time in excess of 6 contact hours per day, earned by any combination of special education and CTE classes, . . . Excess . . . hours. For examples of how to determine excess contact hours, see 4.18.12 Calculation of Excess Contact Hours Examples.
Section 4 Special Education	Revision	4.11.4 Eligible Mainstream Days Present	4.15.4 Eligible Mainstream Days Present
Section 4 Special Education	Revision	4.12 Special Education Documentation For your district to claim special education contact hours for a student for funding, documentation . . . Your district must maintain — <ul style="list-style-type: none"> • . . . • documentation to support the ARD committee findings regarding a student and a copy of the student's IEP, in the student's eligibility folder • the following . . . : <ul style="list-style-type: none"> ○ homebound—a licensed 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 4.9.1 Infants Receiving Visual Impairment and/or Orientation and Mobility (O&M) Services, 4.9.2 Infants Receiving Auditory Impairment (Deaf) Services, and 4.9.9 Students Aged 3 Through 5 	4.16 Special Education Documentation For your district to claim special education contact hours and receive weighted funding , documentation . . . Your district must maintain the following : <ul style="list-style-type: none"> • . . . • documentation to support the IFSP or ARD committee decisions regarding a student and a copy of the student's IFSP or IEP, as applicable, in the student's eligibility folder • the following . . . : <ul style="list-style-type: none"> ○ homebound—for a student aged 6 years or older, a licensed physician's statement confirming the need for the student to be placed in the homebound instructional arrangement/setting for a minimum of 4 weeks ○ . . .

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		<p>Receiving Homebound Services Home Instruction for exceptions)</p> <p>○ ...</p>	
Section 4 Special Education	Revision, Addition, and Deletion	<p>4.13 Teacher Requirements Any ...</p> <p>A special education teacher who delivers direct instruction to students with disabilities in core academic subject areas must meet the appropriate state special education certification requirements for the grade level that he or she is teaching ...</p> <p>If ...</p> <p>For more ... page at http://www.tea.state.tx.us/index4.aspx?id=4670&menu_id=798.</p> <p>Determination of the amount of services to be provided must be based on the individual needs of the student as determined by the student’s ARD committee in accordance with federal and state laws, rules, and regulations. [INFORMATION APPEARS IN INTRODUCTION TO 4.7.]</p>	<p>4.17 Teacher Requirements Any ...</p> <p>A special education teacher who delivers direct instruction to students with disabilities in core academic subject areas must meet the appropriate state special education certification requirements⁶⁴ for the grade level that he or she is teaching ...</p> <p>If ...</p> <p>For teacher requirements specific to the homebound instructional arrangement/setting, see 4.7.2.1 Homebound Notes.</p> <p>For more ... page at http://www.tea.state.tx.us/index4.aspx?id=4670&menu_id=798.</p>
Section 4 Special Education	Revision	<p>4.14 Examples This section provides examples of the codes to use for various situations involving students who receive special education services.</p>	<p>4.18 Examples This subsection provides examples of the codes to use for various situations involving students who receive special education services.</p> <p>[EXAMPLES HAVE BEEN REARRANGED IN ORDER OF INSTRUCTIONAL ARRANGEMENT/SETTING CODE.]</p>
Section 4 Special Education	Revision	<p>4.14.1 Code 01 – Homebound Examples Example 1: A special education student ...</p> <p>1. The ARD committee ... If ... , the committee should document the following in the student’s IEP: ...</p>	<p>4.18.1 Code 01 - Homebound Examples Example 1: An 8-year-old special education student ...</p> <p>1. The ARD committee ... If ... , the committee should document the following in the student’s records: ...</p>

⁶⁴ For the certification required for particular assignments, see the figure included in 19 TAC §231.1, Criteria for Assignment of Public School Personnel, at [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=19&pt=7&ch=231&rl=1](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=19&pt=7&ch=231&rl=1).

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		<p>d) The type and amount of services that will be provided in the homebound setting.</p> <p>e) ...</p> <p>2. ...</p> <p>3. The ARD committee ... If ... :</p> <p>i. The length ...</p> <p>ii. The amount ...</p> <p>During the transition period, the student’s instructional arrangement/setting code will remain 01, homebound, based on the homebound funding chart (see 4.6.2.8 Transition From Homebound to the Classroom).</p> <p>iii. The date the transition period is completed and the student returns to the classroom full time, the student's instructional arrangement/setting code will change back to 41.</p> <p>iv. The effective date of the change should be documented in the IEP.</p> <p>Example 2: A student ...</p> <p>...</p> <p>During the fourth ... The student ... The student generates 3 eligible days present in instructional setting code 42. The ...</p> <p>During the fifth week ... The student generates 5 eligible days present in instructional setting code 01.</p> <p>During the sixth week ... The student generates 5 eligible days present in instructional setting code 42.</p> <p>...</p> <p>Example 5: A student ... homebound instructional setting. The ... The student’s ARD committee has specified that the student is to be served in the special education mainstream instructional setting when ...</p>	<p>d) The type, frequency, and duration of services that will be provided in the homebound setting</p> <p>e) ...</p> <p>2. ...</p> <p>3. The ARD committee ... If ... :</p> <p>a) The length ...</p> <p>b) The amount ...</p> <p>c) The effective date that the student’s instructional arrangement/setting code will change back to 41</p> <p><i>During the transition period, the student’s instructional arrangement/setting code will remain 01, homebound, based on the homebound funding chart (see 4.7.2.7 Transition From Homebound to the Classroom). The date the transition period is completed and the student returns to the classroom full time, the student's instructional arrangement/ setting code will change back to 41.</i></p> <p>Example 2: A student ...</p> <p>...</p> <p>During the fourth week ... The student ... The student generates 3 eligible days present in instructional arrangement/setting code 42. The ...</p> <p>During the fifth week ... The student generates 5 eligible days present in instructional arrangement/setting code 01.</p> <p>During the sixth week ... The student generates 5 eligible days present in instructional arrangement/setting code 42.</p> <p>...</p> <p>Example 5: A student ... homebound instructional arrangement/setting. The ... The student’s ARD committee has specified that the student is to be served in the special education mainstream instructional arrangement/setting when ...</p>
Section 4 Special	Revision and	4.14.2 Code 02 – Hospital Class Examples	4.18.2 Code 02 - Hospital Class Examples

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Education	Addition	<p>A student in special education has been confined to a hospital. While . . .</p> <p><i>The . . . Standard . . . hospital class instructional arrangement/setting.</i></p>	<p>Example 1: A student in special education has been confined to a hospital. While . . .</p> <p><i>The . . . Standard . . . hospital class instructional arrangement/setting.</i></p> <p>Example 2: A special education student who resides in a residential care and treatment facility within your district's boundaries receives special education instruction and related services at the residential care and treatment facility.</p> <p><i>The instructional arrangement/setting code for this student should be entered as 02, hospital class, in the attendance accounting system.</i></p> <p>[EXAMPLE 2 PREVIOUSLY APPEARED AS EXAMPLE 6 IN THE RESIDENTIAL CARE AND TREATMENT FACILITY EXAMPLES (4.14.7).]</p>
Section 4 Special Education	Revision	<p>4.14.5 Code 08 - Vocational Adjustment Class (VAC) Examples A . . .</p> <p><i>For the time . . . and the career and technical education code should be V2 . . . As soon as . . . but the career and technical education code will remain V2 if . . . Note that CTED classes are career and technical education classes and not special education classes.</i></p>	<p>4.18.3 Code 08 - Vocational Adjustment Class (VAC) Example A . . .</p> <p><i>For the time . . . and the CTE code should be V2 . . . As soon as . . . but the CTE code will remain V2 if . . . Note that CTED classes are CTE classes and not special education classes.</i></p>
Section 4 Special Education	Revision and Deletion	<p>4.14.8 Code 40 – Mainstream Examples Example 1: A student attends all general education classes. However, this student has not been dismissed from special education. Qualified special education personnel . . .</p> <p>. . .</p> <p>Example 5: A . . . setting.</p> <p><i>The . . . as 1.</i></p> <p>Example 6: A 3-year-old student with a disability receives special education services (including speech therapy) in a community-based</p>	<p>4.18.4 Code 40 - Mainstream Examples Example 1: A student attends all general education classes. Qualified special education personnel . . .</p> <p>. . .</p> <p>Example 5: A . . . setting.</p> <p><i>The . . . as 1.</i></p>

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		<p>child care center for 4 hours 5 days a week. The certified special education teacher teaches collaboratively in the community-based child care classroom with the child care provider for the full 4 hours and the full 5 days. The speech therapist provides speech instruction to the child for 30 minutes a week in the community-based child care classroom and provides consultation to the teachers for 15 minutes a week.</p> <p><i>The student should generate full-day ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2.</i></p> <p>Example 7: A 4-year-old student with a disability receives special education services and related services in a community-based child care center and is in a class in which the majority of students are not receiving special education services. The certified special education teacher provides services 30 minutes twice a week and consults with the child care provider for 30 minutes once a week. The speech therapist provides speech instruction to the child for 30 minutes a week in the community-based child care classroom and provides consultation to the teachers for 15 minutes a week. An aide is in the classroom 4 hours a day for 5 days a week to provide support services to the student.</p> <p><i>The student's ADA eligibility code should be recorded as 0 - Enrolled, Not in Membership, because the student does not meet the requirements of the 2-through-4-hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2.</i></p> <p>Example 8: A 4-year-old student with a disability receives special education services in a community-based child care center and is in a class in which the majority of students are not receiving special education services. The certified special education teacher provides services 60 minutes once a week and consults with the child care provider for 60 minutes once a week.</p>	

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		<p><i>The student's ADA eligibility code should be recorded as 0 - Enrolled, Not in Membership, because the student does not meet the requirements of the 2-through-4-hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system.</i></p> <p>[EXAMPLES 6–8, WHICH WERE ERRONEOUSLY INCLUDED IN THE MAINSTREAM EXAMPLES, NOW APPEAR IN NEW 4.18.9 AS OFF HOME CAMPUS EXAMPLES 6–8.]</p>	
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.14.3 Codes 41 and 42 - Resource Room/Services Examples Example 1: A . . .</p> <p>. . .</p> <p><i>If this student attended . . . , then this student should be entered .</i></p> <p>. . .</p> <p>. . .</p> <p>Example 4: A 4-year-old student with a disability who is not eligible for the prekindergarten program but is eligible for the special education program receives special education and related services (including speech therapy) in the prekindergarten classroom for 3 hours 5 days a week. The certified special education teacher teaches collaboratively in the prekindergarten classroom with the prekindergarten teacher for the full 3 hours and the full 5 days. The occupational therapist provides services for 20 minutes twice a week in the prekindergarten classroom. The . . .</p>	<p>4.18.5 Codes 41 and 42 - Resource Room/Services Examples Example 1: A . . .</p> <p>. . .</p> <p><i>If this student attended . . . , then this student would be entered .</i></p> <p>. . .</p> <p>. . .</p> <p>Example 4: A 4-year-old student with a disability who is not eligible for the PK program but is eligible for the special education program receives special education and related services (including speech therapy) in the PK classroom for 3 hours 5 days a week. The certified special education teacher teaches collaboratively in the PK classroom with the PK teacher for the full 3 hours and the full 5 days. The occupational therapist provides services for 20 minutes twice a week in the PK classroom. The . . .</p>
<p>Section 4 Special Education</p>	<p>Revision and Addition</p>	<p>4.14.4 Codes 43 and 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus Examples . . .</p> <p>Example 3: A student on an elementary campus spends 200 minutes out of 300 instructional minutes in the special education classroom. The 100 minutes of general education instruction include math, art/music/physical education, and social studies.</p> <p><i>The . . .</i></p>	<p>4.18.6 Codes 43 and 44 - Self-Contained, Mild/Moderate/Severe, Regular Campus Examples . . .</p> <p>Example 3: A student on an elementary campus spends 200 minutes out of 300 instructional minutes in the special education classroom. The student spends the other 100 minutes in a general education classroom.</p> <p><i>The . . .</i></p>

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		<p>Example 4: A student on an elementary campus spends 145 minutes out of 300 instructional minutes in the special education classroom and receives 30 minutes (an average of 6 minutes/day) of speech (or any related service). The 149 remainder minutes of general education instruction include math, art/music/physical education, and social studies.</p> <p><i>The . . .</i></p>	<p>Example 4: A student on an elementary campus spends 145 minutes out of 300 instructional minutes in the special education classroom and receives 30 minutes (an average of 6 minutes/day) of speech (or any related service). The student spends the other 149 minutes in a general education classroom.</p> <p><i>The . . .</i></p> <p>Example 5: A student legally transferred into the serving district attends classes for the entire instructional day, in the special education classroom that serves students from other districts.</p> <p><i>The instructional arrangement/setting code for this student should be entered as 44, self-contained, mild/moderate/severe, regular campus - more than 60%, in the attendance accounting system since the student is in the special education classroom for more than 60% of the student’s instructional day. All absences and eligible days present will be recorded in the serving district’s attendance accounting system. For students aged 3 through 5 years with disabilities, the instructional arrangement/setting code is 45, full-time early childhood special education setting.</i></p> <p><i>The student’s ADA eligibility code should be entered as 3 - Eligible Transfer Student Full-Day (see 3.2.1.4 Code 3 Eligible Transfer Student Full-Day).</i></p> <p>[EXAMPLE 5 PREVIOUSLY APPEARED AS EXAMPLE 3 IN OFF HOME CAMPUS EXAMPLES (4.14.6).]</p>
Section 4 Special Education	Revision	<p>4.14.9 Code 45 - Full-Time Early Childhood Special Education Setting (FT EC SPED) Examples</p> <p>A special education student (3 through 5 years of age) with a disability receives full-time special education and related services in educational programs designed primarily for children with disabilities located on regular school campuses. No education or . . .</p>	<p>4.18.7 Code 45 - Full-Time Early Childhood (PPCD) Special Education Setting (FT EC SPED) Example</p> <p>A 4-year-old student with a disability receives full-time special education and related services in educational programs designed primarily for children with disabilities located on local school district campuses. No education or . . .</p>
Section 4 Special Education	Revision and Deletion	<p>4.14.7 Codes 81–89 - Residential Care and Treatment Facility (Nonresident) Examples</p> <p>Example 1: Within . . .</p>	<p>4.18.8 Codes 81–89 - Residential Care and Treatment Facility (Nonresident) Examples</p> <p>Example 1: Within . . .</p>

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		<p><i>If a special education student who resides in the residential care and treatment facility receives all special education and related services in mainstream classes at a regular education campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends one special education class and six general education classes at a regular education campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends three special education classes and four general education classes at a regular education campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends three special education classes and three general education classes at a regular education campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends five special education classes and one general education class at a regular education campus, then the instructional setting code . . .</i></p> <p><i>If . . .</i></p> <p>Example 2: A special education student who resides in a residential care and treatment facility within your district's boundaries attends special education classes on a campus designated as a campus that serves only special education students.</p> <p><i>The . . .</i></p> <p>Example 3: A special education student (3 through 5 years of age) with a disability who resides in a . . .</p> <p>. . .</p> <p>Example 4: A . . . During . . . two career and technical education for the disabled (CTED) classes.</p>	<p><i>If a special education student who resides in the residential care and treatment facility receives all special education and related services in mainstream classes at a local school district campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends one special education class and six general education classes at a local school district campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends three special education classes and four general education classes at a local school district campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends three special education classes and three general education classes at a local school district campus, then . . .</i></p> <p><i>If a special education student who resides in the residential care and treatment facility attends five special education classes and one general education class at a local school district campus, then the instructional arrangement/setting code . . .</i></p> <p><i>If . . .</i></p> <p>Example 2: A special education student who resides in a residential care and treatment facility within your district's boundaries attends special education classes on a local school district campus that serves only special education students.</p> <p><i>The . . .</i></p> <p>Example 3: A 3-year-old special education student who resides in a . . .</p> <p>. . .</p> <p>Example 4: A . . . During . . . two CTED classes.</p>

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		<p><i>The . . . The . . . Note that CTED classes are career and technical education classes and not special education classes.</i></p> <p>Example 5: A special education student (3 through 5 years of age) with a disability who resides in a residential care and treatment facility within your district's boundaries receives full-time special education and related services in the PPCD educational program on the elementary campus.</p> <p><i>The . . . attendance accounting system.</i></p> <p>Example 6: A special education student who resides in a residential care and treatment facility within your district's boundaries receives special education instruction and related services at the facility rather than on a school district campus.</p> <p><i>The instructional arrangement/setting code for this student should be entered as 02, hospital class, in the attendance accounting system.</i></p> <p>[EXAMPLE 6 NOW APPEARS IN NEW 4.18.2 AS HOSPITAL CLASS EXAMPLE 2.]</p>	<p><i>The . . . The . . . Note that CTED classes are CTE classes and not special education classes.</i></p> <p>Example 5: A 4-year-old special education student who resides in a residential care and treatment facility within your district's boundaries receives full-time special education and related services in the PPCD on a local school district elementary campus.</p> <p><i>The . . . attendance accounting system.</i></p>
Section 4 Special Education	Revision, Addition, and Deletion	<p>4.14.6 Codes 91–98 - Off Home Campus Examples</p> <p>Example 1: A student attends special education classes on a campus designated as a campus that serves only special education students.</p> <p><i>The . . .</i></p> <p>Example 2: A student . . .</p> <p>There should be an agreement between the home district and the receiving district regarding the reporting of PEIMS and attendance data for this student. Only one district can report PEIMS data for an individual student. If the home district reports these data, it may report this student as being enrolled in the home district, even though the student attends the entire instructional day in the serving/receiving district. However, it is possible that the receiving district may report this student in the PEIMS, instead of the home district. Absences must be reported by the serving district and either submitted to the home district (if responsible for reporting PEIMS</p>	<p>4.18.9 Codes 91–98 - Off Home Campus Examples</p> <p>Example 1: A student attends special education classes on a local school district campus that serves only special education students.</p> <p><i>The . . .</i></p> <p>Example 2: A student . . .</p> <p>There should be an agreement between the home district and the receiving district regarding the reporting of PEIMS and attendance data for this student. If the home district reports these data, it may report this student as being enrolled in the home district, even though the student attends the entire instructional day in the receiving district. However, it is also permissible for the receiving district to report this student in the PEIMS, instead of the home district. Only one district can report PEIMS data for an individual student. The receiving district is responsible for recording student absences and attendance. The receiving district must either submit</p>

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		<p>data) or entered by the serving district (if responsible for reporting PEIMS data for the student). The district that reports PEIMS data is responsible for recording student absences and attendance.</p> <p>...</p> <p><i>If . . . 50%</i></p> <p>Example 3: A student legally transferred into the serving district attends classes for the entire school day, in the special education classroom that serves students from other districts.</p> <p><i>The instructional arrangement/setting code for this student should be entered as 44, self-contained, mild/moderate/severe, regular campus - more than 60%, in the attendance accounting system since the student is in the special education classroom for more than 60% of the student’s instructional day. All absences and eligible days present will be recorded in the serving district’s attendance accounting system. For students aged 3 through 5 with disabilities, the instructional arrangement/setting code is 45, full-time early childhood special education setting.</i></p> <p><i>The student’s ADA eligibility code should be entered as 3 - Eligible Transfer Student Full-Day (see 3.2.1.4 Code 3 Eligible Transfer Student Full-Day).</i></p> <p>[EXAMPLE 3 NOW APPEARS IN NEW 4.18.6 AS SELF-CONTAINED, MILD/MODERATE/SEVERE, REGULAR CAMPUS EXAMPLE 5.]</p> <p>Example 4: A student in special education attends a special education class at the nearby Mental Health Mental Retardation (MHMR) Center (sheltered workshop). School district personnel . . .</p> <p>Example 5: A special education student (3 through 5 years of age) with a disability receives full-time special education and related services in a multidistrict PPCD educational program.</p> <p><i>The . . .</i></p> <p>Example 6: A preschool-aged student (3 through 5 years of age) with a disability . . .</p>	<p>this information to the home district (if the home district is responsible for reporting PEIMS data) or enter the information (if the receiving district is responsible for reporting PEIMS data for the student).</p> <p>...</p> <p><i>If . . . 50%</i></p> <p>Example 3: A special education student attends a special education class at the nearby Mental Health Mental Retardation (MHMR) Center (sheltered workshop). School district personnel . . .</p> <p>Example 4: A 5-year-old special education student receives full-time special education and related services in a multidistrict PPCD class.</p> <p><i>The . . .</i></p> <p>Example 5: A preschool-age student with a disability . . .</p>

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		<p>...</p> <p><i>If . . . as 97, off home campus - community class.</i></p>	<p>...</p> <p><i>If . . . as 97, off home campus - community class.</i></p> <p>Example 6: A 3-year-old student with a disability receives special education services (including speech therapy) in a community-based child care center for 4 hours 5 days a week and is in a class in which the majority of students are not receiving special education services. The certified special education teacher teaches collaboratively in the community-based child care classroom with the child care provider for the full 4 hours and the full 5 days. The speech therapist provides speech instruction to the child for 30 minutes a week in the community-based child care classroom and provides consultation to the teachers for 15 minutes a week.</p> <p><i>The student should generate full-day ADA eligibility because the student meets the requirements of the 2-through-4-hour rule. The instructional arrangement/setting code for this student should be recorded as 91, off home campus - mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2.</i></p> <p>Example 7: A 4-year-old student with a disability receives special education services and related services in a community-based child care center and is in a class in which the majority of students are not receiving special education services. The certified special education teacher provides services 30 minutes twice a week and consults with the child care provider for 30 minutes once a week. The speech therapist provides speech instruction to the child for 30 minutes a week in the community-based child care classroom and provides consultation to the teachers for 15 minutes a week. An aide is in the classroom 4 hours a day for 5 days a week to provide support services to the student.</p> <p><i>The student's ADA eligibility code should be recorded as 0 - Enrolled, Not in Membership, because the student does not meet the requirements of the 2-through-4-hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 91, off home campus - mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2.</i></p>

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			<p>Example 8: A 4-year-old student with a disability receives special education services in a community-based child care center and is in a class in which the majority of students are not receiving special education services. The certified special education teacher provides services 60 minutes once a week and consults with the child care provider for 60 minutes once a week.</p> <p><i>The student's ADA eligibility code should be recorded as 0 - Enrolled, Not in Membership, because the student does not meet the requirements of the 2-through-4-hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 91, off home campus - mainstream, in the attendance accounting system.</i></p> <p>[EXAMPLES 6–8 PREVIOUSLY APPEARED AS EXAMPLES 6–8 IN THE MAINSTREAM EXAMPLES (4.14.8).]</p>
Section 4 Special Education	Revision	<p>4.14.10 Speech Therapy Indicator Code 1 Examples</p> <p>Example 1: A student receives services from the speech therapist 30 minutes a week and attends all general education classes.</p> <p>...</p> <p>Example 2: A student receives direct speech therapy services and indirect support from the speech therapy program through services provided by a speech therapist.</p> <p>...</p> <p>Example 3: A 4-year-old student with a disability who is eligible for the prekindergarten program receives special education services (speech therapy and support services are provided by the speech therapist). The speech therapist provides . . .</p> <p>Example 4: A 4-year-old student with a disability receives special education services (speech therapy and support services are provided by the speech therapist) in a community-based child care center. The</p>	<p>4.18.10 Speech Therapy Indicator Code 1 Examples</p> <p>Example 1: A student receives services from the speech therapist 30 minutes a week and attends all general education classes. The services from the speech therapist are the only special education services the student receives.</p> <p>...</p> <p>Example 2: A student receives direct speech therapy services and indirect support from the speech therapy program through services provided by a speech therapist. These are the only special education services the student receives.</p> <p>...</p> <p>Example 3: A 4-year-old student with a disability is eligible for and attends the PK program. The only special education services the student receives are speech therapy and support services, which are provided by the speech therapist. The speech therapist provides . . .</p> <p>Example 4: A 4-year-old student with a disability attends a community-based child care center. The only special education services the student receives are speech therapy and support</p>

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		<p>speech therapist provides . . .</p> <p>Example 5: A 3- or 4-year-old student receives only speech therapy and physical therapy services. The speech therapist provides services 30 minutes twice a week, and the physical therapist provides services 30 minutes twice a week. The student does not receive any other instruction. The student is ineligible for PK but is eligible for the special education services the student receives (speech therapy and physical therapy services).</p> <p>...</p>	<p>services, which are provided by the speech therapist. The speech therapist provides . . .</p> <p>Example 5: A 4-year-old student receives only speech therapy and physical therapy services. The speech therapist provides services 30 minutes twice a week, and the physical therapist provides services 30 minutes twice a week. The student does not receive any other services. The student is ineligible for PK but is eligible for the special education services the student receives.</p> <p>...</p>
<p>Section 4 Special Education</p>	<p>Revision</p>	<p>4.14.11 Speech Therapy Indicator Code 2 Examples</p> <p>Example 1: A student attends one special education class and five general education classes a day. In addition, the student is pulled out of the general education setting to work with a speech therapist once a week for 30 minutes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as 41, resource room/services - less than 21%, in . . .</i></p> <p>Example 2: A student attends one special education class and four general education classes a day. In addition, the student is pulled out of the general education setting to work with a speech therapist (or any related service) once a week for 30 minutes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as 42, resource room/services - at least 21% and less than 50%, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2 (78/360=21.6%).</i></p> <p>Example 3: Based on ARD committee determination, a student with both learning disabilities and speech impairment receives services and support from a special education teacher in the general education classroom (outside of any services and supports provided through the speech therapy program). The student also receives direct speech therapy services.</p>	<p>4.18.11 Speech Therapy Indicator Code 2 Examples</p> <p>Example 1: A student attends one 55-minute special education class and five 55-minute general education classes a day. In addition, the student is pulled out of the general education setting to work with a speech therapist once a week for 30 minutes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as 41, resource room/services - less than 21%, (305 minutes/1,650 minutes = 18%) in . . .</i></p> <p>Example 2: A student attends one 55-minute special education class and four 55-minute general education classes a day. In addition, the student is pulled out of the general education setting to work with a speech therapist once a week for 30 minutes.</p> <p><i>The instructional arrangement/setting code for this student should be recorded as 42, resource room/services - at least 21% and less than 50%, (305 minutes/1,375 minutes = 22%) in the attendance accounting system, and the speech therapy indicator code should be recorded as 2.</i></p> <p>Example 3: A student with a speech impairment and another type of disability receives special education services and support from a special education teacher in the general education classroom. The student also receives direct speech therapy services.</p> <p>...</p>

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Section 4 Special Education	Revision	<p>...</p> <p>4.14.12 Calculation of Excess Contact Hours Example Example 1: A student attends six career and technical education classes ...</p> <p>Example 2: A ... All four of the general education classes are career and technical education classes. The student ... and 4.00 contact hours for career and technical education (V4) ...</p> <p>...</p> <p><i>The excess ... as follows:</i></p> <p>[TABLE]</p> <p>Example 3: A ... All of the general education classes are career and technical education classes. The student ... and 4.00 contact hours for career and technical education (V4) ... On ... The ... All five of the general education classes are career and technical education classes. The student ... and 5.00 contact hours for career and technical education (V5) ...</p> <p><i>The excess ... as follows:</i></p> <p>[TABLE]</p>	<p>4.18.12 Calculation of Excess Contact Hours Examples Example 1: A student attends six CTE classes ...</p> <p>Example 2: A ... All four of the general education classes are CTE classes. The student ... and 4.00 contact hours for CTE (V4) ...</p> <p>...</p> <p><i>The excess contact hours ... as follows:</i></p> <p>[TABLE: THE ABBREVIATION "CH" HAS BEEN REPLACED WITH "Contact Hour." THE PHRASES "Career & Technical Ed" AND "Career & Tech Ed" HAVE BEEN REPLACED WITH "CTE."]</p> <p>Example 3: A ... All of the general education classes are CTE classes. The student ... and 4.00 contact hours for CTE (V4) ... On ... The ... All five of the general education classes are CTE classes. The student ... and 5.00 contact hours for CTE (V5) ...</p> <p><i>The excess ... as follows:</i></p> <p>[TABLE: THE ABBREVIATION "CH" HAS BEEN REPLACED WITH "Contact Hour." THE PHRASE "Career & Tech Ed" HAS BEEN REPLACED WITH "CTE."]</p>
Section 5 Career and Technical Education	Revision	<p>Section 5 Career and Technical Education</p> <p>This section addresses unique attendance accounting provisions for career and technical education (CTE). They must be applied in conjunction with the general rules in Section 1, 2, and 3. If ...</p>	<p>Section 5 Career and Technical Education (CTE)</p> <p>This section addresses unique attendance accounting provisions for CTE. They must be applied in conjunction with the general rules in Sections 1, 2, and 3. If ...</p>
Section 5 Career and Technical Education	Revision	<p>5.1 Responsibility</p> <p>BOXED TEXT: List ... to whom all career and technical education (CTE) coding questions ...</p>	<p>5.1 Responsibility</p> <p>BOXED TEXT: List ... to whom all CTE coding questions ...</p>

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Section 5 Career and Technical Education	Revision	<p>5.2 Eligibility and Eligible Days Present Your district is responsible for ensuring CTE contact hour funding eligibility by meeting the following four criteria:</p> <ol style="list-style-type: none"> 1. Each CTE course must be taught by a qualified/certified teacher, as defined in 19 Texas Administrative Code (TAC) §231.1, Criteria for Assignment of Public School Personnel.⁶⁵ <ol style="list-style-type: none"> a. A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, or counselor by your school district unless the person holds an appropriate certificate or permit issued as provided by the Texas Education Code (TEC), Chapter 21, Subchapter B.⁶⁶ b. The teacher of record must be the teacher in the classroom responsible for teaching and learning, grades, attendance, etc. c. When districts partner with technical or community colleges to offer dual credit, including local or statewide articulated CTE courses, the postsecondary faculty must meet SACS teacher requirements. Postsecondary faculty are not required to obtain SBEC certification when teaching secondary students under articulation agreements. 	<p>5.2 Eligibility and Eligible Days Present Your district is responsible for ensuring CTE contact hour funding eligibility by meeting the following five criteria:</p> <ol style="list-style-type: none"> 1. Each CTE course must be taught by a qualified/certified teacher⁶⁷, as defined in 19 Texas Administrative Code (TAC) §231.1, Criteria for Assignment of Public School Personnel, with the exceptions described in the following two paragraphs. <ul style="list-style-type: none"> • This requirement does not apply to an open-enrollment charter school unless the school’s charter states that a CTE course must be taught by a qualified/certified CTE teacher. However, under the No Child Left Behind Act, certain teachers must be “highly qualified” if the open-enrollment charter school receives certain federal funds. See the TEA Highly Qualified Teachers page for more information. • When districts partner with technical or community colleges to offer dual credit, including local or statewide articulated CTE courses, the postsecondary faculty must meet Southern Association of Colleges and Schools teacher requirements. However, postsecondary faculty are not required to obtain State Board for Educator Certification certification when teaching secondary students under articulation agreements.
<i>Continued</i>			<ol style="list-style-type: none"> 2. Your district must report a teacher of record for each CTE course, except for a dual credit course taught in a non-campus-based setting, such as a community or technical college⁶⁸. The teacher of record reported through the

⁶⁵ This requirement does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. See the TEA [Highly Qualified Teachers](#) page for more information.

⁶⁶ Texas Education Code (TEC), §21.003

⁶⁷ Texas Education Code (TEC), §21.003

⁶⁸ Reporting a teacher of record for a dual credit class taught in a non-campus-based setting is optional.

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		<ol style="list-style-type: none"> 2. Your district must maintain a course calendar, or another form of documentation specified in 5.11 Documentation, showing the average minutes per day for each CTE course (see 5.5.2 PEIMS 410 Record and 5.6 Computing Contact Hours of this section). 3. Your district must ensure that the appropriate resources, laboratories, equipment, and technology are provided to teach the Texas Essential Knowledge and Skills (TEKS) for the courses offered. 4. To be eligible for CTE contact hour funding, your district must offer one or more coherent sequences of courses in at least three different career clusters. 	<p>Public Education Information Management System (PEIMS) must be the teacher in the classroom responsible for teaching and learning, grades, attendance, etc.</p> <ol style="list-style-type: none"> 3. Your district must maintain a course calendar, or another form of documentation specified in 5.11 Documentation, showing the average minutes per day for each CTE course (see 5.5.2 PEIMS 410 Record and 5.6 Computing Contact Hours of this section). 4. Your district must ensure that the appropriate resources, laboratories, equipment, and technology are provided to teach the Texas Essential Knowledge and Skills (TEKS) for the courses offered. 5. To be eligible for CTE contact hour funding, your district must offer at least one coherent sequence of courses in at least three different career clusters.
Section 5 Career and Technical Education	Revision	<p>5.2.1 Eligibility of Students for Funding ...</p> <p>Eligibility for Contact Hours: Only . . . enrolled in CTED courses (see 5.9 CTED Courses).</p>	<p>5.2.1 Eligibility of Students for Funding ...</p> <p>Eligibility for Contact Hours: Only . . . enrolled in career and technical education for the disabled courses (see 5.9 Career and Technical Education for the Disabled (CTED) Courses).</p>
Section 5 Career and Technical Education	Revision	<p>5.2.2 Eligibility of Courses for Funding State-approved CTE courses are listed in Section 4, Code Table C022 of the Public Education Information Management System [PEIMS] <i>Data Standards</i>. Your district must . . .</p>	<p>5.2.2 Eligibility of Courses for Funding State-approved CTE courses are listed in Section 4, Code Table C022 of the PEIMS Data Standards. Your district must . . .</p>
Section 5 Career and Technical Education	Revision	<p>5.2.3 Earning Contact Hours A student may enroll simultaneously in as many CTE courses as his or her schedule permits. For funding purposes, however, the student may receive no more than 6 contact hours per day (see 4.11 Contact Hours). A student is not eligible . . . in a 3-hour course. See . . . student attendance records.</p>	<p>5.2.3 Earning Contact Hours A student may enroll simultaneously in as many CTE courses as his or her schedule permits. For funding purposes, however, the student may receive no more than 6 contact hours per day (see 4.15 Eligible Days Present and Contact Hours). A student is not eligible . . . in a 3-hour course. See . . . student attendance records.</p>

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			See 3.2.2.3 Time Spent in Self-Paced Course for information on time spent in self-paced computer courses. See 3.2.2.4 Time Spent in an On-Campus Online Course Not Provided Through the Texas Virtual School Network (TxVSN) for information on time spent in on-campus online courses.
Section 5 Career and Technical Education	Revision	5.2.3.1 Earning CTE Contact Hours While Also Being Served by a Special Education Program For a student to earn . . . instructional arrangement/setting (see 4.6 Instructional Arrangement/Setting Codes).	5.2.3.1 Earning CTE Contact Hours While Also Being Served by a Special Education Program For a student to earn . . . instructional arrangement/setting. (See 4.7 Instructional Arrangement/Setting Codes . See 4.7.2.5 Homebound Funding and Homebound Documentation Requirements for requirements related to a homebound instructor's log.)
Section 5 Career and Technical Education	Revision	5.4 Withdrawal Procedures ... CTE contact hours may not be claimed when a student receiving CTE services is placed in a disciplinary setting (e.g., in-school suspension [ISS] or disciplinary alternative education program [DAEP]) for . . .	5.4 Withdrawal Procedures ... CTE contact hours may not be claimed when a student receiving CTE services is placed in a disciplinary setting (e.g., in-school suspension or disciplinary alternative education program) for . . .
Section 5 Career and Technical Education	Addition	5.5.1 PEIMS 101 Record Your district must code . . . as shown in the following chart. [TABLE: SECOND COLUMN'S TITLE: Code to Be Used on PEIMS 101 Record]	5.5.1 PEIMS 101 Record Your district must code . . . as shown in the following chart. Note: Auditing of a CTE course (i.e., attending the course but not taking it for state credit) is not considered CTE participation for purposes of determining a student's CTE indicator code. For example, a student who is only auditing a CTE course and taking no other CTE courses for state credit is reported with a CTE indicator code of 0. [TABLE: SECOND COLUMN'S TITLE: CTE Indicator Code to Be Used on PEIMS 101 Record]
Section 5 Career and Technical Education	Revision	5.5.2 PEIMS 410 Record A student . . . as V1, V2, V3, V4, V5, or V6. The number . . . enrolled. (A student's . . . contact hours.) Examples: District personnel should code a student enrolled in — <ul style="list-style-type: none"> • a one-credit CTE course as V1. • three one-credit CTE courses as V3. 	5.5.2 PEIMS 410 Record A student . . . as V1, V2, V3, V4, V5, or V6. The number . . . enrolled. (A student's . . . contact hours.)

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		<ul style="list-style-type: none"> a three-credit CTE course as V3. <p>Note: For exceptions to this rule, see 5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules.</p> <p>Use the following chart to determine the CTE codes to use for coding students.</p> <p>[TABLE]</p> <p>For CTE purposes, the descriptor "1-hour" refers to a class period ranging in time from 45 minutes up to 89 minutes. Usually, a half-credit CTE course is taught for one class period for one semester. A two-credit CTE course would be taught for four 45- to 89-minute class periods for one-half of the year or two 45- to 89-minute class periods for the entire year.</p>	<p>Use the following chart to determine the CTE codes to use for coding students.</p> <p>[TABLE]</p> <p>Each CTE course must be reviewed separately to determine the average minutes per day students attend that course. For students who are enrolled in more than one CTE course, CTE codes are combined to determine the correct code assigned to each student. For example, a student enrolled in three separate 45-minute CTE courses would be assigned a code of V3 (V1 + V1 + V1 = V3).</p> <p>Note: Auditing of a CTE course (i.e., attending the course but not taking it for state credit) is not considered CTE participation for purposes of PEIMS reporting. A student who is only auditing a CTE course and taking no other CTE courses for state credit should not have a 410 record.</p>
Section 5 Career and Technical Education	Revision	<p>5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules</p> <p>If your district operates block schedules in which class periods are not in 1-hour increments, use the chart above in 5.5.2 to code students.</p> <p>Each CTE course . . .</p>	<p>5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules</p> <p>If your district operates block schedules in which class periods are not in equal-length increments, use the chart above in 5.5.2 to code students.</p> <p>Each CTE course . . .</p>
Section 5 Career and Technical Education	Revision	<p>5.7.5 Required Site Visits by Teachers</p> <p>Teachers assigned to teach courses involving work-based learning experiences, both paid and unpaid, must visit each student training site at least six times each school year. The teacher of record must be provided time within his or her schedule to visit the training sites. The training site visits . . .</p>	<p>5.7.5 Required Site Visits by Teachers</p> <p>A teacher assigned to teach courses involving work-based learning experiences, both paid and unpaid, must visit each student training site at least six times each school year. The teacher must be provided time within his or her schedule to visit the training sites. The training site visits . . .</p>
Section 5 Career and Technical Education	Revision	<p>5.8 CTE Problems and Solutions (Formerly CTE Independent Study)</p> <p>A Problems and Solutions course . . . interdisciplinary team.</p> <p>Written project plans must be on file in a student's folder for a</p>	<p>5.8 CTE Problems and Solutions (Formerly CTE Independent Study)</p> <p>A Problems and Solutions course . . . interdisciplinary team.</p> <p>Your district must maintain a written project plan for each student</p>

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		<p>student participating in a Problems and Solutions course. Your district may count a student in a Problems and Solutions course for contact hours on the first day of enrollment, provided the student's project plans are on file in the student's folder within 15 instructional days of the student's enrollment date. A student whose project plans are not on file in his or her folder within this time period may be counted for contact hours beginning on the first day the project plans are filed.</p> <p>The Problems and Solutions course . . .</p>	<p>enrolled in a Problems and Solutions course. Your district may count a student in a Problems and Solutions course for contact hours on the first day of enrollment, provided the student's project plan is written within 15 instructional days of the student's enrollment date. If a student's project plan is not written within this time period, your district may count the student for contact hours beginning on the first day the project plan is written.</p> <p>The Problems and Solutions course . . .</p>
<p>Section 5 Career and Technical Education</p>	<p>Revision</p>	<p>5.9 CTED Courses Any CTE course may be taught as a Career and Technical Education for the Disabled (CTED) course, but . . .</p> <p>CTED courses must . . .</p> <p>For a student to be enrolled in a CTED course, an admission, review, and dismissal (ARD) committee must</p>	<p>5.9 Career and Technical Education for the Disabled (CTED) Courses Any CTE course may be taught as a CTED course, but . . .</p> <p>CTED courses must . . .</p> <p>For a student to be enrolled in a CTED course, an admission, review, and dismissal committee must</p>
<p>Section 5 Career and Technical Education</p>	<p>Revision</p>	<p>5.11 Documentation To claim . . .</p> <p>Adequate documentation . . . available. Acceptable documentation for establishing entry, service, and withdrawal is as follows:</p> <ul style="list-style-type: none"> • The CTE teacher's grade book documenting the student's attendance and participation in the CTE course; • The student's official grade report, indicating the grade obtained in the CTE course (successful completion of the course is not required to generate contact hours); • The student's official schedule change document, if the student changed schedules during the semester; and • The student's withdrawal form and documentation of the student's schedule at the time of withdrawal, if the student withdraws from school during the semester. <p>The student must be reported . . .</p>	<p>5.11 Documentation To claim . . .</p> <p>Adequate documentation . . . available. Acceptable documentation for establishing entry, service, and withdrawal is as follows:</p> <ul style="list-style-type: none"> • the CTE teacher's grade book (grade books are required to be retained for 1 year from the date that the grades are posted to the students' academic achievement records; see 2.3.5 Additional Required Documentation) and • the student's official schedule change document, if the student changed schedules during the semester. <p>The student must be reported . . .</p>

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Section 5 Career and Technical Education	Revision	<p>5.12 Quality Control</p> <p>As soon as a student is enrolled in a state-approved and state-funded CTE course for which the student is eligible for state credit, district personnel should code the student with the appropriate CTE code. As soon as the student changes his or her schedule or withdraws from school, district personnel should revise the student's CTE code. Your district must establish controls to ensure the CTE code does not change before the date the service changes.</p> <p>At the beginning of each school year and at the end of each 6-week reporting period, the appropriate CTE staff should verify the Student Detail Report to ensure that the coding of CTE students is correct.</p> <p>District personnel must report a student on the PEIMS 415 record for each semester of a CTE course for the student to be eligible for CTE contact hours. This rule does not apply for a student who did not complete the semester. A student who did not complete the CTE course still receives contact hours for the time spent in the course.</p>	<p>5.12 Quality Control</p> <p>As soon as a student is enrolled in a state-approved and state-funded CTE course for which the student is eligible for state credit, district personnel should code the student with the appropriate CTE coding on the PEIMS 101 and 410 records. As soon as the student changes his or her schedule or withdraws from school, district personnel should revise the student's CTE coding. Your district must establish controls to ensure the CTE code does not change before the date the service changes.</p> <p>At the beginning of each school year and at the end of each 6-week reporting period, the appropriate CTE staff should verify the Student Detail Report to ensure that the coding of CTE students is correct.</p> <p>District personnel must report a student's course completion data on the PEIMS 415 (course completion data - student) record for each semester of a CTE course for the student to be eligible for CTE contact hours. However, a PEIMS 415 record is not required if a student drops a CTE course before the fall snapshot date during the first semester. A PEIMS 415 record is required, though, if a student:</p> <ol style="list-style-type: none"> 1) drops a CTE course <i>after</i> the fall snapshot date during the first semester or 2) drops a CTE course at any point during the second semester. <p>A student who did not complete a CTE course still receives contact hours for the time spent in the course.</p> <p>Auditing of a CTE course (i.e., attending the course but not taking it for state credit) is not considered CTE participation for purposes of PEIMS reporting. A student who is only auditing a CTE course and taking no other CTE courses for state credit is reported with a CTE indicator code of 0 on the PEIMS 101 record. The student should not have any 410 record or a 415 record for the audited CTE course.</p>
Section 5 Career and Technical Education	Revision	None.	<p>5.13.1 Example 1</p> <p>Student A is enrolled in one 60-minute-per-day CTE course.</p> <p>Student B is enrolled in one 120-minute-per-day CTE course.</p> <p>Student C is enrolled in three 60-minute-per-day CTE courses.</p>

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			<p>Student D is enrolled in one 180-minute-per-day CTE course.</p> <p><i>The CTE code for Student A would be entered as V1 in the attendance accounting system (one 60-minute class = V1).</i></p> <p><i>The CTE code for Student B would be entered as V2 in the attendance accounting system (one 120-minute class = V2).</i></p> <p><i>The CTE code for Student C would be entered as V3 in the attendance accounting system (one 60-minute class = V1; V1 + V1 + V1 = V3).</i></p> <p><i>The CTE code for Student D would also be entered as V3 in the attendance accounting system (one 180-minute class = V3).</i></p> <p>[SUBSEQUENT EXAMPLES RENUMBERED AS EXAMPLES 2–13.]</p>
Section 5 Career and Technical Education	Revision	<p>5.13.2 Example 2 A student is enrolled in Principles of Health Science and in Medical Terminology for 55 minutes per day for the first semester and in Medical Microbiology for the second semester.</p> <p><i>The CTE code . . .</i></p>	<p>5.13.3 Example 3 A student is enrolled in Principles of Health Science for 55 minutes per day and in Medical Terminology for 55 minutes per day for the first semester and in Medical Microbiology for 55 minutes per day for the second semester.</p> <p><i>The CTE code . . .</i></p>
Section 5 Career and Technical Education	Revision	<p>5.13.3 Example 3 A grade 8 student is enrolled in . . . for the first semester.</p> <p><i>This student will not be coded in the attendance accounting system because . . .</i></p>	<p>5.13.4 Example 4 A grade 8 student is enrolled in . . . for the first semester.</p> <p><i>This student will not have a CTE code in the attendance accounting system because . . .</i></p>
Section 5 Career and Technical Education	Revision	<p>5.13.10 Example 10 A special education student is enrolled in Principles of Health Science (V1). The student develops a physical impairment, and the school obtains a statement from a physician licensed to practice in the United States affirming that the physical impairment will prevent the student from attending school for at least 4 weeks.</p> <p><i>For a student to earn CTE contact hours while he or she is also being served in the special education homebound, hospital class, and/or</i></p>	<p>5.13.11 Example 11 A student receiving special education services is enrolled in Principles of Health Science (V1). The student develops a physical impairment, and the school obtains a statement from a physician licensed to practice in the United States affirming that the physical impairment will confine the student to home or hospital bedside for at least 4 weeks.</p> <p><i>For a student to earn CTE contact hours while he or she is also being served in the special education homebound, hospital class, or state</i></p>

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		<i>state supported living center instructional arrangement/setting, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the special education homebound, hospital class, and/or state supported living center instructional arrangement/setting (see 4.6 Instructional Arrangement/Setting Codes). On returning . . .</i>	<i>supported living center instructional arrangement/setting, the student must continue to receive the same amount and type of CTE service that he or she was receiving before being placed in the special education homebound, hospital class, or state supported living center instructional arrangement/setting (see 4.7 Instructional Arrangement/Setting Codes). On returning . . .</i>
Section 5 Career and Technical Education	Revision	<p>5.13.11 Example 11 A student . . .</p> <p><i>Your school district or charter school would receive 1 CTE contact hour for the high school CTE course plus 2 contact hours for the approved career and technical/college course taught for dual credit (V3). The high school student . . .</i></p>	<p>5.13.12 Example 12 A student . . .</p> <p><i>Your school district or charter school would receive 1 CTE contact hour for the high school CTE course plus 2 contact hours for the approved CTE college course taught for dual credit (V3). The high school student . . .</i></p>
Section 6 Bilingual/English as a Second Language (ESL)	Addition	<p>[section introduction] This section addresses unique provisions for bilingual and ESL education programs. These provisions must be applied in conjunction with the general rules in Sections 1, 2, and 3. If students are served by multiple programs, review and apply the provisions of each applicable program.</p> <p>[BOX]</p>	<p>[section introduction] This section addresses unique provisions for bilingual and ESL education programs. These provisions must be applied in conjunction with the general rules in Sections 1, 2, and 3. If students are served by multiple programs, review and apply the provisions of each applicable program.</p> <p>The term "limited English proficient (LEP) student," as used in Section 6 of the handbook, is interchangeable with the terms "English language learner," used in 19 Texas Administrative Code Chapter 89, and "student of limited English proficiency," used in the Texas Education Code, Chapter 29, Subchapter B.</p> <p>[BOX]</p>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.2 Eligibility To be eligible . . . :</p> <ul style="list-style-type: none"> • have . . . • be considered limited English proficient (LEP) because . . . <ul style="list-style-type: none"> ○ grades PK through . . . <p>Each . . .</p> <p>Important: Students who are under age 3 and served only in the Preschool Program for Children With Disabilities (PPCD) . . .</p>	<p>6.2 Eligibility To be eligible . . . :</p> <ul style="list-style-type: none"> • have . . . • be considered LEP because . . . <ul style="list-style-type: none"> ○ grades prekindergarten (PK) through . . . <p>Each . . .</p> <p>Important: Students who are under age 3 and served only in the preschool program for children with disabilities (PPCD) . . .</p>

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Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.3 Enrollment Procedures This section explains . . . program.</p> <ol style="list-style-type: none"> 1. A student . . . survey (see 6.11.1 Home Language Survey Requirements). Students in . . . 	<p>6.3 Enrollment Procedures This subsection explains . . . program.</p> <ol style="list-style-type: none"> 1. A student . . . survey (see 6.12.1 Home Language Survey Requirements). Students in . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.3.1 Students Who Move to Your District Within 4 weeks of his or her . . .</p> <p>When a bilingual/ESL student . . . sending district. If your district does not receive this documentation within 4 weeks of the student's enrollment . . .</p>	<p>6.3.1 Students Who Move to Your District Within 4 weeks (20 school days) of his or her . . .</p> <p>When a bilingual/ESL student . . . sending district. If your district does not receive this documentation within 4 weeks (20 school days) of the student's enrollment . . .</p>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	[SUBSECTIONS THAT WERE 6.4 Withdrawal/Reclassification/Exit Procedures and 6.5 Evaluation of a Student Who Has Been Transferred (Transitioned/Exited/Reclassified) Out of the Bilingual or ESL Education Program MOVED TO BE NEW SUBSECTIONS 6.9 AND 6.10, RESPECTIVELY.]	—
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.6 Eligibility of Your District's Bilingual or ESL Education Program for State Funding For your district to claim . . . following state requirements.</p> <ol style="list-style-type: none"> 1. A student is served in a full-time bilingual instructional program . . . The amount . . . academic achievement. LEP students . . . and in English. 2. A student is provided instruction in ESL . . . In PK . . . methods. In high school, . . . requirements. The LPAC . . . programs. 3. A student is served in a program approved by the TEA under an exception . . . A student . . . language. A TEA-approved . . . only. 	<p>6.4 Eligibility of Your District's Bilingual or ESL Education Program for State Funding For your district to claim . . . following state requirements.</p> <ol style="list-style-type: none"> 1. A student is served in a full-time bilingual instructional program . . . The amount . . . academic achievement. LEP students . . . in English. The appropriate bilingual program type code should be recorded for each student served in a bilingual program. 2. A student is provided instruction in ESL . . . In PK . . . methods. In high school, . . . requirements. The LPAC . . . programs. The appropriate ESL program type code should be recorded for each student served in an ESL program. 3. A student is served in a program approved by the TEA under an exception . . . A student . . . language. A TEA-approved . . . only. The appropriate bilingual or ESL program type code should be recorded for each student served in program under a bilingual exception or ESL waiver.
Section 6 Bilingual/English	Addition	None.	6.5 Required Curriculum

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as a Second Language (ESL)			The English language proficiency standards (ELPS) found in 19 TAC §74.4, English Language Proficiency Standards, outline English language proficiency level descriptors and student expectations for LEP students. School districts must implement 19 TAC §74.4 as an integral part of each subject in the required curriculum. ⁶⁹ The ELPS are available on the TEA website at http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720 .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	[SUBSECTION THAT WAS 6.10 MOVED TO BE NEW 6.6.] 6.10 Eligible Days Present This section describes . . . 6.10.1 Eligible Days Present and Students Placed in a Disciplinary Setting Bilingual or . . . a disciplinary setting (e.g., in-school suspension [ISS] or disciplinary alternative education program [DAEP]) for . . .	6.6 Eligible Days Present This subsection describes . . . 6.6.1 Eligible Days Present and Students Placed in a Disciplinary Setting Bilingual or . . . a disciplinary setting (e.g., in-school suspension or disciplinary alternative education program) for . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.7 Requirement to Serve Eligible Students Your district . . . Your district . . . approval is received (and all other . . . have been met) ⁷⁰ . If a parental denial . . .	6.7 Requirement to Serve Eligible Students Your district . . . Your district . . . approval is received (and all other . . . have been met) ⁷¹ . If a parental denial . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4 Withdrawal/Reclassification/Exit Procedures This section explains . . . program. 1. A student is withdrawn . . . if — • the LPAC classifies . . . as stated in the Texas Education Code (TEC), §29.056(g) (see 6.4.2 Exit Criteria); or • the parent . . .	6.9 Withdrawal/Reclassification/Exit Procedures This subsection explains . . . program. 1. A student is withdrawn . . . if: • the LPAC classifies . . . as stated in the TEC, §29.056(g) (see 6.9.2 Exit Criteria); or • the parent . . .

⁶⁹ 19 TAC §74.4

⁷⁰ 19 TAC §89.1220(k)

⁷¹ 19 TAC §89.1220(j)

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		<p>6.4.1 Effective Date of Withdrawal For . . .</p>	<p>6.9.1 Effective Date of Withdrawal For . . .</p>
<p>Section 6 Bilingual/English as a Second Language (ESL)</p>	<p>Revision</p>	<p>6.4.2 Exit Criteria The following chart . . .</p> <p>[TABLE NAME: 2011–2012 English Proficiency Exit Criteria Chart</p> <p>TEXT AT TOP OF TABLE: At the end of . . . evaluation.</p> <p>SECOND ROW LABEL: English Reading and ELA</p> <p>SECOND ROW, 1ST AND 2ND GRADE COLUMNS: Norm-Refd. Standardized Achievmt. Test¹ (Rdg./Lang.) 40th percentile or above</p> <p>SECOND ROW, 3RD GRADE COLUMN: Texas English Language Proficiency Assessmt. System (TELPAS) Reading Adv. High</p> <p>SECOND ROW, 4TH–8TH GRADE COLUMNS: TELPAS Reading Advanced High</p> <p>SECOND ROW, 9TH GRADE COLUMN: EOC English I Reading State of Texas Assessmts. of Academic Readiness (STAAR)³</p> <p>SECOND AND THIRD ROWS, 10TH GRADE COLUMN: English ELA TAKS, TAKS (Accommodated)²</p> <p>SECOND AND THIRD ROWS, 11TH GRADE COLUMN: English ELA TAKS, TAKS (Accommodated)²</p>	<p>6.9.2 Exit Criteria The following chart . . .</p> <p>[TABLE NAME: 2012–2013 English Proficiency Exit Criteria Chart</p> <p>TEXT AT TOP OF TABLE: At the end of . . . evaluation.</p> <p>For State of Texas Assessments of Academic Readiness (STAAR) English reading and English writing, the performance level for program exit is Level II (Satisfactory Academic Performance) or above.</p> <p>SECOND ROW LABEL: English Reading²</p> <p>SECOND ROW, 1ST AND 2ND GRADE COLUMNS: Norm-Referenced Standardized Achievement Test¹ (Rdg./Lang.) 40th percentile or above</p> <p>SECOND ROW, 3RD GRADE COLUMN: STAAR</p> <p>SECOND ROW, 4TH–8TH GRADE COLUMNS: STAAR</p> <p>SECOND ROW, 9TH GRADE COLUMN: STAAR³</p> <p>SECOND ROW, 10TH GRADE COLUMN: STAAR³</p> <p>SECOND AND THIRD ROWS, 11TH GRADE COLUMN: Texas Assessment of Knowledge and Skills (TAKS), TAKS (Accommodated⁵) English Language Arts Assessment</p>

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		<p>THIRD ROW LABEL: English Writing</p> <p>THIRD ROW, 1ST–8TH GRADE COLUMNS: Agency-Apprvd. Writing Test¹</p> <p>THIRD ROW, 9TH GRADE COLUMN: EOC English I Writing STAAR⁴</p> <p>TABLE FOOTNOTE TEXT: ¹ In the 2011–2012 agency-approved <i>List of Approved Tests for Assessment of Limited English Proficient Students</i> available on the following web page: http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720 Note: LEP students may be exited only after end of first grade based on 19 TAC §89.1225(i) ² For eligible LEP students receiving special education services</p> <p>³ Exception: TELPAS Reading Advanced High will be used for students repeating grade 9 in the 2011–2012 school year (since these students will graduate under the TAKS, not STAAR, program).</p> <p>⁴ Exception: An agency-approved writing test from the 2011–2012 list of approved tests will be used for students repeating grade 9 in the 2011–2012 school year (since these students will graduate under the TAKS, not STAAR, program).]</p>	<p>THIRD ROW LABEL: English Writing²</p> <p>THIRD ROW, 1ST–3RD AND 5TH, 6TH, AND 8TH GRADE COLUMNS: Agency-Approved Writing Test¹</p> <p>THIRD ROW, 4TH AND 7TH GRADE COLUMNS: STAAR</p> <p>THIRD ROW, 9TH AND 10TH GRADE COLUMNS: STAAR⁴</p> <p>TABLE FOOTNOTE TEXT: ¹ In the 2012–2013 agency-approved <i>List of Approved Tests for Assessment of Limited English Proficient Students</i> available on the following web page: http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720 Note: LEP students may be exited only after end of first grade based on 19 TAC §89.1225(i). ² For STAAR, English reading and English writing refer to the grade-level tests in grades 3–8 and to the applicable end-of-course English I, II, and III reading and writing assessments.</p> <p>³ Exception: Texas English Language Proficiency Assessment System (TELPAS) Reading Advanced High will be used in 2012–2013 for a student in grade 9 or 10 who is a TAKS graduate under state policy.</p> <p>⁴ Exception: An agency-approved writing test from the 2012–2013 list of approved tests will be used for a student who is repeating grade 9 or 10 and is a TAKS graduate under state policy. ⁵ TAKS (Accommodated) is for eligible (LEP) students receiving special education services.]</p>
<p>Section 6 Bilingual/English as a Second Language (ESL)</p>	<p>Revision</p>	<p>6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services Information . . .</p> <p>6.4.4 Continuation of Bilingual or ESL Education Program Services After a Student Has Met Exit Criteria A . . .</p>	<p>6.9.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services Information . . .</p> <p>6.9.4 Continuation of Bilingual or ESL Education Program Services After a Student Has Met Exit Criteria A . . .</p>

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Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.5 Evaluation of a Student Who Has Been Transferred (Transitioned/Exited/Reclassified) Out of the Bilingual or ESL Education Program During . . .</p>	<p>6.10 Evaluation of a Student Who Has Been Transferred (Transitioned/Exited/Reclassified) Out of the Bilingual or ESL Education Program During . . .</p>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.9 Teacher Certification Requirements The . . .</p> <p>6.9.1 Students in Grades PK Through 5 Students . . . bilingual-certified staff. Students . . . ESL-certified staff.</p> <p>6.9.2 Students in Grades 6 Through 8 Students . . . LEP students.</p> <p>6.9.3 Students in Grades 9 Through 12 Students . . . instruction. However . . . certification.</p>	<p>6.11 Teacher Certification Requirements The . . .</p> <p>6.11.1 Students in Grades PK Through 5 Students . . . bilingual-certified staff. Students . . . ESL-certified staff. All staff serving LEP students must receive training in sheltered instruction.⁷²</p> <p>6.11.2 Students in Grades 6 Through 8 Students . . . LEP students. All staff serving LEP students must receive training in sheltered instruction.⁷³</p> <p>6.11.3 Students in Grades 9 Through 12 Students . . . instruction. However . . . certification. All staff serving LEP students must receive training in sheltered instruction.⁷⁴</p>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.11 Documentation For . . .</p> <p>6.11.1 Home Language Survey Requirements Your . . . student.</p>	<p>6.12 Documentation For . . .</p> <p>6.12.1 Home Language Survey Requirements Your . . . student.</p>

⁷² 19 TAC §89.1210

⁷³ 19 TAC §89.1210

⁷⁴ 19 TAC §89.1210

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		<p>Your district must . . . within 4 weeks (20 school days). Your . . . district.</p> <p>Your . . . through 12.</p> <p>For a student moving . . . survey shall be kept in the student’s permanent record. If the original . . . district.</p> <p>6.11.2 Test Result Documentation Requirement The . . .</p> <p>6.11.3 LPAC Recommendation and Parental Approval Requirements The . . .</p> <p>6.11.4 Proof of a Student's Being Served in an Eligible Bilingual or ESL Education Program Proof . . .</p>	<p>Your district must . . . within 20 school days. Your . . . district.</p> <p>Your . . . through 12.</p> <p>For a student moving . . . survey must be kept in the student’s record. If the original . . . district.</p> <p>6.12.2 Test Result Documentation Requirement The following . . .</p> <p>6.12.3 LPAC Recommendation and Parental Approval Requirements The following . . .</p> <p>6.12.4 Proof of a Student's Being Served in an Eligible Bilingual or ESL Education Program Proof . . .</p>
<p>Section 6 Bilingual/English as a Second Language (ESL)</p>	<p>Revision</p>	<p>6.11.5 Permanent Record Documentation The student's permanent record must contain . . . student. This documentation must include⁷⁵ the following:</p> <ol style="list-style-type: none"> 1. the identification of the student as LEP; . . . 7. the dates of exemptions from the criterion-referenced test, criteria used for this determination, and additional instructional interventions provided to the student to ensure adequate yearly progress; 8. the date of exit from the program and parent notification; 	<p>6.12.5 Other Required Documentation The student's record must contain . . . student. This documentation must include the following:</p> <ol style="list-style-type: none"> 1. the identification of the student as LEP; . . . 7. documentation of state assessment participation decisions and any linguistic accommodations, the justification for these decisions, and additional instructional interventions provided to the student to ensure adequate yearly progress; 8. documentation of the student's eligibility to use the special provision for the end-of-course exam(s) for English I and/or II; 9. the date of exit from the program and parent notification;

⁷⁵ 19 TAC §89.1220(m)

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<i>Continued</i>		<p>9. the results of monitoring the student's academic success; and</p> <p>10. TELPAS writing samples kept for 2 years.</p> <p>If the student enrolls in another school district or at another campus, permanent record documentation must be forwarded, as is the case with other student records.</p>	<p>10. the results of monitoring the student's academic success; and</p> <p>11. TELPAS writing samples kept for 2 years.</p> <p>The documentation described in items 1–10 must be forwarded in the same manner as other student records to another school district in which the student enrolls.⁷⁶ The student's TELPAS writing samples should be forwarded as well. Student record documentation also should be forwarded if the student enrolls at another campus within your district.</p>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	<p>6.12 Quality Control Your . . .</p> <p>6.13 Examples</p>	<p>6.13 Quality Control Your . . .</p> <p>6.14 Examples [EXAMPLES 6.13.1–6.13.5 RELABELED AS EXAMPLES 6.14.1–6.14.5.]</p>
Section 7 Prekindergarten	Revision	<p>Section 7 Prekindergarten This section . . . provisions for prekindergarten (PK). They . . .</p> <p>[BOX TEXT: Important: See . . . including prekindergarten.]</p> <p>Any . . .</p>	<p>Section 7 Prekindergarten (PK) This section . . . provisions for PK. They . . .</p> <p>[BOX TEXT: Important: See . . . including PK.]</p> <p>Any . . .</p>

⁷⁶ 19 TAC §89.1220(I)

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Section 7 Prekindergarten	Revision	<p>7.2 Eligibility To be eligible . . . current school year and must —</p> <ol style="list-style-type: none"> 1. be unable to speak . . . English language; or 2. be educationally disadvantaged (eligible to participate in the National School Lunch Program [NSLP]⁷⁷ or in Head Start⁷⁸); or 3. be homeless; . . . 	<p>7.2 Eligibility To be eligible . . . current school year and must meet one of the following requirements:</p> <ol style="list-style-type: none"> 1. be unable to speak . . . English language; or 2. be educationally disadvantaged⁷⁹ (eligible to participate in the National School Lunch Program [NSLP]; see 7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the NSLP)); or 3. be homeless; . . .
Section 7 Prekindergarten	Revision	<p>7.2.2 PK Eligibility Based on a Student's Being Limited English Proficient (LEP) Appropriate PK staff determine . . . by —</p> <ol style="list-style-type: none"> 1. administering . . . ; and 2. testing . . . limited English proficient students. <p>If . . . program.</p> <p>If a student qualifies for PK on the basis of being limited English proficient (LEP), is not . . .</p>	<p>7.2.2 PK Eligibility Based on a Student's Being Limited English Proficient (LEP) Appropriate PK staff determine . . . by:</p> <ol style="list-style-type: none"> 1. administering . . . ; and 2. testing . . . limited English proficient (LEP) students. <p>If . . . program.</p> <p>If a student qualifies for PK on the basis of being LEP, is not . . .</p>
Section 7 Prekindergarten	Revision	<p>7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the National School Lunch Program [NSLP]) Any student considered educationally disadvantaged is eligible to receive free prekindergarten. The TEC, §5.001(4), defines <i>educationally disadvantaged</i> as "eligible to participate in the national free or reduced-price lunch program." For a student to qualify for the NSLP, either</p>	<p>7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the NSLP) Any student considered educationally disadvantaged is eligible to receive free PK. The TEC, §5.001(4), defines <i>educationally disadvantaged</i> as "eligible to participate in the national free or reduced-price lunch program." If a student is eligible for PK because the student is educationally disadvantaged (eligible to participate in the NSLP), your district must document and have on file evidence that the student is eligible to participate in the NSLP, either because</p>

⁷⁷ It is not necessary for a student to participate in the NSLP to qualify for PK.

⁷⁸ Public Law 110-134, which amended 42 USC, §1758, expanded automatic eligibility for the NSLP to include all children who meet any eligibility criteria for Head Start, not only those who meet the low-income eligibility criteria for Head Start. The TEC, §5.001(4), defines educationally disadvantaged as "eligible to participate in the national free or reduced-price lunch program." Consequently, all children who are enrolled as participants ineligible for Head Start are eligible for free prekindergarten, based on their eligibility for the NSLP.

⁷⁹ The TEC, §5.001(4), defines "educationally disadvantaged" as "eligible to participate in the national free or reduced-price lunch program."

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		<p>1. the student must be automatically eligible for the NSLP</p> <p>If a student is eligible for PK because the student is educationally disadvantaged (eligible to participate in the NSLP), your district must document and have on file evidence that the student is eligible to participate in the NSLP, either because the student's family income level meets requirements for participation in the NSLP or because of automatic eligibility for the NSLP.</p> <p>Public Law 110-134, which amended 42 United States Code (USC), §1758, expanded automatic eligibility for the NSLP to include all children who meet any eligibility criteria for Head Start, not only those who meet the low-income eligibility criteria for Head Start. Consequently, all children who are eligible for Head Start are eligible for free prekindergarten, based on their eligibility for the NSLP.</p> <p>The parent or guardian of the child must provide your school district with a copy of a document from the Head Start Program (HSP) that certifies that the child is currently enrolled as a participant in the HSP. This document must be signed and dated by a HSP employee who is authorized to provide this certification on behalf of the HSP. Every 12 months after the initial determination of eligibility, your district must obtain current documentation that the child continues to be categorically eligible by being enrolled in a HSP.</p> <p>For the other preexisting bases for automatic NSLP eligibility, see 42 USC, §1758. For additional information concerning the NSLP at the state level, please contact the Texas Department of Agriculture.</p> <p>or</p> <p>2. the student's family must provide your school district with current income level documentation showing that the income level meets requirements for the student's participation in the NSLP.</p>	<p>the student's family income level meets requirements for participation in the NSLP or because of automatic eligibility for the NSLP.</p> <p>For a student to qualify for the NSLP, either:</p> <p>1. the student must be automatically eligible for the NSLP</p> <p>Children who are automatically eligible for the NSLP under criteria in federal law (42 United States Code [USC], §1758) include the following:</p> <ul style="list-style-type: none"> • a child who is a member of a household receiving benefits from the Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families program, or Food Distribution Program on Indian Reservations • a child who is enrolled as a participant in Head Start or Even Start • a child who is considered a migrant child • a child who is considered homeless • a child who is considered a runaway • a child who is a foster child <p>For exact definitions of the terms used in the previous paragraph and complete information on pre-existing bases for automatic NSLP eligibility, see 42 USC, §1758. For information on appropriate documentation of automatic eligibility, see either the US Department of Agriculture's <i>Eligibility Manual for School Meals</i>, available at http://www.fns.usda.gov/cnd/lunch/, or the Texas Department of Agriculture's <i>NSLP Handbook: Administrator's Reference Manual</i>, available at http://www.squaremeals.org/Programs/NationalSchoolLunchProgram/NSLPPolicyampARM.aspx. For additional information concerning the NSLP at the state level, please contact the Texas Department of Agriculture.</p> <p>or</p> <p>2. the student's family must provide your school district with current income level documentation showing that the</p>

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		<p>Many . . . program. Since . . . membership. On reverification . . . funding.</p> <p>If a student qualifies for PK on the basis of being educationally disadvantaged (eligible to participate in the NSLP), and then moves out of your district, the student must requalify for the PK program in the new district.</p>	<p>income level meets requirements for the student's participation in the NSLP.</p> <p>Many . . . program. Since . . . membership. On reverification . . . funding.</p> <p>If a student qualifies for PK on the basis of being eligible to participate in the NSLP, and the student then moves to a new district, the new district should review the previous district's determination for accuracy. If the new district finds that the determination was accurate, the student need not requalify for the PK program in the new district. If the new district finds that an error was made, the student must requalify for the PK program in the new district.</p>
<p>Section 7 Prekindergarten</p>	<p>Revision</p>	<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 definition of "homeless children and youths" in the No Child Left Behind (NCLB) Act. As the definition in the NCLB Act applies specifically under federal law to the enrollment of homeless children and youth, the TEA advises school districts to apply the NCLB Act definition in addition to the definition in 42 USC, §11302, when determining if a student is eligible for enrollment.</p> <p>[DEFINITIONS]</p>	<p>7.2.4 PK Eligibility Based on Homelessness A student is eligible on the basis of homelessness if your district's local homeless education liaison identifies the student as 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 of "homeless," "homeless individual," and "homeless person" in 42 USC, §11302, is similar, but not identical, to the definition of "homeless children and youths" in the No Child Left Behind (NCLB) Act. As the definition in the NCLB Act applies specifically under federal law to the enrollment of homeless children and youth, the TEA advises school districts to apply the NCLB Act definition in addition to the definition in 42 USC, §11302, when determining whether a student is eligible for enrollment. For both definitions, see the entry for "Homeless Students" in Section 13 Glossary.</p> <p>[DEFINITIONS THAT PREVIOUSLY APPEARED HERE NOW APPEAR ONLY IN GLOSSARY.]</p>
<p>Section 7 Prekindergarten</p>	<p>Revision</p>	<p>7.2.5 PK Eligibility Based on a Parent's Membership in the Armed Forces The following . . . :</p>	<p>7.2.5 PK Eligibility Based on a Parent's Membership in the Armed Forces The following . . . :</p>

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		<p>...</p> <p>Also, for purposes of eligibility for enrollment in a PK program, a child is considered to be the child of a member of the armed forces if —</p> <p>a. the child . . .</p>	<p>...</p> <p>Also, for purposes of eligibility for enrollment in a PK program, a child is considered to be the child of a member of the armed forces if either of the following conditions is met:</p> <p>a. the child . . .</p>
Section 7 Prekindergarten	Revision	<p>7.2.5.1 Documentation Required If the student . . . on file:</p> <ol style="list-style-type: none"> Documentation . . . members. The . . . verified. Important: Your district should not make a copy of the identification. A “Statement of Service” . . . 	<p>7.2.5.1 Documentation Required If the student . . . on file:</p> <ol style="list-style-type: none"> Documentation . . . members. The . . . verified. <p>If the student has not been issued such an ID, then documentation must be on file that a district employee verified the military member's DoD photo identification (or other DoD-issued documentation indicating that the person is an active-duty member of the military) and verified documentation showing that the student is a child of the military member. The documentation to be kept on file must include the printed name and signature of the person who verified the DoD and other documentation and the date that it was verified, as well as a photocopy of the documentation showing that the student is a child of the military member.</p> <p>Important: Your district should not make a copy of DoD identification.</p> <ol style="list-style-type: none"> A “Statement of Service” . . .
Section 7 Prekindergarten	Revision	<p>7.2.6 PK Eligibility Based on a Child's Having Been in Foster Care ...</p> <p>At least twice a year, the DFPS and Child Protective Services mail verification letters of PK eligibility . . .</p>	<p>7.2.6 PK Eligibility Based on a Child's Having Been in Foster Care ...</p> <p>At least annually, the DFPS and Child Protective Services mail verification letters of PK eligibility . . .</p>
Section 7 Prekindergarten	Revision	<p>7.2.7 PK Eligibility and Participation in the Preschool Program for Children With Disabilities (PPCD) The only time a PK student is eligible for a full day of attendance is if</p>	<p>7.2.7 PK Eligibility and Participation in the Preschool Program for Children With Disabilities (PPCD) The only time a PK student is eligible for a full day of attendance is if</p>

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		<p>the student attends the PK program for half of the day and the Preschool Program for Children with Disabilities (PPCD) for the other half . . .</p> <p>Students who attend the PK program for half of the day and the PPCD for the other half of the day and do not qualify for the PK program are coded as eligible students only for the time spent in the PPCD. The 2-through-4-hour . . .</p>	<p>the student attends the PK program for half of the day and receives PPCD services for the other half . . .</p> <p>Students who attend the PK program for half of the day and receive PPCD services for the other half of the day and do not qualify for the PK program are coded as eligible students only for the time they are provided PPCD services. The 2-through-4-hour . . .</p>
Section 7 Prekindergarten	Revision	<p>7.5.1 PK Early Start Grant Program The PK Early Start Grant Program will not be funded for 2011–2012.</p>	<p>7.5.1 PK Early Start Grant Program The PK Early Start Grant Program will not be funded for 2012–2013.</p>
Section 7 Prekindergarten	Revision	<p>7.5.2 Students Served Through Special Education and PK Who Are Not PK Eligible A student who . . . is coded as an eligible student only when . . .</p>	<p>7.5.2 Students Served Through Special Education and PK Who Are Not PK Eligible A student who . . . is coded as an eligible student (grade level EE) only when . . .</p>
Section 7 Prekindergarten	Revision	<p>7.7.3 Example 3 A student is served in PPCD for . . .</p> <p><i>The . . . system. The . . . (see Section 4 for instructional arrangement/setting coding guidelines).</i></p>	<p>7.7.3 Example 3 A student is served in the PPCD for . . .</p> <p><i>The . . . system. The . . . (see 4.7 Instructional Arrangement/Setting Codes for instructional arrangement/setting coding guidelines).</i></p>
Section 7 Prekindergarten	Revision	<p>7.7.4 Example 4 A student is served in PPCD for . . .</p> <p><i>The . . . system. The . . . (see Section 4 for instructional arrangement/setting coding guidelines).</i></p>	<p>7.7.4 Example 4 A student is served in the PPCD for . . .</p> <p><i>The . . . system. The . . . (see 4.7 Instructional Arrangement/Setting Codes for instructional arrangement/setting coding guidelines).</i></p>
Section 7 Prekindergarten	Revision	<p>7.7.5 Example 5 A student . . .</p> <p><i>The . . . system. The instructional setting code . . .</i></p>	<p>7.7.5 Example 5 A student . . .</p> <p><i>The . . . system. The instructional arrangement/setting code . . .</i></p>
Section 7 Prekindergarten	Revision	<p>7.7.6 Example 6 A student . . .</p> <p><i>The . . . system. The instructional setting code . . . special education. If . . . the same. (See Section 4 . . . for instructional setting coding guidelines.)</i></p>	<p>7.7.6 Example 6 A student . . .</p> <p><i>The . . . system. The instructional arrangement/setting code . . . special education. If . . . the same. (See 4.7 Instructional Arrangement/Setting Codes . . . for instructional arrangement/setting coding guidelines.)</i></p>
Section 7 Prekindergarten	Revision	<p>7.7.9 Example 9</p>	<p>7.7.9 Example 9</p>

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		<p>A student qualifies for PK based on being educationally disadvantaged (the student qualifies for the NSLP). In instances in which the PK student moves from one district to another district and back to the original district, the following scenario applies:</p> <p>The student's parents withdraw the PK student from district A. The student is then enrolled in district B, where the student qualifies for the PK program based on being educationally disadvantaged. Two months later, the student's parents withdraw the student, and the family moves back to district A, because one of the parents has gotten a new job. The student no longer qualifies for the NSLP because of the parents' income level.</p> <p><i>The student must requalify for the PK program each time the student enters another school district or charter school. Since the student no longer qualifies for the PK program, the student would be coded as ineligible for the remainder of the school year if the district allows the student to reenroll.</i></p>	<p>A student qualifies for PK on the basis of being eligible to participate in the NSLP because the student's family income level meets requirements for participation in the NSLP. The student moves to a new district. The student's previous district provides the student's new district with a copy of the records used to determine the student's eligibility. The new district reviews the records and finds that the previous district's determination that the student is eligible for participation in the NSLP and thus for PK is correct.</p> <p><i>The student does not need to requalify for the PK program in the new school district for the current school year.</i></p> <p><i>If the new district had reviewed the records and found that the previous district made an error in its eligibility determination, the student would need to requalify for the PK program.</i></p>
Section 7 Prekindergarten	Revision	<p>7.7.10 Example 10 A PK-aged student . . .</p>	<p>7.7.10 Example 10 A PK-age student . . .</p>
Section 8 Gifted/Talented	Revision	<p>8.2 Eligibility Final . . .</p> <p>Your district must identify a kindergarten student for participation in the gifted/talented program and serve him or her in the program before March 1 of the current school year for the student to be eligible for funding, unless . . .</p>	<p>8.2 Eligibility Final . . .</p> <p>Your district must identify a kindergarten student for participation in the gifted/talented program and serve ["and serve" BOLDED] him or her in the program before March 1 of the current school year for the student to be eligible for funding, unless . . .</p>
Section 8 Gifted/Talented	Revision	<p>8.5 Policies for Selection of Students to Participate in the Gifted/Talented Program <i>Gifted/talented student</i> means . . . and who —</p> <p>. . .</p> <p>Your school district . . . parents. These policies must —</p> <ol style="list-style-type: none"> 1. include provisions . . . ; 2. include assessment measures . . . ; 	<p>8.5 Policies for Selection of Students to Participate in the Gifted/Talented Program "Gifted/talented student" means . . . and who:</p> <p>. . .</p> <p>Your school district . . . parents. These policies must include the following:</p> <ol style="list-style-type: none"> 1. provisions . . . ; 2. assessment measures . . . ;

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		<p>3. include data and procedures . . . ; and</p> <p>4. include provisions . . . placement.</p>	<p>3. data and procedures . . . ; and</p> <p>4. provisions . . . placement.</p>
Section 8 Gifted/Talented	Revision	<p>8.7 Documentation</p> <p>[BOX]</p> <p>To claim . . .</p> <p>Your . . . year. Your district may include a student in the gifted/talented enrollment if the student is identified and served in the program.</p>	<p>8.7 Documentation</p> <p>[BOX]</p> <p>To claim . . .</p> <p>Your . . . year. Your district may include a student in the gifted/talented enrollment if the student is identified and served ["identified and served" BOLDED] in the program.</p>
Section 8 Gifted/Talented	Addition	<p>None.</p>	<p>8.9.4 Example 4</p> <p>A first-grade student is tested and identified for gifted/talented services in April. The student will not be served through the gifted/talented program until the following school year.</p> <p><i>The gifted/talented indicator code for this student should be entered as 0 for the entire school year. Only students who have been identified and served during the school year are eligible.</i></p>
Section 9 Pregnancy Related Services	Revision	<p>Section 9 Pregnancy Related Services</p> <p>Pregnancy Related Services (PRS) are . . .</p> <p>Your district . . .</p> <p>A district receives . . .</p> <p>Compensatory Education Home Instruction (CEHI) is . . .</p> <p>When . . .</p> <p>Your district . . .</p>	<p>Section 9 Pregnancy Related Services (PRS)</p> <p>Pregnancy Related Services are . . .</p> <p>Your district . . .</p> <p>A district receives . . .</p> <p>CEHI is . . .</p> <p>When . . .</p> <p>Your district . . .</p> <p>For information on remote home instruction, see either 11.10.3 Remote Homebound Instruction—Regular Education Students or 11.10.4 Remote Homebound Instruction—Special Education Students, as applicable.</p>

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		Support services are . . .	Support services are . . .
Section 9 Pregnancy Related Services	Revision	9.2 Eligibility/Eligible Days Present Eligibility for Services: Any school-aged student . . .	9.2 Eligibility/Eligible Days Present Eligibility for Services: Any school-age student . . .
Section 9 Pregnancy Related Services	Revision	9.2.3 PRS and the Life Skills Program for Student Parents The Life Skills Program for Student Parents . . . will not be funded for the 2011–2012 or 2012–2013 school years.	9.2.3 PRS and the Life Skills Program for Student Parents The Life Skills Program for Student Parents . . . will not be funded for the 2012–2013 school year.
Section 9 Pregnancy Related Services	Revision	9.3 Enrollment Procedures Any school-aged student . . . The student's eligibility to receive PRS is verified by either — . . .	9.3 Enrollment Procedures Any school-age student . . . The student's eligibility to receive PRS is verified by either of the following: . . .
Section 9 Pregnancy Related Services	Revision	9.5 PRS and District and Campus Improvement Plans District and campus improvement plans must — . . .	9.5 PRS and District and Campus Improvement Plans District and campus improvement plans must do the following: . . .
Section 9 Pregnancy Related Services	Revision	9.12.1 ARD Committee Meetings If . . . During the periods of confinement to the home or hospital bedside, special education services must be provided in the homebound instructional setting. A district . . .	9.12.1 ARD Committee Meetings If . . . During the periods of confinement to the home or hospital bedside, special education services must be provided in the homebound instructional arrangement/setting. A district . . .
Section 9 Pregnancy Related Services	Revision	9.15 Documentation For your district to claim . . . on file. Documentation requirements are as follows: . . . 9. The teacher's log . . . (applies to both prenatal and postpartum periods) The minimum documentation required in the logs maintained by a CEHI teacher is —	9.15 Documentation For your district to claim . . . on file. Documentation requirements are as follows: . . . 9. The teacher's log . . . (applies to both prenatal and postpartum periods) The minimum documentation required in the logs maintained by a CEHI teacher is the following:

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Section 9 Pregnancy Related Services	Revision	<p>...</p> <p>9.17.8 Example 8 A special education ...</p> <p>On ... , the following should occur:</p> <ol style="list-style-type: none"> 1. district personnel change the student’s instructional setting code to ... 	<p>...</p> <p>9.17.8 Example 8 A special education ...</p> <p>On ... , the following should occur:</p> <ol style="list-style-type: none"> 1. district personnel change the student’s instructional arrangement/setting code to ...
Section 10 Nontraditional Schools	Revision	<p>Section 10 Nontraditional Schools⁸⁰ Many ... These ... in-school suspension (ISS) programs, ...</p> <p>Important: Although ...</p> <p>Also, ...</p> <p>[BOXED TEXT: Important: See ...</p> <p>Important for open-enrollment charter schools: Many ... Chapter 37. Open-enrollment charter schools are not subject to the provisions of the TEC, Chapter 37, with the exception of the TEC, §37.0021, related to discipline management practices or behavior management techniques, and any provision establishing a criminal offense. Please consult ... charter schools.]</p>	<p>Section 10 Nontraditional Schools Many ... These ... in-school suspension programs, ...</p> <p>Important: Although ...</p> <p>Also, ...</p> <p>[BOXED TEXT: Important: See ...</p> <p>Important for open-enrollment charter schools: Many ... Chapter 37. Open-enrollment charter schools are not subject to the provisions of the TEC, Chapter 37, with the exception of the TEC, §37.0021, related to discipline management practices or behavior management techniques⁸¹, and any provision establishing a criminal offense. Please consult ... charter schools. Also, note that per the TEC, §12.131, each charter school is required to adopt a student code of conduct for the charter school or for each charter school campus.]</p>
Section 10 Nontraditional Schools	Revision	<p>10.2.4 Eligibility and Teacher Certification Generally, ... teachers certified by the State Board for Educator Certification (SBEC) or be served ...</p>	<p>10.2.4 Eligibility and Teacher Certification Generally, ... teachers certified by the State Board for Educator Certification or be served ...</p>
Section 10 Nontraditional Schools	Revision	<p>10.3 School Calendar Requirements and Waivers to These Requirements The school calendar ...</p> <p>The commissioner of education is extended the authority to waive</p>	<p>10.3 School Calendar Requirements and Waivers to These Requirements The school calendar ...</p> <p>The commissioner of education may waive requirements established</p>

⁸⁰ Some types of alternative education campuses are described in *Part 1 – Standard Procedures, Chapter 6 – Special Issues and Circumstances*, and *Part 2 – Alternative Education Accountability (AEA) Procedures of the 2011 Accountability Manual*. Others, such as Chapter 37 discipline programs, are described in this publication.

⁸¹ See 19 Texas Administrative Code §89.1053.

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		<p>certain requirements established by state law or State Board of Education rule when it is determined the students' education will benefit directly by waiving the law or rule.⁸² All rules and regulations of student eligibility and attendance reporting are applicable unless specifically waived.</p> <p>Many . . .</p>	<p>by the TEC, State Board of Education rule, or commissioner rule to the extent allowed under the TEC, §7.056.⁸³ All rules and regulations of student eligibility and attendance reporting are applicable unless specifically waived.</p> <p>Many . . .</p>
<p>Section 10 Nontraditional Schools</p>	<p>Deletion</p>	<p>10.6 Compensatory and Accelerated Instruction for At-Risk Students (Regular Accountability At-Risk Alternative Education Programs)</p> <p>Each school district must provide appropriate compensatory and accelerated services for at-risk students. Refer to the TEC, §29.081(d), regarding statutory definitions of at-risk students.</p> <p>An alternative campus for at-risk students must serve one or more of the following student populations:</p> <ul style="list-style-type: none"> • students who were not advanced from one grade level to the next for one or more school years • students in grades 7–12 who did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or are not maintaining such an average in two or more subjects in the foundation curriculum in the current semester • students who did not perform satisfactorily on an assessment instrument administered to the students under the TEC, Chapter 39, Subchapter B, and have not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument • students in prekindergarten, kindergarten, or grade 1, 2, or 3 who did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year • limited English proficient (LEP) students, as defined by the TEC, §29.052 	<p>[DELETED. AT-RISK LIST NOW APPEARS IN GLOSSARY DEFINITION FOR "at-risk."]</p>

⁸² TEC, §7.056, except as provided in the TEC, §7.056(e) and (f), regarding criminal misconduct; restrictions imposed by federal law or rule; or restrictions imposed by state law

⁸³ TEC, §7.056

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		<ul style="list-style-type: none"> • recovered dropouts • pre- and postadjudicated students • homeless students • pregnant or parenting students • students who previously resided or currently reside in a residential placement facility in the district 	
<p align="center">Section 10 Nontraditional Schools</p>	<p align="center">Deletion</p>	<p>10.7 Alternative Education Campuses (AECs) of Choice and Residential Facilities Evaluated Under Alternative Education Accountability (AEA) Procedures</p> <p>AECs, including charter AECs, must serve students “at risk of dropping out of school”⁸⁴ and provide accelerated instructional services to these students.</p> <p>All attendance accounting rules contained in this handbook apply to all AECs.</p> <p>A new accountability system will be developed during the 2011–2012 school year and implemented in 2013. As a result, no state accountability ratings will be issued in 2012. Decisions regarding evaluation of AECs under the new accountability system have yet to be determined.</p>	<p align="center">[DELETED]</p>
<p align="center">Section 10 Nontraditional Schools</p>	<p align="center">Revision</p>	<p>INFORMATION IN PREVIOUSLY EXISTING 10.7.1, ON EVALUATION OF DAEPS AND JJAEPS, NOW APPEARS IN NEW 10.7.4 AND 10.9.5, RESPECTIVELY.</p>	<p align="center">—</p>

⁸⁴ as defined in the TEC, §29.081(d)

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Section 10 Nontraditional Schools	Revision	<p>10.8 Residential Alternative Education Programs for Students in Residential Facilities</p> <p>The programs . . . include, but are not limited to, juvenile detention centers; detention centers and correctional facilities that are registered with the Texas Juvenile Probation Commission (TJPC)⁸⁵; residential care and treatment facilities operated under contract to a public agency, such as the Texas Youth Commission (TYC); residential treatment facilities operated for purposes such as substance and alcohol abuse; private residential treatment centers (PRTCs); and residential care and treatment facilities operated by . . . or by the federal government. The services made available to students under such a program may include those services identified in subsection 10.6 Compensatory and Accelerated Instruction for At-Risk Students (Regular Accountability At-Risk Alternative Education Programs).</p> <p>Students residing in the kinds of facilities listed in the previous paragraph are eligible for and are entitled to receive the educational services available from the public school district in which the facility is located. While some residential alternative education programs for incarcerated/housed students provide an educational program for their participants, most of these programs will call on the district of residence . . . to provide instructional services to students participating in the program.</p> <p>These types of programs are subject to the FSP rules and regulations documented in this handbook, which . . .</p>	<p>10.6 Residential Alternative Education Programs for Students in Residential Facilities</p> <p>The programs . . . include, but are not limited to, programs for students in juvenile detention centers; detention centers and correctional facilities that are registered with the Texas Juvenile Justice Department (TJJD); residential care and treatment facilities operated under contract to a public agency, such as the TJJD; residential treatment facilities operated for purposes such as substance and alcohol abuse; private residential treatment centers (PRTCs); and residential care and treatment facilities operated by . . . or by the federal government.</p> <p>Students residing in the kinds of facilities listed in the previous paragraph or in any other residential facility⁸⁶ are eligible for and are entitled to enroll in and receive the educational services available from the public school district in which the facility is located.⁸⁷ While some residential facilities provide an educational program for their residents, most of these facilities call on the district of residence . . . to provide instructional services to students residing in the facility. When a student aged 3 to 22 years is placed in a residential facility, the facility must notify the district in which the facility is located by the third day after the date of placement, unless the student has been placed in the facility by an agency or political subdivision that funds, licenses, certifies, contracts with, or regulates the facility.⁸⁸ A district should contact residential facilities in the district to coordinate implementation of this notice provision.</p> <p>Residential alternative education programs for students in residential facilities are subject to the FSP rules and regulations documented in this handbook, which . . .</p>

⁸⁵ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

⁸⁶ Per the TEC, §5.001, "residential facility" means (A) a facility operated by a state agency or political subdivision, including a child placement agency, that provides 24-hour custody or care of a person 22 years of age or younger, if the person resides in the facility for detention, treatment, foster care, or any noneducational purpose; and (B) any person or entity that contracts with or is funded, licensed, certified, or regulated by a state agency or political subdivision to provide custody or care for a person under Paragraph (A).

⁸⁷ TEC, §25.001(b)(7)

⁸⁸ TEC, §29.012. The TEC, §29.012, does not apply to a residential treatment facility for juveniles established under the Texas Human Resources Code, §221.056.

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<p>Section 10 Nontraditional Schools</p>	<p>Revision</p>	<p>10.9 Disciplinary Alternative Education Programs (DAEPs) Your school district must provide for a DAEP that — ...</p>	<p>10.7 DAEPs Your school district must provide for a DAEP that: ...</p>
<p>Section 10 Nontraditional Schools</p>	<p>Deletion</p>	<p>10.9.1 Off-Campus DAEPs An off-campus DAEP —</p> <ol style="list-style-type: none"> 1. has its own campus identification number; 2. has its own building (is not a program on a regular campus or an at-risk alternative education campus); 3. has its own budget; 4. has its own administrator; 5. serves only students removed under the TEC, Chapter 37 (no other non-discipline program may be operated on the campus); 6. must use the services of certified teachers to the extent required above in 10.9 Disciplinary Alternative Education Programs (DAEPs); 7. must provide for a 180-day school year⁸⁹; and 8. must provide for a 7-hour school day^{90 91}. <p>If your school district or charter school has chosen to operate or participate in, through a shared services arrangement (SSA), an off-campus DAEP, your district or school must register the campus with the TEA as a DAEP instructional campus.</p>	<p>[DELETED]</p>

⁸⁹ TEC, §25.081(a)

⁹⁰ TEC, §25.082(a)

⁹¹ TEC, §37.008(a)(2)

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Section 10 Nontraditional Schools	Deletion	<p>10.9.2 On-Campus DAEPs An on-campus DAEP is one that may have its own campus identification number.⁹² If an on-campus DAEP has its own campus identification number, then the campus must —</p> <ol style="list-style-type: none"> 1. have an administrator (administrator can serve more than one campus); 2. have its own budget; 3. use the services of certified teachers for delivering educational and behavioral instruction to the students assigned to the on-campus DAEP; 4. provide for students who are assigned to the DAEP to be separated from students who are not assigned to the DAEP ("sight and sound barrier" should exist to provide adequate separation); 5. provide for a 180-day school year⁹³; 6. provide for a 7-hour school day⁹⁴; and 7. share a facility with a nondisciplinary program. <p>If your school district or charter school has chosen to operate or participate in, through an SSA, an on-campus DAEP, your district or school must register the campus with the TEA as a DAEP instructional campus.</p> <p>If an on-campus DAEP does not have its own campus number, then a student should remain enrolled at the campus at which the student was enrolled when he or she was removed.</p>	[DELETED]
Section 10 Nontraditional Schools	Revision	<p>10.9.3 DAEPs and Students Under the Age of 10 A student who is younger than 10 years of age must be removed from class and placed in a DAEP under TEC, §37.008 if the student engages in conduct as described by TEC, §37.007, Expulsion for Serious Offenses. An . . .</p> <p>10.9.4 DAEPs and Students Under the Age of 6 Except for conduct under §37.007(e)(2), students who . . .</p>	<p>10.7.1 DAEPs and Students Under the Age of 10 A student who is younger than 10 years of age must be removed from class and placed in a DAEP under the TEC, §37.008 if the student engages in conduct as described by the TEC, §37.007, Expulsion for Serious Offenses. An . . .</p> <p>10.7.2 DAEPs and Students Under the Age of 6 Except for conduct under the TEC, §37.007(e)(2), students who . . .</p>

⁹² TEC, §37.008(a)(2)

⁹³ TEC, §25.081(a)

⁹⁴ TEC, §25.082(a)

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		10.9.5 Students Receiving Special Education and Related Services in a DAEP A . . .	10.7.3 Students Receiving Special Education and Related Services in a DAEP A . . .
Section 10 Nontraditional Schools	Revision	10.7.1 Evaluation of DAEPs and JJAEPs Statute or statutory intent prohibits the attribution of performance results to DAEPs and JJAEPs. The TEC, §37.011(h), requires that a student enrolled at a DAEP or JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. Each district that sends students to a DAEP or JJAEP is responsible for properly attributing all performance data according to the PEIMS <i>Data Standards</i> and the testing guidelines. All campuses identified to be DAEPs or JJAEPs will be labeled <i>Not Rated: Other</i> under standard accountability procedures.	10.7.4 Evaluation of DAEPs The provisions in 19 TAC §103.1201(e) prohibit the attribution of performance results to DAEPs. The rule requires that a student enrolled at a DAEP be reported as if the student were attending and being tested at his or her “sending” campus. Each district that sends students to a DAEP is responsible for properly attributing all performance data according to the PEIMS <i>Data Standards</i> and the testing guidelines.
Section 10 Nontraditional Schools	Revision	10.10 Expulsion Your school district must adopt a student code of conduct that outlines the conditions under which a student will be expelled. The code must be in compliance with the TEC, §37.007, Expulsion for Serious Offenses. Note that charter schools are not limited to the grounds for expulsion outlined in the TEC, §37.007, unless they fail to adopt a student code of conduct that outlines the reasons a student may be expelled. Your school district must also adopt consistent procedures for determining when a student has engaged in serious or persistent misbehavior violating the student code of conduct while placed in an alternative education program, for the purposes of expelling students from a DAEP for this reason (disciplinary action code 20). ⁹⁵	10.8 Expulsion Your school district must adopt a student code of conduct that outlines the conditions under which a student will be expelled. The code must be in compliance with the TEC, §37.007, Expulsion for Serious Offenses. A charter school may not expel a student for a reason that is not either 1) authorized by the TEC, §37.007, or 2) specified in the school's code of conduct as conduct that may result in expulsion. ⁹⁶ A student placed in a DAEP may be expelled if the student engages in serious misbehavior as defined by the TEC, §37.007(c). ⁹⁷
<i>Continued</i>		The following table explains the actions your district must take when a student commits a particular kind of offense. [TABLE]	[TABLE DELETED] Students who are less than 10 years . . . (disciplinary action codes 03 and 04).

⁹⁵ TEC, §37.007(c)

⁹⁶ TEC, §12.131(b)

⁹⁷ TEC, §37.007(c) and §37.011(k)(3) and (l)

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		<p>Expulsion from a DAEP can result in JJAEP placement if the conduct or expulsion warrants such placement and depending on the local student code of conduct and the MOU.</p> <p>Students who are less than 10 years . . . (disciplinary action codes 03 and 04).</p> <p>Refer to PEIMS <i>Data Standards</i>, Section 2, 425 Student Disciplinary Action Record, and Appendix E, for more information related to the expulsion of students.</p>	<p>Note that the previous paragraphs do not provide an exhaustive list of the criteria for discretionary or required expulsions found in the TEC, Chapter 37.</p> <p>Refer to PEIMS <i>Data Standards</i>, Section 2, 425 Student Disciplinary Action Record, and Appendix E, for more information related to the expulsion of students. The <i>Data Standards</i> can be accessed at http://www.tea.state.tx.us/peims/.</p>
<p>Section 10 Nontraditional Schools</p>	<p>Revision</p>	<p>10.11 Juvenile Justice Alternative Education Programs (JJAEPs)</p> <p>Academically, the mission of a JJAEP is to enable students to perform at grade level.</p> <p>If a school district is in a county with a population greater than 125,000⁹⁸, the county juvenile board is required to develop a JJAEP, subject to the approval of the Texas Juvenile Probation Commission (TJPC)⁹⁹. If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJPC. If a county has a population of 125,000 or less, the county juvenile board may develop and operate a JJAEP independent of the TJPC. A school district cannot develop or create a JJAEP.</p>	<p>10.9 JJAEPs</p> <p>Academically, the mission of a JJAEP is to enable students to perform at grade level.</p> <p>If a school district is in a county with a population greater than 125,000¹⁰⁰, the county juvenile board is required to develop a JJAEP, subject to the approval of the TJJD. If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJJD. If a county has a population of 125,000 or less, the county juvenile board may develop and operate a JJAEP independent of the TJJD. A school district cannot develop or create a JJAEP.</p>

⁹⁸ **1** For purposes . . . , with the approval of the Texas Juvenile Probation Commission (see following footnote), an MOU with each . . . **2** Also, . . . [Per the TEC, §37.011(a-2) (HB 592, 82nd Texas Legislature, Regular Session, 2011)] **3** Additionally, . . . [Per the TEC, §37.011(a-3) (SB 1, 82nd Texas Legislature, First Called Session, 2011)] See the TEC, §37.011(a-4) and (a-5) [SB 1, 82nd Texas Legislature, First Called Session, 2011] for additional . . .

⁹⁹ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

¹⁰⁰ **1** For purposes . . . , with the approval of the Texas Juvenile Justice Department, an MOU with each . . . **2** Also, . . . [Per the TEC, §37.011(a-2)] **3** Additionally, . . . [Per the TEC, §37.011(a-3)] See the TEC, §37.011(a-4) and (a-5) for additional . . .

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Section 10 Nontraditional Schools	Revision	<p>10.11.1 JJAEPs and School Districts in Counties With Populations Greater Than 125,000</p> <p>If your school district is in a county with a population greater than 125,000¹⁰¹, then your school district and the county juvenile board must annually enter into a joint memorandum of understanding (MOU), an annual written agreement that —</p> <p>...</p> <ol style="list-style-type: none"> 3. identifies those categories of conduct that the school district has defined in its student code of conduct as constituting serious or persistent misbehavior for which a student may be placed in the JJAEP; 4. identifies ... 	<p>10.9.1 JJAEPs and School Districts in Counties With Populations Greater Than 125,000</p> <p>If your school district is in a county with a population greater than 125,000¹⁰², then your school district and the county juvenile board must annually enter into a joint memorandum of understanding (MOU), an annual written agreement that does the following:</p> <p>...</p> <ol style="list-style-type: none"> 3. establishes that a student may be placed in the JJAEP if the student engages in serious misbehavior as defined by the TEC, §37.007(c); 4. identifies ...
Section 10 Nontraditional Schools	Revision	<p>10.11.2 Establishment of a Separate JJAEP Campus</p> <p>For ... program. In accordance ... students. This campus must be registered with the TEA under the Texas Education Directory (AskTED) database ...</p> <p>"Truant" JJAEP Students: If a student ...</p>	<p>10.9.2 Establishment of a Separate JJAEP Campus</p> <p>For ... program. In accordance ... students. This campus must be registered with the TEA under the AskTED database ...</p> <p>Absent JJAEP Students: If a student ...</p>
Section 10 Nontraditional Schools	Revision	<p>10.11.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students</p> <p>For a student to be placed in or attend a JJAEP, the student must be —</p> <p>...</p> <p>A JJAEP is not eligible ...</p>	<p>10.9.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students</p> <p>For a student to be placed in or attend a JJAEP, the student must be:</p> <p>...</p> <p>A JJAEP is not eligible ...</p>

¹⁰¹ See footnote on previous page regarding whether a county is considered to be a county with a population greater than 125,000.

¹⁰² See **previous** footnote regarding whether a county is considered to be a county with a population greater than 125,000.

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<i>Continued</i>		<p>[TABLE:</p> <p>LAST COLUMN, FIRST ROW: No, unless specifically authorized in writing by TEA (ADA codes 0, 4, or 5 unless otherwise authorized)¹⁰³</p> <p>LAST COLUMN, SECOND ROW: Yes, (ADA codes 0, 1, or 2), unless the county has created a JJAEP approved by TJPC¹⁰⁴¹⁰⁵, then use ADA codes 0, 4, or 5</p> <p>LAST COLUMN, THIRD ROW: Yes, (ADA codes 0, 1, or 2)</p> <p>LAST COLUMN, FOURTH ROW: Yes (ADA codes 0, 1, or 2)</p> <p>LAST COLUMN, FIFTH ROW: Yes (ADA code 1 or 2)]</p>	<p>[TABLE:</p> <p>TITLE ADDED: ADA Eligibility of Students Being Served by a JJAEP</p> <p>LAST COLUMN, FIRST ROW: No, unless specifically authorized in writing by TEA (ADA code 0, 4, or 5 unless otherwise authorized)¹⁰⁶</p> <p>LAST COLUMN, SECOND ROW: Yes (ADA code 0, 1, or 2), unless the county has created a JJAEP approved by TJJD¹⁰⁷, then use ADA code 0, 4, or 5</p> <p>LAST COLUMN, THIRD ROW: Yes (ADA code 0, 1, or 2)</p> <p>LAST COLUMN, FOURTH ROW: Yes (ADA code 0, 1, or 2)</p> <p>LAST COLUMN, FIFTH ROW: Yes (ADA code 0, 1, or 2)</p> <p>FIRST COLUMN, NEW SIXTH ROW: being placed in the JJAEP under TEC, §37.309(b)</p> <p>SECOND COLUMN, NEW SIXTH ROW: Population of any size</p> <p>LAST COLUMN, NEW SIXTH ROW: Yes (ADA code 0, 1, or 2)]</p>
Section 10 Nontraditional Schools	Revision	<p>10.11.4 Required Hours and Days of Operation for JJAEPs A JJAEP must operate at least 7 hours per day and at least 180 days per year unless the JJAEP has applied to the TJPC¹⁰⁸ for a waiver of . . .</p>	<p>10.9.4 Required Hours and Days of Operation for JJAEPs A JJAEP must operate at least 7 hours per day and at least 180 days per year unless the JJAEP has applied to the TJJD for a waiver of . . .</p>

¹⁰³ Funding is provided to the JJAEP by the TJPC (see next footnote). TEC, §37.011(h)

¹⁰⁴ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

¹⁰⁵ If the JJAEP is approved by the TJPC, funding is provided by the TJPC. General Appropriations Act, Article V, Juvenile Probation Commission Rider 4

¹⁰⁶ Funding is provided to the JJAEP by the TJJD. TEC, §37.011(h)

¹⁰⁷ If the JJAEP is approved by the TJJD, funding is provided by the TJJD. General Appropriations Act, Article V, Juvenile Probation Commission Rider 4

¹⁰⁸ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

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Section 10 Nontraditional Schools	Revision	<p>10.7.1 Evaluation of DAEPs and JJAEPs Statute or statutory intent prohibits the attribution of performance results to DAEPs and JJAEPs. The TEC, §37.011(h), requires that a student enrolled at a DAEP or JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. Each district that sends students to a DAEP or JJAEP is responsible for properly attributing all performance data according to the PEIMS <i>Data Standards</i> and the testing guidelines.</p> <p>All campuses identified to be DAEPs or JJAEPs will be labeled <i>Not Rated: Other</i> under standard accountability procedures.</p>	<p>10.9.5 Evaluation of JJAEPs Statute prohibits the attribution of performance results to JJAEPs. The TEC, §37.011(h), requires that a student enrolled at a JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. Each district that sends students to a JJAEP is responsible for properly attributing all performance data according to the PEIMS <i>Data Standards</i> and the testing guidelines.</p>
Section 10 Nontraditional Schools	Revision	<p>10.12 Disciplinary Removals of Students With Disabilities A . . .</p> <p>10.13 Out-of-School Suspension (OSS) Each . . .</p> <p>10.14 In-School Suspension (ISS) A . . .</p> <p>10.15 Students From Outside Your District Who Are Being Served in Detention or Other Facilities Making Short-Term Residential Placements If . . .</p>	<p>10.10 Disciplinary Removals of Students With Disabilities A . . .</p> <p>10.11 Out-of-School Suspension (OSS) Each . . .</p> <p>10.12 In-School Suspension A . . .</p> <p>10.13 Students From Outside Your District Who Are Being Served in Detention or Other Facilities Making Short-Term Residential Placements If . . .</p>
Section 10 Nontraditional Schools	Revision	<p>10.16 Examples</p> <p>10.16.1 Example 1 Your . . . campus. Your . . . problems. The student attends the alternative campus from 8:15 a.m. to 3:00 p.m.</p> <p><i>Your . . .</i></p>	<p>10.14 Examples</p> <p>10.14.1 Example 1 Your . . . campus. Your . . . problems. The student attends the alternative campus from 8:15 a.m. to 3:30 p.m.</p> <p><i>Your . . .</i></p>
Section 10 Nontraditional Schools	Revision	<p>10.16.2 Example 2 Your district offers evening school for eligible students who are identified as being at risk of dropping out of high school. Classes</p>	<p>10.14.2 Example 2 Your district offers evening school for eligible students who are identified as being at risk of dropping out of high school. Classes</p>

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		<p>meet for 2.5 hours from 7:00 p.m. to 9:30 p.m. Monday through Friday. The calendar . . .</p> <p><i>Your district should code each student who attends this calendar with an ADA eligibility code of 2 - Eligible for Half-Day Attendance, since the student attends fewer than 4 hours per day. Your district . . .</i></p> <p><i>If your district offered evening school from 6:00 p.m. to 10:00 p.m., each student attending 4 hours per day would be eligible for full-day attendance, . . .</i></p>	<p>meet for 2.5 hours from 7:00 p.m. to 9:30 p.m. (with one 15-minute break) Monday through Friday. The calendar . . .</p> <p><i>Your district should code each student who attends this calendar with an ADA eligibility code of 2 - Eligible for Half-Day Attendance, since the student attends at least 2 hours but fewer than 4 hours per day. Your district . . .</i></p> <p><i>If your district offered evening school from 6:00 p.m. to 10:30 p.m. (with two 15-minute breaks), each student attending the 4 hours of instruction per day would be eligible for full-day attendance, . . .</i></p>
Section 10 Nontraditional Schools	Revision	<p>10.16.3 Example 3 A student commits . . .</p> <p><i>Your district should contact . . .</i></p> <p><i>If this student was placed at the JJAEP for only a few months, your district should withdraw the student from the JJAEP campus and reenroll the student on his or her regular campus after the student fulfills the JJAEP placement requirements.</i></p>	<p>10.14.3 Example 3 A student commits . . .</p> <p><i>Your district should contact . . .</i></p> <p><i>After a student fulfills the JJAEP placement requirements, your district should withdraw the student from the JJAEP campus and enroll the student at an appropriate campus in accordance with local policy.</i></p>
Section 10 Nontraditional Schools	Revision	<p>10.16.4 Example 4 A student is suspended for 3 days . . .</p> <p><i>Your district should code the student as absent while he or she is suspended for 3 days. If this student had been expelled, your school district would still not have claimed ADA for the student since the district was not serving the student. Refer to 10.10 Expulsion in this section for additional information.</i></p>	<p>10.14.4 Example 4 A student is suspended for 3 days . . .</p> <p><i>Your district should code the student as absent while he or she is suspended for 3 days.</i></p>
Section 11 Nontraditional Programs	Revision	<p>[SECTION INTRODUCTION] This . . . such as the Optional Flexible School Day Program (OFSDP) and the Optional Flexible Year Program (OFYP).</p>	<p>[SECTION INTRODUCTION] This . . . such as the Optional Flexible School Day Program and the Optional Flexible Year Program.</p>
Section 11 Nontraditional Programs	Revision	<p>11.2 General Requirements Many . . .</p> <p>. . .</p> <p>The school calendar for alternative education programs must follow the same regulations as those stated for the regular school, unless program rules or a waiver is received that alters this requirement.</p>	<p>11.2 General Requirements Many . . .</p> <p>. . .</p> <p>The school calendar for alternative education programs must follow the same regulations as those stated for the regular school, unless program rules or a waiver alters this requirement. Generally, . . .</p>

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Section 11 Nontraditional Programs	Revision	<p>Generally, . . .</p> <p>11.3 Dual Credit (High School and College/University) A . . .</p> <p>Funding . . . For the 2011–2012 and 2012–2013 school years, your . . .</p> <p>For . . .</p> <p>More information on dual credit program requirements can be found in the statutes on college credit programs, Texas Education Code (TEC), §28.009 and §28.010.</p>	<p>11.3 Dual Credit (High School and College/University) A . . .</p> <p>Funding . . . For the 2012–2013 school year, your . . .</p> <p>For . . .</p> <p>For more information on dual credit program requirements, see the TEA's <i>Dual Credit Frequently Asked Questions</i> document at http://www.tea.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147496735. For statutory requirements related to college credit programs, see the Texas Education Code (TEC), §28.009 and §28.010.</p>
Section 11 Nontraditional Programs	Revision	<p>11.3.1 Student Eligibility for Dual Credit Courses A high school . . .</p> <p>[TABLE]</p> <p>Alternately, . . .</p>	<p>11.3.1 Student Eligibility for Dual Credit Courses A high school . . .</p> <p>[TABLE: IN THE TOP, "Academic Courses" PART OF THE TABLE, THE TWO ROWS FOR TAKS HAVE BEEN CONDENSED INTO ONE ROW. IN THIS ROW, THE ASSESSMENT NAME NOW READS "TAKS" INSTEAD OF "TAKS (Exit)" OR "TAKS (10)," AND THE "Grade" COLUMN READS "11/12." IN THE BOTTOM, "Workforce Education Courses" PART OF THE TABLE, THE TWO ROWS FOR TAKS HAVE BEEN CONDENSED INTO ONE ROW. IN THIS ROW, THE ASSESSMENT NAME NOW READS "TAKS" INSTEAD OF "TAKS (Exit)" OR "TAKS (10)," AND THE "Grade" COLUMN READS "11/12."]</p> <p>Alternately, . . .</p>
Section 11 Nontraditional Programs	Addition	None.	<p>11.3.1.2 Student Eligibility Requirements Specific to Early College High Schools A student enrolled in a Texas Education Agency (TEA)-designated Early College High School may enroll in dual credit courses beginning in the ninth grade if the student demonstrates college readiness by achieving the minimum passing standard(s) on a</p>

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			<p>qualifying assessment instrument, as shown in the chart on the preceding page.</p> <p>A student enrolled in a TEA-designated Early College High School may enroll in more than two dual credit courses per semester.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Revision</p>	<p>11.3.2 Types of College Credit Programs Your District May Offer The chart on . . .</p> <p>[TABLE]</p>	<p>11.3.2 Types of College Credit Programs Your District May Offer The chart on . . .</p> <p>[TABLE: REFERENCE TO 2011–2012 SCHOOL YEAR CHANGED TO BE REFERENCE TO 2012–2013 SCHOOL YEAR.]</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None.</p>	<p>11.3.4 Required Documentation Your district must have locally developed criteria in place for what constitutes "demonstrated outstanding academic performance and capability," as described in 11.3.1, for:</p> <ol style="list-style-type: none"> 1) a student your district determines to be eligible to enroll in more than two dual credit courses per semester based on demonstrated outstanding academic performance and capability or 2) a student with less than junior year high school standing whom your district determines to be eligible to enroll in a dual credit course based on demonstrated outstanding academic performance and capability.
<p><i>Continued</i></p>			<p>Your district must document the student's outstanding academic performance and capability as determined according to the locally developed criteria. Your district must also keep documentation of the written approval by the high school principal and the college's chief academic officer for the student to enroll in more than two dual credit courses or enroll in a dual credit course when the student has less than junior year standing, as applicable.¹⁰⁹ Absence of this documentation will result in a disallowance of FSP funding for the dual credit course attendance.</p> <p>In some instances, students taking dual credit courses may not receive any of their instruction on the regular high school campus. It is the responsibility of your district to ensure that attendance is being taken in accordance with the requirements of this handbook.</p>

¹⁰⁹ 19 TAC §4.85(b)(6) and (7)

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Section 11 Nontraditional Programs	Revision	11.4 Gateway to College and Similar Programs A "Gateway to College" (GTC) program is a program that . . .	11.4 Gateway to College (GTC) and Similar Programs A "GTC" program is a program that . . .
Section 11 Nontraditional Programs	Revision	11.5 Optional Extended Year Program (OEYP) The OEYP will not be funded for 2011–2012. Local . . .	11.5 Optional Extended Year Program (OEYP) The OEYP will not be funded for 2012–2013. Local . . .
Section 11 Nontraditional Programs	Revision	11.6 Optional Flexible School Day Program (OFSDP) The OFSDP . . . Students . . . Typical OFSDP instructional arrangements include the following: . . .	11.6 Optional Flexible School Day Program (OFSDP) The OFSDP . . . Students . . . Typical OFSDP instructional arrangements include the following: . . . Your district may not charge tuition for participation in an OFSDP, including for participation in classes offered during the summer recess.
Section 11 Nontraditional Programs	Revision	11.6.5 FSP Funding Eligibility for Students 21–25 Years of Age Note . . . Also, . . . In addition, . . . A student receiving special education services who is at least 22 years of age and under 26 years of age on September 1 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.	11.6.5 FSP Funding Eligibility for Students 21–25 Years of Age Note . . . Also, . . . In addition, . . . A student who is at least 22 years of age and under 26 years of age on September 1 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.
Section 11 Nontraditional Programs	Revision	11.7.4 Additional Information A district approved to provide an OFYP has discretion over whether to allow ineligible students to attend school on OFYP instructional days. If . . .	11.7.4 Additional Information A district approved to provide an OFYP has discretion over whether to allow OFYP -ineligible students to attend school on OFYP instructional days. If . . .
Section 11 Nontraditional Programs	Revision	11.8 High School Equivalency Program (HSEP) The High School Equivalency Program (HSEP) is also known as the "In-School GED Program." The . . . students aged 16 and older . . .	11.8 High School Equivalency Program (HSEP) The HSEP is also known as the "In-School GED Program." The . . . students aged 16 years and older . . .

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Section 11 Nontraditional Programs	Revision	<p>11.8.1 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 Commission¹¹⁰ to — <p>...</p>	<p>11.8.1 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 Juvenile Justice Department to: <p>...</p>
Section 11 Nontraditional Programs	Revision	<p>11.9 Texas Virtual School Network (TxVSN) The Texas Virtual School Network (TxVSN) is a statewide network that provides students throughout the state with access to online courses that address . . . The network . . . The TEC, Chapter 30A, . . . The TxVSN creates . . . for districts.</p> <p>Courses . . .</p> <p>TxVSN online courses . . . per commissioner’s rule.</p> <p>For more information . . .</p> <p>The information . . . TxVSN courses. They do not . . . instruction. See 3.2.2.3 Time Spent in Self-Paced Course for requirements related to time spent in self-paced computer courses.</p>	<p>11.9 Texas Virtual School Network (TxVSN) The state virtual school network includes the TxVSN statewide catalog of supplemental online courses for grades 9 through 12 and the full-time virtual TxVSN Online Schools (OLS) program for grades 3 through 12. The TxVSN provides students throughout the state with access to online courses that address . . . The network . . . The TEC, Chapter 30A, . . . The TxVSN creates . . . for districts.</p> <p>Courses . . .</p> <p>TxVSN online courses . . . per commissioner’s rule. A full-time virtual TxVSN OLS program can be provided only by a Texas public school district or open-enrollment charter school that meets certain eligibility requirements and is approved by the TEA to participate in the OLS program.¹¹¹</p> <p>For more information . . .</p> <p>The information . . . TxVSN courses. They do not . . . instruction. See 3.2.2.3 Time Spent in Self-Paced Course for requirements related to time spent in self-paced computer courses. See 3.2.2.4 Time Spent in an On-Campus Online Course Not Provided Through the Texas Virtual School Network (TxVSN) for requirements related to time spent in on-campus online courses not provided through the TxVSN. See 11.10 Remote Instruction That Is Not Delivered Through the TxVSN for information on remote instruction.</p>

¹¹⁰ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

¹¹¹ The following three local education agencies (LEAs) meet this requirement: 1) Houston Independent School District (ISD): Texas Connections Academy at Houston, 2) Texas College Preparatory Academies: Texas Virtual Academy, and 3) Texarkana ISD: Texarkana ISD Virtual Academy. These LEAs will offer a full-time virtual program rather than instruction in individual content areas. For the 2012–2013 school year, these LEAs will not offer their virtual programs through the TxVSN course catalog.

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Section 11 Nontraditional Programs	Revision	<p>11.9.1.1 Student Eligibility for Full-Time Enrollment in TxVSN Courses "Full-time enrollment" means . . . five or more TxVSN courses.</p> <p>A student is eligible to enroll full time in TxVSN courses only if the student meets one of the following three criteria:</p> <ol style="list-style-type: none"> 1. the student was enrolled in a public school in . . . ; 2. the student has been placed in substitute care¹¹² in . . . ; or 3. the student — <p style="padding-left: 40px;">. . .</p> <p style="padding-left: 40px;">c. no longer resides . . . or transfer.</p> <p><u>TxVSN Receiver Districts</u> Students in Grades 9 Through 12: For the 2011–2012 school year, a student in grades 9 through 12 who is enrolled in a registered TxVSN receiver district is eligible to enroll full time in courses offered through the TxVSN statewide course catalog only if the student meets one of the three eligibility criteria above.</p> <p><u>TxVSN Online Schools</u> Students in Grades 3 Through 11: For the 2011–2012 school year, a student in grades 3 through 11 is eligible to enroll full time in TxVSN courses that make up the full-time virtual instructional program offered by a TxVSN Online School only if —</p> <ol style="list-style-type: none"> 1. the student meets one of the three eligibility criteria above and 2. the student is enrolled in a school district or open-enrollment charter school that applied and was approved to participate in the full-time virtual school option called the TxVSN Online Schools (formerly known as the Electronic Course Program [eCP]) authorized under the TEC, §29.909, as that section existed on January 1, 2009.¹¹³ 	<p>11.9.1.1 Student Eligibility for Full-Time Enrollment in TxVSN Courses or Program "Full-time enrollment" means . . . five or more TxVSN courses for grades 9 through 12 or enrollment in a grade 3 through 8 TxVSN OLS program offered by an approved TxVSN online school.</p> <p>A student is eligible for full-time enrollment in TxVSN courses or in a TxVSN OLS program only if the student meets one of the following three criteria:</p> <ol style="list-style-type: none"> 1. the student was enrolled in a public school in . . . ; 2. the student has been placed in substitute care¹¹⁴ in . . . ; or 3. the student: <p style="padding-left: 40px;">. . .</p> <p style="padding-left: 40px;">c. no longer resides . . . or transfer.</p>

¹¹² Per the . . . The term includes . . . commitment to the Texas Youth Commission. Note that, effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

¹¹³ As of the publication date of this handbook, the following three local education agencies (LEAs) meet this requirement: 1) Houston Independent School District (ISD): Texas Connections Academy at Houston, 2) Responsive Education Solutions: IQ Academy, and 3) Texarkana ISD: Texarkana ISD Virtual Academy. These LEAs will offer a full-time virtual program rather than instruction in individual content areas. For the 2011–2012 school year, these LEAs will not offer their virtual programs through the TxVSN course catalog.

¹¹⁴ Per the . . . The term includes . . . commitment to the **Texas Juvenile Justice Department**.

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Section 11 Nontraditional Programs	Revision	<p>11.9.1.2 Student Eligibility and Documentation For a student whose eligibility to enroll full-time in TxVSN courses is based . . .</p> <p>For a student . . . following must be on file:</p> <ul style="list-style-type: none"> • documentation . . . <p>If the student has not been issued . . . The documentation to be kept on file must include the printed name and signature of the person who verified the DoD and other documentation and the date that they were verified, as well as . . .</p>	<p>11.9.1.2 Student Eligibility and Documentation For a student whose eligibility to enroll full-time in TxVSN courses or in a TxVSN OLS program is based . . .</p> <p>For a student . . . following must be on file:</p> <ul style="list-style-type: none"> • documentation . . . <p>If the student has not been issued . . . The documentation to be kept on file must include the printed name and signature of the person who verified the DoD and other documentation and the date that it was verified, as well as . . .</p>
Section 11 Nontraditional Programs	Revision and Addition	<p>11.9.2 TxVSN FSP Funding and Attendance Accounting If an eligible student participates in course(s) offered through the TxVSN and meets the requirements for enrollment in a Texas school district or charter school, the student is eligible to generate FSP funding in the same manner as a student who receives instruction in a traditional classroom generates FSP funding.</p>	<p>11.9.2 TxVSN FSP Funding and Attendance Accounting If an eligible student participates in course(s) offered through the TxVSN or in a TxVSN OLS program and meets the requirements for enrollment in a Texas school district or charter school, the student is eligible to generate FSP funding in the same manner as a student who receives instruction in a traditional classroom generates FSP funding.</p>
<i>Continued</i>		<p>[11.9.2 <i>continued</i>] Enrollment in courses taken through the TxVSN may apply toward ADA eligibility status. For a TxVSN course to count toward ADA eligibility status, the student must successfully complete the course regardless of whether or not the student is physically present at the school when taking the online course. Successful completion is defined as earning credit for the online semester course.</p> <p>For purposes of determining the initial ADA eligibility code of a student enrolled in one or more TxVSN courses, the student is considered to be scheduled for and receiving instruction for 55 minutes each day for each virtual course taken through the TxVSN.</p>	<p>11.9.2.1 Courses for Grades 9 Through 12 Enrollment in courses for grades 9 through 12 taken through the TxVSN may apply toward ADA eligibility status. For a TxVSN course for grades 9 through 12 to count toward ADA eligibility status, the student must successfully complete the course regardless of whether or not the student is physically present at the school when taking the online course. Successful completion is defined as earning credit for the online semester course.</p> <p>For purposes of determining the initial ADA eligibility code of a student enrolled in one or more TxVSN courses for grades 9 through 12 (i.e., for purposes of determining whether the student is eligible for half-day or full-day attendance), the student is considered to be scheduled for and receiving instruction for 55 minutes each day for each virtual course taken through the TxVSN. In other words, each course is considered to be 55 minutes of daily instructional time for purposes of the 2-through-4-hour rule. See 3.2.2 Funding Eligibility for more information on ADA eligibility.</p>

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		<p>To determine . . . A student . . . If the student did not successfully complete a TxVSN course, the district must adjust the student's ADA eligibility code and attendance accordingly . . .</p> <p>For purposes of recording a student's daily attendance, a student enrolled full-time in TxVSN courses (enrolled in five TxVSN courses) is considered to have been present (in attendance) for each day of instruction in the reporting period. The daily attendance of a student who is not enrolled full-time in TxVSN courses is determined by . . .</p>	<p>To determine . . . A student . . . If the student did not successfully complete a TxVSN course, the district must adjust the student's ADA eligibility code accordingly . . .</p> <p>For purposes of recording a student's daily attendance, a student enrolled full-time in TxVSN courses for grades 9 through 12 (enrolled in five TxVSN courses) is considered to have been present (in attendance) for each day of instruction in the reporting period. The daily attendance of a student who is not enrolled full-time in TxVSN courses for grades 9 through 12 is determined by . . .</p>
<p><i>Continued</i></p>		<p>[11.9.2 continued]</p>	<p>11.9.2.2 Programs for Grades 3 Through 8</p> <p>Enrollment in a grade 3 through 8 full-time virtual TxVSN OLS program that is offered by an approved TxVSN online school may apply toward ADA eligibility status. For enrollment in the grade-level program to count toward ADA eligibility status, the student must successfully complete the program. Successful completion is defined as completion of the TxVSN education program and demonstrated academic proficiency sufficient for promotion to the next grade level. If a student does not complete the entire TxVSN education program at the grade level in which the student is enrolled and demonstrate academic proficiency sufficient for promotion to the next grade level, the district will not receive any FSP funding for that student.</p> <p>For purposes of determining the initial ADA eligibility code of a student enrolled in a grade 3 through 8 TxVSN OLS program offered by a TxVSN online school, the student is considered to be scheduled for and receiving instruction for 4 or more hours each day. Thus, the initial ADA eligibility code of the student is 1 - Eligible for Full Day Attendance.</p> <p>To determine the student's ultimate ADA eligibility status for the instructional year, the district must consider whether the student successfully completed the TxVSN education program. A student who was enrolled in a grade 3 through 8 TxVSN OLS program but did not successfully complete the TxVSN education program is no longer considered to have been scheduled for and receiving instruction each day. If the student did not successfully complete the TxVSN education program, the district must change the</p>

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			<p>student’s ADA eligibility code to 0 - Enrolled, Not in Membership, and report this adjusted information in the third PEIMS submission.</p> <p>For purposes of recording the student's daily attendance, a student enrolled in a grade 3 through 8 TxVSN OLS program that is offered by a TxVSN online school is considered to have been present (in attendance) for each day of instruction in the reporting period.</p>
<i>Continued</i>		<p>[11.9.2 continued] A student's enrollment in one or more TxVSN courses does not necessarily preclude your district . . . Nor does it . . . The determination . . . manner consistent with state and federal law.¹¹⁵</p>	<p>11.9.2.3 Enrollment in a TxVSN Course or Program and Receipt of Special Program Services A student's enrollment in one or more TxVSN courses or in a TxVSN OLS program offered by a TxVSN online school does not necessarily preclude your district . . . Nor does it . . . The determination . . . manner consistent with state and federal law.¹¹⁶</p>
Section 11 Nontraditional Programs	Revision	<p>11.9.4 Examples</p> <p>Example 1 A student who was scheduled for and receiving instruction in traditional classes for 185 minutes each day and who was enrolled in one TxVSN course would . . .</p>	<p>11.9.4 Examples</p> <p>Example 1 A student who was scheduled for and receiving instruction in traditional classes for 185 minutes each day and who was enrolled in one TxVSN course for grades 9 through 12 would . . .</p>
Section 11 Nontraditional Programs	Revision	<p>Example 2 A student who was scheduled for and receiving instruction in traditional classes for 4 hours (240 minutes) each day and who was enrolled in one or more TxVSN courses would . . .</p>	<p>Example 2 A student who was scheduled for and receiving instruction in traditional classes for 4 hours (240 minutes) each day and who was enrolled in one or more TxVSN courses for grades 9 through 12 would . . .</p>
Section 11 Nontraditional Programs	Revision	<p>Example 3 A student who was scheduled for and receiving instruction in traditional classes for 1 hour (60 minutes) each day and was enrolled in two TxVSN courses would . . .</p>	<p>Example 3 A student who was scheduled for and receiving instruction in traditional classes for 1 hour (60 minutes) each day and was enrolled in two TxVSN courses for grades 9 through 12 would . . .</p>
Section 11 Nontraditional Programs	Revision	<p>Example 4 A student who was enrolled full-time in TxVSN courses (i.e., was enrolled in five TxVSN courses) would . . .</p>	<p>Example 4 A student who was enrolled full-time in TxVSN courses for grades 9 through 12 (i.e., was enrolled in five TxVSN courses) would . . .</p>
Section 11 Nontraditional Programs	Addition	<p>None.</p>	<p>Example 5 A student enrolled full time in a grade 3 through 8 TxVSN OLS program offered by a TxVSN online school would initially be reported with an ADA eligibility code of 1 - Eligible for Full-Day Attendance. If the student successfully completed the TxVSN</p>

¹¹⁵ TEC, §30A.007 (SB 1, 82nd Texas Legislature, First Called Session, 2011)

¹¹⁶ TEC, §30A.007

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			<p>education program (completed the program and was promoted to the next grade level), his or her ADA eligibility code would not change. If the student did not complete the entire TxVSN education program and demonstrate academic proficiency sufficient for promotion to the next grade level, his or her ADA eligibility code would be changed to 0 - Enrolled, Not in Membership.</p> <p>Regardless of whether the student successfully completed the TxVSN education program, the student would be considered to have been present (in attendance) for each day of instruction in the reporting period. If the student did not successfully complete the TxVSN education program and was subsequently reported with an ADA eligibility code of 0, the student would not generate any FSP funding.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None.</p>	<p>11.10 Remote Instruction That Is Not Delivered Through the TxVSN</p> <p>This subsection (11.10) addresses remote instruction other than virtual instruction provided through the TxVSN. For requirements related to the TxVSN, see 11.9 Texas Virtual School Network (TxVSN).</p> <p>Under current agency rules and policies, remote instruction that is not delivered through the TxVSN is not eligible for state funding and generation of ADA, except for classes taken through distance learning while a student is in attendance at a regular school campus. However, this subsection describes procedures for submitting requests for waivers of those rules and policies and information on how the agency will evaluate those requests. Please be advised that in addition to submitting a waiver request, any <u>charter school</u> wishing to provide remote instruction for students (other than distance learning while a student is in attendance at a regular school campus) must submit a non-expansion amendment request to the commissioner of education and <u>receive commissioner approval prior to submitting the waiver request for possible implementation of remote instruction</u>. Changing the instructional program would be a substantive amendment request in accordance with 19 TAC §100.1033(c).</p> <p>For the purposes of this subsection (11.10), "remote instruction" means instruction provided through a technology that allows for</p>

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			<p>real-time, two-way interaction between a student and teacher who are in different physical locations. Examples of such technology might be interactive video conferencing or a robot that allows for virtual interaction between student and teacher. The technology must allow for both two-way audio and two-way video interaction.</p>
<p>Section 11 Nontraditional Programs</p>	<p>Addition</p>	<p>None.</p>	<p>11.10.1 Remote Conferencing—Regular Education Students</p> <p>In Subsection 11.10.1, "remote conferencing" means remote instruction in which a student at an off-campus location is able to virtually participate in classes provided on the student's campus.</p> <p>If your school district provides instruction through remote conferencing to a regular education student, your district may, with the approval of a waiver request, count that instruction as instructional time for FSP funding purposes and count the student in attendance for FSP funding purposes, provided the following requirements are met:</p> <ul style="list-style-type: none"> • The student is unable to attend school because of a temporary medical condition¹¹⁷. • The student's temporary medical condition is documented by a physician licensed to practice in the United States. <p>The waiver request must include an explanation of the circumstances. Waivers will be granted on a case-by-case basis. A waiver will not be granted if the student is unable to attend school for a reason other than a medical condition (such as confinement at home for disciplinary reasons).</p>
<p><i>Continued</i></p>			<p>If a waiver is granted, the affected student will generate attendance according to the 2-through-4-hour rule and based on whether the student is virtually "present" at the official attendance-taking time. The student will not be considered to be receiving homebound program instruction and will not be eligible to generate eligible days present through the General Education Homebound (GEH) program. If the student is eligible to be served through the GEH program,</p>

¹¹⁷ Pregnancy, in and of itself, is not considered a medical condition. See [11.10.3 Remote Homebound Instruction—Regular Education Students](#) for information on remote Pregnancy Related Services Compensatory Education Home Instruction.

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			<p>your district should evaluate whether it is more appropriate to serve the student through that program or through remote conferencing. If your district opts to serve the student through the GEH program, then the student would generate attendance/eligible days present according to the GEH funding method. A student may not generate attendance through both remote conferencing and the GEH program simultaneously. See 3.7 General Education Homebound (GEH) for GEH requirements. See 11.10.3 Remote Homebound Instruction—Regular Education Students for requirements specific to remote GEH instruction.</p> <p>The application for a general waiver is available at http://www.tea.state.tx.us/index2.aspx?id=6637&menu_id=932&menu_id2=788. When submitting a waiver request, cite the following requirements in item 3 of the "General Waivers" section: 1) the requirement that a student be on campus at the official attendance-taking time in order to be considered present for FSP funding purposes, as required by 19 TAC §129.21 and the <i>Student Attendance Accounting Handbook</i>, which is adopted annually through 19 TAC §129.1025, and 2) the agency's policy of considering only face-to-face instruction as instructional time for purposes of FSP funding.</p> <p>A student served through remote conferencing may be eligible to generate weighted funding for programs such as career and technical education or bilingual/English as a Second Language education, provided requirements for the applicable program(s) are met. See the applicable sections of this handbook for specific program requirements. In submitting a waiver request, explain how any applicable program requirements will be satisfied if your district intends to claim weighted funding.</p>
Section 11 Nontraditional Programs	Addition	None.	<p>11.10.2 Remote Conferencing—Special Education Students</p> <p>In Subsection 11.10.2, "remote conferencing" means remote instruction 1) in which a student at an off-campus location is able to virtually participate in classes provided on the student's campus or 2) in which a student at an on- or off-campus location receives instruction or special education services from an appropriately credentialed individual who is at a different location. An example of</p>

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			<p>a situation described by item 2 is one in which a student in a campus classroom receives speech therapy via remote instruction from an appropriately credentialed individual who is not on the student's campus.</p> <p>If your school district provides instruction through remote conferencing to a special education student (for all or part of the school day), your district may, with the approval of a waiver request, count that instruction as instructional time for FSP funding purposes, including in the calculation of contact hours. To do so, the following conditions must be met:</p> <ul style="list-style-type: none"> • The student's admission, review, and dismissal (ARD) committee must have determined, in a manner consistent with state and federal law¹¹⁸, that the remote instruction to be provided meets the needs of the student. * • The ARD committee must have documented that determination in the student's individualized education program. <p>*Note: If a student's ARD committee determines that instruction through remote conferencing is appropriate for a student, that determination does not necessarily mean that the student's instructional arrangement/setting code will change with the provision of the instruction through remote conferencing. The student's instructional arrangement/setting code may stay the same if the actual instruction and services the student is receiving will remain the same and all that will change is the means of</p>
<i>Continued</i>			<p>delivery of that instruction. In determining what instructional arrangement/setting code to use for the student, the ARD committee should consider the type of instruction and services being provided instead of the physical location of the student.</p> <p>The waiver request must include an explanation of the circumstances. Waivers will be granted on a case-by-case basis.</p> <p>If a waiver is granted, the affected student will generate attendance according to the 2-through-4-hour rule and based on whether the</p>

¹¹⁸ including provisions related to least-restrictive environment (LRE) and free appropriate public education (FAPE) requirements

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			<p>student is physically present on campus at the official attendance-taking time (if the student is scheduled to be on campus at that time) or is virtually "present" at the official attendance-taking time (if the student is scheduled to be off-campus at that time).</p> <p>Please note that the remote conferencing instruction described in this subsection (11.10.2) is different from remote special education homebound program instruction. For general requirements related to special education homebound instruction, see 4.7.2 Code 01 - Homebound. For requirements specific to remote special education homebound instruction, see 11.10.4 Remote Homebound Instruction—Special Education Students. If a student is eligible to be placed in the special education homebound instructional arrangement/setting, it is the responsibility of the student's ARD committee to determine whether it is more appropriate to place the student in that setting or in another setting that is provided via remote conferencing.</p> <p>The application for a general waiver is available at http://www.tea.state.tx.us/index2.aspx?id=6637&menu_id=932&menu_id2=788. When submitting a waiver request, cite the following requirements in item 3 of the "General Waivers" section: 1) the requirement that a student be on campus at the official attendance-taking time in order to be considered present for FSP funding purposes, as required by 19 TAC §129.21 and the <i>Student Attendance Accounting Handbook</i>, which is adopted annually through 19 TAC §129.1025, and 2) the agency's policy of considering only face-to-face instruction as instructional time for purposes of FSP funding. Note that requirement 1 needs to be cited only if the student is scheduled to be off campus at the official attendance-taking time.</p>
Section 11 Nontraditional Programs	Addition	None.	<p><i>11.10.3 Remote Homebound Instruction—Regular Education Students</i></p> <p>In Subsection 11.10.3, "remote homebound instruction" means remote instruction in which a student receives individualized instruction through the GEH program or Compensatory Education Home Instruction (CEHI) program and in which all requirements of the program are met except for in-person instruction from the homebound teacher. See 3.7 General Education Homebound (GEH) for GEH program requirements. See Section 9 Pregnancy Related</p>

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			<p>Services (PRS) for CEHI program requirements.</p> <p>If your school district provides remote homebound instruction to an eligible regular education student, your district may, with the approval of a waiver request, count the student in attendance for FSP funding purposes provided that all requirements of the homebound program are met except for face-to-face instruction from the homebound teacher.</p> <p>If a waiver is granted, the affected student will generate attendance/eligible days present according to the homebound funding provisions in 3.7.3 GEH Funding Chart or 9.10 Confinement and Earning Eligible Days Present, as applicable.</p> <p>The application for a general waiver is available at http://www.tea.state.tx.us/index2.aspx?id=6637&menu_id=932&menu_id2=788. When submitting a waiver request, cite the following requirement in item 3 of the "General Waivers" section: the requirement that a homebound teacher serve a student in person at the student's home or hospital bedside in order for FSP funding to be generated, as required by Subsection 3.7.3 [GEH] or Subsection 9.10 [CEHI] of the <i>Student Attendance Accounting Handbook</i>, which is adopted annually through 19 TAC §129.1025.</p>

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Section 11 Nontraditional Programs	Addition	None.	<p>11.10.4 Remote Homebound Instruction—Special Education Students</p> <p>In Subsection 11.10.4, "remote homebound instruction" means remote instruction in which a special education student with an instructional arrangement/setting code of 01 (homebound) receives individualized instruction through special education homebound instruction and in which all requirements related to special education homebound instruction are met except for in-person instruction from the homebound teacher. See 4.7.2 Code 01 - Homebound for special education homebound requirements.</p> <p>A student's ARD committee is responsible for determining, in a manner consistent with state and federal law, whether remote homebound instruction meets the needs of the student.</p> <p>If your school district provides remote homebound instruction to a special education student, your district may, with the approval of a waiver request, count the student in attendance for FSP funding purposes, including weighted funding purposes, provided that the following requirements are met:</p> <ul style="list-style-type: none"> • The student's ARD committee must have determined, in a manner consistent with state and federal law¹¹⁹, that the remote homebound instruction to be provided meets the needs of the student. • The ARD committee must have documented that determination in the student's individualized education program. • All requirements related to the provision of special education homebound instruction must be met except for face-to-face instruction from the homebound teacher. <p>If a waiver is granted, the affected student will generate attendance/eligible days present according to the homebound funding provisions in 4.7.2.5 Homebound Funding and Homebound Documentation Requirements.</p>
Continued			The application for a general waiver is available at

¹¹⁹ including provisions related to LRE and FAPE requirements

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			<p>http://www.tea.state.tx.us/index2.aspx?id=6637&menu_id=932&menu_id2=788. When submitting a waiver request, cite the following requirement in item 3 of the "General Waivers" section: the requirement that a homebound teacher serve a student in person at the student's home or hospital bedside in order for FSP funding to be generated, as required by Subsection 4.7.2.5 of the <i>Student Attendance Accounting Handbook</i>, which is adopted annually through 19 TAC §129.1025.</p>
Section 11 Nontraditional Programs	Addition	None.	<p>11.10.5 Distance Learning In Subsection 11.10, including Subsection 11.10.5, "distance learning" means remote instruction* in which a student physically located at his or her home campus participates in a class provided at another campus in the same district or in another district at which students and a teacher are physically present. In Subsection 11.10, including Subsection 11.10.5, distance learning does not include instruction provided through the TxVSN. For requirements related to the TxVSN, see 11.9 Texas Virtual School Network (TxVSN).</p> <p>*To reiterate, "remote instruction" means instruction provided through a technology that allows for real-time, two-way interaction between a student and teacher who are in different physical locations.</p> <p>A class taken through distance learning does not require a waiver to count as attendance if it is taken as part of a schedule that includes regular attendance in classroom instruction at the student's home campus.</p> <p>Time spent in distance learning courses may be eligible for weighted funding for programs such as career and technical education or bilingual/English as a Second Language education, provided requirements for the applicable program(s) are met. See the applicable sections of this handbook for specific program requirements.</p>
Section 11 Nontraditional Programs	Revision	<p>11.10 Interstate Compact on Educational Opportunity for Military Children In ...</p>	<p>11.11 Interstate Compact on Educational Opportunity for Military Children In ...</p>

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		<p>This section provides . . .</p> <p>11.10.1 Some Important Compact Definitions The . . .</p> <p>. . .</p> <p>"Child of a military family" means a school-aged child, enrolled . . .</p> <p>11.10.2 Notable Compact Provisions and Requirements Following . . .</p> <p>11.10.2.1 Entitlement to Continue at Grade Level A . . .</p> <p>11.10.2.2 Certain Absences Excused for Compulsory Attendance (Not Funding) Purposes Under . . .</p>	<p>This subsection provides . . .</p> <p>11.11.1 Some Important Compact Definitions The . . .</p> <p>. . .</p> <p>"Child of a military family" means a school-age child, enrolled . . .</p> <p>11.11.2 Notable Compact Provisions and Requirements Following . . .</p> <p>11.11.2.1 Entitlement to Continue at Grade Level A . . .</p> <p>11.11.2.2 Certain Absences Excused for Compulsory Attendance (Not Funding) Purposes Under . . .</p>
<p>Section 12 Appendix: Average Daily Attendance (ADA) and Funding</p>	<p>Revision</p>	<p>Section 12 Appendix: Average Daily Attendance and Funding</p> <p>Definitions</p> <p>Average Daily Attendance (ADA): ADA is the . . .</p> <p>Days in Attendance: Days in attendance are . . . (present . . . described by 19 TAC §129.21[k]) during a specific period . . .</p> <p>Special Education Full Time Equivalent (FTE): Special education FTEs are calculated by multiplying the number of eligible days present in a 6-week period that students were placed into a special program instructional setting by the multiplier of the instructional setting (see 4.11.1 Contact Hours for Each Instructional Setting). Excess special education contact hours in that instructional setting for the 6-week</p>	<p>Section 12 Appendix: Average Daily Attendance (ADA) and Funding</p> <p>Definitions</p> <p>ADA: ADA is the . . .</p> <p>Days in Attendance: Days in attendance are . . . (present . . . described by 19 TAC §129.21[jj]) during a specific period . . .</p> <p>Special Education Full Time Equivalent (FTE): Special education FTEs are calculated by multiplying the number of eligible days present in a 6-week period that students were placed into a special program instructional arrangement/setting by the multiplier of the instructional arrangement/setting (see 4.15.1 Contact Hours for Each Instructional Arrangement/Setting). Excess special education contact hours in that instructional arrangement/setting for the 6-</p>

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		<p>period are subtracted from calculated contact hours for the 6-week period. The net contact hours are divided by the number of days in the 6-week period multiplied by six. The calculated FTE for the 6-week period is added to the same instructional setting’s monthly FTE and divided by six. The FTE is multiplied by the special education weight appropriate for that instructional setting.</p> <p>Information on Weights</p> <p>Special Education — Weight: 1.1 to 5.0 ...</p> <p>[TABLE: LABEL FOR FIRST COLUMN: Instructional Arrangement]</p>	<p>week period are subtracted from calculated contact hours for the 6-week period. The net contact hours are divided by the number of days in the 6-week period multiplied by six. The calculated FTE for the 6-week period is added to the same instructional setting’s monthly FTE and divided by six. The FTE is multiplied by the special education weight appropriate for that instructional arrangement/ setting.</p> <p>Information on Weights</p> <p>Special Education — Weight: 1.1 to 5.0 ...</p> <p>[TABLE: LABEL FOR FIRST COLUMN: Instructional Arrangement/Setting]</p>
Section 13 Glossary	Revision	2-through-4-hour rule – The . . . to be eligible for attendance for FSP purposes (eligible to generate ADA and thus funding).	2-through-4-hour rule – The . . . to be eligible for attendance for Foundation School Program (FSP) purposes (eligible to generate average daily attendance [ADA] and thus funding).
Section 13 Glossary	Revision	Admission, Review, and Dismissal (ARD) Committee – A committee that . . . All members of the ARD committee shall have the opportunity to participate in a collaborative manner in developing a student's individualized education program (IEP).	Admission, Review, and Dismissal (ARD) Committee – A committee that . . . All members of the ARD committee must have the opportunity to participate in a collaborative manner in developing a student's individualized education program (IEP) .
Section 13 Glossary	Revision	Age – For the purposes of establishing eligibility, a student's age as of . . .	Age – For the purposes of establishing FSP eligibility, a student's age as of . . .
Section 13 Glossary	Addition	At-Risk – At risk of dropping out of school according to state criteria defined in the TEC, §29.081(d).	At-Risk – At risk of dropping out of school according to state criteria defined in the TEC, §29.081(d). At-risk students include the following: <ul style="list-style-type: none"> • students who were not advanced from one grade level to the next for one or more school years • students in grades 7–12 who did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or are not maintaining such an average in two or more subjects in the foundation curriculum in the current semester • students who did not perform satisfactorily on an assessment instrument administered to the students under the TEC, Chapter 39, Subchapter B, and have not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a

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			<p>level equal to at least 110 percent of the level of satisfactory performance on that instrument</p> <ul style="list-style-type: none"> • students in prekindergarten, kindergarten, or grade 1, 2, or 3 who did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year • limited English proficient (LEP) students, as defined by the TEC, §29.052 • recovered dropouts • pre- and postadjudicated students • homeless students • pregnant or parenting students • students who previously resided or currently reside in a residential placement facility in the district¹²⁰
Section 13 Glossary	Revision	Bilingual/ESL Eligible Days – A term . . . Only students . . . by the TEA under an exception or a waiver should be counted (Section 6).	Bilingual/English as a Second Language (ESL) Eligible Days – A term . . . Only students . . . by the Texas Education Agency (TEA) under an exception or a waiver should be counted (Section 6).
Section 13 Glossary	Revision	Center-Based Instruction – The . . . provided early intervention services through Early Childhood Intervention (ECI) programs operated through the Interagency Council on Early Childhood Intervention in a facility such as a school, rehabilitation center, clinic, or day care center. This instructional setting does not generate contact hours or ADA.	Center-Based Instruction – The . . . provided early intervention services through early childhood intervention (ECI) programs operated through the Texas Department of Assistive and Rehabilitative Services in a facility such as a school, rehabilitation center, clinic, or day care center. This instructional arrangement/setting does not generate contact hours or ADA.
Section 13 Glossary	Deletion	Central Attendance Accounting – An attendance accounting system in which teachers must submit a report of student absences, based on the required classroom period of instruction, to the central office. Central office personnel then post the absence reports to the attendance system records.	[DELETED]
Section 13 Glossary	Deletion	Combination Program – The instructional arrangement/setting code used for a child who, along with his or her family, is provided special education services through Early Childhood Intervention (ECI) programs operated through the Interagency Council on Early Childhood Intervention both in the home and in a service facility. This instructional setting does not generate contact hours or ADA.	[DELETED]
Section 13 Glossary	Revision	Community-Based Dropout Recovery Education Program – A . . . The attendance . . . for Foundation School Program (FSP) fund benefits (Section 3). ¹²¹	Community-Based Dropout Recovery Education Program – A . . . The attendance . . . for FSP fund benefits (Section 3). ¹²²

¹²⁰ Texas Education Code (TEC), §29.081(d)

¹²¹ Texas Education Code (TEC), §29.081(e),(f). See Chapter 8 of the 2011 Accountability Manual for further information.

¹²² TEC, §29.081(e),(f)

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Section	Change	2011–2012 Version 2	2012–2013
Section 13 Glossary	Deletion	Departmentalized Instruction – A method of instruction in which students do not remain in the presence of the same teacher for all or a major portion of the school day. Central attendance accounting is required for departmentalized instruction.	Departmentalized Instruction – A method of instruction in which students do not remain in the presence of the same teacher for all or a major portion of the school day.
Section 13 Glossary	Revision	Direct, Regularly Scheduled – A term used when referring to time a student is served through special education as documented in the IEP. The special education service must be direct, eye-to-eye contact between certified special education staff and the student. The special education services must be regularly scheduled in that a specific amount of time is scheduled at least weekly in the IEP. Services must not be scheduled on an as-needed basis.	Direct, Regularly Scheduled – A term used when referring to the special education services that certified special education staff provide directly to a student on a regularly scheduled basis as outlined in the student's IEP. Supports that certified special education staff provide to other individuals for the student's benefit are not included in this term.
Section 13 Glossary	Revision	Early Childhood Intervention (ECI) – Special education services for children under age 3. Once a child is 3 years old, he or she is ineligible for ECI services. Your school district should evaluate the child to establish eligibility for services under IDEA-B and provide these services appropriately. Under no circumstances is a 3-year-old eligible to continue in ECI.	Early Childhood Intervention (ECI) Services – Services under the Individuals with Disabilities Education Act, Part C, (IDEA-C) for children with disabilities who are under age 3. Once a child is 3 years old, he or she is ineligible for ECI services. Your school district should evaluate the child to determine eligibility for special education services under IDEA-B. Under no circumstances is a 3-year-old child eligible to continue receiving ECI services.
Section 13 Glossary	Revision	Early Education (EE) – A grade level for students between the ages of 0 and 5 who have not been placed in prekindergarten or kindergarten. These students include . . . These students also include those served by PPCD teachers in a licensed childcare facility working in a collaborative partnership with your school district.	Early Education (EE) – A grade level for students 0 through 5 years of age who have not been placed in prekindergarten or kindergarten. These students include . . . These students also include those served by preschool program for children with disabilities teachers in a licensed child care facility working in a collaborative partnership with your school district.
Section 13 Glossary	Revision	Educationally Disadvantaged [Prekindergarten] – Term used to describe a student who is eligible to participate in the National School Lunch Program established under 42 USC, §1751 et seq.	Educationally Disadvantaged [Prekindergarten] – Term used to describe a student who is eligible to participate in the National School Lunch Program established under 42 United States Code (USC) , §1751 et seq.
Section 13 Glossary	Revision	Excess Contact Hours - Any . . . Those . . . special education instructional setting. For example, a student in a resource room instructional setting (codes 41 and 42) earns . . . The only . . . (e.g., a student with 6 hours of career and technical education and speech [.25 contact hours per day]).	Excess Contact Hours - Any . . . Those . . . special education instructional arrangement/setting . For example, a student in a resource room instructional arrangement/setting (codes 41 and 42) earns . . . The only . . . (e.g., a student with 6 hours of career and technical education and speech [0.25 contact hours per day]).
Section 13 Glossary	Revision	Home-Based Instruction – The setting . . . ECI programs operated through the Interagency Council on Early Childhood Intervention in the home of the client. . . This instructional setting does not generate contact hours or ADA.	Home-Based Instruction – The setting . . . ECI programs operated through the Texas Department of Assistive and Rehabilitative Services in the home of the client. . . This instructional arrangement/setting does not generate contact hours or ADA.
Section 13	Revision	Homebound – The special education instructional setting under . . .	Homebound – The special education instructional arrangement/

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Glossary			setting under . . .
Section 13 Glossary	Revision	Individualized Education Program (IEP) – A program developed by an ARD committee for each student served in special education. The IEP should include documentation of the amount of time a student is to spend in each instructional setting. This . . .	Individualized Education Program (IEP) – A program developed by an ARD committee for each student served in special education. The IEP should include the special education and related services and the amount of services the student is to receive as well as the instructional arrangement/setting . This . . .
Section 13 Glossary	Revision	Juvenile Justice Alternative Education Program (JJAEP) – The alternative education program . . . subject to the approval of the Texas Juvenile Probation Commission (TJPC) ¹²³ ; or that counties . . . subject to the approval of the TJPC; or that counties . . . without the approval of the TJPC.	Juvenile Justice Alternative Education Program (JJAEP) – The alternative education program . . . subject to the approval of the Texas Juvenile Justice Department (TJJD) ; or that counties . . . subject to the approval of the TJJD ; or that counties . . . without the approval of the TJJD .
Section 13 Glossary	Revision	Noncategorical Early Childhood – Term used to describe a student aged 3 through 5 who meets the eligibility criteria for intellectual disability ¹²⁴ , emotional disturbance, learning disability, or autism.	Noncategorical Early Childhood – Term used to describe a student aged 3 through 5 years who meets the eligibility criteria for intellectual disability ¹²⁵ , emotional disturbance, learning disability, or autism.
Section 13 Glossary	Revision	Nonpublic Day School – The setting under which a student receives special education instruction through a contractual agreement with a nonpublic school approved for special education. This instructional setting does not generate ADA or contact hours. For funding purposes, a student receiving such instruction is reported on the SPE-106, <i>Nonpublic Day School Report</i> .	Nonpublic School – A private day or residential school approved by the TEA to provide special education instruction to students with disabilities whose ARD committees have determined cannot receive an appropriate educational program in a public school setting. The nonpublic day school and residential nonpublic school instructional arrangements/settings do not generate ADA or contact hours. For funding purposes, a student receiving instruction in a nonpublic school is reported on the SPE-106, <i>Nonpublic Day School Report</i> , or the SAS-111, Application for Approval of Funding for Residential Placement .
Section 13 Glossary	Revision	Prekindergarten (PK) – A grade level for children aged 3 and 4. These . . .	Prekindergarten (PK) – A grade level for children aged 3 and 4 years . These . . .
Section 13 Glossary	Revision	Preschool Program for Children With Disabilities (PPCD) – Special education services for children with disabilities aged 3 through 5. These students may have any disability recognized under IDEA-B in Texas including noncategorical early childhood (see definition). Developmental . . .	Preschool Program for Children With Disabilities (PPCD) – A program that provides special education services to children with disabilities aged 3 through 5 years . These students may have any disability recognized in Texas under IDEA-B including noncategorical early childhood (see definition). Developmental . . .
Section 13 Glossary	Deletion	Regularly Scheduled – A service scheduled to be administered at least on a weekly basis for a specified amount of time.	[DELETED]
Section 13 Glossary	Deletion	Residential Nonpublic School – The setting in which students receive special education services through a contractual agreement with an	[DELETED]

¹²³ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

¹²⁴ The term "mental retardation" has been replaced with "intellectual disability" in this handbook per the provisions of House Bill 1481, 82nd Texas Legislature, 2011, related to use of person first respectful language . . .

¹²⁵ The term "mental retardation" has been replaced with "intellectual disability" in this handbook per the **TEC, §7.063**, related to use of person first respectful language . . .

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		approved residential nonpublic school. Students are placed in a residential nonpublic school through the ARD process. This setting does not generate ADA or contact hours. For funding purposes, students in this setting are reported on the SAS-111, <i>Application for Approval of Funding for Residential Placement</i> .	
Section 13 Glossary	Revision	Substitute Care – The placement . . . The term includes . . . commitment to the Texas Youth Commission. ¹²⁶	Substitute Care – The placement . . . The term includes . . . commitment to the TJJD.

¹²⁶ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.