

**Questions and Answers Related to the
2012–2013 Student Attendance Accounting Handbook (SAAH)**

(Includes Responses to Questions From August 23, 2012, SAAH Webinar)

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General *SAAH* Questions

Q Was there an addendum to the *SAAH* after the initial posting of the handbook this year (2012–2013)?

A No, there was no addendum, and at this time (early October 2012) there are no plans to release an addendum or a second version of the handbook.

Q Where can I find information about what qualified paraprofessionals can do?

A This is not an attendance accounting question, but you might find the information you are looking for on the TEA [Requirements for Highly Qualified Paraprofessionals](#) page.

Section 2 Audit Requirements Questions

Q I thought I had read that if you go back and make any changes in attendance, you must rerun all reports. Is that correct?

A If you make a change that affects the Student Detail Report, Campus Summary Report, or District Summary Report for a six-week period for which you had already generated the report, then yes, you would need to regenerate any report the change affected.

Q **Re: Subsection 2.2.4: Does the requirement for a record recovery plan in the event of disaster mean that our district is required to make copies of all excuse notes, teacher attendance slips, tardy slips, etc., and store those documents at another location?**

A Your district should have in place a locally developed, documented plan for how it will recover and reproduce data required for an audit if the primary means of producing the data is threatened by disaster or by attendance accounting system malfunction or sabotage. The plan you describe would be one such type of plan.

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

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

Section 3 General Attendance Requirements Questions

Funding Eligibility and Age Eligibility

Q For courses such as study hall or student aide, as long as we do not count students present and actually take attendance during that period, we are not collecting funding, correct?

A Unless a student is enrolled in an alternative attendance accounting program, Foundation School Program (FSP) funding (state funding) for student attendance is generated based on 1) whether the student is present at the official attendance-taking time and 2) the average daily attendance (ADA) eligibility code for the student. The ADA eligibility code is the code that indicates whether a student is eligible to generate half- or full-day attendance based on the 2-through-4-hour rule. A student scheduled for and receiving at least 2 hours of instruction per day is eligible to generate half-day attendance. A student scheduled for and receiving at least 4 hours of instruction per day is eligible to generate full-day attendance. See Subsection 3.2.1 of the *SAAH* for a detailed explanation of ADA eligibility coding.

Attendance is taken at the campus's official attendance-taking time regardless of whether the student is in a study hall, a homeroom, or an academic course. For a given campus, there is only one official attendance-taking time per day for the campus as a whole (although certain groups of students who are scheduled to be off campus at that time may have an alternate official attendance-taking time). If the student is present at his or her official attendance-taking time and has an ADA eligibility code of 1, a full day of attendance/funding is generated. If the student is present at his or her official attendance-taking time and has an ADA eligibility code of 2, a half day of attendance/funding is generated.

When we say that study hall does not count as instructional time for FSP funding purposes, we mean that the time spent in study hall cannot be counted as instructional time for purposes of determining a student's ADA eligibility code.

As an example, say that a student is enrolled in and attending four 55-minute courses and one 55-minute study hall. When determining the total instructional time the student is scheduled for to determine the student's ADA eligibility code, district personnel cannot include the 55-minute study hall. Because the student is scheduled for and receiving 220 minutes of instruction each day, the student is assigned an ADA eligibility code of 2, eligible for half-day attendance. Also, the student's attendance is taken every day at the official attendance-taking time regardless of whether that time falls during the student's study hall.

Q Our school is offering online courses. The students will be on our campus but taking courses online. Does this fall under distance learning or something else? Does a certified teacher need to be in the classroom where the online class is being conducted?

A In answer to your first question, it is unlikely the courses would fall under distance learning as that term is defined in the *SAAH* (see Subsection 11.10.5). The courses you have described sound like on-campus online courses, which are addressed in Subsection 3.2.2.4 of the *SAAH*.

In answer to your second question, yes, per Subsection 3.2.2.4 of the *SAAH*, a certified teacher must be present in the room in which the student is taking the course to answer questions and otherwise assist the student.

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

A Yes. The 21-year-old student may be placed with students who are 18 years of age or younger since the student has been attending school for the past three school years.

Q If our district offers a night school, can we receive funding?

A Your district is free to serve students during the day or at night. However, a student cannot earn more than one day's worth of attendance per day (or more than 600 minutes of attendance per day if the student is enrolled in a flexible attendance program such as the Optional Flexible School Day Program [OFSDP]).

You may also want to see this [question and response](#).

Enrollment

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

A Yes. The use of the Texas Records Exchange system is prescribed by statute, and the student records transmitted using it are official student records for purposes of enrollment and eligibility for provision of services and thus for purposes of generating FSP funding. Your district must still verify residency, age, and identity as described in Subsection 3.3 of the *SAAH*. Also, if required

special program documentation has not been included as attachments with the transferred records, your district is responsible for obtaining documentation of eligibility.

Q Re: Subsection 3.3 and proof of residency: During a presentation, you described a situation in which a student and her parents were all living at the home of a relative [or friend] of the family. The student's parents' names did not appear on the utility bills [or any other document that might be used to show evidence of residency]. You stated that a letter from the relative [or friend] stating that the family lived at that person's address would be sufficient as evidence of residency. Does the letter have to be notarized?

A No. Be aware also that according to the August 2, 2012, "To the Administrator Addressed" [letter](#) provided by the Legal Services Division, "the fact that a student is living in a household that is leased or owned by someone outside the student's immediate family may be an indicator that the student is homeless and entitled to admission under [the Texas Education Code (TEC),] [§25.001\(b\)\(5\)](#)."

Q If a utility bill is being used as evidence of residency for enrollment, do we need to see the whole bill, or is just the stub sufficient?

A This question is a matter of local policy.

Q Is it necessary to get residency documentation every year, even when the student's address has not changed?

A No statute or rule requires that your district document this each year. However, it is recommended that your district confirm each school year that a previously enrolled student's address is still correct. Some districts accomplish this by sending home a form that is prepopulated with the student's address and asking the parent to indicate whether the information is still accurate, sign the form, and send it back.

Q What would be considered conclusive evidence that a person is not a resident of the district?

A The agency cannot predetermine that a person is or is not a resident of a district. That is a fact question for the district to determine. Your district is responsible for establishing a local policy outlining what types of documentation it will accept as showing that a person *is* a resident of the district (i.e., what types of documentation it will accept in verifying residency for enrollment purposes). For information regarding the legal elements of residency, see the August 2, 2012, "To the Administrator Addressed" [letter](#) (page 8 of the Word version).

Q For purposes of determining a student's immigrant indicator code, a student is considered an immigrant if he or she is aged three through 21 years, was not born in any state, and has not been attending a US school for more than three full academic years (the years do not need to be consecutive). Does a school year in which the student's grade was EE, PK, or KG count as an academic year?

A Yes. A year in which the student was coded with a grade level of EE, PK, or KG and was reported through the Public Education Information Management System (PEIMS) counts as an academic year.

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

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

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

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

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

Q Re: 3.3.2.1 and the prohibition on auditing classes: Can a student who is not enrolled visit the preschool program for children with disabilities before an admission, review, and dismissal (ARD) committee has decided the student's placement?

A Yes. Subsection 3.3.2.1 was added to make clear that District A may not allow a student who is enrolled in District B to start attending classes at District A on a "trial basis." The situation you describe does not violate Subsection 3.3.2.1.

Q What are our district's obligations with regard to a student who is in a hospital that is within our district? Is the hospital required to notify our district of the student's presence, or is the district that the student was previously enrolled in responsible for notifying our district?

A Regarding your first question, your district is required to serve a student residing within its boundaries, even a student who will be residing in the district for a short time. The only exception would be in the circumstances described in Subsection 3.3.3.2 of the *SAAH* (student

will be in district 10 or fewer days, and previous and current district agree that previous district will continue to serve and report the student).

Regarding your second question, the hospital is not required to notify your district of the student's presence unless the hospital is a residential facility that that is required to do so under the TEC, [§29.012](#) (see Subsection 10.6 for more information). Also, the district in which the student was previously enrolled is not required to notify your district that the student is in a hospital in your district. However, if the previous district has that information, notifying your district would be a best practice.

Enrollment and Immunization

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

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

For further information, please see the following DSHS web page on immunization requirements: <http://www.dshs.state.tx.us/immunize/school/default.shtm#requirements>. The page includes links to an FAQs document and a flowchart on provisional enrollment and immunization.

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

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

Please see the following DSHS web page on immunization requirements: <http://www.dshs.state.tx.us/immunize/school/default.shtm#requirements>. The page includes links to an FAQs document and a flowchart on provisional enrollment and immunization.

¹ 25 TAC §97.66(b)

² 25 TAC §97.69

Q What happens if a student has been enrolled provisionally and has not met immunization requirements after 30 days? Should the student be withdrawn?

A Unless the student meets one of the exception criteria in the TEC, [§38.001\(c\)](#), the student should be withdrawn.

For further information, please see the following DSHS web page on immunization requirements: <http://www.dshs.state.tx.us/immunize/school/default.shtm#requirements>.

Q We register students before the first day of classes. Does the 30-day period for provisional enrollment begin on the day we register a student or on the first day of school?

A We directed your question to the DSHS. Staff there stated that the 30-day period begins on the date the student is registered, even if that date precedes the first day of school.

Please direct any immunization questions to the DSHS. Contact information is available on the following web page: <http://www.dshs.state.tx.us/immunize/school/default.shtm#requirements>.

Withdrawal

Q If a student whose whereabouts are unknown is withdrawn, does the student count as a dropout?

A Possibly. Please see the TEA [Dropout Prevention Frequently Asked Questions](#) page for information on dropouts and who is considered a dropout. A student is counted as a dropout if the student:

- is enrolled in grades 7–12;
- does not return to public school the following fall;
- is not expelled; and
- does not graduate, receive a General Educational Development (GED) credential, continue school outside the public school system, begin college, or die.

This definition is the one used by the National Center for Education Statistics.

Q Can we withdraw a student after 10 days of unexcused absences if we know that the student is still in our district?

A No. See the TEC, [§25.0951](#), for requirements related to truancy complaints and referrals.

Q Subsection 3.4.3 of the SAAH states, "Your district should decide the withdrawal date for a student who never officially withdrew from school, but whose whereabouts can no longer be determined, according to applicable local policies. For example, local policy may state that a student is withdrawn 10 days after he or she last attended if his or her whereabouts are unknown." May our local policy specify that a student whose whereabouts are unknown will be withdrawn after a shorter period than 10 days, such as 5 days?

A Yes. Please remember, however, that Subsection 3.4.3 addresses policies regarding students *whose whereabouts are unknown*, not policies regarding students whose whereabouts are known and who are simply truant (see the preceding question). The district should take reasonable steps to determine that a student's whereabouts are unknown before withdrawing the student.

Q How should we handle students who go to another country for Christmas? These students are often gone all of December. Do we leave the students enrolled or withdraw them?

A As long as a student is a district resident, the student should remain enrolled unless the student has withdrawn. Whether the student is currently a resident is a matter for the district to determine. For information regarding the legal elements of residency see the August 2, 2012, "To the Administrator Addressed" [letter](#) (page 8 of the Word version).

Q Do we have to have a withdrawal form for a student who transfers from one school in our district to another school in the district?

A The campus from which the student is withdrawing is required to document in some way that the student is withdrawing from that campus. How the campus chooses to document that information is a local matter.

Q If an 18-year-old wants to withdraw herself to be home schooled, may the student sign her own paperwork, or does a parent have to sign it?

A If your district intends to use a leaver code of 60 ("student is home schooled"), then the student's parent must verify that the student is being home schooled per Appendix D of the [PEIMS Data Standards](#). Please see Appendix D for detailed documentation requirements.

Texas Records Exchange (TReX) System

- Q A district is refusing to give student records to the student's parents and is telling the parents to request the records through the TReX system. Should this be happening?**
- A No. Per the TEC, [§7.010](#), the TReX system is for use by school districts and institutions of higher education in requesting records from and transferring records to other school districts and institutions of higher education. Parents are not able to request or receive records through this system.
- Q In the TReX system, I do not see our charter school [or school district] listed. Why is this, and who can I contact about the problem?**
- A If you are looking at the list of entities from which you can request records, you will not see your charter school or school district listed, as the TReX system does not allow an entity to request records from itself. If you are experiencing a different type of problem in which you should be seeing your charter school's or district's name but are not, please contact the TReX system support staff by telephone at (512) 463-7246 or by email at TReX@tea.state.tx.us.
- Q Does any law or rule prohibit our district from scanning and attaching a copy of a birth certificate, Social Security card, or report card when sending records through the TReX system?**
- A No. In fact, the TEA encourages districts to send all available relevant information. The introduction of Section 1 of the *2012–2013 TReX Data Standards Version 3.9* states, "Registrars are encouraged to send all relevant information that is available through TReX when a student transfers from one school to another. While schools are not required to send copies of birth certificates of [sic] social security cards through TReX when a student transfers, these documents may be scanned and transmitted as attachments if the registrar chooses."
- Q What is the best way to comply with a school district that has a reputation of asking for lots of extra information that needs to be scanned and attached to be sent through the TReX system? Example: "Please scan and attach the entire contents of the student's CUM folder."**
- A The best way to comply would be to scan and attach the student records the district is asking for. Although a district is required to send only the information that the *TReX Data Standards* specifies as required to be sent, districts are encouraged to provide via TReX all records that would be helpful to the requesting district.

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

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

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

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

Attendance Taking

Q What if a teacher uses a six-week class attendance roster? Can he sign it only at the end of the cycle?

A No. Per Subsection 3.6 of the *2012–2013 Student Attendance Accounting Handbook (SAAH)*, attendance records must be signed and dated within one calendar week of the attendance recorded unless your district is using a "paperless" attendance accounting system that meets the requirements in Subsection 2.2.3. (If the attendance accounting system meets the requirements in Subsection 2.2.3, then there is no need to generate, sign, and date a weekly record or report.)

Q If the student is in the principal's office during the official attendance-taking time, the classroom teacher must mark the student absent—correct?

A Yes. The teacher should mark the student as absent at the official attendance-taking time. The principal should document that the student was in his or her office at the official attendance-taking time and provide that documentation to attendance personnel. Attendance personnel should make the necessary change to the attendance record, documenting that a change was made, the time it was made, and by whom. The attendance documentation from the principal should be retained for audit purposes.

Q Re: Subsection 3.6.2: The slide related to this subsection said "2nd or 5th period" in reference to the part of the school day that the official attendance-taking time must fall within. Should it say "2nd or 5th hour" instead? Our district has its snapshot (official attendance-taking) time during third period because that is our second hour of school. Is that correct?

A Yes, you are correct that the slide should say "2nd or 5th hour." Section 3.6.2 of the handbook and 19 Texas Administrative Code (TAC) [§129.21](#)(h) both refer to the "second or fifth instructional hour of the day." Also, yes, your district's snapshot time meets the requirements of Section 3.6.2 and 19 TAC §129.21.

Q Our district offers both morning and afternoon half-day prekindergarten programs. Our official attendance-taking time for the campus as a whole is during the morning. May we set an official attendance-taking time for the afternoon prekindergarten program that is different from the official attendance-taking time for the campus as a whole without violating *SAAH* rules?

A Yes.

Q In the part of the presentation dealing with adopting an alternate attendance time, you refer to both a school board policy and documented superintendent procedures. Can you clarify? Also, how should the procedures be documented?

A Regarding your first question, please see Subsection 3.6.2 of the *SAAH*. Following is an excerpt from that subsection:

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 established documented procedures allowing for recording absences in an alternate hour after having been delegated authority to do so by the board. . . .

In other words, for a campus to be able to select an alternate attendance-taking time, either of the following has to have occurred:

- The school board has to have, at any point in the past, adopted a policy permitting selection of an alternate time.
- Or, the school board has to have, at any point in the past, delegated authority to permit selection of an alternate time to the superintendent, and the superintendent has to have established documented procedures that permit selection of an alternate time.

See Subsection 3.6.2 for further requirements and information.

Regarding your second question, as with any other documentation related to attendance accounting, the superintendent-established procedures would have to be readily available in the event of an audit. Other than that, the form the procedures take is a local matter.

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

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

However, if attendance at the campus for the day turned out to be at least 10 percentage points below the overall attendance rate of the campus for the prior year, the charter school or district could apply for a low attendance day waiver to prevent an impact on FSP funding. See the TEA [State Waivers](#) page for information on submitting a waiver request.

Q If our official attendance-taking time is during second period but the standardized tests are given in the first-period classroom (students stay in this classroom all morning), do we still adhere to our official attendance-taking time (9:30), or can attendance be taken in the first-period classroom right before, in the middle of, or right after the testing?

A See Subsection 3.6.6, which states, "If standardized achievement tests or final exams are administered during the period designated for attendance taking, staff should record absences just before, during, or immediately after the exam." The location of the students does not matter; it is fine to take attendance in the first-period classroom.

Q Subsection 3.6.6 of the SAAH states, "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."

If a student is exempt from taking final exams and comes to school to sign in at the official attendance-taking time, is it correct that we cannot count the student in attendance for funding purposes? What about compulsory attendance requirements?

A In answer to your first question, yes, it is correct that your district may not count the student in attendance for funding purposes.

In answer to your second question, for compulsory attendance purposes, a teacher, principal, or superintendent may excuse a student's absence for any reason acceptable to him or her. The absence could be excused for compulsory attendance purposes regardless of whether the student came to school to "sign in."

Student Absences

Q Are there any specific guidelines or attendance-taking procedures required for students who leave campus for University Interscholastic League (UIL) extracurricular activities?

A No. Be aware, though, that a student who is absent for a UIL activity is not automatically considered present for FSP funding purposes. If the absence meets the criteria described in the third bullet in Subsection 3.6.3, then the student can be counted present for funding purposes. If the absence does not meet the criteria, then the absence may be excused for compulsory attendance purposes, but the student cannot be counted present for funding purposes.

Q Is an appointment with a health care professional considered an absence for which a student is considered in attendance for FSP funding purposes even though the student is not on campus at official attendance-taking time?

A Yes. See Subsection 3.6.3 of the *SAAH*. A student not actually on campus at the time attendance is taken may be considered in attendance for funding purposes if the student begins classes or returns to school on the same day of the appointment.

Q Who is considered a health care professional?

A The Texas Health and Safety Code, [§105.003](#), requires the statewide health coordinating council to collect information on the following professionals, any of which would be considered examples of health care professionals. Note that this is not an exhaustive list of individuals that would be considered health care professionals for purposes of the TEC, [§25.087](#).

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

- physician assistants
- psychologists
- social workers
- speech-language pathologists

Q If a student attends school for part of the day, is sent to the school nurse because the student is ill, and then is sent home sick after being evaluated by the school nurse (and before the official attendance-taking time), is the student counted as present for funding purposes?

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

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

Q If a student is absent during the official attendance-taking time to attend a health care appointment for her child (student either begins classes or returns to school on the same day as the appointment) and provides a note documenting the appointment, is the student counted as present for FSP funding purposes?

A No. For the student to be counted present for FSP funding purposes, the health care appointment would have to be for the student herself, not for her child. Your district could excuse the absence for compulsory attendance purposes, however. Please see Subsections 3.6.3 and 3.6.4 of the *SAAH* for more information.

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

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

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

Regarding behavioral analysis services: According to guidance provided by the Texas Department of Insurance, currently, a practitioner holding a certification issued by the Behavior

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

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

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

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

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

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

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

Q Re: Subsection 3.6.3 and absences for court appearances: When a student has a required court appearance and the court appearance does not take all day, we expect the student to return to school. We use the "excused for court" code for only the periods the student was in court, and we count the student as unexcused for the rest of the periods. Should we be using the "excused for court" code for all the periods in the day? Is a student allowed a full day for the court appearance even if we know the appearance did not last the entire day? Also, how do we handle an elementary student's required court appearance since we take attendance only once, in the morning?

A An absence for a health care appointment is the only absence for which the TEC, §25.087, requires the student to attend school for part of the day for the absence to be excused. There is no such requirement for absences for required court appearances. Whether a student generates attendance/FSP funding for a particular day depends on whether the student is counted present or absent at the official attendance-taking time. The attendance accounting codes used to record attendance for other periods would be a local matter.

If an elementary school student with a required court appearance attended school part of the day and was present at the official attendance-taking time, the student would be counted present as usual. If the student was absent for a required court appearance at the official attendance-taking time, the student would be counted as present for FSP funding purposes ("excused for court" in your example) provided there was documentation for the appearance.

Q If a student's parent is appearing in court on a charge of contributing to nonattendance and the parent brings the student with him or her to court, is the student's absence considered an absence for which the student may be counted as present for funding purposes (i.e., is the student considered to be attending a required court appearance)?

A No. Unless the court had ordered both the student and the parent to appear (and not only the parent), the student's absence would not be considered one for which the student may be counted as present for FSP funding purposes. Please see Subsection 3.6.3 of the *SAAH* for more information.

Q How many days after an absence does a student have to turn in documentation that the absence was for a purpose described in Subsection 3.6.3?

A Establishing a time period for turning in documentation is a local matter.

Q Regarding those absences for which a student may be counted present for funding purposes and for which a day of travel to or from the site is also allowed, is documentation required to verify travel time? If so, what documentation is suitable?

A Deciding whether documentation of travel time is required and what documentation is suitable is a local matter. Documentation of the event for which the student is absent (e.g., attending a court appearance) is required; however, what kind of documentation is acceptable is a local matter.

Q The circumstances described in the bulleted items in Subsection 3.6.3 are ones in which the student is present for FSP funding purposes; however, these are just recorded as excused absences locally. Is that correct?

A Yes. Many local attendance accounting systems use local codes (e.g., "excused: court" or "excused: health care") that ensure certain absences are reported as days present for PEIMS reporting purposes.

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

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

Q Are you saying that if the graduation ceremony is Wednesday of a week and the last day of school is Friday of that week, a senior must attend school Thursday and Friday to generate funding for those two days?

A Yes. If the student does not attend school on Thursday or Friday, the student is counted absent those days. Also, if the student is not simply participating in an early graduation ceremony but has in fact completed all graduation requirements, then the student is ineligible to generate attendance for Thursday and Friday. See Subsection 3.6.3.1.

Early Release Days

Q Did you say that an early release day (day for which we have an early release waiver) does not have to include four hours of instruction?

A Yes. An early release day should be at least four hours long including any passing periods. For example, it would be acceptable for an early release day to have 220 minutes of instruction and 20 minutes of passing periods.

General Education Homebound (GEH) Program

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

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

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

Q If our district is serving a student through the GEH program, is the student marked absent or present?

A For a particular week, the student is marked present for the same number of days as the number of eligible days present the student earned for that week. The number of eligible days present earned is based on the GEH funding chart in Subsection 3.7.3 of the *SAAH*.

Q How do we code a student who is being treated in a hospital during the day but goes home at night? The student is still enrolled but not being served.

A Please see Example 27 at the end of Section 3 of the *SAAH*. The student is considered absent for FSP funding purposes for those days that the student does not attend school. Because the student is not confined to home or hospital bedside, the student is not eligible for GEH program services. District staff should work with the student and his or her parents to develop a plan for the student to meet academic requirements.

Section 4 Special Education Questions

Q Re: Subsection 4.3 and enrollment in the special education program: If the ARD committee decides the student should start receiving services the same day as the ARD committee meets to make that decision, is that okay?

A Yes.

Q Re: Subsection 4.4 and withdrawal from the special education program: Can the effective date of the withdrawal change depending on prior written notice and the parent's waiving or not waiving the five-day period?

A Yes. The effective date will depend on the circumstances.

Q How are special education homebound services different from GEH program services?

A Special education homebound is a special education instructional arrangement/setting. Only a student who is eligible for special education may receive special education homebound services. For a student to be placed in this instructional arrangement/setting, the student's ARD committee must determine that the placement is appropriate, and the student must be expected to be confined at home or hospital bedside for at least four weeks because of a documented medical condition.

The GEH (*General Education Homebound*) program was created to provide similarly confined regular education students with the opportunity to receive instruction at home or hospital bedside. As is the case with special education students and special education homebound services, to receive GEH services, a regular education student must be expected to be confined at home or hospital bedside for at least four weeks because of a documented medical condition.

Eligible days present are earned in the same way for both programs. For each hour of homebound instruction provided during a week, the student earns an eligible day present, with a full weeks' worth of attendance being the maximum that can be earned in a single week.

Q For students aged three or four years who are eligible for special education services and have been parentally placed in a private school, dual enrollment is an option. For many of these students, the only district-provided service is 30 minutes of speech therapy one day per week. Does that constitute dual enrollment?

A Yes. The student is considered dually enrolled and would have an ADA eligibility code of 0. See item 3 in Subsection 4.9.9.1 of the *SAAH*. See also Subsection 3.2.1.1.

Section 5 Career and Technical Education (CTE) Questions

Q Does the teacher of a course that counts for both science/math and CTE need to be CTE certified?

A Please see item 1 in the list that appears in Subsection 5.2 of the *SAAH*, which directs you to 19 TAC [§231.1, Criteria for Assignment of Public School Personnel](#). The attached graphic that is provided through a link in that rule specifies the qualifications an individual must have to teach a particular course.

Q Does our district need to report a teacher of record for a dual credit CTE course provided on a college campus?

A No. See item 2 in Subsection 5.2 of the *SAAH*, which states, "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 college." While your district is not required to report a teacher of record for this type of course, it may report one if it chooses.

Q Does a CTE sequence consist of three or four classes?

A Please see the Curriculum Division's [Career and Technical Education - Texas Essential Knowledge and Skills, Course Crosswalks and Coherent Sequences](#) web page for information on CTE coherent sequences.

Q Why is it that a CTE student taking three separate 45-minute CTE courses (total of 135 minutes) would have a V code of V3 on his or her PEIMS 410 record but a student taking one 135-minute CTE course would have a V code of V2?

A Please see Subsection 5.5.2 of the *SAAH*. First, the V code for each CTE course should be determined. Then, the V codes for all the CTE courses the student is taking should be totaled. Because a 45-minute CTE course would have a V code of V1 according to the chart in Section 5.5.2, the 410 record for a student taking three separate 45-minute CTE courses should show a V code of V3 (V1 + V1 + V1).

Using this method of calculating a student's V code was an agency policy decision.

Q Re: Subsection 5.11: CTE documentation: You mentioned the student's "official schedule change document." Would a printout of the student's schedule from the software system (TxEIS) showing the entry date/withdrawal date of the course be enough for an audit?

A Yes, that printout would be sufficient if it showed which course the student was taking before the schedule change as well as the course the student was taking after the change. A hard copy of a guidance office form completed by the counselor and showing the course the student was taking before the schedule change as well as the course the student was taking after the change would also be acceptable.

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

A Yes. The student's taking more than the required number of hours of instruction will not prevent your district from claiming the student's CTE contact hours. Please see Subsection 5.10.3 of the *SAAH* for more information on dual credit CTE courses.

Section 6 Bilingual/English as a Second Language (ESL) Questions

- Q** Re: bilingual/ESL programs: For a student who is being placed in the bilingual or ESL program, the program beginning date (date the student is eligible to generate bilingual/ESL funding) is the date the parent signed the approval letter—is that correct?
- A** No. The program beginning date (first date the student is eligible to generate bilingual/ESL funding) would be the first day of program service after your district receives the approval letter, provided that all other applicable documentation is in place. If the student comes to school with the signed approval letter Monday and is served that same day, the program beginning date would be Monday. If the student comes to school with the signed approval letter on a Monday and is first served Tuesday, the program beginning date would be Tuesday. If the student is first served Monday and continued to be served each day thereafter but the parent had provided the approval letter at the end of the school day Monday, the program beginning date would be Tuesday.
- Q** Once we receive the signed parent approval for bilingual or ESL program placement, can we backdate the student's bilingual/ESL funding eligibility to the first date that bilingual/ESL services were provided?
- A** No.
- Q** Re: bilingual/ESL programs: Is it correct that our district is required to provide bilingual/ESL services to a limited English proficient (LEP) student who moves into our district even before we have received the documentation required to start coding the student as eligible to generate bilingual/ESL funding?
- A** Yes. Please see Subsection 6.3.1 of the *SAAH* for more information.
- Q** How do we code a student who met LEP identification criteria and was placed in a bilingual setting while we awaited parent approval but for whom approval was never received (parent did not respond)? Do we code the student as LEP (LEP indicator code 1), receiving services, and then use a parental permission code of 7, parent or guardian did not respond?
- A** The coding you described is correct.
- Q** If a student is identified as LEP and the parent denies placement in the program, do we still have to flag the student as LEP?
- A** Yes.

Q Subsection 6.12.5 says that Texas English Language Proficiency Assessment System (TELPAS) writing samples must be kept for two years. Does that requirement refer to the initial writing sample, the most recent sample, or all TELPAS writing samples?

A It refers to all TELPAS writing samples. Each TELPAS writing sample must be kept for two years from the date it was initially rated.

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

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

Q We continue to report students who attended the bilingual summer school program—correct?

A Please see the April 26, 2012, "To the Administrator Addressed" [letter](#) regarding this topic and any similar TEA correspondence posted later this school year.

Section 7 Prekindergarten (PK) Questions

Q May our district charge tuition for PK for a student who is not eligible for free PK?

A Yes. Your district may charge tuition for a student who is not eligible for free PK, although PK-ineligible students may be served only if space is available and PK-eligible students are not denied enrollment. Your district also may charge tuition for a PK-eligible student to attend the half of the day that is not state funded if your district offers a full-day program.

To charge tuition, however, your district must ensure that the rate does not exceed the district's agency-determined tuition limit and submit the proposed tuition rate to the commissioner for approval. Please see the TEA [Prekindergarten Tuition](#) page for more information, including the current year's tuition limits and a sample letter for requesting rate approval.

Q Regarding PK eligibility on the basis of being LEP, is the student eligible to generate attendance/FSP funding prior to the LPAC recommendation and parent approval for placement in a bilingual or ESL program? Is the student eligible to generate bilingual or ESL funding prior to the LPAC recommendation and parent approval?

A Regarding your first question, yes, the student is eligible for PK on the basis of being LEP (and eligible to generate FSP funding) as long as a home language survey indicates that a language other than English is spoken in the home and the student has scored below the cutoff score on the applicable test. Parent approval for placement in the bilingual or ESL program is not required. See Subsection 7.2.2 of the *SAAH* for more information.

Regarding your second question, no, as with any other student, for a PK student to generate bilingual or ESL funding, first 1) the LPAC must have recommended program placement and 2) parent approval for that placement must have been received. See Subsection 6.3 of the *SAAH*.

Q What documentation is required to show that a student is eligible for PK on the basis of being educationally disadvantaged?

A Please see Subsection 7.2.3 of the *SAAH*.

Q When documenting student eligibility for PK or Texas Virtual School Network participation, can we photocopy a military identification?

A No. Photocopying a military identification is illegal ([18 United States Code, §701](#)). A district staff member should instead document that he or she viewed the military identification. See Subsections 7.2.5.1 and 11.9.1.2 of the *SAAH* for more information.

Q Our cafeteria program is handled outside the district, and we are questioned yearly about the foster care eligibility for free PK. They don't allow the foster care students to qualify for free and reduced lunch. Are there different standards?

A The eligibility criteria for free PK are not the same as the eligibility criteria for the National School Lunch Program (NSLP). That said, however, according to Subsection 4.13 of the Texas Department of Agriculture's *NSLP Handbook: Administrator's Reference Manual*, available at <http://www.squaremeals.org/Programs/NationalSchoolLunchProgram/NSLPPolicyampARM.aspx>, "A foster child is categorically eligible for free meals, without further application." You may wish to bring this information to the attention of nutrition program personnel.

Q The chart in Subsection 7.5 indicates that a PK-eligible special education student who is served in a PK classroom for half of the day and is provided preschool program for children with disabilities services for the other half of the day is coded with an ADA eligibility code of 1. Is this the only circumstance in which a PK-eligible special education student is eligible for full-day attendance?

A No. The student described in the chart is one example of a PK-eligible special education student who would be coded with an ADA eligibility code of 1 but is not the only example. An ADA eligibility code of 1 would be used for any PK-eligible student who was scheduled for and received at least four hours of PK instruction and special education services each day. See Subsections 4.9.2 and 4.9.3 of the *SAAH* for more information.

Q Where does our district document the ages that are served in the district's PK program?

A Where to document this information is a local matter.

Q Is reporting a PK funding source code optional or required?

A It is required for certain students. See the Chart for Determining PK Funding Source Reporting for Fall Snapshot, which is provided in the [PEIMS Data Standards](#) in the information about the PEIMS 110 record and on the TEA [SAAH Forms, Documentation, and Additional Information](#) page.

Q Did you say that the PK funding source code 2, local district share funding, should not be used?

A No. We said that PK funding source code 3, state grant funding, does not currently serve a purpose, because the only applicable state grant, the PK Early Start Grant, was not funded for last year or this year.

Q What PK program type code and PK funding source code should we use for a three- or four-year-old student who is eligible for special education, ineligible for PK, and served for a half or full day?

A Because the student's grade level is reported as EE, not PK, the student will not have a PK program type or funding source code.

Section 8 Gifted/Talented Questions

- Q** During the webinar, you stated that a district can report no more than 5 percent of the district's students in ADA as enrolled in the gifted/talented program. However, that is not accurate. While a district cannot receive gifted/talented funding for more than 5 percent of the students in ADA, a district should report all the students who are eligible for and served in its gifted/talented program with a gifted/talented indicator code of 1.
- A** You are correct.

Section 9 Pregnancy Related Services (PRS) Questions

Q Does our district need to stop providing PRS program support services when it starts providing PRS Compensatory Education Home Instruction (CEHI) to a student?

A No. Your district may continue to provide support services while the student is receiving CEHI. However, per Subsection 9.11 of the *SAAH*, if the student is returning to campus to receive the support services, she must have a medical release from a licensed medical practitioner to do so.

Q It is the beginning of the school year. We have a student who dropped out last year. She just had a baby and would like to re-enroll. Can she start off the year receiving CEHI?

A As long as six weeks have not already passed since the student gave birth, yes. As explained in Subsection 9.9 of the *SAAH*, the student is eligible to receive six weeks of postpartum CEHI. See Subsections 9.3 and 9.9.1 of the *SAAH*.

Q Can a baby's mother receive extended postpartum CEHI if she is released as healthy and the baby is healthy but the doctor has issued an order that the baby cannot go into daycare before reaching the age of two months?

A No. The student cannot receive extended postpartum CEHI because both she and the baby are healthy. There must be a medical condition/complication to continue postpartum CEHI beyond six weeks and receive funding for it.

Your school district can choose to excuse the student's absences for compulsory attendance purposes. Also, if the student loses credit because of absences, under the TEC, [§25.092](#), the principal can develop a plan for the student to make up the work if she has less than 90 percent attendance but at least 75 percent attendance, or the student may be referred to the local attendance committee.

Q Re: Subsection 9.12: For students receiving both special education and CEHI, can the CEHI teacher provide both the instruction and the PRS support services, or do the support services have to be provided by a different individual?

A The CEHI teacher may provide both the instruction and the PRS support services if qualified.

Q Just to clarify—there is not a requirement for a medical note for a student to participate in the CEHI program—is that accurate? Are there any documentation requirements?

A Regarding your first question, no, that is not quite right. While a medical note is not required for a student to be eligible for or receive postpartum CEHI through the sixth week after the

pregnancy ends, a medical note is required for prenatal or extended postpartum CEHI services.

Regarding your second question, yes, there are several documentation requirements. See Section 9 of the *SAAH*, especially Subsection 9.15 Documentation.

Section 10 Nontraditional Schools Questions

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

A No. Once the student has been sentenced to the juvenile detention center, he or she is considered to be in a residential facility, and thus becomes a resident of your school district. If the juvenile detention center does not provide its own instruction, your district must provide the instructional services. Please see Subsection 10.6 of the *SAAH*.

Q Re: Subsection 10.6: Are students in detention centers reported with an attribution code on the PEIMS 101 record? If yes, which code is used?

A Please consult code table 161 in the [PEIMS Data Standards](#) or contact PEIMS Customer Support at PeimsCustomerSupport@tea.state.tx.us.

Q Does our district have to enroll a student who has been court ordered to the juvenile justice alternative education program (JJAEP)?

A Per Subsection 10.9.3 of the *SAAH*, the school district in which the student was enrolled immediately before the student's placement in the JJAEP is responsible for reporting the student.

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

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

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

Please see Subsection 10.10 of the *SAAH* for more information.

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

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

Section 11 Nontraditional Programs Questions

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

A Yes. However, the instructional time for this type of credit recovery would not be eligible for FSP funding purposes.

Q Our charter school currently serves at-risk students in intensive after-school and weekend programs designed to ensure that the students advance to the next grade level. Is our school eligible to participate in the OFSDP?

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

The OFSDP is an *alternative* to the regular attendance accounting program. It is designed to serve at-risk students who are unable to attend school during regular school hours, students attending a campus implementing an innovative redesign, students attending an early college high school, and students who are at risk of being denied credit for classes because of failure to meet attendance requirements. A student may not be simultaneously enrolled in the OFSDP and the traditional attendance program, in terms of how the student's attendance is reported in the attendance accounting system (although a student may attend a combination of classes held during the regular school day and classes specifically designed for the OFSDP).

The OFSDP is not a grant program. However, to institute an OFSDP, your school district or charter school must submit an application. For more information on the OFSDP, please visit the TEA [Optional Flexible School Day Program \(OFSDP\)](#) page.

Q How is OFSDP attendance tracked? Do students just sign in and out?

A Minutes of OFSDP instructional time must be recorded daily by the student's teacher(s). Please see the TEA [Optional Flexible School Day Program \(OFSDP\)](#) page for attendance instructions and sample attendance registers. As with the regular attendance program, having students sign in is not an acceptable method of attendance taking.

Q Our district has been approved to offer an OFSDP. We have OFSDP students scheduled to take four hours of classes in the afternoon, so they will not be present at our district's official attendance-taking time. Should their attendance be reported on a 400-series or 500-series record?

A For as long as the students are in the OFSDP, their attendance is reported using a 500-series (flexible attendance) record. OFSDP attendance is not based on the 2-through-4-hour rule or on whether a student is present at the official attendance-taking time. It is instead based on the number of minutes of instruction the student receives each day. See Subsection 11.6 of the *SAAH* for more information.

Q How does our district report attendance for students who attend summer credit recovery OFSDP courses?

A Report the attendance in PEIMS Submission 4.

Q Regarding the High School Equivalency Program (HSEP), what about a student who is court ordered to an HSEP and has not completed the two years of enrollment in high school? What are the rules for funding in this situation?

A Under certain circumstances, a court has authority to order a person to participate in a preparatory class for the high school equivalency examination. A student subject to such an order is eligible for the HSEP under the TEC, [§29.087](#). Eligibility requirements under the TEC, §29.087, are outlined in Subsection 11.8.1 of the *SAAH*, which states:

A student is eligible to participate in an HSEP if:

- the student has been ordered by a court under Code of Criminal Procedure, Article 45.054, or by the Texas Juvenile Justice Department to:
 - participate in a preparatory class for the high school equivalency examination; or
 - take the high school equivalency examination administered under the TEC, §7.111; ***or*** [emphasis added]
- the following conditions are satisfied:
 - the student is at least 16 years of age at the beginning of the school year or semester;
 - the student is at risk of dropping out of school, as defined by the TEC, §29.081(d);
 - the student and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation; and
 - at least 2 school years have elapsed since the student first enrolled in grade 9 and the student has accumulated less than one third of the credits required to graduate under the minimum graduation requirements of the district or school.

If the student you describe meets the eligibility standards under the TEC, §29.087, related to court order, the student is eligible to participate in the HSEP. Like the OFSDP, the HSEP is an alternative attendance accounting program in which attendance and funding are based on the eligible minutes of instruction the student receives each day instead of on the 2-through-4-hour rule. See Subsection 11.8.2 for detailed information on attendance accounting and funding.

Q What is the difference between remote conferencing and remote homebound instruction?

A Both remote conferencing and remote homebound instruction are forms of remote instruction. With both, instruction is provided through some kind of technology that allows for *real-time*, two-way interaction between individuals at different locations. Also, with both, a waiver is required for FSP funding to be generated.

With remote conferencing, student attendance and funding are based on the 2-through-4-hour rule and whether the student is virtually "present" at the official attendance-taking time. A student "attends" all of his or her classes remotely from an off-campus location. For a special education student whose ARD committee has approved, remote conferencing can also be used in situations where a student who is on campus is provided services remotely by an appropriately credentialed individual (such as a speech pathologist) who is not on the student's campus.

With remote homebound instruction, student attendance and funding are based on the number of hours of *individualized* remote instruction that the student receives while at home or hospital from a homebound teacher who is at another location. The number of eligible days present earned is based on the applicable homebound funding chart.

Please see Subsection 11.10 of the *SAAH*, including Subsections 11.10.1–11.10.5. for additional information and requirements.

Q With remote homebound instruction, is the teacher of record the teacher who is at the student's home or hospital bedside or the teacher who is providing instruction via the remote link?

A With remote homebound instruction, no teacher is physically present at the student's home or hospital bedside.

Q Can remote homebound instruction be used to provide CEHI?

A Yes. See Subsections 11.10.3 and 11.10.4 of the *SAAH* for more information.

Q Re: Subsection 11.11: Are there any states that are not a part of the Interstate Compact on Educational Opportunity for Military Children? If so, is there a list of them?

A Most states are members of the compact, although there are a few that are not. The following website, maintained by the Council of State Governments, provides a map showing member and nonmember states: <http://mic3.net/index.aspx>.

Q Regarding the compact provisions, is it correct that a kindergarten student who is the child of a military family, had started kindergarten as a four-year-old in another member state, and then moved to Texas would be eligible to continue as a kindergartener here in Texas and generate state funding?

A Yes, under the compact the student is entitled to continue enrollment at the same grade level. See Subsection 3.2.3.1 of the *SAAH*, which states, "A child of a military family who moves to your district from another state that is a member state of the Interstate Compact on Educational Opportunity for Military Children is entitled to continue enrollment at the same grade level, including kindergarten, that he or she was enrolled in in that other state regardless of the child's age. . . . These children would meet minimum age eligibility requirements for generating ADA, provided applicable documentation is provided. . . ."