Note: Throughout the Student Attendance Accounting Handbook, references to school days have been converted to minutes in accordance with House Bill 2610 of the 84th Texas Legislature, 2015.

Change	2014–2015	2015–2016
Addition	[none]	Section 1 Overview
		Note: Throughout the Student Attendance Accounting Handbook, references to school days have been converted to minutes in accordance with House Bill 2610 of the 84th Texas Legislature, 2015.

Change	2014–2015	2015–2016
Addition	[none]	2.1 General Audit Requirements Upon issuance of the preliminary report, the district or charter school has 20 working days to respond to the report. Once the final report for all attendance reviews and investigative reports is issued, the report will not be subject to further review or response from the district or charter school.
Addition	[none]	 2.3.5 Additional Required Documentation 18. Your district or charter school must maintain written local board or board approved designee adopted policies that provide specific detailed information on the district's or charter school's attendance accounting system. These written local board or board approved designee adopted policies must include the district's or charter's written policy for documentation for establishing a student's residency. (See 3.3.1 Residency).
Revision	2.3.5 Additional Required Documentation	2.3.5 Additional Required Documentation
	8. Documentation supporting the claim that a student was attending a board-approved activity, accompanied by a professional staff member or adjunct staff member of the district, signed by the staff member who supervised the student	8. Documentation supporting the claim that a student was attending a board-approved activity, accompanied by a professional staff member, adjunct staff, or a paraprofessional staff member of the district, signed by the staff member who supervised the student

Change	2014–2015	2015–2016
Revision	3.1 Responsibility	3.1 Responsibility
	As stated Important: If the TEA detects errors during an audit, the agency either will assess an adjustment to subsequent allocations of state funds or will require your district to refund the total amount of the adjustment when the audit is finalized.	As stated By signing the District Summary Report—or, in the case of a paperless attendance accounting system, by indicating his or her approval of data electronically—the superintendent affirms that he or she has taken measures to verify the accuracy and authenticity of the attendance data ² .
	Special program staff members, directors, or teachers should provide attendance personnel with names and coding information of students who are eligible, whose documentation is in order, and who are being served in accordance with an individualized education program (IEP).	Special program staff members, directors, or teachers should provide attendance personnel with names and coding information of students who are eligible, and whose documentation is in order.
Revision	3.2.1.4 Code 3 Eligible Transfer Student Full-Day	3.2.1.4 Code 3 Eligible Transfer Student Full-Day
	The only student a charter school should report with ADA eligibility code 3 is one who resides outside the authorized geographic boundary of the charter school as outlined in the charter agreement.	Charter schools are only approved to serve students in the geographic boundary authorized in the charter school's charter agreement. Reporting a student with ADA eligibility code 3 would demonstrate that the charter school is serving students outside of its approved geographic boundary and may constitute a material violation of the charter. A charter school should not use ADA eligibility code 3.
Revision	 3.2.1.5.1 Underage: children provided (see the notes under the table in 3.2.3 Age Eligibility for an exception). 	 3.2.1.5.1 Underage: children provided (see the notes under the table in 3.2.3 Age Eligibility for exceptions).

 $^{^1}$ 19 Texas Administrative Code (TAC) $\S129.21$ (d); Texas Education Code (TEC), $\S42.255$ 2 19 Texas Administrative Code (TAC) $\S129.21$ (d); Texas Education Code (TEC), $\S42.255$

Change	2014–2015	2015–2016
Addition	3.2.1.5.3 Other:	3.2.1.5.3 Other:
	 students served by a juvenile justice alternative education program (JJAEP) on the basis of an expulsion under the TEC, §37.007(a), (d), or (e), unless specifically authorized in writing by the TEA 	 students served by a juvenile justice alternative education program (JJAEP) on the basis of an expulsion under the TEC, §37.007(a), (d), or (e), unless specifically authorized in writing by the TEA³
Addition	3.2.1.7 Code 6 Eligible Transfer Student Half-Day	3.2.1.7 Code 6 Eligible Transfer Student Half-Day
	The information on transferring students included in the previous subsection on code 3 applies for code 6 as well.	The information on transferring students included in the previous subsection on code 3 applies for code 6 as well. A charter school should not use ADA eligibility code 6.
Deletion		
	3.2.3 Age Eligibility	3.2.3 Age Eligibility
	a student who does not reside in Texas (even if the student's parent or grandparent does) ⁴	a student who does not reside in Texas (even if the student's parent or grandparent does)
Revision		
	3.2.3 Age Eligibility	3.2.3 Age Eligibility
	a student with disabilities who has graduated with a high school diploma under 19 Texas Administrative Code (TAC) §89.1070(b)(1), (2), or (4) (student is no longer eligible to receive services or generate ADA)	a student with disabilities who has graduated with a high school diploma under 19 Texas Administrative Code (TAC) §89.1070(b)(2), (f) (student is no longer eligible to receive services or generate ADA)
Addition		
	*3.2.3.1 Additional Information about Minimum Eligible Age	*3.2.3.1 Additional Information about Minimum Eligible Age
	A child of a military family Also, a child of a military family completed the prerequisite grade level	A child of a military family Also, a child of a military family completed the prerequisite grade level (including prekindergarten)

³ TEC, <u>§37.011(h)</u> ⁴ TEC, <u>§25.001</u>

Change	2014–2015	2015–2016
Addition	[none]	3.3 Enrollment Procedures and Requirements
		To be eligible for FSP funding, your school district must maintain all proper documentation.
Deletion		
	3.3.1 Residency	3.3.1 Residency
	Your local district These are indicators that may expedite verifying residency, but the absence of such indicators is not conclusive that the applicable person is not a resident. The traditional basic residence criteria are living in the district and having the present intention to remain there. A student who does not reside in Texas is not entitled to enroll in a Texas public school under the TEC, §25.001, on the basis of another person's residency, including the residency of the student's parent or grandparent.	Your local district These are indicators that may expedite verifying residency, but the absence of such indicators is not conclusive that the applicable person is not a resident.

Change	2014–2015	2015–2016
Revision	3.3.6 Student Entitlement to Attend School in a Particular District	3.3.6 Student Entitlement to Attend School in a Particular District
	Additional eligibility provisions apply to students who are not entitled to enroll based on TEC, 25.001	Additional eligibility provisions apply to students who are not entitled to enroll under TEC, §25.001.
		A student in the conservatorshiptuition regardless of whether the student remains in DFPS conservatorship. Salso, if a student who is in the conservatorship of the DFPS enrolls in a primary or secondary public school other than the school in which the student was enrolled at the time of placement into conservatorship, the student is entitled to continue to attend that school without the payment of tuition until the student successfully completes the highest grade level offered by that school at the time of enrollment even if the child's placement is changed to a residence outside the attendance area for that school or the school district. The student is also entitled to continue to attend the school regardless of whether the student remains in the conservatorship of the DFPS for the duration of the student's enrollment.

⁵ TEC, <u>§25.001(g)</u> ⁶ TEC, <u>§25.001(g</u>-1)

Change	2014–2015	2015–2016
Revision		
	3.3.7 Homeless Students	3.3.7 Homeless Students
	A student who is homeless, as defined by the McKinney-Vento Homeless Assistance Act, is entitled to enroll in any school district in the state without regard to the student's residence. The student must be allowed to attend either the student's "school of origin" (school in which he or she was enrolled before becoming homeless) or the school serving the attendance area where he or she is now located. Eligibility to enroll in any other school in any school district is determined by local policy. A student attending his or her school of origin who becomes permanently housed during the school year is entitled to continue to attend that school for the rest of the school year.	A student who is homeless, as defined by the McKinney-Vento Homeless Assistance Act, is entitled to enroll in any school district and open-enrollment charter school in the state without regard to the student's residence. The student must be allowed to attend either the student's "school of origin" ("school that the student attended when permanently housed or the school in which the student was last") or the school serving the attendance area where the student is now located. ⁹ Eligibility to enroll in any other school in any school district and open enrollment charter school is determined by local policy. A student is entitled to attend the school of origin if the student becomes homeless during a school year or between school years. Also, if the student becomes permanently housed during a school year, the student is entitled to attend the school of origin for the remainder of that school year.
Deletion		1
	3.3.10 Students Who Have Received a GED Certificate or Have	3.3.10 Students Who Have Received a GED Certificate or Have
	Been Court-Ordered to Obtain a GED Certificate	Been Court-Ordered to Obtain a GED Certificate
	A student provided all other eligibility requirements are met. If the student meets all other eligibility requirements, your district must not deny enrollment to the student	A student provided all eligibility requirements are met. If the student meets all eligibility requirements, your district must not deny enrollment to the student
Revision		
	3.4.1 Students 18 Years of Age or Older	3.4.1 Students 19 Years of Age or Older
	Your district 18 years old Your district may revoke the enrollment of such a student for the remainder of the school year.	Your district 19 years old Your district may revoke the enrollment of such a student for the remainder of the school year, except that a district may not revoke enrollment on a day on which the student is physically present at school.

⁷ TEC, §25.001(b)(5)

^{8 42} USC, §11302(g)(3)(A)

⁹ 42 USC, §1143(2)(g)(3)(A)

Change	2014–2015	2015–2016
Revision	3.5 Compulsory Attendance	3.5 Compulsory Attendance
	Unless specificallyand who has not yet reached his or her 18th birthday must attend school. 10	Unless specifically and who has not yet reached his or her 19th birthday must attend school. 11
	A person after turning 18 years of age is also required to attend school each day.	A person after turning 19 years of age is also required to attend school each day ¹² .
	Note that the offense younger than 18 years of age	Note that an allegation of truant conduct younger than 19 years of age. 13
Addition	[none]	3.6 General Attendance-Taking Rules
		[]
		Note: The only exception to a classroom teacher taking official attendance and the only method by which a student can take his or her own attendance is by using a fingerprint scanner. All other methods by which a student takes his or her own attendance (such as sign-in sheets) are not allowed under any circumstance. Use of a fingerprint scanner does not require a waiver. The school must be able to produce printable documentation of attendance information that must provide detailed information about the date and time that the student scanned in and out of the system.

¹⁰ TEC, <u>§25.085</u>(b)

¹¹ TEC, §25.085(b)

¹² TEC, §25.001(e)

¹³ Family Code, Section 65.002

Revision		2015–2016
	3.6.3 Requirements for a Student to Be Considered Present for FSP (Funding) Purposes	3.6.3 Requirements for a Student to Be Considered Present for FSP (Funding) Purposes
	 is participating in an activity that is approved by your local school board and is under the direction of a professional staff member of your school district or an adjunct staff member. The adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas. 	 is participating in an activity that is approved by your local school board and is under the direction of a professional staff member, an adjunct staff member, or a paraprofessional staff member of your school district. The adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas.
	Students participating in any activity that is not approved by your local school board or without certified district personnel supervision must be counted absent. For attendance to qualify for funding purposes, the certified district staff member or adjunct staff member must be accompanying the students as an official of your school district for the specific purpose of supervising the students and must be approved by your school board to supervise the activity. For example, students would be reported present if they are participating in 4H activities that are supervised solely by a county extension service agent who has been approved by the local school board as an adjunct staff member. ^{14, 15}	Students participating in any activity that is not approved by your local school board or without certified district personnel supervision must be counted absent. For attendance to qualify for funding purposes, the professional staff member, adjunct staff member, or paraprofessional staff member must be accompanying the students as an official of your school district for the specific purpose of supervising the students and must be approved by your school board to supervise the activity. For example, students would be reported present if they are participating in 4H activities that are supervised by a county extension service agent who has been approved by the local school board as an adjunct staff member or a paraprofessional staff member of your school district. ^{16, 17}
	 to attend a mental health or therapy appointment or family visitation as ordered by a court under the Texas Family Code, Chapter 262 or 263. 	o to attend an activity under a service plan under the Texas Family Code, Chapter 263, Subchapter B.

¹⁴ 19 TAC <u>§129.21(j)(1)</u>

¹⁵ 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 because they are employed by the Texas AgriLife Extension Service, which is a member of the Texas A&M University System.

¹⁶ 19 TAC <u>§129.21(j)(1)</u>

Change	2014–2015	2015–2016
Revision	3.6.3.1 Early Graduation or Graduation Ceremonies and Attendance A student must either be provided the appropriate number of hours of instruction or be counted absent.	3.6.3.1 Early Graduation or Graduation Ceremonies and Attendance A student must be provided the appropriate number of hours of instruction, be counted absent, or be withdrawn.
Revision	3.8 Calendar	3.8 Calendar
	Your school district must operate so that it provides for at least 180 days of instruction (school days) for students (minus any days waived by the TEA in writing	Your school district or charter school must operate so that it provides for at least 75,600 minutes of instruction, including intermissions and recesses (school days) for students (minus any minutes waived by the TEA in writing [see 3.8.2 Makeup Days and Waivers]), unless your district or charter school has been approved to provide fewer school days to certain students through a program such as the Optional Flexible Year Program. However, even if your district or charter has been approved to provide fewer school days through such a program, under no circumstances may it offer fewer than 71,400 school minutes.

¹⁷ 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 because they are employed by the Texas AgriLife Extension Service, which is a member of the Texas A&M University System.

¹⁸ TEC, <u>§25.081</u>

Change	2014–2015	2015–2016
Deletion	3.8 Calendar	3.8 Calendar
	Charter schools are not subject to the 75,600 minutes, requirement. However, state funding is reduced in proportion to the number of days by which a charter school's calendar falls below 75,600 (including intermissions and recesses) minutes. To receive full funding, a charter school must offer 75,600 minutes (including intermissions and recesses), minus any minutes waived by the TEA in writing, just as a school district is required to. Also, if a charter school elects to have a calendar that includes fewer than 75,600 minutes with planned staff development days factored in (for example, 175 school days (73,500 minutes) + 3 planned staff development waiver days (1,260 minutes) = only 178 days (74,760 minutes)) and requests waivers for those staff development days, the waivers will not be granted, and funding will not be generated for the days for which waivers were requested.	To receive full funding, a charter school must offer 75,600 minutes (including intermissions and recesses), minus any minutes waived by the TEA in writing, just as a school district is required to. Also, if a charter school elects to have a calendar that includes fewer than 75,600 minutes with planned staff development days factored in (for example, 175 school days (73,500 minutes) + 3 planned staff development waiver days (1,260 minutes) = only 178 days (74,760 minutes)) and requests waivers for those staff development days, the waivers will not be granted, and funding will not be generated for the days for which waivers were requested.

Change	2014–2015	2015–2016
Revision		
	3.8.2.1 Makeup Days	3.8.2.1 Makeup Days
	Your district must build 2 "makeup days" for school closures into its adopted school calendar. If your district closes school on a scheduled school day, your district uses the makeup days to ensure that the minimum number of school days are provided. If the dates for the designated makeup days have already passed when schools close on a scheduled school day, schools are still required to make up at least two of the scheduled school days lost before an application for a missed school day waiver may be submitted. On a makeup day designated to replace a scheduled school day lost, the attendance for all students who are present will be counted on that day for funding purposes if all other legal requirements are met. The makeup day must be at least 7 hours in length, including intermissions and recesses.	Your district or charter school must adopt a school calendar with at least 75,600 minutes of instruction (including intermissions and recesses). Your district or charter school should make sure that the adopted calendar includes additional minutes to account for bad weather or other missed school days related to health and safety concerns. HB 2610 requires school districts and charter schools to meet 75,600 minutes of instruction (including intermissions and recesses) in order to receive FSP funding. If your district or charter school closes school on a scheduled school day, your district or charter school should have enough minutes built into its adopted calendar to make-up for any missed minutes or your district's or charter school's FSP funding may be reduced proportionately.
	While the TEA does not prohibit a district from scheduling a makeup day on a day such as a weekend day or national holiday, the TEA strongly discourages scheduling a makeup day on this type of day, because attendance is likely to be low. The TEA encourages districts to select practical makeup days (that is, to select makeup days that do not fall on the weekend or on national holidays), as the agency does not grant waivers for low attendance on a makeup day. The TEA also encourages school districts to carefully consider local circumstances in selecting makeup days. For instance, if your school district has been affected for the last several school years by ice storms that occur in January or February, your district may wish to consider scheduling its makeup days later in the school year. The TEA will not grant a request to have an early-release day on a makeup day.	A school district or charter school may add additional minutes to its school calendar to reach the required 75,600 minutes of instruction (including intermissions and recesses). While the TEA does not prohibit a district or charter school from scheduling additional minutes on a weekend day or a national holiday, the TEA strongly discourages scheduling any additional minutes on this type of day because attendance is likely to be low. The TEA encourages districts and charter schools to select practical days that do not fall on the weekend or on national holidays, as the agency does not grant waivers for low attendance on a makeup day. The TEA also encourages school districts and charter schools to carefully consider local circumstances when adopting their calendars and when selecting days to add additional minutes to. For instance, if your school district or charter school has been affected for the last several school years by ice storms in January or February, your district may wish to consider adopting a calendar that includes additional minutes to account for these types of issues.

Change	2014–2015	2015–2016
Revision		
	3.8.2.2 Missed School Day Waivers	3.8.2.2 Missed School Day Waivers
	If, because of weather, safety, or health issues, your district misses additional school days beyond the 2 days that must be made up with	If, because of weather, safety, or health issues, your district fails to reach the required 75,600 minutes beyond the additional minutes
	the district's 2 designated makeup days	already built in the adopted school calendar
Addition		
	3.8.2.7 Waivers Related to Students Taking Dual Credit Courses at IHEs with Calendars Beginning before the Fourth Monday in August	3.8.2.7 Waivers Related to Students Taking Dual Credit Courses at IHEs with Calendars Beginning before the Fourth Monday in August
	If district students	If district high school students
Revision	3.8.3 Closures for Bad Weather or Other Issues of Health or Safety	3.8.3 Closures for Bad Weather or Other Issues of Health or Safety
	Your district or charter school does not need to make up the day and may apply for a missed school day waiver for the day.	Each calendar should include the equivalent of two bad weather makeup days (or 840 minutes) and should reflect any waivers that have been granted. After making up those days, the district or charter school can apply for a waiver for any subsequent days due to bad weather or safety issues.

Revision	3.8.3 Closures for Bad Weather Safety	or Other Issues of Health or	3.8.3 Closures for Bad Weather Safety	or Other Issues of Health or
	Situation	Agency Policy	Situation	Agency Policy
	Our school district or charter school closed all campuses for 1 day for a health or safety reason (for example, an ice storm made roads dangerous).	Use 1 of your district's or charter school's scheduled makeup days to make up the missed day	Our school district or charter school closed all campuses for 1 day (420 minutes) for a health or safety reason (for example, an ice storm made roads dangerous).	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not, use 1 of your district's or charter school's scheduled makeup days (420 minutes) to make up the missed day
	Our school district or charter school closed all campuses for 2 days for a health or safety reason (for example, an ice storm made roads dangerous).	Use your district's or charter school's 2 scheduled makeup days to make up the missed days	Our school district or charter school closed all campuses for 2 days (840 minutes) for a health or safety reason (for example, an ice storm made roads dangerous).	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not, use your district's or charter school's 2 scheduled makeup days (840 minutes) to make up the missed days

Our school district or charter school closed all campuses for 2 days for a health or safety reason	Use the scheduled makeup day that has not already passed to make up one of the missed days. Choose a new second makeup day to make up the other missed day	Our school district or charter school closed all campuses for 2 days (840 minutes) for a health or safety reason	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not use the scheduled makeup day (420 minutes) that has not already passed to make up one of the missed days. Choose a new second makeup day (420 minutes) to make up the other missed day
Our school district or charter school closed all campuses for 2 days for a health or safety reason	Choose 2 new makeup days to make up the missed days	Our school district or charter school closed all campuses for 2 days (840 minutes) for a health or safety reason	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not, choose 2 new makeup days (840 minutes) to make up the missed days.
Our school district or charter school closed all campuses for 1 day for a health or safety reason	The TEA advises using the already-scheduled makeup day	Our school district or charter school closed all campuses for 1 day (420 minutes) for a health or safety reason	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day

Our school district or charter school closed all campuses for more than 2 days for a health or safety reason.	Use your district's or charter school's 2 scheduled makeup days to make up the first 2 missed days	Our school district or charter school closed all campuses for more than 2 days (840 minutes) for a health or safety reason.	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not, use your district's or charter school's 2 scheduled makeup days (840 minutes) to make up the first 2 missed days
Our school district or charter school closed some but not all campuses for 1 day or more for a health or safety reason (for example, flooding that affected only part of the district or charter school area).	The campuses that were closed do not need to make up the missed school days. However, the school district or charter school must request missed school day waivers for those campuses.	Our school district or charter school closed some but not all campuses for 1 day (420 minutes) or more for a health or safety reason (for example, flooding that affected only part of the district or charter school area).	Determine if your district or charter school will have enough minutes built into the board approved calendar to makeup for the missed day. If not, the school district or charter school must request missed school day waivers for those campuses.
Our school district or charter school delayed the start of the school day for 2 hours for a health or safety reason.		Our school district or charter school delayed the start of the school day for 2 hours (120 minutes) for a health or safety reason.	

school has decided to campuses early becau imminent health or sa (for example, ice storr coming). Campuses ha	Our school district or charter chool has decided to close all campuses early because of an mminent health or safety issue for example, ice storm is coming). Campuses have been open for at least 4 instructional nours.	Our school district or charter school has decided to close all campuses early because of an imminent health or safety issue (for example, ice storm is coming). Campuses have been open for at least 4 instructional hours (240 minutes).	
Our school district or of school has decided to campuses early because imminent health or sa (for example, ice storm coming). Campuses has open for fewer than 4 instructional hours, an official attendance-take has passed.	close all se of an fety issue n is ve been id the	Our school district or charter school has decided to close all campuses early because of an imminent health or safety issue (for example, ice storm is coming). Campuses have been open for fewer than 4 instructional hours (240 minutes), and the official attendance-taking time has passed.	
Our school district or of school has decided to campuses early because imminent health or satisfied for example, ice storm coming). Campuses has open for fewer than 4 instructional hours and closed before the official attendance-taking times	close all see of an fety issue and is does not need to make understand and may apply for a school day waiver for the stal	(for example, ice storm is coming). Campuses have been	Each calendar should include the equivalent of two bad weather makeup days (or 840 minutes) and should reflect any waivers that have been granted. After making up those days, the district or charter school can apply for a waiver for any subsequent days due to bad weather or safety issues.

Change	2014	-2015	2015	-2016
	Our school district or charter school operates an Optional Flexible Year Program. Our district or charter school closed all campuses for more than 2 days for a health or safety reason. Must we make up all the days that campuses were closed?	For school districts: Your district, like any district, is required to make up the first 2 days missed. Additionally, if not making up the additional days missed would cause the school calendar to drop below 170 days for students not participating in the Optional Flexible Year Program, then your district must make up those days.	Our school district or charter school operates an Optional Flexible Year Program. Our district or charter school closed all campuses for more than 2 days (420 minutes) for a health or safety reason. Must we make up all the days that campuses were closed?	For school districts: Your district, like any district, is required to make up the first 2 days (840 minutes) missed. Additionally, if not making up the additional days missed would cause the school calendar to drop below 170 days (71,400 minutes) for students not participating in the Optional Flexible Year Program, then your district must make up those days.
	May our school district or charter school apply for and receive waivers (of any kind, including staff development) such that the district or charter school has more than 10 school days waived?	No. Your district or charter school must not have more than 10 school days waived, unless otherwise authorized by the commissioner.	May our school district or charter school apply for and receive waivers (of any kind, including staff development) such that the district or charter school has more than 10 school days (4,200 minutes) waived?	No. Your district or charter school must not have more than 10 school days (4,200 minutes) waived, unless otherwise authorized by the commissioner.

Change	2014–2015	2015–2016
Revision	4.2 Special Education and Eligibility	4.2 Special Education and Eligibility
	 the student 19 Texas Administrative Code (TAC) §89.1070(b)(3); and the student 19 TAC §89.1070(f). 	 the student 19 Texas Administrative Code (TAC) <u>§89.1070</u>(b)(2) and <u>§89.1070</u> (g)(4), and the student 19 TAC <u>§89.1070</u>(k).

Change	2014–2015	2015–2016
Revision And Addition	4.3.3 Enrollment Procedures for a Student Who Is New to Your District but Was Previously Receiving Special Education Services 1. When related services. 19	 2015–2016 4.3.3 Enrollment Procedures for a Student Who Is New to Your District but Was Previously Receiving Special Education Services When related services.²⁰ 2. When a student transfers from a school district in another state in the same school year 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, the new school district must meet the requirements of 34 CFR, §300.323(f), regarding the provision of special education services. 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: • determines that an evaluation is necessary. The evaluation is considered a full individual and initial evaluation and must be completed within the timelines established by 19 Texas Administrative Code (TAC) §89.1011(c) and (e), and completes the requirements in 34 CFR, §300.323(f)(2), within 30 calendar days from the date of the completion of the evaluation report; or • determines that an evaluation is not necessary and completes the requirements outlined in 34 CFR, §300.323(f)(2), within 30 school days from the date the student is verified as being a student eligible for special education services.

¹⁹ 19 TAC <u>§89.1050(f)(2)</u>; 34 CFR, §300.323 ²⁰ 19 TAC <u>§89.1050(i)</u>; 34 CFR, §300.323

Change	2014–2015	2015–2016
Deletion	 4.3.3 Enrollment Procedures for a Student Who Is New to Your District but Was Previously Receiving Special Education Services 4. After a temporary placement, the ARD committee holds a second meeting within 30 school days to develop an IEP based on the assessment data, recording in the IEP the effective date of any change in services. 	[none]
Revision	4.4 Withdrawal Procedure	4.4 Withdrawal Procedure
	The district otherwise. ²¹	The district otherwise. ²²
Revision	4.7.2 Code 01 – Homebound	4.7.2 Code 01 – Homebound
	 To be placed in the special education homebound instructional setting The student is expected to be confined at home or hospital bedside for a minimum of 4 weeks (the weeks need not be consecutive). 	 To be placed in the special education homebound instructional setting The student is expected to be confined at home or hospital bedside for a minimum of 4 weeks. The weeks need not be consecutive if the student is chronically ill and the local district policy allows for such.
Revision	4.7.10 Code 40 - Special Education Mainstream Examples of special education and <u>related services</u> ²³	4.7.10 Code 40 - Special Education Mainstream Examples of special education and related services ²⁴

²¹ 34 CFR, §300.503; 19 TAC §89.1015

²² 34 CFR, §300.503; 19 TAC <u>§89.1050</u> (g)

²³ 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.

²⁴ For information on related services specifically, see the TEA State Guidance: Related Services page at http://tea.texas.gov/index2.aspx?id=2147496874

Change	2014–2015	2015–2016
Deletion	4.7.11 Code 41 or 42 - Resource Room/Services	[none]
	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).	

Change	2014–2015	2015–2016
Deletion	4.18.5 Codes 41 and 42 - Resource Room/Services Examples	[none]
	•••	
	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 speech therapist provides speech instruction for 30 minutes a week in a pull-out setting. The student generates half-day ADA eligibility. PEIMS 163 Record and Student Detail Report: The instructional setting code for this student is 42, resource room/services - at least 21% and less than 50%; the speech therapy indicator code is 2; and the occupational therapy indicator code is 1. PEIMS 405 Record: Two instructional setting codes are recorded for this student:	
	42, resource room/services - at least 21% and less than 50%, and 00, no instructional setting.	

Change	2014–2015	2015–2016
Addition	[none]	5.2 Eligibility and Eligible Days Present
		An individual who has been issued a School District Teaching Permit in accordance with the TEC, §21.055, to teach a CTE course is deemed qualified by the local district that issued the permit and is not required to obtain a teaching certificate in accordance with TEC, §21.003. If the CTE course requires a highly qualified teacher in accordance with the No Child Left Behind Act, the School District Teaching Permit will not satisfy the highly qualified state certification requirement. For more information, see the TEA Highly Qualified Teachers webpage at http://tea.texas.gov/About_TEA/Laws_and_Rules/NCLBB_and_ESEA/Highly_Qualified_Teachers/Highly_Qualified_Teachers/Lighly_Quali

Change	2014–2015	2015–2016
Revision	5.2 Eligibility and Eligible Days Present	5.2 Eligibility and Eligible Days Present
	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	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
Revision	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, available at http://www.tea.state.tx.us/peims/ .	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, available at http://tea.texas.gov/Reports and Data/Data Submission/PEIMS/PEIMS Data Standards/.
Revision	5.7 Career Preparation and Practicum Learning Experiences	5.7 Career Preparation and Practicum Learning Experiences
	Practicums are specific to a career cluster	Practicums are specific to a Career Cluster

Change	2014–2015	2015–2016	
Revision	5.7.2 Practicum Course Eligibility Requirements	5.7.2 Practicum Course Eligibility Requirements	
	 Each practicum course using a work-based learning instructional arrangement must consist of student participation in training appropriate to the student's coherent sequence of courses plus 	 Each practicum course using a work-based learning instructional arrangement must consist of student participation in training appropriate to the student's coherent sequence of courses plus 	
	participation in related CTE classroom instruction. A practicum course spans the entire year , and classroom instruction must average one class period each day for every school week	 participation in related CTE classroom instruction. A practicum course spans the entire year In a paid practicum instructional arrangement, related classroom instruction must average one class period each day for every school week. 	
Revision	E 7.2 Training Plan Poquiroments and Date on Which Students	5.7.2 Training Plan Poquiroments and Date on Which Students	
	5.7.3 Training Plan Requirements and Date on Which Students May Earn Contact Hours	5.7.3 Training Plan Requirements and Date on Which Students May Earn Contact Hours	
	Training plans are available at http://www.tea.state.tx.us/index2.aspx?id=3366	Training plan forms are available at http://tea.texas.gov/Curriculum_and_Instructional_Programs/Learningsupport_and_Programs/Career_and_Technical_Educationand_Technical_Education_and_Practicum_Courses/	
Deletion	5.8 CTE Problems and Solutions (Formerly CTE Independent Study)	5.8 CTE Problems and Solutions	

Change	2014–2015	2015–2016
Addition	5.9 Career and Technical Education for the Disabled (CTED) Courses Any CTE course may be taught as a CTED course, but only students with disabilities who are in grades 7 through 12 may enroll in CTED courses. CTED courses generate CTE contact hours for students in grades 7 through 12.	5.9 Career and Technical Education for the Disabled (CTED) Courses Any CTE course may be taught as a CTED course, but only students with disabilities who are in grades 7 through 12 may enroll in CTED courses. CTED courses generate CTE contact hours for students in grades 7 through 12. Note: CTED courses must be taught by a teacher qualified and certified to teach CTE courses. See 19 TAC §130, Subchapter E.
Deletion	5.13.12 Example 12 See the following: • Error! Reference source not found. • Error! Reference source not found. • Error! Reference source not found. • In Tac Part 1, Chapter 4, Subchapter D • 19 Tac Part 2, Chapter 74, Subchapter C	5.13.12 Example 12 See the following: • Error! Reference source not found. • Error! Reference source not found. • 19 TAC Part 1, Chapter 4, Subchapter D • 19 TAC Part 2, Chapter 74, Subchapter C

Change	2014–2015	2015–2016
Addition	6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services	6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services
	If a student's parent has denied bilingual/ESL education services and the only summer school program available is a bilingual/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program.	If a student's parent has denied bilingual/ESL education services and the only summer school program available is a bilingual/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program. The student must not participate in the summer school program or earn bilingual/ESL eligible days present (be assigned a bilingual or ESL program type code in the attendance accounting system) in the summer program unless the parents explicitly allow, in writing, placement of the student in the bilingual or ESL education program.
Addition	6.3 Enrollment Procedures	6.3 Enrollment Procedures
	b. If the student is in PK, kindergarten, or grade 1 the student is considered LEP.	b. If the student is in PK, kindergarten, or grade 1 the student is considered LEP as determined by the LPAC.
	c. If the student the student is considered LEP If the student scores below the 40th percentile on either the	c. If the student the student is considered LEP as determined by the LPAC
	reading or the language arts section of the test, the student is considered LEP.	If the student scores below the 40th percentile on either the reading or the language arts section of the test, the student is considered LEP as determined by the LPAC
		To be eligible for state bilingual/ESL funding, the district must have all required documentation for each eligible student on file.

Change	2014–2015	2015–2016	
Addition	6.3.1 Students Who Move to Your District	6.3.1 Students Who Move to Your District To be eligible for the state bilingual/ESL funding, the district must have all required documentation for each eligible student on file.	
Revision	6.4 Eligibility of Your District's Bilingual or ESL Education Program for State Funding	6.4 Eligibility of Your District's Bilingual or ESL Education Program for State Funding	
	3. A student is served in a program approved by the TEA under an exception to the Spanish program or under a waiver to the ESL program. A student is served in a program approved by the TEA under an exception to a language other than Spanish for as long as the State Board for Educator Certification does not have a certificate for that language	3. A student is served in a program approved by the TEA under an exception to a bilingual program or under a waiver to the ESL program. A student is served in a program approved by the TEA under an exception to a language other than English for as long as the State Board for Educator Certification does not have a certificate for that language	

Change		2014–2015			2015–2016	
Revision	6.8.2 Exit Criteria			6.8.2 Exit Criteria		
	Visit the TEA Bilingual E http://www.tea.state.t	Education web page at x.us/index2.aspx?id=409	<u>8</u>	Visit the TEA Bilingual Ed http://tea.texas.gov/bilin		
	9th	10th	11th	9th	10th	11th and 12th
	To access this documer http://www.tea.state.t	nt, go to x.us/index2.aspx?id=409	8&menu_id=720	To access this document http://tea.texas.gov/biling	· •	

Change	2014–2015	2015–2016
Revision	7.2 Eligibility	7.2 Eligibility
	 6. have ever been in the conservatorship of the Texas Department of Family and Protective Services (foster care) following an adversary hearing 	6. have ever been in the conservatorship of the Texas DFPS (foster care) following an adversary hearing
Revision	7.2.2 PK Eligibility Based on a Student's Being Limited English Proficient (LEP)	7.2.2 PK Eligibility Based on a Student's Being Limited English Proficient (LEP)
	Many districts preregister PK students to determine and plan for the size of the next school year's PK program. However, your district must have all the documentation described in 7.2.2.1 on file before claiming a student as eligible for PK funding on the basis of the student's being LEP. Starting on the first day of school, your district has up to 20 school days to complete this documentation; however, as stated before, your district may not claim a student as eligible for PK funding until this documentation is on file.	Many districts preregister PK students to determine and plan for the size of the next school year's PK program. Districts may begin this process after April 1 of each year. However, your district must have all the documentation described in 7.2.2.1 on file before claiming a student as eligible for PK funding on the basis of the student's being LEP. If preregistration has not occurred, starting on the first day of school, your district has up to 20 school days to complete this documentation; however, as stated before, your district may not claim a student as eligible for PK funding until this documentation is on file.

Change	2014–2015	2015–2016	
Addition	7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the NSLP)	7.2.3 PK Eligibility Based on Being Educationally Disadvantaged (Eligible for the NSLP)	
	2. the student's family	2. the student's family	
	Qualifying a student for PK on the basis of the student's meeting the NSLP income eligibility requirements does not automatically qualify the student for the NSLP	When verifying income, districts should correlate the eligible school year with the qualifying NSLP year. Qualifying a student for PK on the basis of the student's meeting the NSLP income eligibility requirements does not automatically qualify the student for the NSLP	
Deletion	7.5.1 PK Early Start Grant Program		
	The PK Early Start Grant Program will not be funded for 2014–2015.		

Change	2014–2015	2015–2016	
Revision	10.3 School Calendar Requirements and Waivers of These Requirements	10.3 School Calendar Requirements and Waivers of These Requirements	
	The school calendar for AEPs a school calendar must provide for 180 days of instruction Charter schools are not subject to the 180 day requirement; however, most charter schools typically offer 180 days of instruction.	The school calendar for AEPs a school calendar must provide for 75,600 minutes of instruction Charter schools are not subject to the 75,600 minute requirement; however, most charter schools typically offer 75,600 minutes of instruction.	
Revision	10.3.1 Requirements Specific to 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 Texas Juvenile Justice Department for a waiver of the 180 day requirement.	10.3.1 Requirements Specific to JJAEPs A JJAEP must operate at least 7 hours per day (420 minutes) and at least 75,600 minutes per year unless the JJAEP has applied to the Texas Juvenile Justice Department for a waiver of the 75,600 minute requirement.	

Change	2014–2015	2015–2016
Deletion	11.3.1.1 Student Eligibility for Dual Credit Courses	11.3.1.1 Student Eligibility for Dual Credit Courses
	A high school student is eligible to enroll in dual credit courses in the 11th and/or 12th grade if the student demonstrates college readiness by achieving the minimum passing standard(s) on a qualifying assessment instrument, as shown in the following chart.	A high school student is eligible to enroll in dual credit courses if the student demonstrates college readiness by achieving the minimum passing standard(s) on a qualifying assessment instrument, as shown in the following chart.
	Alternatively, a student is eligible to enroll in dual credit courses in the 11th and/or 12th grade if the student has satisfied at least one of the following criteria:	Alternatively, a student is eligible to enroll in dual credit courses if the student has satisfied at least one of the following criteria:
	To be eligible for enrollment in a dual credit course offered by a public college, a student must have at least junior year high school standing. Exceptions to this requirement for students with demonstrated outstanding academic performance and capability (as evidenced by achieving or exceeding the minimum Texas Success Initiative (TSI) college readiness standards on the PSAT/NMSQT, PLAN, SAT, ACT, or TSI Assessment) may be approved by the principal of the high school and the chief academic officer of the college. Students with less than junior year high school standing must demonstrate eligibility as shown in the chart on the previous page.	
	High school students must not be enrolled in more than two dual credit courses per semester . Exceptions to this requirement for students with demonstrated outstanding academic performance and capability (as evidenced by grade-point average, ACT or SAT scores, or other assessment indicators) may be approved by the principal of the high school and the chief academic officer of the college.	

Change	2014–2015	2015–2016
Deletion	11.3.1.3 Required Documentation	[none]
	Your district must have locally developed criteria in place for what constitutes "demonstrated outstanding academic performance and capability," as described in Subsection 11.3.1.1 , for 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.	
	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. Absence of this documentation will result in a disallowance of FSP funding for the dual credit course attendance.	
Revision	11.3.2 Early College High School Programs: Student Eligibility Requirements	11.3.2 Early College High School Programs: Student Eligibility Requirements
	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	A student enrolled in a Texas Education Agency (TEA)-designated Early College High School may enroll in dual credit courses beginning
	A student enrolled in a TEA-designated Early College High School may enroll in more than two dual credit courses per semester.	

Change	2014–2015	2015–2016
Revision	11.6.2 OFSDP Funding	11.6.2 OFSDP Funding
	The OFSDP is not a competitive grant program . The OFSDP program provides an alternative method of attendance accounting. The standard attendance rule requiring students to be scheduled to receive instruction for a minimum of 2 hours per day for half-time funding and a minimum of 4 hours per day for full-time funding does not apply to students who earn attendance through the OFSDP. Funding is based on the total eligible minutes of instructional contact time each student receives.	The OFSDP is not a competitive grant program . The OFSDP program provides an alternative method of attendance accounting. A student must receive 2 hours of instruction in the OFSDP (or in OFSDP and traditional attendance program courses) to generate half-day attendance. A student must receive 4 hours of instruction in the OFSDP (or in OFSDP and traditional attendance program courses) to generate full-day attendance. Funding is based on the total eligible minutes of instructional contact time each student receives.
	Instructional contact time A full-time equivalent student is expected to have 1,080 instructional contact hours per year.	Instructional contact time A full-time equivalent student is expected to have 720 instructional contact hours per year.
Revision	11.6.7 Estimating OFSDP Funding	11.6.7 Estimating OFSDP Funding
	Your school district at the Region XIII Education Service Center website at http://www5.esc13.net/finance/	Your school district at the TEA Foundation School Program web page at http://tea.texas.gov/Finance and Grants/State Funding/Foundation School Program/Foundation School Program/.
Revision	11 C O Mayo Information	11 C O Mayo Information
	11.6.9 More Information More information at http://www.tea.state.tx.us/index2.aspx?id=7733&menu_id=645&men_u_id2=789	11.6.9 More Information More information at http://tea.texas.gov/index2.aspx?id=25769817595 .

Change	2014–2015	2015–2016
Addition	[none]	11.9.2 Notable Compact Provisions and Requirements
		A child of a military family who is under the age of five on September 1 and who moved to Texas from another member state where the child completed prekindergarten is eligible for enrollment in kindergarten and will be considered to meet minimum age eligibility requirements to generate ADA on presentation of the items specified in the previous paragraph.

Change	2014–2015	2015–2016
Revision	ADA:	ADA:
Revision		
		period. Round the number of days present down to the nearest half day.

Change	2014–2015	2015–2016
Addition	school day – A school day must be at least 7 hours each day, including	school day – A school day must be at least 7 hours (420 minutes) each
	intermissions and recesses.	day, including intermissions and recesses.
Addition	school year – A period of at least 180 days of instruction. Each school	school year – A period of at least 75,600 minutes of instruction. Each
	district must operate so that the district provides for at least 180 days	school district must operate so that the district provides for at least
	of instruction for students.	75,600 minutes of instruction for students.