

Frequently Asked Questions – Facility Use Survey

Texas Education Code (TEC) §7.0611 sets forth requirements for reporting and analyzing school facility usage data to ensure compliance with state mandates and enhance decision-making regarding resource allocation and infrastructure planning.

1. What is TEC §7.0611, and why is this required?

TEC §7.0611 is a state law passed by the 88th Legislature requiring **all Texas school districts** to report detailed information annually on their **facilities, land, instructional capacity, enrollment, and facility usage** to the Texas Education Agency (TEA). The law applies to every district, regardless of size.

2. Can a district of innovation exempt itself from the facilities usage report requirements?

No. Districts of Innovation must comply with the facilities usage report requirements, as TEC §7.0611 is not an allowable exemption.

3. What does “instructional capacity” mean under Texas Administrative Code (TAC) §61.1040?

TAC §61.1040 does not use the exact term “instructional capacity,” but it defines a closely related and functionally equivalent term: **Adjusted Maximum Instructional Capacity**. This refers to the maximum number of students an instructional facility can serve at any given time, adjusted to account for innovative instructional or operational practices implemented by the district.

This definition helps determine how effectively a campus can support student enrollment, particularly when using flexible or non-traditional instructional models. It guides decisions about facilities planning, staffing, scheduling, and compliance with state facilities standards.

4. What does TEA do with this information?

TEA is required to use district-submitted facility data to produce an annual statewide public report detailing facility usage. This information may be combined with other facility reports to streamline reporting and reduce duplication.

5. What types of data must the district report?

State law requires districts to report comprehensive facility data, including square footage, **site** enrollment by campus and grade, shared facility use, facility classification, and ownership status (owned or leased).

6. Does this collection require coordination across multiple departments?

Yes. Completing this work may require cross-departmental coordination among **Facilities, PEIMS, Finance, Technology, Career and Technical Education (CTE), Food Services, Transportation,** and **campus administration**. Collaboration across these areas ensures accurate data, operational alignment, and timely implementation.

7. Will this cost the district money?

There is **no direct fiscal impact**. The work is completed using existing staff and systems. Future TEA rules may require adjustments to the data format, but no additional costs are anticipated.

8. Should the district create a policy for the board?

No, it is not required.

9. What does “Type of Building” refer to in the survey?

“Type of building” refers to the single option that best describes the primary function of the building being reported.

10. What if the building serves more than one type or purpose?

If the building serves multiple functions at one location, please specify the additional building types in the relevant survey question.

11. What should I do if none of the listed types seem to fit my building?

You may select the “Other” option. “Other” will include the following:

- Stand-alone fine arts facility
- Stand-alone gymnasium
- Stand-alone stadium
- Stand-alone auditorium
- Parking lot or parking garage

12. Do school portables meet the definition of an “instructional facility” as defined by TEC, §46.001?

Yes, school portables can be considered “instructional facilities” under TEC §46.001, provided they are predominantly used for teaching the required curriculum.

Why? Texas Education Code §46.001 defines an instructional facility as: “real property, an improvement to real property, or a necessary fixture... used predominantly for teaching the curriculum required under Section 28.002.”

In 19 TAC §61.1031, a “modular, portable building” is defined as:

An industrialized building per [Texas Occupations Code \(TOC\) §§1202.002 and 1202.003](#), any relocatable educational facility as per TOC §1202.004, regardless of its construction location, and any other manufactured or site-built building that can be relocated and is used as a school facility.

Because the term *instructional facility* is defined in TEC §46.001 to include any property primarily used for teaching, modular and portable buildings qualify as instructional facilities when they are used for educational purposes.

13. What does “Total Current Enrollment” refer to in the survey?

“Total Current Enrollment” refers to the total number of students reported in the Fall Snapshot.

14. Why might a classroom with a maximum instructional capacity of 24 students be limited to only 12 students during small-group instruction?

When a teacher uses a small-group rotation model, the classroom must include multiple stations and allow space for student movement. Due to the larger space requirement, fewer students can be served at one time. As a result, a classroom that normally holds 24 students may be limited to 12 students during small-group instruction.

15. What determines the total student capacity of an instructional facility under TAC §61.1040?

Under TAC §61.1040, the total student capacity is determined by the facility’s **Adjusted Maximum Instructional Capacity**. This indicates the maximum number of students the facility can accommodate at any given time, adjusted by the district’s implementation of innovative instructional or operational practices that may alter how space is utilized.

16. Can the student capacity of a campus change over time?

Yes. A campus’s capacity can increase or decrease depending on the instructional spaces and programs it uses.

17. What are examples of a district sharing facilities between multiple campuses?

A district may share certain facilities across more than one campus when those spaces support instruction or recurring student or staff use. Examples include:

- A single elementary instructional building counts as one campus, since it serves only the students assigned to that site.
- A shared CTE center, alternative education center, stadium, or transportation hub counts as serving multiple campuses, because students or staff from several campuses regularly use the facility.
- A district administration building counts as zero campuses, since no instructional services or academic programs are delivered there.

A campus is considered to “use” a facility if any of the following are true:

- Instruction is delivered there, either full-time or part-time.
- Students are served at the facility for any portion of the school day.
- The facility supports required academic programs (e.g., CTE, alternative education, early college).

18. What happens if TEA determines that certain facility information could jeopardize a school’s safety?

If TEA finds that any facility information submitted by districts could pose a security risk, that information must and will be kept confidential. Once identified as sensitive, the information becomes confidential, meaning TEA is prohibited from including it in the public annual report. This confidentiality protects the safety of students, staff, and school communities by preventing potentially harmful details from being publicly released.