

The **attendance personnel** generating absence summaries and transcribing the absences or coding information into the accounting system are responsible for adhering to all laws and regulations pertaining to student attendance accounting. Each person entering data into the attendance accounting system must sign an affidavit attesting that the data he or she has entered are true and correct to the best of his or her knowledge—or, in the case of a paperless attendance accounting system, indicate electronically that the person attests that the data he or she has entered are true and correct to the best of his or her knowledge.

Important: Your district must not assign attendance personnel the responsibility of determining a student’s coding information. 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. Special program directors and staff members are responsible for reviewing special program data and totals for accuracy and completeness. They are also responsible for ensuring that attendance personnel are aware of any changes in a student’s services and the effective dates of those changes. The attendance personnel are then responsible for entering the changes in the student attendance accounting system. At the end of each 6-week reporting period, special program staff members should check the Student Detail Report for any coding errors.

3.2 Membership and Eligibility for Attendance and Foundation School Program (FSP) Funding

Both **membership** and **eligibility to generate average daily attendance (ADA)** are related to the amount of time that a student receives instruction each day. However, they are not the same.

A student is in membership in your district if the student is enrolled in the district and is either:

- scheduled to attend at least 2 hours of instruction each school day or
- participating in an alternative attendance accounting program.

A student who meets the criteria above is in membership regardless of whether the student is eligible to generate ADA.

A student is eligible to generate ADA, and thus FSP funding, only if the student is in membership and also meets the ADA eligibility requirements described in the following subsections.

3.2.1 ADA Eligibility Coding

A student’s eligibility to generate ADA is reported with what is called an ADA eligibility code. Your district must use the following codes when reporting student attendance.

Note: The 2-through-4-hour rule includes recess and in-class breakfast.

3.2.1.1 Code 0 Enrolled, Not in Membership

Code 0 indicates that a student is enrolled but is not in membership. Code 0 applies to students who are scheduled for and provided fewer than 2 hours of instruction by your district each school day and are not participating in an alternative attendance accounting program. This code is used for the following:

- a child who is scheduled to attend for fewer than 2 hours of instruction each school day, including a high school student who has met all graduation requirements other than passing required state assessments and who continues to attend school to participate in a study program for those tests **if the student is scheduled for and attending fewer than 2 hours of study program instruction each day** (see [3.2.2.4 Funding Eligibility of Students Who Have Met All Graduation Requirements except Passing Required State Assessments](#))
- a child who attends a nonpublic school but receives some services from your district (for example, speech therapy services only)
- a student who is provided instruction totally in a federal Head Start program
- a student who has graduated but returned to school (for fewer than 2 hours of instruction per day) to further his or her education
- a student who receives all his or her special education and related services through an approved nonpublic school
- a parentally placed private school student with a disability, 5 through 21 years of age, who receives special education and related services through a services plan (see [4.5 Special Education Services for Private or Home School Students Who Are Eligible for and in Need of Special Education](#))

A student coded with an ADA eligibility code of 0 is not eligible to generate ADA or FSP funding.

3.2.1.2 Code 1 Eligible for Full-Day Attendance

Code 1 indicates that a student is eligible to generate full-day attendance. Code 1 applies to all students entitled to enroll under the Texas Education Code (TEC), [§25.001](#), who are scheduled for and provided instruction for at least 4 hours each school day.

Note: Districts that offer half-day kindergarten programs must not count students who attend both the morning and afternoon half-day sessions for eligible full-day attendance.

3.2.1.3 Code 2 Eligible for Half-Day Attendance

Code 2 indicates that a student is eligible to generate half-day attendance. Code 2 applies to all students entitled to enroll under the TEC, [§25.001](#), who are scheduled for and provided instruction for at least 2 hours but fewer than 4 hours each school day. These students include prekindergarten (PK) students who meet the eligibility requirements in Section 7 (see [7.5 Eligible Days Present and ADA Eligibility](#)).

3.2.1.4 Code 3 Eligible Transfer Student Full-Day

Code 3 indicates that a student is a transfer student who is eligible to generate full-day attendance. Code 3 applies to a student who is a nonresident, is legally transferred into your district, and is scheduled for and provided instruction for at least 4 hours each school day. This code applies only to a student who transfers from one Texas school district to another; such a student must meet all eligibility criteria other than residency.

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.

If a nonresident student is not legally transferred into a district, the receiving district cannot claim the attendance.

Note: The Student Transfer System (STS) has been closed, and districts are no longer required to report student transfers through the STS. However, your district should maintain documentation related to any transfer locally. Also, your district must report the transfer status of each student who has been transferred into the district in the TSDS PEIMS fall data submission.

3.2.1.5 Code 4 Ineligible Full-Day

Code 4 indicates that a student is provided instruction for at least 4 hours each school day but is ineligible to generate ADA. The students that code 4 applies to include any student who is scheduled for and provided full-day instruction but does not meet the eligibility criteria for the service he or she receives. The types of students who are coded ineligible are listed below.

3.2.1.5.1 Underage:

- children provided instruction in a preschool program for children with disabilities (PPCD) who are under the age of 3, except for children with serious visual or hearing impairments or both
- children provided instruction in PK who are under the age of 3 on September 1 of the current school year
- children provided instruction in any grade (K–12) who are under age 5 on September 1 of the current school year are ineligible for full-day funding (see the notes under the table in [3.2.3 Age Eligibility](#) for exceptions). However, a 4-year-old who is eligible for PK is eligible for half-day funding even if the student is provided instruction in a kindergarten classroom. The student must be coded with a grade level of PK.

3.2.1.5.2 Overage:

- students who are 26 years old on September 1 of the current school year

3.2.1.5.3 Other:

- nonresident students who have not been transferred into your district
- students who reside outside the boundaries of the state of Texas
- 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 TEA¹⁸
- students placed in residential facilities within your district whose maintenance expenses are paid in whole or in part by another state or the United States¹⁹
- students who are required, as a condition of obtaining or holding the appropriate United States (US) student visa, to pay tuition to your district to cover the cost of their education²⁰

¹⁸ TEC, [§37.011](#)(h)

¹⁹ TEC, [§25.003](#) (Adopted tuition charges under this section must be submitted to the commissioner of education for approval.)

²⁰ TEC, [§25.0031](#)(c)

3.2.1.6 Code 5 Ineligible Half-Day

Code 5 indicates that a student is scheduled for and provided instruction for at least 2 hours but fewer than 4 hours each school day but is ineligible to generate ADA (for any of the reasons listed in the preceding subsection on code 4). The students that code 5 applies to include any student who is provided half-day instruction but does not meet the eligibility criteria for the service he or she receives. Examples include the following:

- students enrolled only in PK who do not meet the PK eligibility requirements in Section 7
- students enrolled in locally funded PK programs offered by your district
- students provided instruction by a 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 who are required, as a condition of obtaining or holding the appropriate US student visa, to pay tuition to your district to cover the cost of their education²¹

3.2.1.7 Code 6 Eligible Transfer Student Half-Day

Code 6 indicates that a student is a transfer student who is eligible to generate half-day attendance. Code 6 applies to a student who is a nonresident, is legally transferred into your district, and is scheduled for and provided instruction for at least 2 hours but fewer than 4 hours each school day. The student must meet all eligibility criteria other than residency.

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.

3.2.1.8 Code 7 Eligible—Alternative Attendance Program Participation

Code 7 applies to a student who is eligible to participate in and is enrolled and provided instruction in an alternative attendance program, such as the Optional Flexible School Day Program (OFSDP) or the High School Equivalency Program (HSEP).

3.2.1.9 Code 8 Ineligible—Alternative Attendance Program Participation

Code 8 applies to a student who is enrolled and provided instruction in an alternative attendance program, such as the OFSDP or HSEP, but is ineligible to participate in the program.

3.2.2 Funding Eligibility

To be eligible to generate FSP funding for attendance, a student must either:

- 1) be scheduled for and provided instruction at least 2 hours (half-day attendance) or at least 4 hours (full-day attendance) each day (referred to as the “2-through-4-hour rule”²²) or
- 2) be eligible for, enrolled in, and scheduled for and provided instruction in an alternative attendance accounting program (such as the OFSDP).
- 3) participate in work-based learning* opportunities for at least two hours (half-day attendance) or at least four hours (full-day attendance). Work-based learning opportunities include internships, externships, apprenticeships, mentorships, etc. (This is not an exhaustive list of work-based learning opportunities).

²¹ TEC, [§25.0031\(c\)](#)

²² 19 TAC [§129.21\(g\)](#)

The following table explains more fully the requirements a student must meet to be eligible to generate ADA and thus FSP funding.

Note: The 2-through-4-hour rule includes recess and in-class breakfast.

If the student is scheduled for and provided instruction:	then the student:	and should be reported with:
fewer than 2 hours (120 minutes) per day	is not eligible to generate ADA	ADA eligibility code 0
at least 4 hours (240 minutes) per day	is eligible for full-day attendance (is eligible to generate ADA)	ADA eligibility code 1
at least 2 hours (120 minutes) but fewer than 4 hours per day	is eligible for half-day attendance (is eligible to generate ADA)	ADA eligibility code 2
at least 4 hours (240 minutes) per day and meets the requirements for an eligible student other than residency or an alternative basis for eligibility under the TEC, §25.001	is eligible for full-day attendance (is eligible to generate ADA). This status applies to a student who legally transfers from one Texas district to another Texas district and meets all eligibility criteria other than residency	ADA eligibility code 3
at least 4 hours (240 minutes) per day but does not meet the eligibility requirements	is not eligible to generate ADA (see 3.2.1.5 for more information)	ADA eligibility code 4
at least 2 hours (120 minutes) per day but does not meet the eligibility requirements	is not eligible to generate ADA (see 3.2.1.6 for more information)	ADA eligibility code 5
at least 2 hours (120 minutes) per day and meets the requirements for an eligible student other than residency or an alternative basis for eligibility under the TEC, §25.001	is eligible for half-day attendance (is eligible to generate ADA). This status applies to a student who transfers from one Texas district to another Texas district and meets all eligibility criteria other than residency	ADA eligibility code 6
through an alternative attendance program, such as the OFSDP, according to the requirements of that program	is eligible for alternative attendance program participation (is eligible to generate ADA)	ADA eligibility code 7
through an alternative attendance program, but not according to the requirements of that program	is ineligible for alternative attendance program participation (is not eligible to generate ADA)	ADA eligibility code 8

Students who are funding eligible and attending on a half-day basis may earn only one-half day of attendance each school day. Your district determines these students' attendance by taking attendance during a period in which the students are scheduled to be present.²³

²³ 19 TAC [§129.21](#)(h)(1)

2-through-4 hour rule eligibility chart

Included	Not Included
<ul style="list-style-type: none"> • Instruction • In-class breakfast • Recess • Work-based learner • Study program for state assessments (if the student has met all graduation requirements) 	<ul style="list-style-type: none"> • Study hall • Sign ins • Repeated courses (if a student has already received credit for that course)

If a student who is funding eligible and attending on a full-day basis is not scheduled to attend school during the second or fifth instructional hour, your district determines the student’s attendance by taking attendance during a period in which he or she is scheduled to be present. See [3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations](#).

Attendance for any full-day student (ADA eligibility code 1 or 3) cannot exceed the number of days of instruction for the same reporting period for the same instructional track. Attendance for any half-day student (ADA eligibility code 2 or 4) cannot exceed one-half of the number of days of instruction for the same reporting period for the same instructional track. Also, the number of days of participation for any student in any special program cannot exceed the number of days present for the same reporting period for the same instructional track.

Instructional hours must not be averaged to determine attendance eligibility.

3.2.2.1 Study Halls Not Eligible as Instructional Hours

To be eligible for attendance for FSP purposes, students must either 1) be provided instruction at least 2 hours (half-day attendance) or at least 4 hours (full-day attendance) each school day or 2) be eligible for, enrolled in, and provided instruction in an alternative attendance accounting program. **Study halls are not considered instruction** and thus do not count toward the accumulation of attendance hours for FSP funding purposes.

3.2.2.2 Time Spent in Course for Which Student Has Already Received Credit Not Eligible as Instructional Hours

If a student repeats a course for which the student has already received credit, the time that the student spends taking the course for a subsequent time does not count toward the accumulation of attendance hours for FSP funding purposes; that is, this time does not count as instructional time for purposes of the 2-through-4-hour rule.

3.2.2.3 Funding Eligibility of Students Who Have Met All Graduation Requirements

If a student has completed all of the requirements for a high school diploma, the student is not eligible to continue to generate ADA for funding purposes. Exceptions are students who are eligible to graduate but who continue their education to meet the requirements of a higher high school diploma standard or students who have not met the assessment requirements for graduation. (See [3.2.2.4 Funding Eligibility of Students Who Have Met All Graduation Requirements except Passing Required State Assessments](#).)

3.2.2.4 Funding Eligibility of Students Who Have Met All Graduation Requirements except Passing Required State Assessments

Your school district may serve and generate FSP funding for a student who has met all graduation requirements other than passing required state assessments and who continues to attend school to participate in a study program for those assessments, provided all other eligibility requirements are met. Time spent in the study program is considered instructional time for FSP funding purposes; that is, this time counts as instructional time for purposes of the 2-through-4-hour rule.

Note: Students who have met all graduation requirements other than passing required state assessments are the only students for whom time spent in such a study program may be considered instructional time for FSP funding purposes. For any other student, this time is **not** considered instructional time for FSP funding purposes.

3.2.2.5 Funding Eligibility for Students Award a Diploma Outside of the United States

If a student has been awarded a high school diploma, the student is not eligible to continue to generate ADA for funding purposes. However, a student that holds a diploma from a country outside of the United States may be eligible to enroll and generate ADA for funding purposes in a Texas public school if the district has determined that the diploma does not meet the minimum requirements for a Texas high school diploma. Districts must evaluate out-of-country transcripts carefully. These students must still meet eligibility requirements for funding.

3.2.2.6 Funding Eligibility of Students Eligible for PPCD Services and Served in a PK Classroom

See [4.9.3 PPCD Services and PK Programs](#) and [7.5.1 Students Who Are Eligible for Special Education \(PPCD\) and Are Served in a PK Classroom](#) for detailed information about students who are eligible for PPCD services and are served in a PK classroom.

3.2.3 Age Eligibility

The following table shows the age requirements students must meet to be eligible to attend Texas public schools for FSP benefits. Students who meet the age requirements listed in the “Eligible” column are eligible for free attendance for either full-day or half-day attendance for the entire school year in the district in which they are entitled to attend for FSP benefits. For information on eligibility to attend a school district, see [3.3.6 Student Entitlement to Attend School in a Particular District](#).

Eligible	Ineligible
a student who is at least 5 years old* on September 1 of the current school year but is less than 21 years old by the same date ²⁴	a student who is not at least 5 years old on September 1 of the current school year or is not less than 21 years old by the same date, unless the student meets some other eligibility requirement listed in the “Eligible” column
a student who is at least 21 years of age but less than 26 years of age on September 1 of the current school year and who has been admitted by your school district to complete the requirements of a high school diploma** ²⁵	a student who has previously graduated from high school
a student who is at least 19 years of age but less than 26 years of age on September 1 of the current school year and is enrolled in an adult high school diploma and industry certification charter school pilot program ²⁶	a student who does not reside in Texas (even if the student’s parent or grandparent does)
a student who has a disability and who 1) has reached his or her third birthday and 2) meets other special education eligibility requirements described in Section 4	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)
from date of birth through age 2, a child who has serious visual impairments, hearing impairments, or both and who meets other special education eligibility requirements described in Section 4	
a student receiving special education services who is 21 years of age on September 1 of a school year: the student is eligible for services through the end of that school year or until graduation, whichever comes first	
a student with a disability who graduated by meeting the requirements of 19 TAC §89.1070(b) as determined by an admission, review, and dismissal (ARD) committee and who is still in need of special education services ²⁷ : the student may be served through age 21 inclusive ²⁸	
a student who is eligible for state-funded PK classes and meets the age requirement by September 1 of the current school year (eligible only for half-day attendance)	

²⁴ TEC, [§42.003](#)

²⁵ TEC, [§42.003](#)

²⁶ under the TEC, [§29.259](#); TEC, [§42.003](#)

²⁷ as determined by the ARD committee per 19 TAC [§89.1070\(f\)](#)

***3.2.3.1 Additional Information about Minimum Eligible Age**

If the school year starts before a student's birthday, the student is eligible to attend school for the entire year as long as he or she will be the required age on or before September 1.²⁹

A student who is 5 years of age on or before September 1 of the current school year is automatically eligible for the first grade for the full school term (ADA eligibility code 1) if the student has completed public school kindergarten or has been enrolled in the first grade in a public school in another state before transferring to a Texas public school.³⁰ The term "enrolled" means actually receiving instruction by attendance in a public school rather than being registered before receiving instruction.

However, any 5-year-old child who enrolls may be assigned to first grade for the full school term (ADA eligibility code 1). Such assignments are the decision of the local district.

A student younger than 5 years of age is entitled to the benefits of the FSP if the student performs satisfactorily on the required state assessments administered to students in the third grade and your district has adopted a policy for admitting students younger than 5 years of age.³¹

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, in which the student was enrolled in the sending state regardless of the child's age. Also, a child of a military family who moves to your district from another state that is a member of the compact and who has satisfactorily completed the prerequisite grade level (including prekindergarten) in that other state is entitled to enroll in the next highest grade level, regardless of age. These children would meet minimum age eligibility requirements for generating ADA, provided applicable documentation is provided. See [11.9 Interstate Compact on Educational Opportunity for Military Children](#) for documentation requirements, applicable definitions, and other additional information.

****3.2.3.2 Additional Information about Maximum Eligible Age**

Students who are at least 21 years of age and under 26 years of age, who have been admitted for the purpose of completing the requirements for a high school diploma, and who have not attended school in the three preceding school years must not be placed with a student who is 18 years of age or younger in a classroom setting, cafeteria, or other district-sanctioned school activity. However, these students may attend a school-sponsored event that is open to the public as a member of the public.^{32,33}

Also, students receiving special education services who are at least 22 years of age and under 26 years of age on September 1 admitted for the purpose of completing the requirements for a high school diploma are **not** eligible for special education weighted state funding, but are eligible for other weighted state funding.

²⁸ 34 Code of Federal Regulations (CFR), §300.102(a)(3)

²⁹ TEC, [§25.001\(a\)](#)

³⁰ TEC, [§42.003\(c\)](#)

³¹ TEC, [§42.003\(d\)](#)

³² TEC, [§25.001\(b-2\)](#)

³³ TEC, [§ 12.137](#)

Students with a disability who graduated by meeting the requirements of 19 TAC [§89.1070\(b\)](#) as determined by an ARD committee and who are still in need of special education services³⁴ may be served through age 21 inclusive.³⁵

Your school district may provide instruction to a student who has already graduated with a regular high school diploma. However, unless the student is returning to school³⁶ after graduating under 19 TAC [§89.1070\(b\)](#), the student is **not** eligible for funding and must be recorded with an ADA eligibility code of 0, 4, or 5, as applicable. Exceptions are students who are eligible to graduate but who continue their education to meet the requirements of a higher high school diploma standard. These students must still meet eligibility requirements for funding. (See [3.6.3.1 Attendance Taken Before the End of the Academic Year](#)). Districts may allow a student to remain enrolled in order to graduate with their class if graduation will occur by the end of the school year in which the student completes graduation requirements; ; however, the student is **not** eligible for funding and must be recorded with an ADA eligibility code of 0, 4, or 5, as applicable .

3.2.4 Dual Credit (High School and College or University)

Please see [11.3.1 Dual Credit \(High School and College or University\) Programs](#) for information on dual credit courses.

3.3 Enrollment Procedures and Requirements

This subsection discusses enrollment procedures and requirements.

A student must be enrolled in only one district at a time, thus eliminating duplicate TSDS PEIMS reporting for a student.

Enrolling a student in a school district requires presentation of proof of the student’s identity, age, and residency or other eligibility for enrollment. However, your school district may implement and use an automated system to confirm the address of a student who is continuing enrollment in your district from the prior school year. Your district may accept documentation of an updated address electronically for a student who is continuing enrollment in your district from the prior school year. To be eligible for FSP funding, your school district must maintain all proper documentation.

Note: All documentation requirements for audit purposes and the required retention period for such records are outlined in Section 2. The required retention period for all school district records is outlined in [Local Schedule SD](#) of the *Local Records Retention Schedules*, Texas State Library and Archives Commission.

3.3.1 Residency

Your local district policy should include measures to verify, on enrollment, that a student is entitled to enroll in the district under the TEC, [§25.001](#). If the student’s entitlement is contingent on the residency of a person, examples of methods of verifying residency include requesting utility bill receipts or lease information or verifying with designated district personnel that the applicable residence is within the

³⁴ as determined by the ARD committee per 19 TAC [§89.1070\(f\)](#)

³⁵ 34 CFR, §300.102(a)(3)

³⁶ under 19 TAC [§89.1070\(f\)](#)

boundaries of your district. Residency is not defined by an address on a driver's license, a signature on a lease, or the address on a utility bill. 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.

In establishing whether a student meets residency requirements for enrollment in your district, your district **must not** ask about the citizenship or immigration status of the student or his or her parent or other person with legal control of the student under a court order.³⁷ To determine whether a student should have an immigrant indicator code of 1 for TSDS PEIMS reporting purposes, your district may ask the following questions³⁸:

- 1) Is the student 3–21 years of age?
- 2) Was the student born outside of the United States?
- 3) Has the student attended a US school for 3 full academic years?

Note: The 3 years do not need to be consecutive.

Note: A US Department of Defense school that is not located within the fifty states or the District of Columbia is not considered a US school.

If the answer is yes to the first two questions and no to the third question, then the student should have an immigrant indicator code of 1. If the answer is yes to all three questions, the immigrant indicator should be removed.

Your district must keep a copy of the document it used to verify a student's residency.

3.3.2 District Responsibility to Secure Student Records

On a student's enrollment in your district, your district must request the set of required student information listed in [3.4 Withdrawal Procedures](#). Note that student records **must** be requested, sent, and received using the Texas Records Exchange (TREx) system. If your district requests this information from the district where a student was previously enrolled and that district fails to provide the required information within 10 working days, your district should report the noncompliant district to the General Inquiries Division of the TEA at (512) 463-9290.³⁹

Your district should make a bona fide effort to secure all records and required documentation pertaining to the student from the previous district and the parent or other person with legal control of the student under a court order, if applicable.

Note: For purposes of transferring records through the TREx, a working day does not include a day that the campus receiving the records request is closed or a day that the district's administrative office is closed.

³⁷ See the United States (US) Department of Education/US Department of Justice letter and other guidance documents available at <http://www.ed.gov/news/press-releases/secretary-duncan-and-attorney-general-holder-issue-guidance-school-districts-ens>.

³⁸ These questions are based on the criteria defining "immigrant children and youth" in Title III of the No Child Left Behind Act of 2001. Texas is required to report the number of immigrant children and youth to receive certain federal funds.

³⁹ TEC, [§25.002\(a-1\)](#)

3.3.3 Documentation of Identity and Age

A parent or other person with legal control of a student under a court order who is enrolling the student has up to 30 days from the date of enrollment to provide proof of the student's identity.⁴⁰ Any of the documents in the following list is acceptable for proof of identity and age; however, please see the next paragraph for additional information related to students under the age of 11.

- birth certificate
- statement of the child's date of birth issued for school admission purposes by the division of the Texas Department of State Health Services responsible for vital statistics⁴¹
- driver's license
- passport
- school ID card, records, or report card
- military ID
- hospital birth record
- adoption records
- church baptismal record
- any other legal document that establishes identity

For a student who is under 11 years of age and is enrolling in your school for the first time, per the Texas Code of Criminal Procedure, [Article 63.019](#), certain additional requirements related to documentation of identity and age apply. Your school must notify the person enrolling the student that the person has up to 30 days from enrollment, or up to 90 days from enrollment for a child not born in the United States, to provide a certified copy of the child's birth certificate. If the person is unable to produce a certified copy of the birth certificate, the person must produce, within the same time period, other acceptable proof of the child's identity and age (see list from preceding paragraph) and a signed note explaining why the person was unable to produce a certified copy of the birth certificate.

Your district must keep a copy of the document it used to verify a student's identity and age for as long as the document is administratively valuable to the district.

3.3.4 Failure to Receive Student Records and Discrepancies in Student Names

Failure to receive the information required for student enrollment must not preclude your district from enrolling and serving a student.⁴² However, only students who meet the age and admission requirements may be reported as eligible for FSP purposes (ADA eligibility codes 1, 2, 3, 6, or 7) (see also [3.3.8 Immunization](#)). Your district may report an enrolled student it believes to be eligible for FSP purposes as eligible while awaiting documentation of eligibility from the student's previous school district or from the person enrolling the student.

If a child is enrolled under a name other than the name that appears in the identifying documents, your district must notify the Missing Children and Missing Persons Information Clearinghouse at (800) 346-3243. If the student's records have not been received within 30 days of a request, making this

⁴⁰ TEC, [§25.002\(a-1\)](#)

⁴¹ As provided for by the Texas Health and Safety Code, [§191.0046](#). A child's parent or guardian may request this statement free of charge from the division of the Texas Department of State Health Services responsible for vital statistics. To request this statement, the parent or guardian should complete the Mail Application for a Verification Letter, available at <http://www.dshs.state.tx.us/vs/regproc/forms.shtm>, marking the application "Free for School Admission."

⁴² 19 TAC [§129.1\(b\)](#)

comparison impossible, your district must notify the municipal police department or sheriff's department of the county for a determination of whether the child has been reported as missing.⁴³

3.3.5 Entry and Reentry Dates

The student's entry date is the first day the student is physically present during the official attendance accounting period on a particular campus. A student's reentry date is the first day the student is physically present during the official attendance accounting period after having been withdrawn from the same campus. **A student cannot be absent on either the entry or the reentry date. Also, a student cannot be absent on the first day of school.**

The student is in membership on both the entry date and the reentry date. See [3.2 Membership and Eligibility for Attendance and Foundation School Program \(FSP\) Funding](#) for minimum time requirements for a student to be in membership.

3.3.5.1 "Auditing" Classes at School District or Charter School at Which the Student Is Not Enrolled

A school district or open-enrollment charter school must not permit a student to "audit" classes at the district or school without being enrolled in the district or school.

3.3.6 Student Entitlement to Attend School in a Particular District

A student's entitlement to attend a school district is determined under the TEC, [§25.001](#). Your district must serve any students who are entitled to enrollment under the TEC, [§25.001](#), even if they are expected to reside in your district for a short time. Your district must serve students in regular education in addition to in other programs (special education, etc.) if the students are eligible and all documentation is on file. **Your district cannot refuse to serve a student who is entitled to enroll.** For example, say a student enters a hospital for treatment. If the hospital is located within your school district, your district must immediately serve this student in regular education and also in special education if the student is determined to be eligible. This requirement applies not only to students in hospitals but also to students in juvenile detention centers, jails, and other such facilities. (See [3.3.6.2 Students from Outside Your District Who Will Be in Your District for 10 Days or Fewer](#) for a limited exception to this requirement.) Additional eligibility provisions apply to students who are not entitled to enroll under TEC, [§25.001](#), other than a residence separate and apart from a parent or legal guardian under the TEC, [§25.001\(b\)\(4\)](#) and (d).

Under the TEC, [§25.001\(b\)](#), your school district must admit a student who meets age eligibility requirements if the student:

- and either parent reside in your school district;
- does not reside in your school district but has a parent who does and that parent is a joint or the sole managing conservator or possessory conservator of the student;
- and the student's guardian or other person having lawful control of the person under a court order reside within your school district;
- has established a separate residence under the TEC, [§25.001\(d\)](#);
- is homeless, regardless of the residence of the student, of either parent, or of the person's guardian or other person having lawful control of the person;

⁴³ TEC, [§25.002\(b\)](#) and (c)

- is a foreign exchange student placed with a family that resides in your district by a nationally recognized foreign exchange program⁴⁴;
- resides at a residential facility that is in your district;
- resides in your district and either is 18 years old or older or has had the disabilities of minority removed; or
- does not reside in your school district but has a grandparent who does and who provides a substantial amount of after-school care for the student⁴⁵.

Also, your school district must admit, tuition-free, a student who meets age eligibility requirements if the student has been placed in foster care and the foster parents reside in your district.⁴⁶ A student in the conservatorship of the Department of Family and Protective Services (DFPS) who has been placed by the department at a residence outside your district but who was enrolled at a school in your district at the time of placement is entitled to continue to attend that school until he or she successfully completes the highest grade offered by the school without payment of tuition regardless of whether the student remains in DFPS conservatorship.⁴⁷ Also, 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 enrollment⁴⁸.

A student who meets any of the previous criteria is eligible for attendance in your district as a regular student and should not be coded as a transfer student.

3.3.6.1 Entitlement of Certain Students to Transfer to a District of a Bordering State

A student who is entitled to attend a public school of a school district that is on the border of Louisiana, Arkansas, Oklahoma, or New Mexico who finds it more convenient to attend public school in a district in the contiguous state may do so. In that case, the state and county available school funds for the student would be paid to the school district of the contiguous state, and any additional tuition, if necessary, would be paid by the district of the student's residence on terms agreed on by the trustees of the receiving district and of the residence district.⁴⁹

3.3.6.2 Students from Outside Your District Who Will Be in Your District for 10 Days or Fewer

If a student from outside your district will be in your district temporarily for 10 days or fewer (for example, because of a brief hospital stay), your district is not required to serve the student if all the following requirements are met:

- it is known at the time the student arrives that the student will be staying for 10 days or fewer,
- your district and the district in which the student is enrolled both agree that the student will continue enrollment in that district for the duration of the student's stay in your district, and

⁴⁴ unless the school district has applied for and been granted a waiver by the commissioner under the TEC, [§25.001\(e\)](#)

⁴⁵ as determined by the school board

⁴⁶ TEC, [§25.001\(f\)](#)

⁴⁷ TEC, [§25.001\(g\)](#)

⁴⁸ TEC, [§25.001\(g-1\)](#)

⁴⁹ See the TEC, [§25.040](#).

- enrollment will not be shown at your district.

However, if your district does serve the student, regardless of the number of days of service, your district **must enroll the student** and report the student as enrolled through the TSDS PEIMS.

Also, this policy is not a basis for denying educational services if a parent, guardian, or student requests services, regardless of the number of days that the student will be in your district.

3.3.7 Homeless Students

A student who is homeless, as defined by the McKinney-Vento Homeless Assistance Act⁵⁰, is entitled to enroll in any school district or open enrollment charter school in the state without regard to the student’s residence.⁵¹ The student must be allowed to attend either the student’s “school of origin”⁵² (“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.⁵³ Eligibility to enroll in any other school in any school district or open enrollment charter school is determined by local policy.⁵⁴ 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.

You can find more information on school district responsibilities associated with homeless students on the TEA [Homeless Issues FAQ](#) page and on the Texas Homeless Education Office website at <http://www.utdanacenter.org/theo/>.

3.3.8 Immunization

Except as provided by the TEC, [§38.001\(c\)](#), a student is required to be fully immunized against certain diseases.⁵⁵ However, your 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.⁵⁶ Except as provided by the TEC, [§38.001\(c\)](#), a student who is not fully immunized and has not begun the required immunization must not attend school. A homeless student may be admitted for 30 days pending initiation of vaccinations or receipt of vaccination documentation.⁵⁷ 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.⁵⁸

⁵⁰ (42 United States Code [USC], §11302 and § 11434a)

⁵¹ TEC, [§25.001\(b\)\(5\)](#)

⁵² as defined in 42 USC, §11432(g)(3)(G)

⁵³ 42 USC, §1143(2)(g)(3)(A)

⁵⁴ State law determines eligibility to enroll in a Texas Virtual School Network course or Online School. See [12.2 Texas Virtual School Network \(TxVSN\)](#).

⁵⁵ TEC, [§38.001\(a\)](#)

⁵⁶ TEC, [§38.001\(e\)](#)

⁵⁷ 25 TAC [§97.66\(b\)](#)

⁵⁸ 25 TAC [§97.69](#)

For further information regarding immunization requirements, immunization exemptions, and immunization documentation, please contact the Department of State Health Services (DSHS) or see the following DSHS web page: <http://www.dshs.state.tx.us/immunize/school/default.shtm>.

3.3.9 Infants and Toddlers with Auditory or Visual Impairments or Both

Infants and toddlers birth through 2 years of age who have auditory or visual impairments or both and an individualized family services plan indicating a need for services by the district must be enrolled in the local district or regional day school program for the deaf (RDSPD). If district services are to be provided through the RDSPD, the RDSPD must involve the home district. Local education agencies should collaborate with the RDSPD to ensure that appropriate services are provided. (See [4.10 Special Education Services for Infants and Toddlers](#).)

3.3.10 Students Who Have Received a GED Certificate or Have Been Court-Ordered to Obtain a GED Certificate

A student who has received a GED certificate or who has been court ordered to obtain a GED certificate is still eligible to enroll in your district to complete the requirements for a high school diploma if the student chooses, provided all eligibility requirements are met. If the student meets all eligibility requirements, your district must not deny enrollment to the student. As with any other student, the ADA eligibility code assigned to the student depends on the number of hours the student is scheduled for and provided instruction, or on whether the student is eligible for and taking part in an alternative attendance program.

3.4 Withdrawal Procedures

Your district should withdraw a student from the attendance accounting system on the date your district becomes aware the student is no longer a member of the district. With proof of enrollment in a different district or campus, retroactive withdrawals are permitted to the day a student enrolled in another school. Your district must update all attendance accounting records affected by such a change. (See also [3.3.5 Entry and Reentry Dates](#).)

If a student withdraws before attendance is taken, the withdrawal date is that day. If a student withdraws after attendance is taken, the withdrawal date is the next school day. A student is not in membership on the withdrawal date.

3.4.1 Students 19 Years of Age or Older

Your district **may** withdraw a student who is at least 19 years old and is voluntarily enrolled in school when he or she accumulates more than five unexcused absences in a semester. 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.⁵⁹ **A student who is removed from school under this provision will be considered a dropout for accountability purposes unless the student returns to school during the school-start window the following fall. See the *Secondary School Completion and Dropouts in Texas Public Schools* annual publication for the current definition of “dropout.”** (See also [3.5 Compulsory Attendance](#).)

⁵⁹ TEC, [§25.085\(e\)](#)

This authority to revoke enrollment does not override your district's responsibility to provide a free appropriate public education to a student who is eligible for special education services.

3.4.2 Temporary Absences and Withdrawal

Your district must **not** withdraw a student who is temporarily absent (for example, as a result of illness or suspension) but still a member of your district.

3.4.3 Students Whose Whereabouts Are Unknown

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. Once withdrawn, a student in grades 7 through 12 must be reported as a school leaver on a 40203 Record and will possibly be considered a dropout according to Section 2 of the TSDS PEIMS *Data Standards*.

3.4.4 Information and Record Transfer

When a student moves from one Texas public school district or charter school to another, the student record must be transferred via the TReX within 10 working days of receiving a request. The student record must include the following information at a minimum⁶⁰:

- Texas Unique Student ID
- Social Security number or state-approved alternative ID last reported through TSDS PEIMS
- first, middle, and last name and generation code, if applicable
- date of birth
- gender
- ethnicity and race
- current grade level
- immunization information⁶¹
- receipt of special education services and individual education plan, if applicable
- academic year
- course completion
- final grade average
- teachers of record
- assessment instrument results
- district ID
- campus ID
- campus name
- campus phone number

⁶⁰ For a complete list of data elements that are able to be sent through the TReX, see Appendix A of the current-year *TReX Data Standards*, available at <http://tea.texas.gov/index4.aspx?id=3412>.

⁶¹ TEC, [§25.002](#)(a)(3)

For a high school student transferring from one Texas public school district or charter school to another, the following additional information is required to be sent via the TREx for the student's high school transcript:

- student's address, including city, state, and zip code
- district name
- either the date the exit level requirement for Texas Assessment of Knowledge and Skills (TAKS) was met or for State of Texas Assessments of Academic Readiness (STAAR) the performance level on each end-of-course assessment and the date the performance was met
- advanced measures completed for the distinguished graduation program, if applicable
- graduation program type required by the end of the student's junior year
- College Board College Entrance Examination Board (CEEB) campus code and ACT High School code (optional)
- certification of coursework completion date, if applicable
- current and previous coursework, including the following:
 - academic year
 - session type
 - campus awarding credit
 - course category, name, number, abbreviation, semester, grades and credit
 - course grade average, final grade average, or both
 - special explanation codes, if applicable
 - pass/fail credit indicator codes, if applicable

By law, each district is required to transfer student records within 10 working days of receipt of a request by the receiving district.⁶² Enrollment by a student in another school district constitutes authority for your district to release the education records of that student, regardless of whether parental authority has been received.⁶³ Also, the requirement to transfer records within 10 working days of a request applies regardless of whether a student or student's parent has failed to pay for a lost textbook, including an electronic textbook.

For purposes of transferring records through the TREx, a working day does not include a day that the campus receiving the records request is closed or a day that the district's administrative office is closed.

3.4.5 Students 21 Years of Age or Older and Placement in a Disciplinary Alternative Education Program (DAEP) or JJAEP

A student who is 21 years of age or older who is admitted for the purpose of completing the requirements of a high school diploma is not eligible for placement in a DAEP or JJAEP if he or she engages in conduct that would require or authorize such placement for a student under the age of 21. If a student engages in conduct that would otherwise require such placement, your district must revoke admission of the student into the public schools of the district.⁶⁴

⁶² TEC, [§25.002\(a-1\)](#)

⁶³ Family Education Rights and Privacy Act (FERPA) 34 CFR, §99.31(a)(2) and §99.34

⁶⁴ TEC, [§25.001\(b-1\)](#)

3.5 Compulsory Attendance

PK and kindergarten students are subject to compulsory school attendance while they are enrolled in school. On enrollment in PK or kindergarten, a child must attend school.⁶⁵ However, if a child has not reached mandatory compulsory attendance age (6 years old as of September 1 of the current school year) the child's parent or guardian may withdraw the student from school, and the child will not be in violation of compulsory attendance.

Unless specifically exempted by the TEC, [§25.086](#), a child who is at least 6 years of age, or who is younger than 6 years of age and has previously been enrolled in first grade, and who has not yet reached his or her 19th birthday must attend school.⁶⁶

A person who voluntarily enrolls in or attends school after turning 19 years of age is also required to attend school each day⁶⁷.

Note that an allegation of truant conduct applies only to an individual who is 12 years of age or older and younger than 19 years of age.⁶⁸ The offense of parent contributing to nonattendance, however, applies to parents of students who are subject to compulsory attendance, regardless of the student's age.⁶⁹

Note: A child engages in truant conduct if the child is required to attend school under the TEC, §25.085, and fails to attend school on 10 or more days or parts of days within a six-month period in the same school year.⁷⁰ School districts must adopt truancy prevention measures designed to address student conduct related to truancy before the student engages in truant conduct, and the district must minimize the need for referrals to truancy court for absences in accordance with the TEC, §25.0915.^{71 72} In addition, "tardies" generally are not considered absences for purposes of compulsory attendance enforcement.⁷³

3.6 General Attendance-Taking Rules

Each teacher or other school employee who records student attendance must certify, in writing, that all such records are true and correct to the best of his or her knowledge and that the records have been prepared in accordance with laws and regulations pertaining to student attendance accounting by signing and dating the record of attendance within one calendar week of the attendance recorded. Electronic signatures are acceptable. Signature stamps and pencil are not acceptable.

Note: If your district uses an automated system that meets the requirements for a secure paperless system specified in [2.2.3 "Paperless" Attendance Accounting Systems](#) (that is, if the system can report the date and time of any attendance record alterations and the identity of the individual altering the

⁶⁵ TEC, [§25.085\(c\)](#)

⁶⁶ TEC, [§25.085\(b\)](#)

⁶⁷ TEC, [§25.001\(e\)](#)

⁶⁸ Family Code, Section 65.002

⁶⁹ TEC, [§25.093](#)

⁷⁰ Family Code, Section 65.003 (a)

⁷¹ [TEC, §25.0915](#)

⁷² [19 TAC 129.1041-129.1047](#)

⁷³ Tardiness as it relates to compulsory attendance is addressed in [this November 13, 2001, "To the Administrator Addressed" letter](#) and in Opinion of the Texas Attorney General [No. DM-0200](#) (1993) (page 6)

record and meets all other requirements), then attendance records do not need to be generated and signed weekly. If your district uses an automated attendance accounting system but the system does **not** meet the requirements for a secure paperless system specified in [2.2.3 “Paperless” Attendance Accounting Systems](#) (that is, if the system cannot report the date and time of any attendance record alterations and the identity of the individual altering the record), then the attendance records must be generated on a weekly (one calendar week) basis and be signed and dated by the teacher taking the roll.

Students who are on campus and in their classrooms at the time attendance is taken must have their official attendance taken and completed by the classroom teacher. Attendance must not be taken by students or classroom aides and clerks that do not meet the requirements of a highly qualified paraprofessional. Using a student “sign-in” sheet to record attendance is not an acceptable method of taking roll and will result in the attendance being disallowed.

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.

Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for FSP purposes provided they were with a campus official (nurse, counselor, principal, etc.). Class admit slips or other documentation supporting that a student was with a campus official must be retained for audit purposes.

3.6.1 Manual Entries for or Corrections to Student Attendance Data

District staff members must always use ink to make manual entries or corrections in the attendance records, on daily absence slips, on 6-week absence reports, and on daily summary sheets. Staff members must never record manual entries in pencil, use liquid correction fluid, or use a signature stamp. If errors are made on any official attendance document, the staff member making the correction must strike through the error, enter corrections nearby, and initial.

3.6.2 Time of Day for Attendance Taking

Each campus must determine attendance for all grades by the absences recorded at the one particular point in time the campus has chosen for roll to be taken (a snapshot, for example, 9:45 a.m.) during the **second** or **fifth** instructional hour of the day or its equivalent. The selected time may vary from campus to campus within your district. However, once a time has been selected, a campus must not change it during the school year.⁷⁴

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 alternative hour, or if the superintendent has established documented

⁷⁴ 19 TAC [§129.21\(h\)\(3\)](#)

procedures allowing for recording absences in an alternative hour after having been delegated authority to do so by the board.⁷⁵ The policy or procedures may:

- allow for each campus to choose an alternative attendance-taking time for the campus as a whole,
- allow for each campus to choose an alternative attendance-taking time for certain groups of students as described in [Subsection 3.6.2.2](#), or
- allow for both of these circumstances.

The policy may be adopted or the procedures established at any time during a school year. If the policy or documented procedures allow for a campus to choose an alternative attendance-taking time for certain groups of students as described in 3.6.2.2, a campus is free to choose an alternative attendance-taking time for a group of students as soon as the policy is adopted or the procedures are established. If the policy or documented procedures allow for a campus to choose an alternative attendance-taking time for the campus as a whole and the policy is adopted or procedures established after the start of the school year, a campus that wishes to change the attendance-taking time for the campus as a whole must wait until the next school year to do so.

These attendance provisions do not apply to alternative attendance programs such as the HSEP or the OFSDP. For special attendance provisions that apply to these programs, please refer to Section 11, on nontraditional programs.

3.6.2.1 Attendance Taking and Delayed Start of School Day

If your district's superintendent delays the start of the school day for your campus for a reason related to health or safety (for example, because of flooding or bad weather), your campus may choose an alternative attendance-taking time for that day. This provision does not apply to a delayed start of the school day for a reason unrelated to health or safety (for example, the funeral of a student or teacher). If your district delays the start of the school day and your campus uses an alternative attendance-taking time, your campus must maintain documentation of the alternative time, the attendance recorded at that time, and the official reason for the delayed attendance taking.

3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations

Your campus may choose an alternative attendance-taking time for a group of students that is scheduled to be off campus during the regular attendance-taking time, such as the following (Note that this is not an exhaustive list.):

- dual-credit students who are attending classes at an institution of higher education,
- career and technical education students who are scheduled to be at a worksite, or
- PK or PPCD students who are reported by a particular campus but served at an off-campus location.

To implement the alternative attendance-taking time, your local school board must have first adopted a district policy allowing for an alternative attendance-taking time, or the superintendent must have established documented procedures allowing for an alternative attendance-taking time after having been delegated authority to do so by the board, as described in 3.6.2. (The policy may be adopted or procedures established at any time during the school year.) The alternative attendance-taking time will be in effect for the period of days or weeks for which the group is scheduled to be off campus during the

⁷⁵ 19 TAC [§129.21](#)(h)

regular attendance-taking time (for example, for the semester or for the duration of employment). Once selected, the alternative attendance-taking time for a particular group for a particular period (for example, for the semester or for the duration of employment) must not be changed.

The alternative attendance-taking time for each applicable group, the students making up that group, and the attendance taken for the group each day must be documented for audit purposes.

An alternative attendance-taking time must not be used for any student who is scheduled to be on campus during the regular attendance-taking time.

3.6.3 Requirements for a Student to Be Considered Present for FSP (Funding) Purposes

For official attendance accounting purposes, “excused” and “unexcused” absences do not exist.⁷⁶ Students present at the official attendance-taking time are counted present for funding purposes. Note that having students sign in is not an acceptable method of taking attendance. With the exception of any reason listed in the following bulleted paragraphs, students who are absent at the official attendance-taking time are counted absent for funding purposes.

Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for FSP purposes provided they were with a campus official (nurse, counselor, principal, etc.). Class admit slips or other documentation supporting that a student was with a campus official must be retained for audit purposes. Documentation from an electronic, radio-frequency, “smart card,” or similar tracking system that indicates only whether a student monitoring device was on campus at a particular time is not acceptable documentation unless supported with documentation that the student was with a campus official.

Note: These attendance provisions do not apply to the OFSDP, the HSEP, or homebound programs (general education homebound, special education homebound, or compensatory education home instruction). For special attendance provisions that apply to these programs, please refer to the applicable sections of the handbook.

A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes if the student:

- is enrolled in and attending off-campus dual credit program courses and is not scheduled to be on campus during any part of the school day.

Students who are enrolled in and attending an off-campus dual credit program course and **are** scheduled to be on campus during any part of the school day should have their attendance recorded while they are on campus. See [3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations](#) for instructions on how to record attendance for these students if they are not scheduled to be on campus during the official attendance-taking time.

⁷⁶ 19 TAC [§129.21\(h\)\(4\)](#)

- is participating in an off-campus work-based learning opportunity and is not scheduled to be on campus during any part of the school day. Students who are participating in an off-campus work-based learning opportunity and are scheduled to be on campus during any part of the school day should have their attendance recorded while they are on campus. See [3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations](#) for instructions on how to record attendance for students not scheduled to be on campus during the official attendance-taking time.
- is enrolled **full-time** in TxVSN courses. See [12.2 Texas Virtual School Network \(TxVSN\)](#) for information on recording daily attendance.

Students who are enrolled in one or more TxVSN courses but attend part of the day at a regular campus and who are not scheduled to be on campus during the official attendance-taking time should have their attendance recorded during the part of the day they are on campus. See [3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations](#) for instructions on how to record attendance for these students.

- 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 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.^{77, 78}

Paraprofessionals must meet the requirements of a highly qualified paraprofessional.⁷⁹

- is participating, with local school board approval, in a short-term (for example, 5-day) class that is provided by the Texas School for the Blind and Visually Impaired (TSBVI) or the Texas School for the Deaf (TSD) at a location other than the student's campus.⁸⁰ The student must not be considered in attendance for FSP purposes on any day the student is traveling between the student's district and the location of the class but is not attending class. (However, travel days may be excused for compulsory attendance purposes. See [3.6.4 Excused Absences for](#)

⁷⁷ 19 TAC [§129.21\(j\)\(1\)](#)

⁷⁸ County extension service agents are eligible to be considered adjunct staff members because they are required to have at least a bachelor's degree and are eligible for participation in the Teacher Retirement System of Texas. They are eligible for participation in the Teacher Retirement System because they are employed by the Texas AgriLife Extension Service, which is a member of the Texas A&M University System.

⁷⁹ [Requirements for Highly Qualified Paraprofessional](#)

⁸⁰ 19 TAC [§129.21\(k\)](#)

[Compulsory Attendance Purposes.](#)) Your school district is responsible for obtaining documentation of the student’s class attendance from the TSBVI or TSD.

- is participating in a mentorship approved by district personnel to serve as one or more of the advanced measures needed to complete the Distinguished Achievement Program outlined in 19 TAC Chapter 74.
- misses school for the purpose of observing religious holy days, including traveling for that purpose.⁸¹ Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student will observe the holy days. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

Your school district is responsible for determining what constitutes a religious holy day for purposes of excusing absences. The agency does not maintain a list of days that qualify as religious holy days for purposes of being considered in attendance for FSP purposes. However, we do provide the following guidance: To be considered a religious holy day, the day should be one generally recognized by the student’s religious denomination as a holy day that is required to be observed by all members of that denomination. Church retreats, camps, and mission trips and individual religious rites (baptisms, christenings, bar mitzvahs, etc.) are not considered holy days.

- is in grades 6 through 12 and misses school for the purpose of sounding “Taps” at a military honors funeral held in Texas for a deceased veteran.⁸²
- misses school for the purpose of attending a required court appearance, including traveling for that purpose.⁸³ Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student is required to appear in court. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

A court appearance is considered to be required if the law (federal or state) or the court mandates an appearance by the student in a criminal, civil, or traffic matter. Examples of required court appearances would be appearances in response to a jury summons in the name of the student, a subpoena in the name of the student, or a traffic ticket marked “You Must Appear” or “Court Appearance Required.” Additional examples would be a student’s appearance in court as a plaintiff or defendant or as the subject of a court proceeding, such as an adoption or custody proceeding. Acceptable forms of documentation include a copy of a pleading or other document filed with the court, a notice from the court clerk regarding a hearing or trial date, a jury summons, a subpoena, etc.

Important: Absences to meet with probation officers and other absences related to court-ordered activities *outside* the courtroom do not qualify as required court appearances.

⁸¹ TEC, [§25.087\(b\)\(1\)\(A\)](#)

⁸² TEC, [§25.087\(c\)](#)

⁸³ TEC, [§25.087\(b\)\(1\)\(B\)](#)

However, see the next bullet, related to court-ordered activities for students in the conservatorship of the DFPS.

- is in the conservatorship of the DFPS and misses school:
 - to participate in an activity ordered by a court under the Texas Family Code, Chapter 262 or 263, provided that scheduling the participation outside of school hours is not practicable⁸⁴ or
 - to attend an activity under a service plan under the Texas Family Code, Chapter 263, Subchapter B⁸⁵.

The student may be considered in attendance for travel days for this purpose. Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student is participating in the activity, appointment, or visitation.

- misses school for the purpose of serving as a student early voting clerk, if your school district has a policy allowing for this type of excused absence,⁸⁶ or misses school for the purpose of serving as an election clerk or student election clerk⁸⁷. Your school district may excuse a student's absence for this purpose for a maximum of 2 days in a school year.⁸⁸

A student may be considered in attendance for travel days related to an absence to serve as an election clerk or student election clerk but not for travel days to serve as a student early voting clerk. Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student is serving as an election clerk. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes. Travel days do not count toward the 2-days-per-school-year maximum.

To serve as a student election clerk or student early voting clerk, a student must:

- be ineligible to serve as an election clerk under the Texas Election Code, [§32.051\(c\)](#);
- be at least 16 years of age;
- have the consent of the principal of the school the student attends;
- be a US citizen; **and**
- have completed any training course required by the entity holding the election.⁸⁹

To serve as an election clerk (as opposed to a **student** election clerk), a student must meet the requirements specified in the Texas Election Code, [§32.051](#).

- misses school for the purpose of appearing at a governmental office to complete paperwork required in connection with the student's application for US citizenship, including traveling for

⁸⁴ TEC, [§25.087\(b\)\(1\)\(F\)](#)

⁸⁵ TEC, [§25.087\(b\)\(1\)\(F\)](#)

⁸⁶ TEC, [§25.087\(b-1\)](#)

⁸⁷ TEC, [§25.087\(b\)\(1\)\(E\)](#)

⁸⁸ TEC, [§25.087\(e\)](#)

⁸⁹ Texas Election Code, [§32.0511](#), and [§83.012](#)

that purpose.⁹⁰ Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site of the governmental office. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

- misses school for the purpose of taking part in the student's own US naturalization oath ceremony, including traveling for that purpose.⁹¹ Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site of the ceremony. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- is temporarily absent because of a documented appointment for the student or the student's child that is with a health care professional licensed, certified, or registered by an appropriate agency of the State of Texas⁹² to practice in the United States.⁹³ A documented appointment with a health care professional includes an appointment of a student diagnosed with autism spectrum disorder with a health care practitioner⁹⁴ to receive a generally recognized service⁹⁵ for persons with that disorder.⁹⁶ To be considered temporarily absent, the student must begin classes or return to class on the same day of the appointment. The appointment must be supported by a document, such as a note from the health care professional.⁹⁷

The appointment must be a face-to-face consultation with a health care professional. A consultation over the phone or via video (telemedicine) is not considered an appointment with a health care professional. A school nurse will not count for FSP funding as a health care professional appointment.

- is in his or her junior or senior year of high school and misses school for the purpose of visiting an institution of higher education accredited by a generally recognized accrediting organization to determine the student's interest in attending the institution.⁹⁸ Your district 1) must not excuse for this purpose more than 2 days during a student's junior year and 2 days during a student's senior year and 2) must adopt a) a policy stating when an absence will be excused for this purpose and b) a procedure for verifying students' visits to institutions of higher education.
- is 17 years of age or older and pursuing enlistment in a branch of the United States Armed Services or the National Guard. Your district 1) must not excuse the student for this purpose for more than four days of school during the period the student is enrolled in high school and 2) must adopt a) a policy stating when an absence will be excused for this purpose and b) a policy

⁹⁰ TEC, [§25.087\(b\)\(1\)\(C\)](#)

⁹¹ TEC, [§25.087\(b\)\(1\)\(D\)](#)

⁹² You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_NoticeVerif.asp.

⁹³ TEC, [§25.087\(b\)\(2\)](#)

⁹⁴ See the Texas Insurance Code, [§1355.015\(b\)](#), for a description of the term *health care practitioner*.

⁹⁵ Generally recognized services include, but are not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

⁹⁶ TEC, [§25.087\(b-3\)](#)

⁹⁷ 19 TAC [§129.21\(j\)\(3\)](#)

⁹⁸ TEC, [§25.087\(b-2\)](#)

that verifies the student’s activities related to pursuing enlistment in a branch of the Armed Services or the Texas National Guard.

- is absent to visit with a parent, stepparent, or legal guardian who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or is immediately returned from continuous deployment of at least four months outside the locality where the parent, stepparent, or guardian regularly resides. Your district is required to excuse up to 5 days for this purpose in a school year. An excused absence for this purpose must be taken no earlier than 60 days before the date of deployment or no later than 30 days after the date of return from deployment.⁹⁹

Your school district must allow a student whose absence is excused for any of the previously listed reasons (with the exception of the first five reasons, for which this paragraph does not apply) a reasonable amount of time to make up school work missed on these days. If the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance.¹⁰⁰

If your school district excuses a student’s absence for any of the previously listed purposes (counts the student as present for FSP purposes), the district must keep documentation related to the absence on file for audit purposes. Your school district should establish a local policy describing what constitutes acceptable documentation for each of the listed absences.

Numerous absences, whether excused or unexcused, may jeopardize a student’s ability to receive credit or final grades for classes (see the TEC, [§25.092](#), for requirements related to minimum attendance for class credit or a final grade).

3.6.3.1 Attendance Taken Before the End of the Academic Year

Students Who Graduate Early: If a student graduates from high school before the last school day of the school year, the student is not eligible to continue to generate ADA for funding purposes for the remaining days of the school year. For example, if a high school’s seniors graduate and receive their diplomas two days before the official end of the school year but return to school to “sign in” for those last two days, the students would not generate ADA for funding purposes for those days.

Students Who Have Not Yet Graduated but Who Have Attended Graduation Ceremonies: A student who attends a graduation ceremony before completing requirements for a high school diploma is eligible to continue to generate ADA funding as long as the student meets the minimum 2-through-4-hour requirement or is continuing to participate in an alternative attendance accounting program, such as the OFSDP. A senior who has attended graduation ceremonies before the end of the school year and who attends for the last days of the school year only to “sign in” has not met the minimum 2-through-4-hour requirement¹⁰¹ for those days. A student must be provided the appropriate number of hours of instruction, be counted absent, or be withdrawn.

⁹⁹ TEC, [§25.087](#)(b-4)

¹⁰⁰ TEC, [§25.087](#)(d)

¹⁰¹ 19 TAC [§129.21](#)(g)

3.6.4 Excused Absences for Compulsory Attendance Purposes

A teacher, principal, or superintendent of the school in which a student is enrolled may excuse the temporary absence of the student for any reason acceptable to the teacher, principal, or superintendent. However, the student will not be counted as present for FSP (funding) purposes for the day(s) of the absence unless the absence is for one of the reasons specified in [3.6.3 Requirements for a Student to Be Considered Present for FSP \(Funding\) Purposes](#) and meets applicable requirements.¹⁰²

Numerous absences, whether excused or unexcused, may jeopardize a student's ability to receive credit or final grades for classes (see the TEC, [§25.092](#), for requirements related to minimum attendance for class credit or a final grade).

3.6.5 Instruction Provided outside of the Regular School Day

If selected students are required to attend school on Saturday to make up for absences, their attendance must **not** be counted for funding purposes (see [3.8.1 Makeup Days and Waivers](#) for information on makeup days when all students are required to attend) (see also [3.6.4 Excused Absences for Compulsory Attendance Purposes](#)). Also, for funding purposes, a student's attending school on a Saturday does not nullify any previously recorded absence.

If your school district provides instructional services for special education after school or on Saturday, the contact hours may be counted only if the services cannot be provided or are unavailable at any other time (for example, speech therapy provided on Saturday as a result of the unavailability of speech therapists during the regular school week, orientation and mobility services or vision instruction provided outside the regular school day because they must be provided at night or in periods of darkness).

3.6.6 Attendance Accounting during Testing Days

If standardized achievement tests or final exams are administered during the period designated for attendance taking, staff members should record absences just before, during, or immediately after the exam.

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 be counted absent. See [3.2.2 Funding Eligibility](#).¹⁰³

3.6.7 Attendance and Students Who Are Not in Membership or Are Served outside the Home District

Your district is not required to take attendance for students who are not in membership (are not receiving the minimum 2 hours of instruction per day). Also, for students who are participating in an approved program with alternative attendance accounting (see [Section 11 Nontraditional Programs](#)), your district is not required to take attendance during the standard specified periods. However, your district **must** maintain the demographic and special program information for these students in the

¹⁰² TEC, [§25.087](#)

¹⁰³ 19 TAC [§129.21\(g\)](#)

attendance accounting system in accordance with the applicable coding instructions in Sections 3 through 11 of this handbook.

For example, a 3-year-old special education student's only service is speech therapy for 30 minutes each week. Your district is not required to record attendance for this speech therapy student since he does not receive at least 2 hours of instruction per day, but your district must report demographic and special program information for the student. Your district should report demographic and special program information for all students served in the district through TSDS PEIMS, Submission 1.

Students who are served outside the home (sending) district, but who are reported for all TSDS PEIMS submissions by the home (sending) district, should **not** be included in the official attendance reports of the district where the student is served (see [3.9 Data Submission](#)).

3.6.8 “Tardies”

For official attendance accounting and FSP purposes, “tardies” do not exist. However, locally designed codes may be implemented to indicate that the following occurred:

- a student arrived late to class **before** official roll call and was counted **present** for ADA and FSP purposes, or
- a student arrived late to class **after** official roll call and was counted **absent** for ADA and FSP purposes.

Adequate documentation that defines all locally designed codes must be retained with all other auditable records. Proof must be evident that absences for students assigned this code are included in total absences in all attendance reports.

3.6.9 Effective Dates for Program Changes

Effective dates for program changes may be recorded on a day when a student is absent. However, controls must be in place to ensure that a student does not generate ADA or special program contact hours on any day that he or she is absent.

In addition, for TSDS PEIMS reporting purposes, individual student records are not allowed for a student who was not in attendance during a reporting period. Procedures must be in place to ensure that “0-filled” TSDS PEIMS records are **not** created when effective dates for program changes are preposted.

3.6.10 Students Attending Nonresidential Treatment Facilities

If a student who is enrolled in your school district is absent from school because the student is attending a nonresidential treatment facility within your district or another district during the day, your district may choose to excuse the student's absences for compulsory attendance purposes. However, the student must not be counted present for FSP (funding) purposes unless your district chooses to follow the procedures described in the following two paragraphs.

If the facility is located in your district, your district may enter into a written agreement with the facility that provides for your district to send a certified teacher to the facility to instruct the student. The student may be considered present for FSP purposes if the student is scheduled for and provided at least 2 hours of instruction (half-day eligibility) or at least 4 hours of instruction (full-day eligibility) each

school day. Note that the student is **not** eligible for the general education homebound program as the student is not confined to home or hospital bedside.

If the facility is located outside your district, your district may follow the procedure described in the preceding paragraph. Or, your district may enter into a written agreement with the district in which the facility is located for that district¹⁰⁴ to provide instruction to any student who is enrolled in your district and attending the facility. (It would be the responsibility of the district providing instruction to enter into a written agreement with the facility.)

¹⁰⁴ If the district that plans to provide instruction to students at the facility is an open-enrollment charter school, the school's charter must explicitly allow for the school to provide this type of instruction at the facility.

3.7 General Education Homebound (GEH) Program

Any student who is served through the GEH program must meet the following three criteria:

- The student is expected to be confined at home or hospital bedside for a minimum of 4 weeks. The weeks **need not** be consecutive.
- The student is confined at home or hospital bedside for medical reasons only.
- The student’s medical condition is documented by a physician licensed¹⁰⁵ to practice in the United States.

A student served through the GEH program at home or hospital bedside must be served by a certified general education teacher. Over the period of his or her confinement, the student must be provided instruction in all core academic subject area courses in which the student is enrolled. In addition, over the period of confinement, the student should be provided instruction in all other courses the student is enrolled in, if possible.

Note: For guidance in determining GEH instruction for pregnant students who are receiving pregnancy-related services, see [Section 9 Pregnancy-Related Services \(PRS\)](#).

A student who is served through the GEH program retains the same ADA eligibility code he or she had before receiving GEH services, regardless of how many hours the student will be served through the GEH program.

For information on remote homebound instruction, see [12.3.3 Remote Homebound Instruction—Regular Education Students](#).

3.7.1 GEH Policy Requirements

To qualify for GEH funding, your school district must have policy and procedures for implementation of GEH instruction that have been approved by the local school board.

3.7.2 GEH Committee

A designated campus committee must make decisions regarding GEH placement. Members of the committee should include but are not limited to the following:

- a campus administrator,
- a teacher of the student, and
- a parent or guardian of the student.

The role of the GEH committee is to review and consider the necessity of providing instruction to a general education student at home or hospital bedside. If instruction is to be provided at home or hospital bedside, the GEH committee determines the type(s) and amount of instruction to be provided. Over the period of his or her confinement, however, the student must be provided instruction in all core academic subject area courses in which the student is enrolled and should, if possible, be provided instruction in all other courses in which the student is enrolled.

¹⁰⁵ You can access the Texas Medical Board’s searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_NoticeVerif.asp. Throughout Section 3.7, “licensed” means licensed to practice in the United States.

In making these decisions, the GEH committee must consider information from the student’s licensed physician. However, documentation from the licensed physician **is not** the sole determining factor in the committee’s decision-making process.

3.7.2.1 GEH Committee Documentation Responsibilities

In qualifying a student for and providing the student GEH services, the following documentation is required:

- a district-developed form that documents GEH committee decisions regarding whether a student is to be served through GEH;
- documentation on the form of the GEH committee’s decision regarding the type(s) and amount of instruction to be provided to the student, including the designated amount of time per week that instruction will be provided;
- a note from a licensed physician stating that the student has a medical condition that requires the student to be confined at home or hospital bedside for a minimum of 4 weeks;
- documentation of the day(s) homebound instruction started and stopped; and
- the teacher’s homebound instruction log.

The minimum documentation required in homebound logs (the attendance record maintained by a homebound teacher) is the following:

- the name of the homebound teacher,
- the student’s name and Texas Unique Student ID,
- the date that the homebound teacher visited the homebound student, and
- the specific time period that the student was served (for example, 10:00 a.m. until 12:00 p.m.).

Additional documentation may be maintained as part of this record at your district’s discretion. This documentation may include, but is not limited to, mileage records for the homebound teacher and information on subjects that were taught as part of the homebound instruction.

3.7.3 GEH Funding Chart

For GEH services to generate ADA, the services must be provided as follows:

A general education student served at home earns eligible days present based on the number of hours the student is served at home by a certified teacher each week. Use the following chart to calculate eligible days present:

GEH Funding Chart	
Amount of Time Served per Week	Eligible Days Present Earned per Week
1 hour	1 day present
2 hours	2 days present
3 hours	3 days present
4 hours	4 days present (if the week is a 4-day week) 5 days present (if the week is a 5-day week)
More than 4 hours	4 days present (if the week is a 4-day week) 5 days present (if the week is a 5-day week)

Eligible days present are determined each week. For GEH purposes, a week starts Sunday and ends Saturday. GEH service hours must not be accumulated and carried forward from one week to the next, and service hours must not be applied to a previous week.

3.7.4 Test Administration and GEH

A student receiving GEH services may earn eligible days present as stated in the GEH funding chart when a homebound instructor administers routine quizzes, daily or weekly classroom exams, etc., that are required as part of the instructional requirements of a class.

A student being administered standardized, 6-weeks, semester, and final exams and required state assessments is limited to earning 1 day present for a minimum of 1 hour or more of testing in 1 calendar day. When it takes the student more than 1 hour to complete the exam, the additional contact hours must not be credited as attendance.

If the routine, standardized, 6-weeks, semester, or final exam administration or required state assessment testing requires less than one hour, then the homebound instructor must complete the hour with homebound instruction for the student to earn the 1 day present. For example, say a student is administered a final exam, and it takes her 30 minutes to complete the exam. The student must receive an additional 30 minutes of homebound instruction to earn 1 day present.

A student receiving GEH services **who returns to his or her campus to take required state assessments must have a medical release** from a licensed¹⁰⁶ physician to do so. The time spent on campus taking required state assessments must not count as any part of the number of hours of GEH service for eligible days present.

3.7.5 Transition from GEH to the Classroom

A student transitioning back to a school-based setting may continue to generate eligible days present based on the GEH funding chart during the transition period. The GEH committee must determine the length of the transition period based on current medical information. Once the student has completed the transition period as determined by the GEH committee, the student no longer generates eligible days present according to the GEH funding chart but instead generates attendance based on whether the student is present at the official attendance-taking time.

3.7.6 Transitioning Students with Chronic Illness between Homebound and the Classroom

A student with a chronic illness or acute health problem that is a long-term condition that requires the student to be in the GEH program for at least 4 weeks will generate contact hours based on the following:

- Students transitioning back to a school-based placement may continue to be coded homebound during the transition period subject to the GEH funding chart.
- The length of the transition period must be determined by the GEH committee based on current medical information.

¹⁰⁶ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_NoticeVerif.asp.

During the transition period, students are to be served through the GEH program for the period of time each week as specified by the GEH committee. Any student attendance in the classroom that is generated during the transition period will not be reported for funding purposes because funding will be based on the GEH funding chart.

Once the student has completed the transition period as determined by the GEH committee, the student no longer generates eligible days present according to the GEH funding chart but instead generates attendance based on whether the student is present at the official attendance-taking time.

3.7.7 Students with a Recurring Chronic or Acute Health Condition

A student with a chronic illness or acute health problem **that is a recurring condition** that requires the student to be in the GEH program for a period of time (which may be in daily or weekly increments) totaling at least 4 weeks throughout the school year will generate contact hours based on the following:

- Students moving back and forth between the GEH program and a school-based placement generate eligible days present for those days they are served through the GEH program subject to the GEH funding chart.
- Students with a recurring condition generally do not require a transition period.
- Use the following chart to determine how to record attendance information for students with a recurring condition.

**Attendance Accounting Information Related to
Students with a Recurring Chronic or Acute Health Condition**

For any week in which the student with the recurring condition:	the student earns contact hours or attendance:
is served solely at home or hospital bedside through the GEH program,	according to the requirements of the GEH funding chart.
is served for at least 240 minutes (4 hours) at home or hospital bedside through the GEH program and attends school at his or her campus,	according to the requirements of the GEH funding chart.
is served from 60 to 180 minutes (1 to 3 hours) at home or hospital bedside through the GEH program and attends school at his or her campus,	<ul style="list-style-type: none"> • according to the requirements of the GEH funding chart for those days the student is provided instruction at home or hospital bedside through the GEH program and • according to whether the student is present at the official attendance-taking time for those days the student attends school at his or her campus.

Regardless of how many minutes of GEH instruction a student is provided or how many days that student is in attendance at his or her campus, the student must not generate more than the equivalent of one ADA.

If the student fully transitions to classroom placement, the student no longer generates eligible days present according to the GEH funding chart but instead generates attendance based on whether the student is present at the official attendance-taking time.

Attendance Accounting and Documentation: To document the changing instructional settings for students with a recurring condition for attendance reporting and auditing purposes, district personnel must keep a log of the student’s attendance information (see [3.7.2.1 GEH Committee Documentation Responsibilities](#)).

The eligible days present should be recorded in your district’s student attendance accounting system. Any time not accounted for should be reported as absences.

3.8 Calendar

The following table provides the required number of operational and/or instructional minutes for districts and charter schools to receive full funding:

Calendar Requirements for Funding

Program Type	Operational Minutes	Instructional Minutes	Days of Instruction	Full Funding
School Districts	75,600			Provide 75,600 minutes of operation along with any applicable waivers
Charter Schools Operating Before January 1, 2015	75,600		180	Provide 180 days of attendance with a minimum of four hours of daily instruction with any applicable waivers and complying with their charter contract terms regarding student instruction time OR provide 75,600 minutes of operation along with any applicable waivers
Charter Schools Operating After January 1, 2015	75,600			Provide 75,600 minutes of operation along with any applicable waivers
Prekindergarten		32,400		Provide 32,400 minutes of instruction along with any applicable waivers
<ul style="list-style-type: none"> • Dropout¹⁰⁷ Recovery Campus(es) or Program(s) • Day Treatment Facility • Residential Treatment Facility • Psychiatric Hospital • Medical Hospital • Correctional Facility • Disciplinary Alternative Education Program (DAEP) • Adult High¹⁰⁸ School and Industry Certification charter school 		43,200		Provide 43,200 minutes of instruction along with any applicable waivers
Juvenile Justice Alternative Education Program (JJAEP)			180	Provide seven hours (420 minutes) of operation per day. Refer to 10.3.1 Requirements for JJAEP

¹⁰⁷ [TEC, §12.1141\(c\) or §39.0548; school program\(s\) and campus\(es\)](#)

¹⁰⁸ [TEC, §29.259](#)

Note: If your district has been approved to provide fewer school minutes to certain students through a program such as the Optional Flexible Year Program,¹⁰⁹ under no circumstances may it offer fewer than 71,400 school minutes.

Note: Since school districts and charter schools – as part of their third TSDS PEIMS data submission – do not report their calendars to TEA until after the school year is complete, districts may not realize they are subject to a funding reduction until time has expired to correct their calendars. Therefore, ensure that you have the required number of minutes/days built into your school board approved calendar.

Charter schools operating before January 1, 2015, are not subject to the 75,600-minute requirement. However, charter schools operating before January 1, 2015 must provide 180 days of attendance with a minimum of four hours of daily instruction with any applicable waivers and complying with their charter contract terms regarding student instruction time or 75,600 operational minutes. Also, districts or charter schools operating under the provisions in TEC §42.005 (i-k)¹¹⁰, are eligible to receive full ADA funding in accordance with the operational and/or instructional minutes listed.

Your district has flexibility in structuring its calendar with respect to the following:

- the starting date,
- the ending date,
- the number of days in each semester and 6-week reporting period, and
- the dates of preparation days.

The first school day, however, must be scheduled no earlier than the fourth Monday in August.¹¹¹ The final school day must not be scheduled earlier than May 15¹¹².

Charter schools are not subject to the fourth-Monday-in-August or May 15 requirement and may schedule an earlier first or final school day.

The number of days taught reported in TSDS PEIMS must be the actual number of days instruction offered (the actual number of school days in the school calendar or track calendar for a specific reporting period). Days the school is closed for holidays or local events and days of teacher in-service or preparation must not be counted. Your district must not report attendance on days when no instruction is offered (for example, senior days **where seniors are not required to attend school**). When a holiday occurs within an attendance accounting period, your district must document the date and name or purpose of the holiday in all reports required for audit purposes (detailed in [Section 2](#)).

Note: A school district may not provide student instruction on Memorial Day.

¹⁰⁹ TEC, [§25.081](#)

¹¹⁰ TEC, [§42.005 \(i-k\)](#)

¹¹¹ TEC, [§25.0811](#). A school district with a student enrollment of more than 190,000 (currently only Houston Independent School District) may schedule school days earlier than the fourth Monday in August for up to 20% of district campuses if those days are financed with local funds and are in addition to the minimum number of days of instruction under the TEC, [§25.081](#). Each district campus at which instruction begins earlier than the fourth Monday in August must be undergoing comprehensive reform, as determined by the board of trustees, and have the majority of its student population be made up of educationally disadvantaged students.

¹¹² TEC, [§25.0812](#).

Note: All the students in a particular school or track will have the same number of school days (NUMBER-DAYS-TAUGHT). Please refer to the TSDS PEIMS Data Standards for more information. Regardless of the structure of the actual instructional calendar, the full school year for each instructional track offered by your district must be reported in **six approximately equal reporting periods**.

3.8.1 Makeup Days and Waivers

This section discusses makeup days and waivers.

3.8.1.2 Makeup Days

Your district must adopt a school calendar that is in accordance with the program type that is listed on the chart in Section 3.8. Your district is encouraged to make sure that the adopted calendar includes additional minutes to account for at least two bad weather or other missed school days related to health and safety concerns.

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.

A school district or charter school may add additional minutes to its school calendar to reach the required number of minutes/days in accordance with the program type that is listed on the chart in Section 3.8. 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.

See [3.8.2 Closures for Bad Weather or Other Issues of Health or Safety](#) for more information.

3.8.1.3 Missed School Day Waivers

Due to weather, safety, or health issues, you fall short of the required number of minutes/days in accordance with the program type that is listed on the chart in [Section 3.8 Calendar](#) (beyond the additional minutes/days already built into the adopted school calendar for makeup minutes/days). A missed school day waiver application must be submitted using the TEA's automated waiver application system, which is available in the online TEA Login (TEAL) secure environment.

Charter schools applying for a missed school day waiver must submit their applications as soon as possible after the missed school day so that FSP System calendars can be updated and FSP System six-week report submissions are accurate.

See [3.8.2 Closures for Bad Weather or Other Issues of Health or Safety](#) for more information.

3.8.1.4 Low-Attendance Day Waivers

For a day when school was held but attendance was at least 10 percentage points below the overall **average** attendance rate for your district (or the applicable campus) for the prior year because of inclement weather-related or health or safety issues, your district may apply for a waiver to have the day excluded from ADA and FSP funding calculations.

An application for a low-attendance day waiver must be submitted using the TEA's automated waiver application system, which is available in the online TEAL secure environment. Your district must include the following items in its application:

- documentation of low attendance for the day, including the reason for the low attendance rate, and
- the prior year's attendance report, showing the overall **average** attendance rate for the year, for the district or applicable campus. For a district or campus with multiple tracks, the overall average attendance rate for all tracks must be used. For a campus that existed as two separate campuses the prior year, the overall average attendance rate for the district as a whole must be used.

These documents can be uploaded as attachments in the automated waiver application system.

3.8.1.5 Staff Development Waivers

Staff development waiver minutes are for staff development in place of student instruction; therefore, the waiver minutes are only applicable to staff development provided instead of student instruction during the school year. The total waiver minutes for staff development may not exceed 2,100 minutes per school year. For charter schools operating before January 1, 2015 staff development waivers may not exceed 5 days per school year.

Staff development waiver minutes (days) may not be used prior to the first day of student instruction or after the last day of student instruction. On staff development days when students are in attendance part of the day, in order to receive full ADA funding, the district or open-enrollment charter school must provide at least 120 minutes of student instruction. In addition to the 120 minutes of student instruction, any staff development waiver minutes reported must reflect actual staff development minutes provided.

Note: Districts or charter schools must demonstrate that they are providing high-quality staff development that will impact student outcomes.

3.8.1.6 Documenting Waiver Approval, Attendance Accounting for Missed School Days or Low-Attendance Days

To find out whether a requested missed school day or, low-attendance day waiver has been granted and to create a record that a request was approved, district staff members must visit the TEA Waivers Online Report page at <http://tea4avholly.tea.state.tx.us/Tea.Waivers.Web/Default.aspx> and generate and print a report of the waiver request's status. (The TEA will not send a letter notifying your district of approval for these waivers.) Your district must retain documentation of waiver approval for 5 years for audit purposes.

If the TEA grants your school district a waiver for a missed school day or a low-attendance day (a waiver approving a shortened calendar), your district should not include the day exempted as a day of membership or instruction. Treat the day as a nonschool day in your district's student attendance accounting system, and do not report the day as a school day in your district's TSDS PEIMS reporting.

3.8.1.7 Waivers Related to Students Taking Dual Credit Courses at Institutions of Higher Education (IHEs) with Calendars of Fewer than 75,600 Minutes

If district students are taking dual credit courses at an IHE with a calendar of fewer than 75,600 (including intermissions and recesses) minutes, your district may apply for a waiver of the 75,600 minute calendar requirement. Submit requests for a waiver using the TEA's automated waiver application system, which is available in the online TEAL secure environment. See [11.3.1.2 Reporting Dual Credit Attendance in the Public Education Information Management System \(TSDS PEIMS\) When the Higher Education Calendar Is Shorter Than the School District Calendar](#) for information on how to report these dual credit students' attendance.

3.8.1.8 Waivers Related to Students Taking Dual Credit Courses at IHEs with Calendars Beginning before the Fourth Monday in August

If early college high school students and students taking dual credit courses at an IHE with a calendar that begins before the fourth Monday in August, your district may apply for a waiver of the start date requirement. Submit requests for a waiver using the TEA's automated waiver application system, which is available in the online TEAL secure environment.

3.8.2 Closures for Bad Weather or Other Issues of Health or Safety

The following table provides information on what actions to take in certain situations related to school closure for bad weather or other issues of student health or safety.

Situation	Agency Policy
<p>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).</p>	<p>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 or add minutes to your instructional days to make up the minutes. Show the day that schools were closed as a holiday or other nonschool day in your district’s or charter school’s student attendance accounting software calendar so that the day is not reported to the TSDS PEIMS.</p> <p>Additionally, for charter schools: In the FSP System calendar, delete 1 makeup day so that it becomes a school day, and add the day that schools were closed as a “missed school day” in the list of nonschool days. Note that your school’s student attendance accounting software calendar should reconcile with your school’s FSP System calendar.</p>
<p>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).</p>	<p>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 or add minutes to your instructional days to make up the minutes. Show the days that schools were closed as holidays or other nonschool days in your district’s or charter school’s student attendance accounting software calendar so that the days are not reported to the TSDS PEIMS.</p> <p>Additionally, for charter schools: In the FSP System calendar, delete the 2 makeup days so that they become school days, and add the days that schools were closed as “missed school days” in the list of nonschool days. Note that your school’s student attendance accounting software calendar should reconcile with your school’s FSP System calendar.</p>

Situation	Agency Policy
<p>Our school district or charter school closed all campuses for 2 days (840 minutes) for a health or safety reason. One of the scheduled makeup day dates has passed.</p>	<p>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 or add additional minutes to the instructional day to make up the minutes. Choose a new second makeup day (420 minutes) to make up the other missed day. Show the days that schools were closed as holidays or other nonschool days in your district's or charter school's student attendance accounting software calendar so that the days are not reported to the TSDS PEIMS.</p> <p>Additionally, for charter schools: In the FSP System calendar, delete the 1 makeup day that has not yet passed so that it becomes a school day, and add the day that schools were closed as a "missed school day" in the list of nonschool days. Rename the makeup day that has passed as an "other" nonschool day. Add a school day by either a) deleting a nonschool day that has not passed so that it becomes a school day or b) adding a day to the end of the last reporting period. Note that your school's student attendance accounting software calendar should reconcile with your school's FSP System calendar.</p>

Situation	Agency Policy
<p>Our school district or charter school closed all campuses for 2 days (840 minutes) for a health or safety reason. Both of the scheduled makeup day dates have passed.</p>	<p>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. Show the days that schools were closed as holidays or other nonschool days in your district's or charter school's student attendance accounting software calendar so that the days are not reported to the TSDS PEIMS.</p> <p>Additionally, for charter schools: In the FSP System calendar, add the days that schools were closed as "missed school days" in the list of nonschool days. Rename the makeup days as "other" nonschool days. Add 2 school days by either a) deleting nonschool days that have not passed so that they become school days or b) adding days to the end of the last reporting period. Note that your school's student attendance accounting software calendar should reconcile with your school's FSP System calendar.</p>
<p>Our school district or charter school closed all campuses for 1 day (420 minutes) for a health or safety reason. We have a scheduled makeup day left in our calendar; however, we would like to use a different day to make up the missed day.</p>	<p>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 TEA advises using the already-scheduled makeup day. However, if your school district or charter school chooses to select a different makeup day, be aware that your district or charter school must not request a low-attendance day waiver for that makeup day. (The TEA will not grant a low-attendance day waiver for any makeup day.)</p>

Situation	Agency Policy
<p>Our school district or charter school closed all campuses for more than 2 days (840 minutes) for a health or safety reason.</p>	<p>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. (See preceding rows for how to report days in the student attendance accounting system, FSP System calendar, or both and for information on what to do if 1 or both makeup days have already passed.) Your district or charter school may apply for a waiver for the missed school days beyond the first 2 missed days. See Subsection 3.8.1.3 for more information.</p>
<p>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).</p>	<p>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.</p> <p>Exception for certain charter schools: If the charter school is one with campuses that are in different regions of the state, each campus that closed must make up the missed day or days following the procedures described in the preceding rows, as if all campuses were closed. For a charter school with campuses in different regions of the state, the TEA evaluates each campus separately for purposes of determining whether missed days must be made up and whether waivers will be granted.</p>
<p>Our school district or charter school delayed the start of the school day for 2 hours (120 minutes) for a health or safety reason.</p>	<p>District or charter school campuses may use an alternative attendance-taking time for the day. Please see Subsection 3.6.2.1 for instructions and requirements.</p>
<p>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).</p>	<p>If campuses will close before the official attendance-taking time, record attendance before the closure. Your district or charter school does not need to take any further action.</p>

Situation	Agency Policy
<p>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.</p>	<p>Your district or charter school does not need to take any further action.</p>
<p>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 will be closed before the official attendance-taking time.</p>	<p>Each district or charter school is encouraged to adopt a calendar that includes additional minutes to account for bad weather or other missed school days related to health and safety concerns.</p>
<p>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?</p>	<p>For school districts: Your district, like any district, is required to make up missed minutes. Additionally, if not making up the additional minutes 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/minutes.</p> <p>For charter schools: Your charter school is required to make up missed minutes. Additionally, if not making up the additional minutes 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 charter school's FSP funding will be reduced. (FSP funding will not be reduced if the additional minutes missed are made up.)</p>
<p>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?</p>	<p>No. Your district or charter school must not have more than 10 school days (4,200 minutes) waived, unless otherwise authorized by the commissioner.</p>

3.8.3 Summer School and State Funding

Summer school programs (programs that provide for school days beyond the 75,600 minutes that make up the state funding year) are not eligible for state funding except for specific programs authorized by statute. For the 2018-2019 school year, the only funded program that allows for state funding of school

days beyond the 75,600 minutes that make up the state funding year is the program for providing extended school year services for certain students receiving special education services. See [4.13 Extended School Year \(ESY\) Services](#) for more information. The Optional Extended Year Program, a grant program that allows for state funding of school days beyond the 75,600 minutes that make up the state funding year, has not been funded for the 2018-2019 school year.

If a student is in membership for additional days beyond the 75,600 (including intermissions and recesses) minutes that make up the state funding year, the attendance that exceeds the 75,600 minutes will not generate state funding. For the purposes of calculating state funding, the state funding calendar year begins the fourth Monday in August unless a district uses a year-round system.

Situations sometimes occur in which a student who has been served in one public school throughout the school year moves to another public school that is operating a calendar track during the summer. To account for situations in which school calendars do not align, up to 77,700 minutes of state funding will be allowed for individual students. However, no public school will be funded in excess of its 180-day calendar.

The TEA will adjust the state funding accordingly for any school district or charter school that reports a student whose membership exceeds 77,700 minutes during a state funding year. The TEA will not make such adjustments when additional attendance is reported for eligible special education extended school year services.

Note that while the OFSDP allows for state-funding-eligible OFSDP credit recovery classes to be offered during the summer recess, an OFSDP-eligible student cannot earn more than the equivalent of one ADA (75,600 minutes worth of perfect attendance in the regular attendance program) for a 12-consecutive-month school year. A district must not charge tuition for OFSDP classes, including those offered during the summer recess. For more information on the OFSDP, see [11.6 Optional Flexible School Day Program \(OFSDP\)](#).

3.9 Data Submission

Your district must record attendance information for the entire school year. Report student-level attendance through the TSDS PEIMS according to the requirements in the TSDS PEIMS *Data Standards*. Links to the *Data Standards* and TSDS PEIMS data collection schedule are available at http://www.texasstudentdatasystem.org/TSDS/TEDS/TEDS_Latest_Release/.

Regardless of the basis it uses for student attendance accounting, your district must submit all the information required in the TSDS PEIMS *Data Standards* and must follow all definitions and instructions in this handbook.

For districts with year-round programs: If your district is registered with the TEA to operate a year-round program and has one or more tracks ending later than the June 23, 2016, due date for initial Collection 3 data submission, your district still must submit its initial Collection 3 data by that due date. Your district may delay resubmission of Collection 3 data until August 18, 2016, or 2 weeks after the completion of the latest year-round track, whichever comes first. However, the PEIMS staff will not process any resubmission after August 18, 2016. Corrections made after August 18, 2016, will be handled by the State Funding Division.

Note: If a district other than a student’s home (sending) district is serving a student who is reported (for all TSDS PEIMS submissions) by the student’s home (sending) district, the receiving district’s student information system should track the student for grades and attendance but should not create any TSDS PEIMS records. A common example of such a situation would be special education shared services arrangements in which the home district has opted to report a student as eligible full-day (ADA eligibility code 1) when the student attends regular school for 4 hours but also attends night school in the district. The full-day student must be reported through the TSDS PEIMS as eligible full-day (for the time spent in regular school). The attendance system should simultaneously allow the time spent in night school to be tracked yet not create any TSDS PEIMS records for this time.

3.10 Quality Control

The total of all attendance figures reported by student name in the Student Detail Report must add up to corresponding totals reported in the respective Campus Summary Report covering the same instructional track in the same 6-week period.

The total of all attendance figures reported by campus in the Campus Summary Report must add up to corresponding district totals reported in the District Summary Report covering the same instructional track in the same 6-week period.

Your district should balance all attendance reports by 6-week period to ensure that all reports match. If any attendance data are changed in the accounting system for a 6-week period whose information previously balanced, new reports must be generated and balanced.

If any attendance data are changed in the accounting system after data submission to TEA, such changes must be documented. Record, by name, the students the change affects, the code each student was assigned before data submission, the code each student was assigned after the change, and the effective date of each change. **New reports reflecting the change should be generated, balanced by 6-week period, and retained for audit purposes.**

3.11 Examples

3.11.1 Example 1

A 5-year-old student enrolls in kindergarten in a district that offers only a half-day program. Because of special circumstances, this student attends both the morning and the afternoon sessions.

*This student’s ADA eligibility code is **2 - Eligible for Half-Day Attendance** because a student cannot attend the same program twice and generate funding twice.*

*If this same student were served in the regular kindergarten classroom by special education personnel for the entire afternoon session (in accordance with the student’s IEP), the student’s ADA eligibility code would be **1 - Eligible for Full-Day Attendance** because of the time the student spends with special education personnel. The special education instructional setting would be 40, Mainstream.*

3.11.2 Example 2

A 4-year-old student enrolls in a 3-hour PK morning program in a district that offers both 3- and 4-year-old programs. This student qualifies based on limited English proficient (LEP) status. Additionally, the ARD committee identifies this student as a special education student and places the student in a self-contained PPCD classroom for a 3-hour afternoon session.

*This student's ADA eligibility code is **1 - Eligible for Full-Day Attendance**, and the student's grade level is PK. The special education instructional setting code is 43, Self-contained Mild/Moderate/Severe, Regular Campus - At Least 50% and No More than 60%, because the student spends at least 50% and no more than 60% of the school day in special education instruction.*

3.11.3 Example 3

A 3-year-old special education student is served in speech therapy for 30 minutes a day. The ARD committee also determines that the student will be placed in a PK classroom for 3 hours each day, although the student does not qualify for PK.

*This student's ADA eligibility code is **5 - Ineligible Half-Day** because the student is served for a minimum of 2 hours per day but is not eligible for the type of service the student is receiving.*

3.11.4 Example 4

Your school district decides to serve a 4-year-old student in a kindergarten classroom. Examples of reasons a district may choose to do this could include the student's previously completing PK in another state, beginning but not completing kindergarten in another state, or completing private kindergarten in Texas, or an individualized assessment of the appropriate placement for the student.

*Since the student was not 5 years old on September 1 of the current school year, the student is not eligible for kindergarten. If the student is enrolled in kindergarten, the ADA eligibility code is **4 - Ineligible Full-Day** or **5 - Ineligible Half-Day**, depending on whether your district operates a full-day or a half-day kindergarten program.*

*If this student, who was 4 years old on September 1 of the current school year, qualifies for PK, then the ADA eligibility code is **2 - Eligible for Half-Day Attendance**. As long as the student qualifies for PK (see [7.2 Eligibility](#)), the student is eligible for enrollment in PK and for PK funding even if the district serves the student in a kindergarten classroom.*

3.11.5 Example 5

A special education student receives special education service through a shared services arrangement with a neighboring district. The student is scheduled for and attends a full day of instruction each day. The superintendents of your district and the neighboring district agree that the receiving (serving) district will claim the ADA and the contact hours for that student.

*The receiving district reports this student with an ADA eligibility code **1 - Eligible for Full-Day Attendance**.*

3.11.6 Example 6

A 21-year-old student who graduated the prior year returns for one class.

*Since this student does not attend the 2-hour minimum to be included in membership, the student's ADA eligibility code is **0 - Enrolled, Not in Membership**.*

This same student decides to take five classes the spring semester.

*At the change of semesters, this student's ADA eligibility code changes to **4 - Ineligible Full-Day**.*

3.11.7 Example 7

A 21-year-old special education student graduated the prior year by meeting the requirements outlined by the ARD committee in the student's IEP. The ARD committee determines that this student is still in need of special education and related services and places the student back in school full-day.¹¹³

*Since this student graduated by meeting the requirements in the IEP and since the student is receiving a full day of service as required by the ARD committee, his ADA eligibility code is **1 - Eligible for Full-Day Attendance**. A student receiving special education and related services should not be graduated until all requirements in 19 TAC [§89.1070](#) have been met.*

3.11.8 Example 8

A student is transferred into your district through meeting all the legal requirements associated with transfer students.

*If this student is a full-day student, the student's ADA eligibility code is **3 - Eligible Transfer Student Full-Day**. If this same student is served only one-half day, the student's code is **6 - Eligible Transfer Student Half-Day**.*

3.11.9 Example 9

A student who is auditorily impaired attends an RDSPD in a neighboring school district. The student is in self-contained classes. The superintendents of the neighboring district and your district agree that your district will report this student and, as prescribed by rules relating to data submission, must report the student for all student submissions.

*The ADA eligibility code for this student is **3 - Eligible Full-Day**. The student would also be reported as a transfer student on the 40100 record (see Section 4).*

3.11.10 Example 10

A student who is auditorily impaired attends an RDSPD in a neighboring school district. The student receives special education and related services in general education classes. The superintendents of the neighboring district and your district agree that the fiscal agent district will report this student and, as prescribed by rules relating to data submission, must report the student for all student submissions.

¹¹³ 19 TAC [§89.1070](#)(b)(2)

*The ADA eligibility code for this student is **3 - Eligible Full-Day**. The student would also be reported as a transfer student on the 40100 record (see Section 4).*

3.11.11 Example 11

A student attends school for 4 hours each day. The student receives instruction for 3 of those hours and is in a study hall for 1 of those hours.

*The ADA eligibility code for this student is **2 - Eligible Half-Day**. Time spent in study hall does not count as instructional time. To generate full eligible days present, a student must be provided instruction for at least 4 hours each day.*

3.11.12 Example 12

A campus that uses an automated attendance accounting system is storing the required first semester attendance reports, printed by 6-week period and reviewed by the appropriate personnel, in a safe in the administration office. During the spring semester, personnel discover an error in coding a student from the first day of school and subsequently correct it.

Since changing the student's code affects attendance totals for the entire first semester, the campus reprints all first semester reports, has the appropriate personnel reverify the data, destroys the old copies that were being stored for audit purposes, and replaces those copies with the new reports.

Campuses using manual attendance accounting systems must document the change on the Student Detail Report and then recompute the respective Campus Summary Report totals and the respective District Summary Report totals.

3.11.13 Example 13

A student is absent for 3 days to attend the National Cheerleaders Association convention. The student is accompanied by a teacher with school board approval.

Since the student is accompanied by a professional staff member of your district and the school board has approved this activity, your district will receive ADA funding for this student for the days missed to attend the convention.

3.11.14 Example 14

A high school student who is a junior is absent for 1 day to attend College Day at a local university to determine if she would like to attend the university. The university is accredited by a generally recognized accrediting organization, and your school district has adopted a policy on such absences and a procedure for verifying students' visits to institutions of higher education.

Since the student's absence and your district's policies meet the requirements of the TEC, [§25.087](#), your district will receive ADA funds for this student on this day. Your district must not count a student who is absent for this purpose as present for FSP funding purposes for more than two days per school year.

3.11.15 Example 15

A high school exempts a student from having to attend finals if the student has not missed any class meetings. On the day of finals, attendance is taken at the official attendance-taking time of 9:30 a.m., and 100 students do not attend school until 1:00 p.m.

The 100 students are absent for FSP funding purposes since they were not in attendance at the official attendance-taking time.

3.11.16 Example 16

Your district plans to have several days of early dismissal (early-release days) during the school year.

Effective for the 2018-2019 school year, the agency will no longer offer Early Release waivers and Early Release waivers previously approved for the 2018-2019 school year are rescinded.

3.11.17 Example 17

Your district plans to have students arrive late on the days that the required state assessments are administered. Students will not arrive until after the time of official attendance at 9:30 a.m.

Your district should submit a request for approval of a waiver to modify the class schedule for the days of testing using the TEA's automated waiver application system, which is available in the online TEAL secure environment. The waiver will allow your district to take official attendance at an alternative time (fifth period) instead of your district's normal official attendance time.

3.11.18 Example 18

Your school district decides that it will have an early-release day on which classes are dismissed at noon. Your district has morning and afternoon sections of PK students. The morning section meets; however, the afternoon section does not meet.

District personnel may take one of these three courses of action. Personnel may do any of the following:

- *count the afternoon section of PK students as absent, since the students received no instruction on that school day or*
- *have students make up the day on an alternative day, and report the afternoon PK section with a separate calendar or*
- *bring the afternoon PK students in for instruction with the morning section.*

3.11.19 Example 19

A district and a charter school operating after January 1, 2015, received a waiver for 2,100 minutes of staff development. This waiver allows the district to offer an instructional track that contains 73,500 minutes of operation. The only rule associated with attendance accounting that is affected by this particular waiver is the requirement that all instructional tracks must consist of at least 75,600 (including intermissions and recesses) minutes.

The attendance of all students who attend this instructional track must be reported in six approximately equal reporting periods. The total number of school days, if added together from all reporting periods, must equal the actual number of school days offered over the full year.

A charter school operating before January 1, 2015, received a waiver for 5 additional days of staff development. This waiver allows the district to offer an instructional track that contains only 175 days of instruction.

3.11.20 Example 20

The year-round track of the middle school is not complete on the date your district attendance data for the district is due at the education service center. The students have met for 21 days, yet 10 days remain at the time your district extracts the attendance data for these students. Your district submits the data to meet the due date.

Regardless of whether your district must resubmit the data to correct errors in the initial submission, a resubmission of all attendance data is required to report the completed year-round instructional track once it has been completed. At that time, your district reports the 10 days that were not included for students on the year-round track in the resubmission.

3.11.21 Example 21

A student is required to go to court on a school day. The student is not present at 9:30 a.m. (the school's official attendance time).

This is an excused absence, and your district will receive ADA funding for this student for the days missed to attend the required court appearance.¹¹⁴

3.11.22 Example 22

Your district determines that the best educational placement for a 5-year-old student is first grade, but the parent wants the student to attend kindergarten with same-age peers.

Although consideration of parental concerns is always important, your district has authority to place the student at the grade level it determines is appropriate for the student. A parent may request a change in assignment pursuant to the TEC, [§26.003](#). Under that section, the board of trustees has authority to make the final determination of appropriate placement.

3.11.23 Example 23

A student who turned 5 years of age on August 20 of the current year moves to your district from a school district in another state. The student completed kindergarten in the previous district. The student's parents would like to enroll the student in first grade in your district.

Your district may enroll the student in the first grade. A student who is 5 years of age on or before September 1 of the current school year is automatically eligible to be enrolled in the first grade for the full school term (ADA eligibility code 1) if the student has completed public school kindergarten or has been enrolled in the first grade in a public school in another state before moving to a Texas public school district.¹¹⁵

3.11.24 Example 24

A student qualifies for PK based on being educationally disadvantaged (the student qualifies for free or reduced-price lunch). Several weeks later, the parent or guardian withdraws the student because the parent or guardian feels that the child is not ready to attend school.

¹¹⁴ TEC, [§25.087](#)

¹¹⁵ TEC, [§42.003\(c\)](#)

Since the student is not of compulsory attendance age (6 through 19 years of age as of September 1 of the current school year), compulsory attendance does not apply, except during the period the student is enrolled.

3.11.25 Example 25

A general education student develops a medical condition, and the school obtains a licensed physician's statement that the medical condition will prevent him from attending school for at least 4 weeks.

The GEH committee should convene to review all the student's information (including the physician's statement) to determine if homebound services are appropriate. If the GEH committee determines homebound services are appropriate, the following documentation must be retained:

- *documentation of the committee's decision regarding the type(s) and amount of instruction to be provided to the student (including the designated amount of time per week that instruction will be provided)*
- *a note from a licensed physician stating that the student has a medical condition that requires the student to be confined at home or hospital bedside for a minimum of 4 weeks*
- *documentation of the day(s) homebound instruction started and stopped*
- *teacher's homebound instruction log*

At the end of each week, designated staff members should inform the attendance clerk of the amount of time the student received service from the certified general education teacher and the number of absences to be recorded in the attendance accounting system.

Example 25A

If the student is served 4 or more hours during a week, the student is recorded present every day that week.

Example 25B

If the student is served 2 hours during a week, the student is recorded present for 2 days and absent for 3 days of that week.

Example 25C

If the student does not receive any service during a week, absences must be recorded every day of that week, resulting in 0 eligible days present.

The GEH committee should convene to review current student information (including the physician's statement) to determine if a transition period is necessary and to determine the date homebound services are no longer appropriate. If the student requires a transition period when returning to the classroom, the GEH committee should document the following:

- *the length of time for the transition period*
- *the amount of time the student will be served in both settings (homebound and classroom) during the transition period*
- *the effective date the student returns to the classroom full-time*

3.11.26 Example 26

The student in the preceding example provides the licensed physician's statement that the student's medical condition will confine him to home or hospital bedside for a minimum of 4 weeks. There are 3 weeks left in the school year.

The GEH committee should convene as described in the last example. If the committee determines homebound services are appropriate, the student should be provided them for the remainder of the school year.

3.11.27 Example 27

A student with a chronic, **recurring** illness normally receives GEH program services at home. The student's doctor has provided documentation stating that the student may attend school when able.

On Tuesday, the student is served at home through the GEH program for 3 hours. On Friday of the same week, the student feels well enough to attend 5 hours of school at the student's campus. The student is **present when attendance is taken and is recorded present**.

The student earns 3 eligible days present for the time the student was served on Tuesday, per the Homebound Funding Chart. The student also earns 1 additional day of attendance for attending school on Friday, per the 2-through-4-hour rule and the student's being present at the time attendance was taken.

3.11.28 Example 28

A student enrolled in your district goes to a treatment facility daily to attend a treatment program. The student returns to her home each night. District staff members would like to serve the student through the GEH program.

The student is considered absent for funding purposes for those days she attends the treatment program. Because the student is not confined at home or hospital bedside, which is a requirement for GEH program eligibility, the student is not eligible for GEH services.

District staff members should work with the student and the student's parents to develop a plan for the student to meet academic requirements.

3.11.29 Example 29

A student attends a 50-minute dual credit class for the first period of the school day. He attends regular classes, each 50 minutes long, for second and third periods. He attends a 50-minute Career Preparation class for fourth period and then goes to his job (the training site for the Career Preparation class) for the rest of the day. The Career Preparation class is a V3 class.

*The ADA eligibility code for this student is **1 - Eligible Full-Day**. The first through fourth period classes are each 50 minutes of instruction. The time at the training site counts as 120 minutes (the student should be working an average of 3 hours per day; if he were working 2 hours per day, then only 60 minutes would be counted). Therefore, the student is scheduled for 320 minutes of instruction each day.*

3.11.30 Example 30

A student enrolled in your district will be absent for a 5-day hospitalization, after which the student will be returning to school. District staff members would like to withdraw the student for the days the student will be absent. Your district's local policy allows for district-initiated withdrawals only if a student has been absent for 10 days and the student's whereabouts are unknown.

Your district must not withdraw the student because the student will be temporarily absent for fewer than 10 days and the student's whereabouts are known.

3.11.31 Example 31

A student enrolled in your district has left the district to act in a movie that is being filmed in another state. The student's parent said that the student would be in the other state for several months but might return before the end of the school year. District staff members would like to withdraw the student for the duration of the student's absence.

Because your district has become aware that the student no longer resides in the district, your district may withdraw the student.

3.11.32 Example 32

The parent of a student enrolled in your district lets the district know that the student will be absent frequently to act in a movie being filmed locally (or for any other non-board-approved activity). The parent has requested that the student's absences for filming be excused.

If (s)he chooses, the district superintendent or the school principal may excuse some or all of the absences for compulsory attendance purposes (see [3.6.4 Excused Absences for Compulsory Attendance Purposes](#)). However, absences resulting from the student's acting in the movie must not be excused for FSP (funding) purposes. Additionally, numerous absences may jeopardize the student's ability to receive credit or final grades for classes (see the TEC, [§25.092](#), for information on minimum attendance for class credit or a final grade).