

2011–2012 Student Attendance Accounting Handbook

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Section	Change	2010–2011 Version 2	2011–2012
Section 1 Overview	Revision	1.4 Storage of Attendance Information Your district's . . . Information for all FSP attendance reports must be made a part of a school's permanent records. Superintendents, principals, . . .	1.4 Storage of Attendance Information Your district's . . . Information for all FSP attendance reports must be available for audit purposes for five years from the completion of the school year. Superintendents, principals, . . .
Section 1 Overview	Addition and Revision	1.5 Auditing of Attendance Information Regardless of where attendance records are filed or stored, they must be readily available for audit by the Financial Audits Division of the TEA. Auditors . . . (see Section 2). In the event auditors detect errors during an audit, the TEA will either . . . when the audit is finalized¹.	1.5 Auditing of Attendance Information Regardless of where attendance records are filed or stored, they must be readily available for audit by the Financial Audits Division of the TEA.² Auditors . . . (see Section 2). If auditors detect errors during an audit, the TEA will either . . . when the audit is finalized.
Section 2 Audit Requirements	Revision	2.1 General Audit Requirements Your district . . . Failure to provide all required attendance records [specific program(s) and/or grant(s)] could result in the TEA's retaining at least 30% of your district's Foundation School Program (FSP) allotment for the school year(s) for which records have been requested. Reports must include . . . one layout. Reviewing student attendance data for accuracy is considerably easier when all data are presented in one document. All documentation . . . Documentation must — - encompass three main data sets: Student Detail Reports for all students by 6-week reporting period, Campus Summary Reports for all campuses by 6-week reporting period, and a District Summary Report by 6-week reporting period and - cover the entire school year. All codes . . .	2.1 General Audit Requirements Your district . . . Failure to provide all required attendance records (specific program[s] and/or grant[s]) could result in the TEA's retaining 100% of your district's Foundation School Program (FSP) allotment for the undocumented attendance for the school year(s) for which records have been requested. Reports must include . . . one layout. All documentation . . . Documentation must — - cover the entire school year and - encompass three main data sets: Student Detail Reports for all students by 6-week reporting period, Campus Summary Reports for all campuses by 6-week reporting period, and a District Summary Report by 6-week reporting period. All codes . . .
Section 2 Audit Requirements	Revision	2.2 Accounting System Requirements The attendance accounting system your district uses must — use . . . <i>Data Standards</i> as they relate to attendance. It is your district's responsibility to ensure that the basis used to record and process attendance accounting meets this standard³.	2.2 Accounting System Requirements The attendance accounting system your district uses must — use . . . <i>Data Standards</i> as they relate to attendance.⁴

¹ TEC, §42.255, 19 TAC §129.21(m)

² **19 TAC §129.21(m)**

³ 19 TAC §129.21(e)

⁴ 19 TAC §129.21(e)

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		possess the ability to . . . described in subsection 2.3 Required Documentation, on required documentation, on notification of an audit, . . . uses Important: When . . .	possess the ability to . . . described in 2.3 Required Documentation on notification of an audit, . . . uses. Important: When . . .
Section 2 Audit Requirements	Revision	2.2.1 Paper-Based Attendance Accounting Systems vs. Electronic Attendance Accounting Systems Your . . . the information in 2.2.2 Automated Data Processing Attendance Accounting Systems, on automated data processing attendance accounting systems, and in 2.2.3 "Paperless" Attendance Accounting Systems before deciding . . . Your district . . . The district can, however, store the Student Detail Report, the Campus Summary Reports, and the District Summary Report electronically on electronic storage media. For audit . . . Note: All required . . . must be — - complete . . . , - in English . . . , and - scannable by the human eye.	2.2.1 Paper-Based Attendance Accounting Systems vs. Electronic Attendance Accounting Systems Your . . . the information in 2.2.2 Electronic Attendance Accounting Systems and 2.2.3 "Paperless" Electronic Attendance Accounting Systems before deciding . . . Your district . . . The district can, however, store the Student Detail Report, the Campus Summary Reports, and the District Summary Report electronically. For audit . . . Note: All required . . . must be — - complete . . . , - in English . . . , and easy to read.
Section 2 Audit Requirements	Revision	2.2.2 Automated Data Processing Attendance Accounting Systems Your district must retain . . . , unless it uses an automated data processing (ADP) system. If it chooses, a district using an ADP system may store any attendance accounting record/report electronically on an acceptable medium of storage (e.g., hard disk, diskette, tape, microfiche/film) provided the district also retains the hardware and software (attendance program) necessary . . . Your district . . . If your district uses an ADP accounting system, it must recognize how changes to the ADP hardware and software . . . format. In some cases it is advisable to print and retain paper copies for audit purposes in lieu of exercising the option to store the data electronically.	2.2.2 Electronic Attendance Accounting Systems Your district must retain . . . , unless it uses an electronic attendance accounting system. If it chooses, a district using an electronic attendance accounting system may store any attendance accounting record/report electronically provided the district also retains the hardware and software necessary . . . Your district . . . If your district uses an electronic attendance accounting system, it must recognize how changes to the system's hardware and software . . . format. In some cases it is advisable to print and retain paper copies for audit purposes instead of storing the data electronically.
Section 2 Audit Requirements	Revision	2.2.3 "Paperless" Attendance Accounting Systems If . . . Your district should review the requirements in subsection and	2.2.3 "Paperless" Electronic Attendance Accounting Systems If . . .

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		in this subsection before deciding the storage medium or electronic format for audit documentation that best suits its needs. It is your district's responsibility to provide auditors with the required documentation listed in these sections. Even with . . . If attendance data cannot be reproduced in an acceptable format at the time of an audit, a school may be held financially responsible . . . documentation. A school's attendance accounting system must be able to reproduce reports at any given time. All three reports, the Student Detail Report, Campus Summary Reports, and District Summary Report, must be available along with all components listed in their descriptions (see 2.3 Required Documentation). Regardless of the medium used to store documentation, all schools must retain the ability to readily regenerate all reports and/or documentation that are required for audit purposes for the full record retention time. An attendance . . . : • requirement . . . • provision of a positive confirmation for 100% of attendance (teacher submits "All Present" rather than showing no one absent) Adequate and proper information system management is the key to a successful paperless automated accounting system. Locally . . . system. Multiple backup data recovery plans should be in place in case a disaster occurs. These plans should be documented and available for examination by auditors as part of the check of internal controls. Your district should conduct sufficient testing of alternate plans in case a disaster (employee sabotage, system failure, fire, crashed disk, etc.) disables the primary data retrieval method.	Even with . . . If attendance data cannot be reproduced in an acceptable format at the time of an audit, a school district may be held financially responsible . . . documentation. An attendance . . . : • requirement . . . • provision of a positive confirmation for 100% of attendance (teacher submits "All Present" rather than showing no one absent) Proper information system management is the key to a successful paperless electronic attendance accounting system. Locally . . . system.
Section 2 Audit Requirements	Revision	2.2.4 Disaster Recovery As with any recordkeeping system, security and preservation are key issues when evaluating attendance accounting system options. Both sabotage and disaster must be prevented. With attendance accounting records, it is ultimately your district's responsibility to secure records for the required length of time (five years) while preventing total loss in the event of catastrophe.	2.2.4 Disaster Recovery Disaster or attendance accounting system malfunction or sabotage do not negate your district's responsibility to produce attendance data required for an audit. Your district should have in place plans for how it will recover and reproduce data required for an audit if the primary means of producing the data is threatened by disaster or by attendance accounting system malfunction or

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		While it is impossible to prevent disaster from occurring, it is possible to formulate several plans that address the recovery of data in the event the primary plan fails to adequately reproduce the reports required for audit purposes. Your district must take specific measures to guarantee the ability to reproduce unaltered attendance records if the originals are destroyed. These measures must include the ability to reproduce such records at any point during the required five years of record retention. Storage of duplicate records and/or data at various locations within your district is an example of a plan that prevents the loss of data in the event a disaster occurs at the primary storage facility. If your district uses an ADP accounting system, it must recognize how changes to the ADP hardware and software from year to year affect your district's ability to reproduce attendance accounting records from prior years. Therefore, when changes occur to the system software (e.g., yearly updates to the attendance accounting program), your district must be certain that the new program will access the prior years' attendance data and produce an acceptable report format. It is also important, when changes occur to your district's hardware (e.g., your district purchases new hardware), to investigate whether the new hardware is compatible, so that it will access the prior years' attendance data and produce an acceptable report format. In some cases it is advisable to print and retain paper copies for audit purposes in lieu of exercising the option to store the data electronically.	sabotage. Storage of duplicate records and/or data at various locations within your district is an example of a plan that prevents the loss of data if a disaster occurs at the primary storage facility. Your district should document its data recovery plans and ensure that the plans are available for examination by auditors. The district should also regularly test its data recovery plans.
Section 2 Audit Requirements	Revision	2.3.5 Additional Required Documentation The following documentation will also be required in the event of an audit: - Gradebooks (retained for one year . . . [AAR]). ... - For paperless . . . posted directly to the ADP system, sufficient paper documentation to support any changes to posted absences (see 2.2.3 "Paperless" Attendance Accounting Systems) ... - If any data . . . to TEA, updated . . . reports are required to	2.3.5 Additional Required Documentation The following documentation will also be required in the event of an audit: - Gradebooks (retained for 1 year . . . [AAR]). ... - For paperless . . . posted directly to the electronic system, sufficient paper documentation to support any changes to posted absences (see 2.2.3 "Paperless" Electronic Attendance Accounting Systems) ... - If any data . . . to the TEA, updated . . . reports (see . . .)

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		be available for audit (see . . .). 10. Copies . . . withdrawal. For example, documentation must be on file if a student changed from a 1-hour to a 3-hour career and technical course or if the student withdrew from the program. ... 12. A copy . . . your district. (Each . . . must be clearly identified.) 13. Special program . . .	10. Copies . . . withdrawal (for example, documentation showing a student changed from a 1-hour to a 3-hour career and technical education course or documentation showing a student withdrew from the program) ... 12. A copy . . . your district, with each . . . clearly identified 13. Special program . . .
Section 3 General Attendance Requirements	Revision	3.2.1.1 Code 0 Enrolled, Not in Membership Code 0 . . . Code 0 applies to a — - child who is scheduled to attend for fewer than 2 hours of instruction each school day; - child who attends . . . ; - student who is provided . . . ; - student who has graduated but . . . ; - student who receives all his or her service . . . ; - parentally placed private school student, age 5 through 25, . . . (see 4.3.5 . . . Special Education); and - child who receives child care through the Pregnancy, Education, and Parenting program at a district on-site child care center.	3.2.1.1 Code 0 Enrolled, Not in Membership Code 0 . . . Code 0 applies to 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 student who is provided . . . - a student who has graduated but . . . - a student who receives all his or her service . . . - a parentally placed private school student, aged 5 through 25, . . . (see 4.3.5 . . . Special Education)
Section 3 General Attendance Requirements	Revision	3.2.2 Funding Eligibility TEXT FROM FOURTH ROW, MIDDLE COLUMN OF TABLE: is eligible for full-day attendance (is eligible to generate ADA). This status applies to a student who legally⁵ transfers from one Texas district to another Texas district and meets all eligibility criteria other than residency.	3.2.2 Funding Eligibility TEXT FROM FOURTH ROW, MIDDLE COLUMN OF TABLE: 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. [FOOTNOTE REFERENCING CIVIL ACTION 5281 DELETED]

⁶ For a teacher other than a special education or bilingual/ESL teacher, the requirement that a teacher be certified does not apply to an open-enrollment charter school unless the school's charter requires that courses be taught by certified teachers. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

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Section 3 General Attendance Requirements	Addition	None	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; i.e., this time does not count as instructional time for purposes of the 2-through-4-hour rule.
Section 3 General Attendance Requirements	Addition	None	3.2.2.3 Time Spent in Self-Paced Course Time spent in a self-paced computer course may be considered instructional time for FSP funding purposes (i.e., this time may be counted as instructional time for purposes of the 2-through-4-hour rule) provided that the following conditions are met: - For the duration of the course, a certified⁶ teacher must be present in the room in which the student is taking the course to answer questions and otherwise assist the student. - As with a traditional course, the student must be regularly scheduled for and attending the self-paced course; i.e., the course may not be designed to operate on a "drop-in" basis. Time spent in a career and technical education (CTE) self-paced computer course designed for credit recovery may be considered for purposes of computing a student's CTE contact hours provided that the following conditions are met: - For the duration of the course, a teacher who is appropriately qualified/certified to teach the course, as defined in 19 TAC 231.1(e)⁷, must be present in the room in which the student is taking the course to answer questions and otherwise assist the student. - As with any other CTE course, the student must be regularly scheduled for and attending the self-

⁶ For a teacher other than a special education or bilingual/ESL teacher, the requirement that a teacher be certified does not apply to an open-enrollment charter school unless the school's charter requires that courses be taught by certified teachers. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

⁷ The requirement that a teacher be appropriately qualified/certified does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

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			paced course; i.e., the course may not be designed to operate on a "drop-in" basis. All other requirements specified in Section 5 Career and Technical Education must be met. Section 3.2.2.3 addresses time spent in self-paced courses, not time spent in online virtual courses or CTE independent study courses. For information about eligibility of virtual courses for FSP funding, please see 11.9 Texas Virtual School Network (TxVSN). For information about CTE independent study courses, please see 5.8 CTE Problems and Solutions (Formerly CTE Independent Study).
Section 3 General Attendance Requirements	Revision	3.2.2.2 Funding Eligibility of Students Who Have Met All Graduation Requirements Except Passing State-Required Assessments Your . . . passing state-required assessment tests and who continues . . . those tests, provided . . . Note: Students who have met all graduation requirements other than passing state-required assessment tests are . . .	3.2.2.4 Funding Eligibility of Students Who Have Met All Graduation Requirements Except Passing Required State Assessments Your . . . passing required state assessments and who continues . . . those assessments, provided . . . Note: Students who have met all graduation requirements other than passing required state assessments are . . .
Section 3 General Attendance Requirements	Revision	3.2.3 Age Eligibility TEXAS ADMINISTRATIVE CODE REFERENCES WITHIN TABLE AND TABLE FOOTNOTES: 19 Texas Administrative Code (TAC) §89.1070(b) 19 TAC §89.1070(c) §89.1070(h)	3.2.3 Age Eligibility TEXAS ADMINISTRATIVE CODE REFERENCES WITHIN TABLE AND TABLE FOOTNOTES: 19 Texas Administrative Code (TAC) §89.1070(b)(1), (2), or (4) [WAS §89.1070(b)] 19 TAC §89.1070(b)(3) [WAS §89.1070(c)] 19 TAC §89.1070(f) [WAS §89.1070(h)]
Section 3 General Attendance Requirements	Revision	*3.2.3.1 Additional Information About Minimum Eligible Age If A student . . . the assessment instrument administered . . .	*3.2.3.1 Additional Information About Minimum Eligible Age If A student . . . the required state assessments administered . . .
Section 3 General Attendance Requirements	Revision	**3.2.3.2 Additional Information About Maximum Eligible Age Students . . .	**3.2.3.2 Additional Information About Maximum Eligible Age Students . . .

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		... Students with a disability who graduated by meeting the requirements of 19 TAC §89.1070(c) as ... Your 19 TAC §89.1070(c), the student is not eligible for funding and must be recorded with an ADA eligibility code of 0. Exceptions are ...	... Students with a disability who graduated by meeting the requirements of 19 TAC §89.1070(b)(3) as ... Your 19 TAC §89.1070(b)(3), 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 ...
Section 3 General Attendance Requirements	Revision	***3.2.3.3 Additional Information About PK and Eligibility Eligible students ... self-contained Preschool Program for Children with Disabilities (PPCD) for ... PK (see Section 4 . . . Prekindergarten).⁸ Note: School districts/campuses that apply and are approved for the PK Early Start Grant Program should report PK-eligible students as ADA Eligibility Code 1 - Full Day if the students are scheduled for at least 6 hours (360 minutes) of instruction each day.	***3.2.3.3 Additional Information About PK and Eligibility Eligible students ... self-contained PPCD for ... PK.⁹ (See Section 4 . . . Prekindergarten.)
Section 3 General Attendance Requirements	Revision	3.3 Enrollment Procedures and Requirements Your local ... If the student's entitlement is contingent on the residency of a person, examples of methods of verifying residency include requiring utility bill receipts, checking tax records, or verifying with responsible district personnel that the applicable residence is within the boundaries of your district. A student who ... On a student's enrollment ... from the previous district (and/or the parent, if applicable). Your district ... If your district requests this information ... within 10 calendar days, your district ... (512) 475-3697.	3.3 Enrollment Procedures and Requirements Your local ... 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 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 student is not a resident. The traditional basic residence criteria are living in the district and having the present intention to remain there. A student who ... On a student's enrollment ... from the previous district and/or the parent or other person with legal control of the student under a court order, if applicable. Your district ... If your district requests this information ... within 10 working days, your district ... (512) 475-3697.

⁹ TEC, §29.153(c)

⁹ TEC, §29.153(c)

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		Any of the following documents are acceptable for proof of identification and age: ... Note: All ... (see Resources). Failure to receive ... student. However, ... (ADA eligibility codes 1, 2, 3, 6, or 7).¹⁰ See also 3.3.5 Immunization. A student ...	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. 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.¹¹ Any of the following documents are acceptable for proof of identity and age¹²: ... Note: All ... (see Resources). In establishing whether a student meets residency and age requirements for enrollment in your district, your district may 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. Failure to receive ... student.¹³ However, ... (ADA eligibility codes 1, 2, 3, 6, or 7) (see also 3.3.5 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 parent or other person with legal control of the student under a court order. A student ...
Section 3 General Attendance Requirements	Revision	3.3.1 Discrepancies in Student Names If ... as missing.¹⁴	3.3.1 Discrepancies in Student Names/Failure to Receive Student Records If ... as missing.¹⁵

¹⁰ 19 TAC §129.1(b)

¹¹ **TEC, §25.002(a-1)**

¹² If a student who is under age 11 is enrolling in your school for the first time, please see the Texas Code of Criminal Procedure, [Article 63.019](#), for additional information related to documentation of identity and age.

¹³ 19 TAC §129.1(b)

¹⁴ TEC, §25.002(b)

¹⁵ TEC, §25.002(b) and (c)

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Section 3 General Attendance Requirements	Deletion	3.3.2 Entry and Reentry Dates The student's entry . . . day of school. The student . . . in membership. A student who is enrolled in your school district and who is absent for the purpose of auditing classes at an open-enrollment charter school but has not yet enrolled in the charter school must be marked as absent for FSP (funding) purposes. If the student subsequently withdraws from your school district and enrolls in the charter school, your district may not backdate the withdrawal record for the student with a withdrawal date of the first day that the student audited classes at the charter school. Also, the charter school may not backdate the enrollment record for the student with an enrollment date of the first day that the student audited classes.	3.3.2 Entry and Reentry Dates The student's entry . . . day of school. The student . . . in membership.
Section 3 General Attendance Requirements	Addition	None	3.3.2.1 "Auditing" Classes at School District or Charter School at Which the Student Is Not Enrolled A school district or open-enrollment charter school may not permit a student to "audit" classes at the district or school without being enrolled in the district or school.
Section 3 General Attendance Requirements	Revision	3.3.5 Immunization Except . . . A student who is a military dependent or any student coming from another Texas school district may be enrolled for 30 days pending transfer of immunization records.¹⁶ For further . . . Department of State Health Services.	3.3.5 Immunization Except . . . 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.¹⁷ For further . . . Department of State Health Services (DSHS) or see the following DSHS web page: http://www.dshs.state.tx.us/immunize/school/default.shtm.
Section 3 General Attendance Requirements	Revision	3.4.4 Information and Record Transfer When a student moves . . . By law, each district is required to transfer student records within 10 days of receipt of a request . . . Also, the requirement to transfer records within 10 days . . . textbook.	3.4.4 Information and Record Transfer When a student moves . . . By law, each district is required to transfer student records within 10 working days of receipt of a request . . . Also, the requirement to transfer records within 10 working days . . . textbook. For purposes of transferring records through the TReX, a

¹⁶ 25 TAC §97.69

¹⁷ 25 TAC §97.69

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			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.
Section 3 General Attendance Requirements	Revision	3.5 Compulsory Attendance PK . . . rules. . . . A person who is age 18 or older and is enrolled in public school is required to attend school each day. . . .	3.5 Compulsory Attendance PK . . . rules. . . . A person who is 18 years of age or older and is enrolled in public school is required to attend school each day. . . .
Section 3 General Attendance Requirements	Revision	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, e.g., 9:45 a.m.) during the second or fifth instructional hour of the day or its equivalent, unless your local school board has adopted a district policy for recording absences in an alternate period or hour. The selected time may vary from campus to campus within your district. However, once a time has been selected, a campus may not change it during the school year. These attendance . . .	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, e.g., 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 may not change it during the school year. Your campus may select an official attendance-taking time that is not during the second or fifth instructional hour of the day if your local school board has adopted a district policy allowing for recording absences in an alternate period or hour. The policy may — • allow for each campus to choose an alternate attendance-taking time for the campus as a whole, • allow for each campus to choose an alternate attendance-taking time for certain groups of students as described in 3.6.2.2, or • allow for both of these circumstances. These attendance . . .
Section 3 General Attendance Requirements	Revision	3.6.2.2 Alternate Attendance-Taking Time for Certain Student Populations Your campus . . . worksite. The alternate . . . changed. The alternate attendance-taking time for each applicable group and the attendance taken for that group each day must	3.6.2.2 Alternate Attendance-Taking Time for Certain Student Populations Your campus . . . worksite. To implement the alternate attendance-taking time, your local school board must have first adopted a district policy allowing for an alternate attendance-taking time as described in 3.6.2. The alternate . . . changed. The alternate attendance-taking time for each applicable group, the students making up that group , and the attendance

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		be documented for audit purposes. An alternate . . .	taken for the group each day must be documented for audit purposes. An alternate . . .
Section 3 General Attendance Requirements	Revision	3.6.3 Requirements for a Student's Being Considered Present or Absent for FSP (Funding) Purposes For official . . . Students who . . . with a responsible campus official (e.g., nurse, counselor, principal, etc.). Class . . . with a responsible official must be retained for audit purposes. . . . A student . . . if the student — . . . - misses school for the purpose of observing religious holy days . . . Travel days for which the student is considered in attendance shall be limited to . . . purposes. . . . - misses school for the purpose of attending a required court appearance . . . Travel days for which the student is considered in attendance shall be limited to . . . purposes.	3.6.3 Requirements for a Student's Being Considered Present or Absent for FSP (Funding) Purposes For official . . . Students who . . . with a campus official (e.g., nurse, counselor, principal, etc.). Class . . . with a campus official must be retained for audit purposes. . . . A student . . . if the student — . . . - misses school for the purpose of observing religious holy days . . . Travel days for which the student is considered in attendance are limited to . . . 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. . . . - misses school for the purpose of attending a required court appearance . . . Travel days for which the student is considered in attendance are limited to . . . purposes.

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		... - misses school for the purpose of serving as an election clerk . . . Travel days for which the student is considered in attendance shall be 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 electing clerk. . . purposes. ... - misses school for the purpose of appearing at a governmental office . . . Travel days for which the student is considered in attendance shall be limited to . . . purposes. - misses school for the purpose of taking part in a United States naturalization oath ceremony . . . Travel days for which the student is considered in attendance shall be limited to . . . purposes. ... A student whose absence is excused for any of the previously listed reasons will be allowed a reasonable amount of time to make up school work missed on these days, and if the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance. Important: . . .	... - misses school for the purpose of serving as an election 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. . . purposes. ... - misses school for the purpose of appearing at a governmental office . . . Travel days for which the student is considered in attendance are limited to . . . purposes. - misses school for the purpose of taking part in a United States naturalization oath ceremony . . . Travel days for which the student is considered in attendance are limited to . . . purposes. ... Your school district must allow a student whose absence is excused for any of the previously listed reasons 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. 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. Important: . . .
Section 3 General Attendance Requirements	Revision	3.6.4 Excused Absences for Academic Purposes	3.6.4 Excused Absences for Compulsory Attendance Purposes

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Section 3 General Attendance Requirements	Revision	3.6.5 Instruction Provided Outside of the Regular School Day If selected . . . but may be counted for academic purposes (see also 3.6.4 Excused Absences for Academic Purposes). . . .	3.6.5 Instruction Provided Outside of the Regular School Day If selected . . . but may be counted for compulsory attendance purposes (see also 3.6.4 Excused Absences for Compulsory Attendance Purposes). . . .
Section 3 General Attendance Requirements	Revision	3.7 General Education Homebound (GEH) Any student . . . criteria: • The student . . . consecutive. • The student . . . only. • The student's medical condition . . . physician licensed¹⁸ to practice in the United States. A . . .	3.7 General Education Homebound (GEH) Any student . . . criteria: • The student . . . consecutive. • The student . . . only. • The student's medical condition . . . physician licensed¹⁹ to practice in the United States. A . . .
Section 3 General Attendance Requirements	Revision	3.7.2 GEH Committee A designated In making these decisions, . . . the student's physician. However, the physician's note/information . . .	3.7.2 GEH Committee A designated In making these decisions, . . . the student's licensed physician. However, the licensed physician's note/information . . .
Section 3 General Attendance Requirements	Revision	3.7.2.1 GEH Committee Documentation Responsibilities In qualifying . . . : . . . • a note from a physician . . . , . . . • the teacher's homebound instruction log. The minimum documentation . . . • the name . . . teacher, • the student name and identification or social security number,	3.7.2.1 GEH Committee Documentation Responsibilities In qualifying . . . : . . . • a note from a licensed physician . . . ; . . . • the teacher's homebound instruction log. The minimum documentation . . . • the name . . . teacher, • the student name and identification or Social Security number,

¹⁸ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

¹⁹ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp. Throughout Section 3.7, "licensed" means **licensed to practice in the United States**.

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		- the date . . . , and - the actual time per visit that the student was served (e.g., 10:00 a.m. until 12:00 p.m.) ...	- the date . . . , and - the specific time period that the student was served (e.g., 10:00 a.m. until 12:00 p.m.). ...
Section 3 General Attendance Requirements	Revision	3.7.3 GEH Services for Students With Chronic Illness/Acute Health Problems The federal definition for OHI found in 34 Code of Federal Regulations, §300.8(c)(9)(i)(ii), . . .	3.7.3 GEH Services for Students With Chronic Illness/Acute Health Problems The federal definition for OHI found in 34 Code of Federal Regulations, §300.8(c)(9), . . .
Section 3 General Attendance Requirements	Revision	3.7.5 Test Administration and GEH A student . . . A student being administered . . . TAKS . . . If the routine, standardized, six-weeks, semester, or final exam administration or TAKS testing . . . A student receiving GEH services who returns to his or her campus to take a state-required assessment instrument (e.g., TAKS) must have a medical release from a medical or nurse practitioner licensed ²⁰ to practice in the United States to do so.	3.7.5 Test Administration and GEH A student . . . A student being administered . . . required state assessments . . . If the routine, standardized, 6 -weeks, semester, or final exam administration or required state assessment testing . . . A student receiving GEH services who returns to his or her campus to take required state assessments must have a medical release from a licensed ²¹ physician to do so.
Section 3 General Attendance Requirements	Revision	3.8 Calendar Your . . . Your district has flexibility . . . The first day of instruction, however, must be scheduled no earlier than the fourth Monday in August. ²² Charter schools . . .	3.8 Calendar Your . . . Your district has flexibility . . . The first day of instruction, however, must be scheduled no earlier than the fourth Monday in August. ²³ Charter schools . . .
Section 3 General Attendance	Revision	3.8.2.1 Makeup Days Your district . . .	3.8.2.1 Makeup Days Your district . . .

²⁰ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

²¹ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

²² TEC, §25.0811

²³ TEC, §25.0811. A school district with a student enrollment of more than 190,000 (currently only Houston Independent School District) may schedule instructional days earlier than the fourth Monday in August for up to 20 percent 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 [House Bill 1555, 82nd Texas Legislature, Regular Session, 2011].

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Requirements		On a makeup day . . . recesses. No waivers for low attendance on a makeup day will be granted. The TEA encourages schools to select practical makeup days (e.g., no national holidays), because once selected, they may not be changed. The TEA strongly discourages requests to have an early-release day on a makeup day.	On a makeup day . . . recesses. The TEA encourages districts to select practical makeup days (e.g., select makeup days that do not fall on the weekend or on national holidays), as the agency does not grant waivers for low attendance on a makeup day. The TEA also encourages school districts to carefully consider local circumstances in selecting makeup days. For instance, if your school district has been affected for the last several school years by ice storms that occur in January or February, your district may wish to consider scheduling its makeup days later in the school year. The TEA strongly discourages requests to have an early-release day on a makeup day. See 3.8.3 Closures for Bad Weather or Other Issues of Health or Safety for more information.
Section 3 General Attendance Requirements	Revision and Addition	3.8.2.2 Missed Instructional Day Waivers If your district misses . . . waiver. A missed instructional day waiver application may be found at . . .	3.8.2.2 Missed Instructional Day Waivers If your district misses . . . waiver. A missed instructional day waiver application can be found at . . . Charter schools applying for a missed instructional day waiver must submit their applications as soon as possible after the missed instructional day so that FSP System calendars can be updated and FSP System six-week report submissions are accurate. See 3.8.3 Closures for Bad Weather or Other Issues of Health or Safety for more information.
Section 3 General Attendance Requirements	Addition	None	3.8.3 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. [SEE TABLE.]
Section 3 General Attendance Requirements	Revision	3.8.3 Summer School and State Funding	3.8.4 Summer School and State Funding
Section 3 General	Revision	3.9 Data Submission	3.9 Data Submission

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Attendance Requirements		Your district . . . If your district is registered with the TEA to operate a year-round program, . . . by June 23, 2011, . . . end later than June 23, your district may delay resubmission until 2 weeks after the completion of the latest year-round track or August 25, 2011, whichever comes first. In no case may any resubmission occur after August 25, 2011. Corrections made after August 25, 2011, will be handled by the State Funding Division. . . . Note: . . . The full-day student must be reported through PEIMS as . . .	Your district . . . If your district is registered with the TEA to operate a year-round program, . . . by June 21, 2012, . . . end later than June 21, your district may delay resubmission until 2 weeks after the completion of the latest year-round track or August 25, 2012, whichever comes first. In no case may any resubmission occur after August 25, 2012. Corrections made after August 25, 2012, will be handled by the State Funding Division. . . . Note: . . . The full-day student must be reported through the PEIMS as . . .
Section 3 General Attendance Requirements	Revision	3.11.7 Example 7 A 21-year-old special education student . . . full-day.²⁴ <i>Since . . .</i>	3.11.7 Example 7 A 21-year-old special education student . . . full-day.²⁵ <i>Since . . .</i>
Section 3 General Attendance Requirements	Revision	3.11.12 Example 12 A campus that uses an automated data processing (ADP) attendance accounting system . . .	3.11.12 Example 12 A campus that uses an electronic attendance accounting system . . .
Section 3 General Attendance Requirements	Revision	3.11.17 Example 17 Your district plans to have students arrive late on the days of the Texas Assessment of Knowledge and Skills (TAKS) exams. . . . <i>Your district should apply to the TEA State Waivers Unit for approval of a waiver to modify the class schedule of classes for the days of TAKS testing. . . .</i>	3.11.17 Example 17 Your district plans to have students arrive late on the days that the required state assessments are administered. . . . <i>Your district should apply to the TEA State Waivers Unit for approval of a waiver to modify the class schedule of classes for the days of testing. . . .</i>
Section 3 General Attendance Requirements	Revision	3.11.24 Example 24 A student . . . <i>Since the student is not of compulsory attendance age (ages 6 through 18 years as of September 1 . . .</i>	3.11.24 Example 24 A student . . . <i>Since the student is not of compulsory attendance age (6 through 18 years of age as of September 1 . . .</i>
Section 3 General Attendance	Revision	3.11.25 Example 25 A general education student develops a medical condition,	3.11.25 Example 25 A general education student develops a medical condition, and

²⁴ 19 TAC §89.1070(c)

²⁵ 19 TAC §89.1070(b)(3)

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Requirements		and the school obtains a physician's statement . . . • . . . • <i>a note from a physician stating that the student has a medical condition that requires the student to be confined at home/hospital bedside for a minimum of 4 weeks</i> • . . .	the school obtains a licensed physician's statement . . . • . . . • <i>a note from a licensed physician stating that the student has a medical condition that requires the student to be confined at home/hospital bedside for a minimum of 4 weeks</i> • . . .
Section 3 General Attendance Requirements	Addition	None	3.11.29 Example 29 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 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. <i>Your district may not withdraw the student because the student will be temporarily absent for fewer than 10 days and the student's whereabouts are known.</i>
Section 3 General Attendance Requirements	Addition	None	3.11.30 Example 30 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 would like to withdraw the student for the duration of the student's absence. <i>Because your district has become aware that the student no longer resides in the district, your district may withdraw the student.</i>
Section 3 General Attendance Requirements	Addition	None	3.11.31 Example 31 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. <i>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).</i>

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			<i>However, absences resulting from the student's acting in the movie may not be excused for FSP (funding) purposes. Additionally, numerous absences may jeopardize the student's ability to receive credit for classes (see the TEC, §25.092, for information on minimum attendance for class credit).</i>
Section 4 Special Education	Revision	4.2 Special Education and Eligibility/Eligible Days Present This section . . . - o the student has received a regular high school diploma under 19 Texas Administrative Code (TAC) §89.1070(c); and - o the student is returning to school under 19 TAC §89.1070(h).	4.2 Special Education and Eligibility/Eligible Days Present This section . . . - o the student has received a regular high school diploma under 19 Texas Administrative Code (TAC) §89.1070(b)(3); and - o the student is returning to school under 19 TAC §89.1070(f).
Section 4 Special Education	Revision	4.2.2 Student Attending a Preschool Program for Children With Disabilities (PPCD) A PPCD is a special education service to children ages 3 through 5. . . . To meet . . .	4.2.2 Student Attending a Preschool Program for Children With Disabilities (PPCD) A PPCD is a special education service to children aged 3 through 5. . . . To meet . . .
Section 4 Special Education	Revision	4.2.6 School-Based Preschool (Ages 3–5), Open to Community	4.2.6 School-Based Preschool (3–5 Years of Age), Open to Community
Section 4 Special Education	Revision	4.2.10 PEIMS Coding Charts for Students With Disabilities	4.2.10 PEIMS Coding Charts for Students With Disabilities [IN TABLES: REFERENCES TO 19 TAC §89.1070(c) AND §89.1070(h) CHANGED TO BE REFERENCES TO 19 TAC §89.1070(b)(3) AND §89.1070(f), RESPECTIVELY. FOOTNOTE RELATED TO PK EARLY START GRANT REMOVED.]
Section 4 Special Education	Revision	4.3.5.1 Students Age 3–4 If an ARD committee determines that a private or home school student age 3–4 is eligible and in need of special education instruction and/or related services, the parent may enroll the student full-time in the public school. If the parent does not do this, for a student age 3–4, your school district shall make the special education and related services available on the basis of dual enrollment (the student is enrolled in a private or home school and public school). . . . 1. . . .	4.3.5.1 Students Aged 3–4 If an ARD committee determines that a private or home school student aged 3–4 is eligible and in need of special education instruction and/or related services, the parent may enroll the student full-time in the public school. If the parent does not do this, for a student aged 3–4, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d). . . . 1. . . . • count the student on the annual federal

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		- count the student on the annual federal child count indicator through PEIMS; or 2. ... - count the student on the annual federal child count indicator through PEIMS; or 3. ... - count the student on the annual federal child count indicator through PEIMS ...	child count indicator through the PEIMS; or 2. ... - count the student on the annual federal child count indicator through the PEIMS; or 3. ... - count the student on the annual federal child count indicator through the PEIMS .
Section 4 Special Education	Revision	4.3.5.2 Students Ages 5 Through 21 If an ... If the parent does not do this, for students ages 5 through 21, ...	4.3.5.2 Students Aged 5 Through 21 If an ... If the parent does not do this, for students aged 5 through 21, ...
Section 4 Special Education	Revision	4.6 Instructional Arrangement/Setting Codes ... Requirements Related to Teachers Providing Instruction in Mainstream Settings: ... Students with disabilities who are ages 3 or 4 may have an instructional arrangement/setting code of 40, ... The only context in which a dually certified teacher may serve in both a general education and a special education role is in an Early Childhood Program for students ages 3 or 4. ...	4.6 Instructional Arrangement/Setting Codes ... Requirements Related to Teachers Providing Instruction in Mainstream Settings: ... Students with disabilities who are aged 3 or 4 may have an instructional arrangement/setting code of 40, ... The only context in which a dually certified teacher may serve in both a general education and a special education role is in an Early Childhood Program for students aged 3 or 4. ...
Section 4 Special Education	Revision	4.6.2 Code 01 - Homebound To ... criteria: - The ... - The ... - The student's medical condition is documented by a physician licensed²⁶ to practice in the United States.²⁷	4.6.2 Code 01 - Homebound To ... criteria: - The ... - The ... - The student's medical condition is documented by a physician licensed²⁸ to practice in the United States.²⁹ The student's ...

²⁶ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

²⁷ 19 TAC §89.63(c)(2)(A)

²⁸ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp. Throughout Section 4.6.2 and other parts of Section 4 related to the homebound instructional arrangement/setting and the licensure of physicians, "licensed" means licensed to practice in the United States.

²⁹ 19 TAC §89.63(c)(2)(A)

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Section 4 Special Education	Revision	The student's . . . 4.6.2.1 Homebound Notes In making eligibility and placement decisions, the ARD committee must consider the physician's information. However, the physician's A student cannot be expelled into the homebound instructional arrangement/setting. Please see 10.10.1 Expulsion of Special Education Students for detailed information regarding appropriate instructional arrangement/setting codes and ADA eligibility when expelling students who are receiving special education and related services. . . .	4.6.2.1 Homebound Notes In making eligibility and placement decisions, the ARD committee must consider the licensed physician's information. However, the licensed physician's A student cannot be expelled into the homebound instructional arrangement/setting (see 10.12 Disciplinary Removals of Students With Disabilities for detailed information regarding appropriate instructional arrangement/setting codes and ADA eligibility when expelling students who are receiving special education and related services). . . .
Section 4 Special Education	Revision	4.6.2.2 Homebound Services for Students With Chronic Illness/Acute Health Problems . . . have a medical condition that is documented by a physician licensed to practice in the United States.³⁰ . . .	4.6.2.2 Homebound Services for Students With Chronic Illness/Acute Health Problems . . . have a medical condition that is documented by a licensed³¹ physician.³² . . .
Section 4 Special Education	Revision	4.6.2.3 Homebound Services and Pregnancy Related Services (PRS) Special education eligibility and services do not change as a result of a student's becoming pregnant. During the periods the student is confined to the home or hospital bedside, either prenatal or postnatal, special education and related services should be provided in the homebound instructional setting.	4.6.2.3 Homebound Services and Pregnancy Related Services (PRS) See 9.12 PRS and Special Education Services for detailed information on serving pregnant students through PRS and/or special education.
Section 4 Special Education	Deletion	4.6.2.4 Homebound Services and PRS Notes To ensure that there is no break in special education services, the ARD committee should convene as soon as possible on verification of a student's pregnancy to determine how special	[DELETED]

³⁰ 19 TAC §89.63(c)(2)(A)

³¹ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

³² 19 TAC §89.63(c)(2)(A)

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		education and related services will be provided in the homebound instructional arrangement during the period of confinement to the home or hospital bedside. The committee should — • identify any prenatal medical conditions (such as, but not limited to, gestational diabetes, high blood pressure, preterm labor, etc.); • identify postpartum periods of pregnancy; and • document in the IEP the change of placement and in the type/amount of services that should begin on receipt of the physician's note. Please see Section 9 of this handbook for detailed information on serving pregnant students through PRS and/or special education.	
Section 4 Special Education	Revision	4.6.2.5 Homebound Services for Infants and Toddlers With AI/VI	4.6.2.4 Homebound Services for Infants and Toddlers With AI/VI
Section 4 Special Education	Revision	4.6.2.6 Preschool Programs for Children with Disabilities (PPCD) and Homebound Services	4.6.2.5 Preschool Programs for Children with Disabilities (PPCD) and Homebound Services
Section 4 Special Education	Revision	4.6.2.7 Homebound Funding and Documentation Requirements A student • the student name and identification or social security number, • . . . • the actual time per visit that the student was served (e.g., 10:00 a.m. until 12:00 p.m.). . . .	4.6.2.6 Homebound Funding and Documentation Requirements A student • the student name and identification or Social Security number, • . . . • the specific time period that the student was served (e.g., 10:00 a.m. until 12:00 p.m.). . . .
Section 4 Special Education	Revision	4.6.2.8 Test Administration and the Homebound Instructional Arrangement/Setting A student . . . A student being administered standardized, 6-weeks, semester, and final exams and the TAKS is limited to earning 1 day present . . . If the routine, standardized, six-weeks, semester, or final exam administration or TAKS testing requires less than one	4.6.2.7 Test Administration and the Homebound Instructional Arrangement/Setting A student . . . A student being administered standardized, 6-weeks, semester, or final exams or required state assessments is limited to earning 1 day present . . . If the routine, standardized, 6-weeks, semester, or final exam administration or required state assessment testing requires

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		hour, then . . . A student receiving services in the special education homebound instructional setting who returns to his or her campus to take a state-required assessment instrument (e.g., TAKS) must have a medical release from a medical or nurse practitioner licensed ³³ to practice in the United States to do so. ...	less than 1 hour, then . . . A student receiving services in the special education homebound instructional setting who returns to his or her campus to take required state assessments must have a medical release from a licensed ³⁴ physician to do so. ...
Section 4 Special Education	Revision	4.6.2.9 Transition From Homebound to the Classroom	4.6.2.8 Transition From Homebound to the Classroom
Section 4 Special Education	Revision	4.6.2.10 Transitioning Students With Chronic Illness Between Homebound and the Classroom	4.6.2.9 Transitioning Students With Chronic Illness Between Homebound and the Classroom
Section 4 Special Education	Revision	4.6.2.11 Students With a Recurring Chronic or Acute Health Condition ... See the last example in 4.14.1 Code 01 – Homebound Examples	4.6.2.10 Students With a Recurring Chronic or Acute Health Condition ... (For an example of how to code a student with a recurring chronic or acute health condition, see the last example in 4.14.1 Code 01 – Homebound Examples .) ...
Section 4 Special Education	Revision	4.6.2.12 Homebound: Career and Technical Education Funding Requirements	4.6.2.11 Homebound: Career and Technical Education Funding Requirements
Section 4 Special Education	Revision	4.6.7 Code 41 or 42 - Resource Room/Services ... Code 41 or 42 is used for a student . . . For more information about related services, refer to http://ritter.tea.state.tx.us/special.ed/resources/relserv.html .	4.6.7 Code 41 or 42 - Resource Room/Services ... Code 41 or 42 is used for a student . . . For more information about related services, refer to http://www.tea.state.tx.us/index2.aspx?id=2147496881 .
Section 4 Special Education	Revision	4.6.10 Code 91, 92, 93, 94, 95, 96, 97, or 98 - Off Home Campus This . . . is — • one of a group of . . . • provided . . . or	4.6.10 Code 91, 92, 93, 94, 95, 96, 97, or 98 - Off Home Campus This . . . is — • one of a group of . . . or • provided . . . or

³³ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

³⁴ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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		in . . . services.	in . . . services.
Section 4 Special Education	Revision	4.6.10.1 Off Home Campus Categories ... Code 96 indicates a student . . . This code also applies to students ages 3 to 5 who receive special education and related services in a self-contained classroom on a separate campus Code 97 indicates a student . . . This code also applies to students ages 3 to 5 who receive special education and related services in a community setting. ...	4.6.10.1 Off Home Campus Categories ... Code 96 indicates a student . . . This code also applies to students aged 3 to 5 who receive special education and related services in a self-contained classroom on a separate campus Code 97 indicates a student . . . This code also applies to students aged 3 to 5 who receive special education and related services in a community setting. ...
Section 4 Special Education	Revision	4.6.11.3.2 School-Based Preschool, Staff and/or Community Access (3- Through 5-Year-Olds): If your school district establishes a preschool education program to serve preschool age children . . .	4.6.11.3.2 School-Based Preschool, Staff and/or Community Access (3- Through 5-Year-Olds): If your school district establishes a preschool education program to serve preschool-aged children . . .
Section 4 Special Education	Revision	4.6.11.3.4 Head Start Program: Your school district and a Head Start program should . . . A preschool student who is receiving special education services . . .	4.6.11.3.4 Head Start Program: Your school district and a Head Start program should . . . A preschool student who meets eligibility requirements for Head Start and is receiving special education services . . .
Section 4 Special Education	Revision	4.6.12 Code 45 - Full-Time Early Childhood Special Education Setting This instructional arrangement/setting code is used for children ages 3 through 5 who . . .	4.6.12 Code 45 - Full-Time Early Childhood Special Education Setting This instructional arrangement/setting code is used for children aged 3 through 5 who . . .
Section 4 Special Education	Revision	4.7 Additional Guidelines for Instructional Arrangement/Setting Codes The following additional guidelines For example, if a student is provided — - o special . . . - o special . . . - o full-time . . . student is age 3 through 5, the instructional arrangement/setting code would be 45. ...	4.7 Additional Guidelines for Instructional Arrangement/Setting Codes The following additional guidelines For example, if a student is provided — • special . . . • special . . . • full-time . . . student is age 3 through 5 years of age, the instructional arrangement/setting code would be 45. ...

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Section 4 Special Education	Revision	4.9 Other Special Education Services This section . . . children age 5 and under.	4.9 Other Special Education Services This section . . . children aged 5 and under.
Section 4 Special Education	Revision	4.9.8 Extended School Year (ESY) Services Your district will be funded for any ESY services it provides for special education students for the summer of 2011. . . . The procedures for providing ESY services are as follows: 1. . . . The student to receive ESY services must be reported with the same instructional arrangement/setting code with which the student was reported during the 2010–2011 school year, if he or she had an instructional arrangement/setting code for the school year. . . .	4.9.8 Extended School Year (ESY) Services Your district will be funded for any ESY services it provides for special education students for the summer of 2012 The procedures for providing ESY services are as follows: 1. . . . The student to receive ESY services must be reported with the same instructional arrangement/setting code with which the student was reported during the 2011–2012 school year, if he or she had an instructional arrangement/setting code for the school year. . . .
Section 4 Special Education	Revision	4.9.9 Students Ages 3 Through 5 Receiving Homebound Services Home Instruction Students ages 3 through 5 for whom the ARD committee has determined that . . .	4.9.9 Students Aged 3 Through 5 Receiving Homebound Services Home Instruction Students aged 3 through 5 for whom the ARD committee has determined that . . .
Section 4 Special Education	Revision	4.11.3 Excess Contact Hours Excess contact hours . . . contact hours. (See the last three examples under 4.14.10 Speech Therapy Indicator Code 1 Examples .)	4.11.3 Excess Contact Hours Excess contact hours . . . contact hours.
Section 4 Special Education	Revision	4.12 Special Education Documentation For your district to claim special education contact hours . . . Your district must maintain — • . . . o homebound —a physician's statement confirming . . . o . . .	4.12 Special Education Documentation For your district to claim special education contact hours . . . Your district must maintain — • . . . o homebound —a licensed physician's statement confirming . . . o . . .
Section 4 Special Education	Revision	4.14.1 Code 01 – Homebound Examples Example 1: A special education student (instructional arrangement/setting code 41) develops a medical	4.14.1 Code 01 – Homebound Examples Example 1: A special education student (instructional arrangement/setting code 41, resource room/services

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		condition, and the school obtains a physician's statement . . . 1. . . .: a) <i>Physician's statement and ARD committee documentation, which must be on file before a student can be coded homebound.</i> b) . . . c) <i>The change of placement from resource room to a homebound setting, which will result in a change in the instructional arrangement/setting code from 41 to 01. . .</i> 2. . . . Example 2: . . . During the first week of the second 6-week reporting period. . . The student's instructional arrangement/setting code is 42 for 2 days and 01, for 3 days. . . . Example 3: A certified special education teacher administers the math TAKS to a student confined to the home on a Tuesday. It takes the student 2 hours to complete the math TAKS. The teacher returns on Wednesday and administers the required reading TAKS. It takes the student 2 hours to complete the reading TAKS. . . .	– less than 21%) develops a medical condition, and the school obtains a licensed physician's statement . . . 1. . . .: a) Licensed <i>physician's statement and ARD committee documentation, which must be on file before a student can be coded homebound.</i> b) . . . c) <i>The change of placement from resource room to a homebound setting, which will result in a change in the instructional arrangement/setting code from 41 to 01, homebound.</i> 2. . . . Example 2: . . . During the first week of the second 6-week reporting period. . . The student's instructional arrangement/setting code is 42, resource room/services – at least 21% and less than 50%, for 2 days and 01, homebound, for 3 days. . . . Example 3: A certified special education teacher administers the required state math assessment to a student confined to the home on a Tuesday. It takes the student 2 hours to complete the math assessment. The teacher returns on Wednesday and administers the required state reading assessment. It takes the student 2 hours to complete the reading assessment. . . .
Section 4 Special Education	Revision	4.14.2 Code 02 – Hospital Class Examples . . . The instructional arrangement/setting code for this student should be recorded as 02 in . . .	4.14.2 Code 02 – Hospital Class Examples . . . The instructional arrangement/setting code for this student should be recorded as 02, hospital class, in . . .
Section 4 Special	Revision	4.14.3 Codes 41 and 42 - Resource Room/Services	4.14.3 Codes 41 and 42 - Resource Room/Services

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Education		Examples ... Example 2: A student attends all general classes, except for 1 hour a week, as documented in the IEP, when the student is pulled out to receive physical therapy. <i>The instructional arrangement/setting code . . .</i> ... Example 4: A 4-year-old student with a disability who is not eligible for the prekindergarten The instructional arrangement/setting code for this student should be recorded as 42 in the attendance accounting system; the speech therapy indicator code should be recorded as 2.	Examples ... Example 2: A student attends all general classes, except for 1 hour a week, as documented in the IEP, when the student is pulled out to receive physical therapy. <i>The instructional arrangement/setting code . . . The physical therapy indicator code should be entered as 1.</i> ... Example 4: A 4-year-old student with a disability who is not eligible for the prekindergarten The instructional arrangement/setting code for this student should be recorded as 42, resource room/services – at least 21% and less than 50%, in the attendance accounting system; the speech therapy indicator code should be recorded as 2; and the occupational therapy indicator code should be recorded as 1.
Section 4 Special Education	Revision	4.14.6 Codes 91–98 - Off Home Campus Examples ... Example 3: A student legally transferred . . . <i>... All absences and eligible days present will be recorded in the serving district's attendance accounting system. For students age 3 through 5 . . .</i> ... Example 5: A special education student (age 3 through 5) . . . Example 6: A preschool age student (age 3 through 5) . . .	4.14.6 Codes 91–98 - Off Home Campus Examples ... Example 3: A student legally transferred . . . <i>... All absences and eligible days present will be recorded in the serving district's attendance accounting system. For students aged 3 through 5 . . .</i> ... Example 5: A special education student (3 through 5 years of age) . . . Example 6: A preschool-aged student (3 through 5 years of age) . . .
Section 4 Special Education	Revision	4.14.7 Codes 81–89 - Residential Care and Treatment Facility (Nonresident) Examples Example 1: . . .	4.14.7 Codes 81–89 - Residential Care and Treatment Facility (Nonresident) Examples Example 1: . . .

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		<i>If a special education student who resides in the residential care and treatment facility receives speech therapy services only, then the instructional arrangement/setting code for this student should be entered as 00 in the attendance accounting system.</i> ... Example 3: A special education student (age 3 through 5) with a disability . . . <i>If . . . entered as 87, residential care and treatment facility - community class.</i> ... Example 5: A special education student (age 3 through 5) with a disability . . .	<i>If a special education student who resides in the residential care and treatment facility receives speech therapy services only, then the instructional arrangement/setting code for this student should be entered as 00, no instructional arrangement/setting, in the attendance accounting system.</i> ... Example 3: A special education student (3 through 5 years of age) with a disability . . . <i>If . . . entered as 87.</i> ... Example 5: A special education student (3 through 5 years of age) with a disability . . .
Section 4 Special Education	Revision	4.14.8 Code 40 – Mainstream Examples Example 1: . . . Example 3: A student attends all general education classes. <i>The instructional arrangement/setting code for this student should be entered as 40, mainstream, . . .</i> Example 4: A student attends all general education classes with an interpreter from the RDSPD. <i>The instructional arrangement/setting code for this student should be entered as . . . Regardless of the amount of time the interpreter spends with the student, the instructional arrangement/setting code still must be 40, mainstream.</i> Example 5: A 4-year-old student with a disability . . . <i>. . . The instructional arrangement/setting code for this student should be recorded as 40 in the attendance</i>	4.14.8 Code 40 – Mainstream Examples Example 1: . . . Example 3: A student attends all general education classes. . . . <i>The instructional arrangement/setting code for this student should be entered as 40, mainstream, . . . The student's physical therapy indicator code should be entered as 1.</i> Example 4: A student attends all general education classes with an interpreter from the RDSPD. <i>The instructional arrangement/setting code for this student should be entered as . . . Regardless of the amount of time the interpreter spends with the student, the instructional arrangement/setting code still must be 40.</i> Example 5: A 4-year-old student with a disability . . . <i>. . . The instructional arrangement/setting code for this</i>

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		accounting system and the speech therapy indicator code should be recorded as 2. Example 6: A 3-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40 in the attendance accounting system, and the speech therapy indicator code should be recorded as 2. Example 7: A 4-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40 in the attendance accounting system, and the speech therapy indicator code should be recorded as 2. Example 8: A 4-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40 in the attendance accounting system.	student should be recorded as 40, mainstream, in the attendance accounting system; the speech therapy indicator code should be recorded as 2; and the occupational therapy indicator code should be recorded as 1. Example 6: A 3-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2. Example 7: A 4-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system, and the speech therapy indicator code should be recorded as 2. Example 8: A 4-year-old student with a disability The instructional arrangement/setting code for this student should be recorded as 40, mainstream, in the attendance accounting system.
Section 4 Special Education	Revision	4.14.9 Code 45 - Full-Time Early Childhood Special Education Setting (FT EC SPED) Examples A special education student (age 3 through 5) with a disability . . .	4.14.9 Code 45 - Full-Time Early Childhood Special Education Setting (FT EC SPED) Examples A special education student (3 through 5 years of age) with a disability . . .
Section 4 Special Education	Revision	4.14.10 Speech Therapy Indicator Code 1 Examples Example 1: A student . . . <i>The instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i> Example 2: A student . . . <i>Regardless of whether these services and supports</i>	4.14.10 Speech Therapy Indicator Code 1 Examples Example 1: A student . . . <i>The instructional arrangement/setting code for this student should be recorded as 00, no instructional arrangement/setting, in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i> Example 2: A student . . . <i>Regardless of whether these services and supports are</i>

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		are provided in a general education or pull-out setting, the instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1. Example 3: A 4-year-old student . . . <i>The instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i> Example 4: A 4-year-old student <i>The instructional arrangement/setting code for this student should be recorded as 00 in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i>	provided in a general education or pull-out setting, the instructional arrangement/setting code for this student should be recorded as 00, no instructional arrangement/setting, in the attendance accounting system, and the speech therapy indicator code should be recorded as 1. Example 3: A 4-year-old student . . . <i>The instructional arrangement/setting code for this student should be recorded as 00, no instructional arrangement/setting, in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i> Example 4: A 4-year-old student <i>The instructional arrangement/setting code for this student should be recorded as 00, no instructional arrangement/setting, in the attendance accounting system, and the speech therapy indicator code should be recorded as 1.</i> Example 5: A 3- or 4-year-old student receives only speech therapy and physical therapy services. The speech therapist provides services 30 minutes twice a week. The student does not receive any other instruction. The student is ineligible for PK but is eligible for the special education services the student receives (speech therapy and physical therapy services). <i>The student will not generate contact hours because the student does not meet the requirements of the 2-through-4-hour rule for ADA eligibility. The instructional arrangement/setting code for this student should be recorded as 00, no instructional arrangement/setting, in the attendance accounting system; the speech therapy indicator code should be recorded as 1; and the physical therapy indicator code should be recorded as 1.</i>
Section 4 Special	Revision	4.14.12 Calculation of Excess Contact Hours Example Example 1: A student . . .	4.14.12 Calculation of Excess Contact Hours Example Example 1: A student . . .

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Education		<i>Since this number of contact hours is over the 6.00 hour per day maximum, 0.25 contact hours must be subtracted from the speech therapy setting (instructional arrangement/setting code 00) . . .</i>	<i>Since this number of contact hours is over the 6.00 hour per day maximum, 0.25 contact hours must be subtracted from the speech therapy setting (instructional arrangement/setting code 00, no instructional arrangement/setting) . . .</i>
Section 5 Career and Technical Education	Revision	5.2 Eligibility and Eligible Days Present Your district is responsible for ensuring CTE contact hour funding eligibility by meeting the following four criteria: - Each CTE course must be taught by a qualified/certified teacher, as defined in 19 Texas Administrative Code (TAC) §231.1, Criteria for Assignment of Public School Personnel.³⁵ - Your district must ensure that the appropriate resources, laboratories, and technology are provided to teach the Texas Essential Knowledge and Skills (TEKS) for the courses offered. - To be eligible for CTE contact hour funding, your district must offer three or more programs of study in at least three different clusters.	5.2 Eligibility and Eligible Days Present Your district is responsible for ensuring CTE contact hour funding eligibility by meeting the following four criteria: - Each CTE course must be taught by a qualified/certified teacher, as defined in 19 Texas Administrative Code (TAC) §231.1, Criteria for Assignment of Public School Personnel.³⁶ - Your district must ensure that the appropriate resources, laboratories, equipment, and technology are provided to teach the Texas Essential Knowledge and Skills (TEKS) for the courses offered. - To be eligible for CTE contact hour funding, your district must offer one or more programs of study in at least three different clusters.
Section 5 Career and Technical Education	Revision	5.2.2 Eligibility of Courses for Funding State-approved . . . Sixty percent of your district's CTE state allotment funding must be spent in support of courses with program intent code 22. ...	5.2.2 Eligibility of Courses for Funding State-approved . . . Your district must spend its CTE state allotment funding in accordance with the provisions of 19 TAC §105.11, related to maximum allowable indirect costs. ...
Section 5 Career and Technical	Revision	5.2.3 Earning Contact Hours ...	5.2.3 Earning Contact Hours ...

³⁵ This requirement does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher.

³⁶ This requirement does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher. **However, under the No Child Left Behind Act, certain teachers must be “highly qualified” if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.**

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Education		A student is not eligible to receive any CTE contact hours for participating for 1 hour in a 2-hour course or for 1 or 2 hours in a 3-hour course. For example, students participating for 1 hour in a 2-hour course or for 1 or 2 hours in a 3-hour course are not eligible to receive contact hours. ...	A student is not eligible to receive any CTE contact hours for participating for 1 hour in a 2-hour course or for 1 or 2 hours in a 3-hour course. ...
Section 5 Career and Technical Education	Revision	5.2.3.2 Earning CTE Contact Hours While Receiving PRS For ... (See 9.15 PRS and Career and Technical Education and 9.19.4 Example 4 in Section 9. See 9.17 Documentation for requirements related to the homebound instructor's log.)	5.2.3.2 Earning CTE Contact Hours While Receiving PRS For ... (See 9.13 PRS and Career and Technical Education (CTE) and 9.17.4 Example 4 in Section 9. See 9.15 Documentation for requirements related to the homebound instructor's log.)
Section 5 Career and Technical Education	Deletion	5.2.4 Career Preparation Eligibility Requirements CTE career preparation eligibility requirements are as follows. Refer to 5.7 Career Preparation and Practicum Learning Experiences for general rules and to the glossary for definitions. - The career preparation course³⁷ is for paid experience only. The training component must address all the TEKS for the course and provide a student with a variety of learning experiences that will give the student the broadest possible understanding of the business or industry. - Each career preparation course using the paid work-based learning delivery arrangement must consist of student participation in career preparation training appropriate to the instructional program plus participation in related CTE classroom instruction. The course should span the entire school year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold	[ALL INFORMATION ON CAREER PREPARATION COURSES NOW APPEARS IN 5.7.]

³⁷ 19 TAC §127.13 and §127.14

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		valid work documentation, such as a Social Security card, to enroll in any of the career preparation learning experiences that have a paid component. - Students unemployed for more than 15 consecutive school days are not eligible for contact hours. - Career preparation courses cannot be offered in an alternative setting, such as credit recovery, alternative programs, or disciplinary alternative programs. Use the following chart to determine the CTE code for students participating in paid CTE career preparation. [TABLE]	
Section 5 Career and Technical Education	Deletion	5.2.5 Practicum Course Eligibility Requirements CTE practicum course eligibility requirements are as follows. Refer to 5.7 Career Preparation and Practicum Learning Experiences for general rules and to the glossary for definitions. - Practicum courses and other two- to three-credit CTE courses found in 19 TAC §130 may be used as laboratory-based, paid, or unpaid work experiences for students. - Each practicum course using the paid work-based learning instructional arrangement must consist of student participation in training appropriate to the student's program of study plus participation in related CTE classroom instruction. The course should span the entire year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold valid work documentation such as a Social Security card to enroll in any of the practicum learning experiences that have a paid component.	[ALL INFORMATION ON PRACTICUM COURSES NOW APPEARS IN 5.7.]

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		Students unemployed for more than 15 consecutive school days in a paid practicum learning experience must be placed in an unpaid learning experience. Use the following chart to determine the CTE code for students participating in a paid practicum learning experience. [TABLE] Use the following chart to determine the CTE code for students participating in an unpaid practicum learning experience. [TABLE]	
Section 5 Career and Technical Education	Revision	5.5.2 PEIMS 410 Record ... Note: For exceptions to this rule, see 5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules, on block scheduling. For CTE purposes ...	5.5.2 PEIMS 410 Record ... Note: For exceptions to this rule, see 5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules. Use the following chart to determine the CTE codes to use for coding students. [TABLE IS SAME TABLE AS PREVIOUSLY APPEARED IN 5.5.2.1.] For CTE purposes ...
Section 5 Career and Technical Education	Revision	5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules If your district operates block schedules in which class periods are not in 1-hour increments, use the following chart to determine the CTE codes to use for coding students. [TABLE] Each CTE course ...	5.5.2.1 Special 410 Record Coding Instructions for Districts Operating Block Schedules If your district operates block schedules in which class periods are not in 1-hour increments, use the chart above in 5.5.2 to code students. Each CTE course ...
Section 5 Career and Technical Education	Revision	5.7 Career Preparation and Practicum Learning Experiences Career preparation learning experiences consist of time spent	5.7 Career Preparation and Practicum Learning Experiences Career Preparation consists of time spent at an approved

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		at an approved training site, as well as time spent in the classroom. Practicum learning experiences are specific to a cluster and provide learning experiences in a laboratory setting or at an approved training site. The local education agency and the training sponsor plan and supervise instruction cooperatively.	training site, as well as classroom instruction. Practicums are specific to a cluster and combine classroom instruction with learning experiences in a laboratory setting or at an approved training site. Career Preparation and Practicums require that the local education agency and the training sponsor plan and supervise instruction cooperatively.
Section 5 Career and Technical Education	Addition	None [SEE NOTE IN RIGHT-HAND COLUMN. FOLLOWING IS THE TEXT OF DELETED 5.2.4.] 5.2.4 Career Preparation Eligibility Requirements CTE career preparation eligibility requirements are as follows. Refer to 5.7 Career Preparation and Practicum Learning Experiences for general rules and to the glossary for definitions. - The career preparation course is for paid experience only. The training component must address all the TEKS for the course and provide a student with a variety of learning experiences that will give the student the broadest possible understanding of the business or industry. - Each career preparation course using the paid work-based learning delivery arrangement must consist of student participation in career preparation training appropriate to the instructional program plus participation in related CTE classroom instruction. The course should span the entire school year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold valid work documentation, such as a Social Security	[MUCH OF THE INFORMATION IN NEW 5.7.1 PREVIOUSLY APPEARED IN 5.2.4, WHICH HAS BEEN DELETED.] 5.7.1 Career Preparation Eligibility Requirements CTE Career Preparation eligibility requirements are as follows. Refer to 5.7.3 Date on Which Students May Earn Contact Hours through 5.7.5 Required Site Visits by Teachers for additional information and to the glossary for definitions. - The Career Preparation course is for paid experience only. The training component must address all the TEKS for the course and provide a student with a variety of learning experiences that will give the student the broadest possible understanding of the business or industry. - Each Career Preparation course must consist of student participation in career preparation training appropriate to the instructional program plus participation in related CTE classroom instruction. The course should span the entire school year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold valid work documentation, such as a Social Security card, to enroll in any of the Career Preparation learning experiences.

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		card, to enroll in any of the career preparation learning experiences that have a paid component. - Students unemployed for more than 15 consecutive school days are not eligible for contact hours. - Career preparation courses cannot be offered in an alternative setting, such as credit recovery, alternative programs, or disciplinary alternative programs. Use the following chart to determine the CTE code for students participating in paid CTE career preparation. [TABLE]	- Students unemployed for more than 15 consecutive school days are not eligible for contact hours. - Career Preparation courses cannot be offered in settings such as credit recovery, disciplinary programs, or any other setting that does not allow a student to be enrolled the entire school year. In any case, the teacher must be a qualified/certified teacher, as defined in 19 TAC §231.1, Criteria for Assignment of Public School Personnel.³⁸ Use the following chart to determine the CTE code for students participating in paid CTE Career Preparation. [TABLE]
Section 5 Career and Technical Education	Addition	[SEE NOTE IN RIGHT-HAND COLUMN. FOLLOWING IS THE TEXT OF DELETED 5.2.5.] 5.2.5 Practicum Course Eligibility Requirements CTE practicum course eligibility requirements are as follows. Refer to 5.7 Career Preparation and Practicum Learning Experiences for general rules and to the glossary for definitions. - Practicum courses and other two- to three-credit CTE courses found in 19 TAC §130 may be used as laboratory-based, paid, or unpaid work experiences for students. - Each practicum course using the paid work-based learning instructional arrangement must consist of student participation in training appropriate to the student's program of study plus participation in related CTE classroom instruction. The course should span the entire year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district	[MUCH OF THE INFORMATION IN NEW 5.7.2 PREVIOUSLY APPEARED IN 5.2.5, WHICH HAS BEEN DELETED.] 5.7.2 Practicum Course Eligibility Requirements CTE Practicum course eligibility requirements are as follows. Refer to 5.7.3 Date on Which Students May Earn Contact Hours through 5.7.5 Required Site Visits by Teachers for additional information and to the glossary for definitions. - Practicum courses and other two- to three-credit CTE courses found in 19 TAC §130 may be used as laboratory-based, paid, or unpaid work experiences for students. - Each Practicum course using a work-based learning instructional arrangement must consist of student participation in training appropriate to the student's program of study plus participation in related CTE classroom instruction. The course should span the entire year, and classroom instruction must average one class period each day for every school week. A student is expected to be enrolled the entire school year; however, in accordance with local district policy, a

³⁸ This requirement does not apply to an open-enrollment charter school unless the school's charter states that a CTE course must be taught by a qualified/certified CTE teacher. However, under the No Child Left Behind Act, certain teachers must be "highly qualified" if the open-enrollment charter school receives certain federal funds. Please see the TEA [Highly Qualified Teachers](#) page for more information.

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		policy, a student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold valid work documentation such as a Social Security card to enroll in any of the practicum learning experiences that have a paid component. - Students unemployed for more than 15 consecutive school days in a paid practicum learning experience must be placed in an unpaid learning experience. Use the following chart to determine the CTE code for students participating in a paid practicum learning experience. [TABLE] Use the following chart to determine the CTE code for students participating in an unpaid practicum learning experience. [TABLE]	student may enter or exit the course when extenuating circumstances require such a change. - A student must be a minimum age of 16 and hold valid work documentation such as a Social Security card to enroll in any of the practicum learning experiences that have a paid component. - Students unemployed for more than 15 consecutive school days in a paid practicum learning experience must be placed in an unpaid learning experience. Use the following chart to determine the CTE code for students participating in a paid practicum learning experience. [TABLE] Use the following chart to determine the CTE code for students participating in an unpaid practicum learning experience. [TABLE]
Section 5 Career and Technical Education	Revision	5.7.1 Date on Which Students May Earn Contact Hours Written training plans, which can be found at www.tea.state.tx.us/cte/curriculum, must be on file for students participating in either paid or unpaid learning experiences. . . . A student participating in unpaid practicum learning experiences may be counted . . .	5.7.3 Date on Which Students May Earn Contact Hours Written training plans, which can be found at http://www.tea.state.tx.us/index2.aspx?id=3366, must be on file for students participating in either paid or unpaid learning experiences at an approved training site. . . . A student participating in unpaid practicum work-based instruction may be counted . . .
Section 5 Career and Technical Education	Revision	5.7.2 Additional Requirements for Students Participating in Paid Learning Experiences	5.7.4 Additional Requirements for Students Participating in Paid Learning Experiences
Section 5 Career and Technical Education	Revision	5.7.3 Required Site Visits by Teachers	5.7.5 Required Site Visits by Teachers
Section 5 Career and Technical Education	Revision	5.13.5 Example 5 A student in career preparation training is employed as an automotive machinist for the entire school year. The student is employed 20 hours a week, from 1:00 p.m. until 5:00 p.m.	5.13.5 Example 5 A student in a Career Preparation course is employed as an automotive machinist for the entire school year. The student is employed 20 hours a week, from 1:00 p.m. until 5:00 p.m. each

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		each day, and is enrolled in the career preparation course during fourth period. <i>The CTE code for this student would be entered as V3 for the entire school year in the attendance accounting system because the student attends the 1-hour career preparation CTE class period and works a minimum of 15 hours a week.</i>	day, and is enrolled in the Career Preparation course during fourth period. <i>The CTE code for this student would be entered as V3 for the entire school year in the attendance accounting system because the student attends the 1-hour Career Preparation CTE class period and works a minimum of 15 hours a week.</i>
Section 5 Career and Technical Education	Revision	5.13.10 Example 10 A student is enrolled in Principles of Health Science (V1). The student develops a physical impairment, and the school obtains a physician's statement affirming that the physical impairment will prevent the student from attending school for at least 4 weeks. ...	5.13.10 Example 10 A special education student is enrolled in Principles of Health Science (V1). The student develops a physical impairment, and the school obtains a statement from a physician licensed to practice in the United States affirming that the physical impairment will prevent the student from attending school for at least 4 weeks. ...
Section 6 Bilingual/English as a Second Language (ESL)	Revision	Section 6 Bilingual/English as a Second Language (ESL) [Introduction] This section addresses unique provisions for bilingual/ESL programs. . . .	Section 6 Bilingual/English as a Second Language (ESL) [Introduction] This section addresses unique provisions for bilingual and ESL education programs. . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.1 Responsibility List in the following spaces the name and phone number of the district personnel to whom all bilingual education and/or ESL coding questions should be directed: ...	6.1 Responsibility List in the following spaces the name and phone number of the district personnel to whom all bilingual and ESL education program coding questions should be directed: ...
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.2 Eligibility To be eligible for state funding, a student being served in the bilingual education or ESL program must meet the following requirements: • have . . . ; • be considered LEP because . . . determining whether a student is considered LEP ◦ grades PK through 1: student scores below cutoff score on an OLPT approved by the Texas Education Agency (TEA), and	6.2 Eligibility To be eligible for state funding, a student in the bilingual or ESL education program must meet the following requirements: • have . . . ; • be considered limited English proficient (LEP) because . . . determining whether a student is considered LEP: ◦ grades PK through 1: student scores below cutoff score on an oral language proficiency

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		grades 2 through 12: ... and/or - student scores below cutoff scores ... (TEA-approved student assessment instrument); - be ... ; and - have a record of parental approval to place the LEP student in a bilingual education or ESL program. For ... needs (services may be something other than ESL). Each ... guidelines: On a student's ... the LEP student so identified through testing. The LPAC must ... tests; and recommend the student's exit from the bilingual education or ESL program.³⁹ A student may not be exited from the bilingual education or ESL program in grades PK through the end of first grade. ...	test (OLPT) approved by the Texas Education Agency (TEA), and grades 2 through 12: ... and/or - student scores below cutoff scores ... (selected from the <i>List of Approved Tests for Assessment of Limited English Proficient Students</i>); - be ... ; and - have a record of parental approval to place the LEP student in a bilingual or ESL education program. For ... needs. Each ... guidelines: On a student's ... the LEP student so identified according to the guidelines on the previous page. The LPAC must ... tests; designate the level of academic achievement of the LEP student; and recommend the student's exit from the bilingual or ESL education program.⁴⁰ A student may not be exited from the bilingual or ESL education program in grades PK through the end of first grade. ...
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.2.1 Students Who Are Eligible to Be Served in the Bilingual/ESL Program but Are <u>Not Eligible for Funding</u> The following students may be served by your district's bilingual education or ESL program. However, these students are not eligible for bilingual education or ESL program funding and must not have bilingual or ESL program type codes recorded on their Student Detail Reports. - Students —	6.2.1 Students Who Are Eligible to Be Served in the Bilingual or ESL Education Program but Are <u>Not Eligible for Funding</u> The following students may be served by your district's bilingual or ESL education program. However, these students are not eligible for bilingual or ESL education program funding and must not have bilingual or ESL program type codes recorded on their Student Detail Reports. - Students —

³⁹ 19 TAC §1220(g)

⁴⁰ 19 TAC §89.1220(g)

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		- o who have exited/been transitioned out of the bilingual/ESL program, - o . . . , and - o whose schools wish to continue to provide bilingual/ESL program services to the students	- o who have exited/been transitioned out of the bilingual or ESL education program, - o . . . , and - o whose schools wish to continue to provide bilingual or ESL education program services to the students
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services If a student's parent has denied bilingual/ESL services and the only summer school program available is a bilingual education/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program.	6.2.2 Parent Denial of Services and Eligibility of Students to Receive Bilingual/ESL Summer School Services If a student's parent has denied bilingual/ESL education services and the only summer school program available is a bilingual/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.3 Enrollment Procedures This section explains the procedures for enrolling a student in the bilingual/ESL program. 1. . . . 2. District personnel test the student for English proficiency. a. If the student is in prekindergarten (PK), kindergarten, or grade 1, trained district personnel administer the Oral Language Proficiency Test (OLPT) in English. If the student test below the cutoff score (determined by the exam instrument used), the student is considered limited English proficient (LEP). If your district provides a bilingual education program, it must administer an OLPT in the home language of each student who is eligible to be served in the bilingual education program . . . b. If the student is in grades 2 through 12, trained district personnel administer the OLPT. . . .	6.3 Enrollment Procedures This section explains the procedures for enrolling a student in the bilingual or ESL education program. 1. . . . 2. District personnel test the student for English proficiency. a. If your district is required to provide a bilingual education program, it must administer an OLPT in the home language of each student who is eligible to be served in the bilingual education program. . . b. If the student is in prekindergarten (PK), kindergarten, or grade 1, trained district personnel administer the OLPT in English. If the student tests below the cutoff score (determined by the exam instrument used), the student is considered LEP. c. If the student is in grades 2 through 12, trained district personnel administer the OLPT. . . .

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		3. The LPAC places the student in either the bilingual or ESL education program, but . . . 4. The LPAC must give written notice to the student's parents informing them that the student has been classified as LEP and requesting approval (through completion of an approval form) to place the student in the required bilingual or ESL education program. The notice must include information about the benefits of the bilingual or ESL education program	3. The LPAC recommends placement of the student in either the bilingual or ESL education program, but . . . 4. The LPAC must give written notice to the student's parents informing them that the student has been classified as LEP and requesting approval (through completion of an approval form) to place the student in the required bilingual or ESL education program. The notice must include information about the benefits of the bilingual or ESL education program
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.3.1 Students Who Move to Your District Within 4 weeks . . . required bilingual or ESL program. However, even though the student may be served in the bilingual/ESL program, the student should not be coded with the bilingual or ESL program type code⁴¹ . . . When a bilingual/ESL student moves to your school district, your district (the receiving district) should immediately begin serving the student in the bilingual or ESL education program . . .	6.3.1 Students Who Move to Your District Within 4 weeks . . . required bilingual or ESL education program. However, even though the student may be served in the bilingual or ESL education program, the student should not be coded with the bilingual or ESL program type code⁴² . . . When a bilingual/ESL student moves to your school district, your district (the receiving district) should immediately begin serving the student in the bilingual or ESL education program . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4 Withdrawal Procedures This section explains the procedures for withdrawing a student from the bilingual education or ESL program. 1. A student is withdrawn from the bilingual/ESL education program if: - the LPAC classifies the student as English proficient when the student attains the required exit criteria as stated in the Texas Education Code (TEC), §29.056(g); or - the parent . . . ; or	6.4 Withdrawal/Reclassification/Exit Procedures This section explains the procedures for withdrawing a student from the bilingual or ESL education program. 1. A student is withdrawn from the bilingual or ESL education program if — - the LPAC classifies the student as English proficient when the student attains the required exit criteria as stated in the Texas Education Code (TEC), §29.056(g) (see 6.4.2 Exit Criteria); or - the parent . . . ; or

⁴¹ To find the appropriate code to use, please consult the program type code tables available at the following link: <http://ritter.tea.state.tx.us/peims/standards/1011/ds4.doc>. Search for the C175 code table for bilingual program type codes and the C176 code table for ESL program type codes.

⁴² To find the appropriate code to use, please consult the program type code tables available at the following link: <http://ritter.tea.state.tx.us/peims/standards/wedspre/index.html>. Search for the C175 code table for bilingual program type codes and the C176 code table for ESL program type codes.

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		the student withdraws from the district (not exits from the bilingual/ESL program). 2. Once . . . the bilingual education or ESL program.	the student withdraws from (leaves) the district (not exits from the bilingual or ESL education program). 2. Once . . . the bilingual or ESL education program.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4.1 Effective Date of Withdrawal The date a student withdraws from the district or is exited from the bilingual education or ESL program is considered the effective date of change. District personnel record the effective date in the attendance accounting system, and eligible bilingual/ESL days are no longer accumulated from that date forward.	6.4.1 Effective Date of Withdrawal For a student who withdraws from the district, the date the student withdraws is considered the effective date of change. District personnel record the effective date in the attendance accounting system, and eligible bilingual/ESL days are no longer accumulated from that date forward. For a student who has been classified by the LPAC as English proficient at the end of the school year, the first day of the following school year is considered the effective date of change. District personnel record the effective date in the attendance accounting system, and eligible bilingual/ESL days are no longer accumulated from that date forward. It is rare to change LEP-related codes during the school year.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4.2 Exit Criteria The following chart shows the criteria for transferring a LEP student out of the bilingual education/ESL program at different grade levels. [TABLE: TEXT AT TOP OF TABLE: At . . . a bilingual education or special language program . . . FIRST ROW LABEL: Current Oral = Listening & Speaking ENGLISH READING AND ELA ROW, 3RD–8TH GRADE COLUMNS: English Reading TAKS, TAKS (Accommodated)** ** For eligible LEP students receiving special education	6.4.2 Exit Criteria The following chart shows the criteria for transferring a LEP student out of the bilingual or ESL education program at different grade levels. IMPORTANT: The exit criteria shown in this chart are accurate as of the publication date of this handbook but are subject to change. Visit the TEA Bilingual Education web page at http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720 for the most current exit criteria. [TABLE: TEXT AT TOP OF TABLE: At . . . a bilingual or ESL education program . . . FIRST ROW LABEL: Current School Year Oral = Listening & Speaking ENGLISH READING AND ELA ROW, 3RD–8TH GRADE COLUMNS: TELPAS Reading Advanced High

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		services ENGLISH READING AND ELA ROW, 9TH GRADE COLUMN: English Reading TAKS, TAKS (Accommodated)** WRITING ROW, 1ST GRADE COLUMN: ONLY Agency-Apprvd. Writing Test WRITING ROW, 4TH AND 7TH GRADE COLUMNS: English Writing TAKS, TAKS (Accommodated)**]	ENGLISH READING AND ELA ROW, 9TH GRADE COLUMN: STAAR WRITING ROW, 1ST GRADE COLUMN: Agency- Apprvd. Writing Test WRITING ROW, 4TH AND 7TH GRADE COLUMNS: Agency-Apprvd. Writing Test]
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services Information . . . To access this document, go to http://ritter.tea.state.tx.us/curriculum/biling, and click . . .	6.4.3 Exit Procedures and Criteria for LEP Students Receiving Special Education Services Information . . . To access this document, go to http://www.tea.state.tx.us/index2.aspx?id=4098&menu_id=720, and click . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.4.4 Continuation of Bilingual Education/ESL Program Services After a Student Has Met Exit Criteria A student who has met the exit criteria for being transitioned out of the bilingual/ESL program may continue to participate . . .	6.4.4 Continuation of Bilingual or ESL Education Program Services After a Student Has Met Exit Criteria A student who has met the exit criteria for being transferred (transitioned/exited/reclassified) out of the bilingual or ESL education program may continue to participate . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.5 Evaluation of a Student Who Has Been Transitioned out of the Bilingual or ESL Program The LPAC must reevaluate a student who has been transitioned out of a bilingual or special language program if the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first 2 years after the student has been transitioned out of the program. The purpose of the reevaluation is to determine whether the student should be reenrolled in a bilingual education or special language program. In determining whether to reenroll the student, the LPAC	6.5 Evaluation of a Student Who Has Been Transferred (Transitioned/Exited/Reclassified) Out of the Bilingual or ESL Education Program During the first 2 years after a student has met criteria to transfer out of a bilingual or ESL education program, the LPAC must monitor the student's academic progress. During this time, the LEP codes of F and S are used to reflect the first and second years of monitoring. Program type codes other than 0 and parental permission codes should not be present, as the student is no longer LEP and no longer served. If the student earns a failing grade in a subject in the foundation curriculum during any grading period in the first 2 years after the student has been transitioned out of the program, the LPAC must consider reenrolling the student in a bilingual or ESL education program. In determining whether to reenroll the student, the LPAC

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		should evaluate the following: - the total amount of time the student was enrolled in a bilingual education or special language program ... After the LPAC reevaluates the student, the committee may 1) require intensive instruction for the student or 2) reenroll the student in a bilingual education or special language program.	should evaluate the following: - the total amount of time the student was enrolled in a bilingual or ESL education program ... After the LPAC reevaluates the student's progress, the committee may 1) require intensive instruction for the student or 2) reenroll the student in a bilingual or ESL education program.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.6 Eligibility of Your District's Bilingual Education or ESL Program for State Funding For ... bilingual and ESL programs meet the following state requirements. The LPAC may recommend appropriate services that may include content courses provided through sheltered instructional approaches by trained teachers, who have received professional development in sheltered instruction enrollment in ESL courses, additional state elective English courses, and special assistance provided through locally determined programs. - A student is served in a program approved by the TEA under an exception to the Spanish bilingual program for 6 consecutive years only and under a waiver to the ESL program for one year. A student is served in a program approved by the TEA under an exception to a language other than Spanish for as long as State Board for Educator Certification does not have a certificate for that language.⁴³	6.6 Eligibility of Your District's Bilingual or ESL Education Program for State Funding For ... bilingual and ESL education programs meet the following state requirements. The LPAC may recommend appropriate services that may include content courses provided through sheltered instructional approaches by trained teachers, enrollment in ESL courses, additional state elective English courses, and special assistance provided through locally determined programs. - A student is served in a program approved by the TEA under an exception to the Spanish bilingual program or under a waiver to the ESL program. A student is served in a program approved by the TEA under an exception to a language other than Spanish for as long as the State Board for Educator Certification does not have a certificate for that language. A TEA-approved exception or waiver remains valid for the current year only.⁴⁴
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.7 Requirement to Serve Eligible Students Your district must place a student in a bilingual education or ESL program as soon as ... Your district must place the student in the bilingual education or ESL program ...	6.7 Requirement to Serve Eligible Students Your district must place a student in a bilingual or ESL education program as soon as ... Your district must place the student in the bilingual or ESL education program ...

⁴³ 19 TAC §89.1205(g),(h)

⁴⁴ **TEC, §29.061**; 19 TAC §89.1207

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Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.8 Bilingual Education and ESL Services Your District Is Required to Provide Each district that is required to offer bilingual education and special language programs must offer the following for students of limited English proficiency: 1. . . . ; 2. . . . ; and 3. instruction according to LPAC recommendation: • For LEP students in grades 9 through 12 who are immigrants, enrollment in English I for Speakers of Other Languages and/or English II for Speakers of Other Languages is appropriate. • For all other . . . methods. . . .	6.8 Bilingual and ESL Education Services Your District Is Required to Provide Each district that is required to offer bilingual and ESL education programs must offer the following for students of limited English proficiency: 1. . . . ; 2. . . . ; and 3. instruction according to LPAC recommendation: a. Under the new graduation requirements adopted by the State Board of Education in March 2010, LEP students who successfully complete English for Speakers of Other Languages (ESOL) I and ESOL II may satisfy the English I and English II graduation requirement(s). Students who take ESOL I and/or ESOL II to satisfy their English I and/or English II requirement(s) are required to take the English I and/or English II end-of-course exam as part of their graduation requirements. Students who are identified as LEP and are at the beginning or intermediate level of English language proficiency, as defined by 19 TAC §74.4(d), relating to English Language Proficiency Standards, may be enrolled in ESOL I or ESOL II. b. For all other . . . methods. . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.9 Teacher Certification Requirements The . . . bilingual education and ESL program courses.	6.9 Teacher Certification Requirements The . . . bilingual and ESL education program courses.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.9.1 Students in Grades PK Through 5 Students . . . bilingual/ESL program must be served by bilingual/ESL certified staff.	6.9.1 Students in Grades PK Through 5 Students . . . bilingual education program must be served by bilingual-certified staff.

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			Students in grades PK through 5 (or through 6, if grade 6 is clustered with elementary grades) who are counted for funding in the ESL education program must be served by ESL-certified staff.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.9.3 Students in Grades 9 Through 12 Students in grades 9 through 12 may be counted for funding in a bilingual/ESL program even if they are served by staff members who are not bilingual/ESL-certified, only if they have received professional development in Sheltered Instruction. However, English I for Speakers of Other Languages and English II for Speakers of Other Languages must be taught by . . .	6.9.3 Students in Grades 9 Through 12 Students in grades 9 through 12 may be counted for funding in a bilingual or ESL education program if they are served by at least one teacher who is certified in ESL for that grade level and who is responsible for meeting the linguistic needs of the LEP students. However, ESOL I and ESOL II must be taught by . . .
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.10 Eligible Days Present This section describes the procedure for reporting bilingual/ESL eligible days present in the attendance accounting system. District personnel must — identify each student who is being served in the bilingual education or ESL program	6.10 Eligible Days Present This section describes the procedure for reporting bilingual/ESL eligible days present in the attendance accounting system. District personnel must — identify each student who is being served in the bilingual or ESL education program
Section 6 Bilingual/English as a Second Language (ESL)	Revision and Deletion	6.10.1 Eligible Days Present and Students Placed in a Disciplinary Setting Bilingual education or ESL program eligible days present may not be claimed when a student receiving bilingual education or ESL program services is placed in a disciplinary setting (e.g., in-school suspension [ISS] or disciplinary alternative education program [DAEP]) for more than 5 consecutive days if the same amount and type of bilingual education or ESL program services are not provided by a bilingual education or ESL program teacher. After 5 consecutive days without bilingual education or ESL program services . . . setting. In other words, your district may place a student in a disciplinary setting for up to and including 5 consecutive days and continue to claim bilingual education or ESL program contact hours even though no bilingual education or ESL program services are provided to the student. A student may earn state credit for an English for Speakers of other Languages (ESOL) I or II course if the student continues to work on the course even though direct ESOL instruction is not being provided during periods of	6.10.1 Eligible Days Present and Students Placed in a Disciplinary Setting Bilingual or ESL education program eligible days present may not be claimed when a student receiving bilingual or ESL education program services is placed in a disciplinary setting (e.g., in-school suspension [ISS] or disciplinary alternative education program [DAEP]) for more than 5 consecutive days if the same amount and type of bilingual or ESL education program services are not provided by a bilingual or ESL education program teacher. After 5 consecutive days without bilingual or ESL education program services . . . setting.

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		disciplinary removal.	
Section 6 Bilingual/English as a Second Language (ESL)	Deletion	6.11 Documentation For . . . Documentation requirements are as follows. (If the student enrolls in another school, this documentation must be forwarded, as is the case with other student records.)	6.11 Documentation For . . . Documentation requirements are as follows.
Section 6 Bilingual/English as a Second Language (ESL)	Revision and Deletion	6.11.1 Home Language Survey Requirements Your district must . . . Your district must administer home language surveys annually to students new to the district for whom a survey has never been completed (in Texas) or a copy of the survey cannot be located. Your For a student moving . . . district. District personnel may make revisions to a student's home language survey with parental approval to reflect factual revisions agreed upon between the district and the parent.	6.11.1 Home Language Survey Requirements Your district must . . . Your district must administer home language surveys to students new to the district for whom a survey has never been completed (in Texas) or for whom a copy of the survey cannot be located within 4 weeks (20 school days) . Your For a student moving . . . district.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.11.2 Test Result Documentation Requirement The following documentation must be on file for every student accumulating eligible bilingual/ESL days present: Proof of a qualifying score on a TEA-approved OLPT, and/or qualifying scores on the English reading and English language arts sections of an approved student assessment instrument. The official scores must be documented in the student's records.	6.11.2 Test Result Documentation Requirement The following documentation must be on file for every student accumulating eligible bilingual/ESL days present: proof of a qualifying score on a TEA-approved OLPT, and/or qualifying scores on the English reading and English language arts sections of a TEA-approved norm-referenced measure . The official scores must be documented in the student's records.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.11.3 LPAC Recommendation and Parental Approval Requirements The following documentation must be on file for every student accumulating eligible bilingual/ESL days present: - A record of parental approval to place the LEP student in a bilingual education or ESL program. This record must include the parent's signature and should	6.11.3 LPAC Recommendation and Parental Approval Requirements The following documentation must be on file for every student accumulating eligible bilingual/ESL days present: - A record of parental approval to place the LEP student in a bilingual or ESL education program. This record must include the parent's signature and should contain

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		contain a "date completed by parent" section or a "date received by district" section. A record of parental approval must be obtained only during the initial identification of a LEP student for placement in a bilingual education or ESL program. Once the record of parental approval is obtained, it remains in effect until the LEP student is exited from the bilingual education or ESL program and is reclassified as non-LEP. The parental approval form becomes invalid in the event the parent signs a parental denial form of ESL/Bilingual services which can occur at any time while the student continues to be identified as LEP. Your district may enter, exit, or place a student in a program without written approval of the student's parent or guardian: (1) Based on permission given by the student, if the student is 18 years of age or has had the disabilities of minority removed; or (2) under the following circumstances: (A) Reasonable attempts to inform and obtain permission from a parent or guardian have been made and documented; (B) Approval is obtained from:	a "date completed by parent" section or a "date received by district" section. - A record of parental approval must be obtained during the initial identification of a LEP student for placement in a bilingual or ESL education program. - Once the record of parental approval is obtained, it remains in effect until the LEP student is exited from the bilingual or ESL education program and is reclassified as non-LEP. - The parental approval becomes invalid if the parent signs a parental denial form of ESL/bilingual services, which can occur at any time while the student continues to be identified as LEP. For a student whose parent has denied approval, the LPAC annual review must consider whether the student still qualifies for services. If so, an attempt to obtain parental approval should be made before the beginning of the next school year. A district may identify, exit, or place a student in a program without written approval of the student's parent or guardian if — the student is 18 years of age or has had the disabilities of minority removed; reasonable attempts to inform and obtain permission from a parent or guardian have been made and documented; approval is obtained from — An adult who the district recognizes as standing in parental relation to the student, including a foster parent or employee of a state or local governmental agency with temporary

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		i. An adult who the district recognizes as standing in parental relation to the student, including a foster parent or employee of a state or local governmental agency with temporary possession or control of the student; or ii. The student, if no parent, guardian or other responsible adult is available; and (C) A parent or guardian has not objected to the proposed entry, exit, or placement. In the event that during the monitoring period (the 2-year period following the student's exiting from the bilingual education or ESL program), the student is reidentified and reclassified as being LEP the process for obtaining parental approval to place the student in a bilingual education or ESL program must begin anew.	possession or control of the student; or B. The student, if no parent, guardian, or other responsible adult is available; or 4. a parent or guardian has not objected in writing to the proposed entry, exit, or placement. During the monitoring period (the 2-year period following the student's exiting from the bilingual or ESL education program), if the LPAC determines the student will be reenrolled in a bilingual or ESL education program, parental approval must be acquired again.
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.11.4 Proof of a Student's Being Served in an Eligible Bilingual/ESL Program	6.11.4 Proof of a Student's Being Served in an Eligible Bilingual or ESL Education Program
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.12 Quality Control Your district should record a bilingual or ESL program type code . . . student. As soon as 1) a student withdraws from school or 2) the LPAC classifies a student as English proficient according to appropriate tests and recommends the student's exit from the bilingual education or ESL program, the student should no longer have a bilingual or ESL program type code. District personnel should record the effective date of this change in the attendance accounting system. At . . .	6.12 Quality Control Your district should record the appropriate bilingual or ESL program type code . . . student. A student who withdraws from school should be coded with a bilingual or ESL program type code of 0 upon withdrawal. A student who has been classified by the LPAC as English proficient at the end of the school year should be coded with a bilingual or ESL program type code of 0 at the beginning of the following school year. At . . .
		6.13.1 Example 1	6.13.1 Example 1

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		A student's . . . bilingual education program or the ESL-only program. <i>Your school district . . . state funds.</i>	A student's . . . bilingual or ESL education program. <i>Your school district . . . state funds. The student should be recorded in the PEIMS as LEP with a parental permission code of "C" for parental denial and a bilingual or ESL program type code of 0.</i>
Section 6 Bilingual/English as a Second Language (ESL)	Deletion	6.13.4 Example 4 A LEP student is assessed in September to determine if he or she could be reclassified as English proficient. The LPAC meets in October to recommend that the student be reclassified as non-LEP. The LPAC did not review the student in the prior year. The school district will not be able to claim bilingual/ESL funding for the current school year. <i>Although your school district should not pull a student from a classroom before the end of the school year, your school district was required to review the student's LEP status in spring of the prior school year. Your district should remove the student's attendance in the bilingual/ESL program from PEIMS attendance for the current year and place the student in an all-English classroom as soon as possible. (To avoid this mistake in the future, at the end of each school year, the LPAC must ensure that it is correctly reclassifying students.)</i>	[DELETED]
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.13.5 Example 5 A student's parent . . . <i>Your school district does not change the status of the student as LEP with parental denial until the student passes the reading subtest of the TAKS (and the writing subtest if available) or the student scores at or above the 40th percentile on both the reading and language arts subtests of an English achievement test from the list of state-approved tests. Your district should continue to code the student as LEP with parental denial until the TAKS or English achievement test criteria are met.</i>	6.13.4 Example 4 A student's parent . . . <i>Your school district does not change the status of the student as LEP with parental denial until the student meets the testing criteria to no longer be considered LEP. Your district should continue to code the student as LEP with parental denial until all criteria are met.</i>
Section 6 Bilingual/English as a Second Language (ESL)	Revision	6.13.6 Example 6 The only summer . . . bilingual education/ESL program. Parents . . . bilingual education/ESL program would like . . . <i>The student . . . unless the parents explicitly allow placement of the student in the bilingual education/ESL program.</i>	6.13.5 Example 5 The only summer . . . bilingual or ESL education program. Parents . . . bilingual or ESL education program would like . . . <i>The student . . . unless the parents explicitly allow, in writing, placement of the student in the bilingual or ESL education program.</i>

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Section 7 Prekindergarten	Revision	7.2 Eligibility To be eligible for enrollment in a PK class, a child must be 3 or 4 years of age on September 1 of the current school year and must: 1. . . . ; or 2. be educationally disadvantaged^Ψ (eligible to participate in the National School Lunch Program [NSLP])⁴⁵; or 3. . . . 4. . . . 5. . . . 6. . . . ^ΨBecause of recent changes in federal law, educationally disadvantaged students, as defined by the Texas Education Code (TEC), §5.001(4), now include all students who are eligible for Head Start.⁴⁶ Once a student is determined to be eligible for PK, . . .	7.2 Eligibility To be eligible for enrollment in a PK class, a child must be 3 or 4 years of age on September 1 of the current school year and must — 1. . . . ; or 2. be educationally disadvantaged (eligible to participate in the National School Lunch Program [NSLP]⁴⁷ or in Head Start⁴⁸); or 3. . . . 4. . . . 5. . . . 6. . . . Once a student is determined to be eligible for PK, . . .
Section 7 Prekindergarten	Revision	7.2.4 PK Eligibility Based on Homelessness Appropriate . . . The definition in 42 USC, §11302, is similar, but not identical, to the new definition of "homeless children and youths" in the No Child Left Behind (NCLB) legislation enacted by Congress. As the new definition in the NCLB legislation applies specifically under federal law to the enrollment of homeless children and youth, the TEA advises school districts to apply	7.2.4 PK Eligibility Based on Homelessness Appropriate . . . The definition in 42 USC, §11302, is similar, but not identical, to the definition of "homeless children and youths" in the No Child Left Behind (NCLB) Act. As the definition in the NCLB Act applies specifically under federal law to the enrollment of homeless children and youth, the TEA advises school districts to apply the NCLB Act definition in addition to the definition in

⁴⁵ It is not necessary for a student to participate in the NSLP to qualify for PK.

⁴⁶ Public Law 110-134, which amended 42 USC, §1758, expanded automatic eligibility for the NSLP to include all children who meet any eligibility criteria for Head Start, not only those who meet the low-income eligibility criteria for Head Start. The TEC, §5.001(4), defines *educationally disadvantaged* as "eligible to participate in the national free or reduced-price lunch program." Consequently, all children who are eligible for Head Start are eligible for free prekindergarten, based on their eligibility for the NSLP.

⁴⁷ It is not necessary for a student to participate in the NSLP to qualify for PK.

⁴⁸ Public Law 110-134, which amended 42 USC, §1758, expanded automatic eligibility for the NSLP to include all children who meet any eligibility criteria for Head Start, not only those who meet the low-income eligibility criteria for Head Start. The TEC, §5.001(4), defines *educationally disadvantaged* as "eligible to participate in the national free or reduced-price lunch program." Consequently, all children who are eligible for Head Start are eligible for free prekindergarten, based on their eligibility for the NSLP.

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		the NCLB definition, in addition to the definition in 42 USC, §11302, when determining if a student is eligible for enrollment. <u>42 USC, §11302(a), provides the following definition:</u> For purposes of this chapter, the term "homeless" or "homeless individual or homeless person" includes — (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is — (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.	42 USC, §11302, when determining if a student is eligible for enrollment. <u>42 USC, §11302(a), provides the following definition:</u> In general For purposes of this chapter, the terms "homeless", "homeless individual", and "homeless person" means — (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence; (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (3) an individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); (4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided; (5) an individual or family who — (A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by —

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			(i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days; (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause; (B) has no subsequent residence identified; and (C) lacks the resources or support networks needed to obtain other permanent housing; and (6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who — (A) have experienced a long term period without living independently in permanent housing, (B) have experienced persistent instability as measured by frequent moves over such period, and (C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

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		<u>42 USC, §11434a, (amended by the NCLB Act) provides the following definition:</u> The term “homeless children and youths” — (A) means individuals who lack . . . ; and (B) includes — (i) children . . . ; (ii) children and youths . . . [within the meaning of §11302(a)(2)(C) of this title]; (iii) children . . .	<u>42 USC, §11434a, (amended by the NCLB Act) provides the following definition:</u> The term “homeless children and youths” — (A) means individuals who lack . . . ; and (B) includes — (i) children . . . ; (ii) children and youths . . . [within the meaning of §11302(a)(2)(C)⁴⁹ of this title]; (iii) children . . .
Section 7 Prekindergarten	Revision	7.3 Enrollment Procedures Obtain proof that the student enrolling is 3 or 4 years old as of September 1 of the current school year. The documents considered acceptable for proof of identification and age are — . . .	7.3 Enrollment Procedures Obtain proof that the student enrolling is 3 or 4 years old as of September 1 of the current school year. Any of the following documents is acceptable for proof of identity and age: . . .
Section 7 Prekindergarten	Revision	7.5 Eligible Days Present PK classes must operate on a half-day basis (i.e., PK is only funded as a half-day program). . . . The following table shows the ADA eligibility codes to use for PK students. [TABLE] . . .	7.5 Eligible Days Present PK classes must operate on a half-day basis (i.e., PK is only funded as a half-day program). . . . The following table shows the ADA eligibility codes to use for PK students. (For the PK program type codes to use for PK students, see the C185 code table in the Public Education Information Management System [PEIMS] Data Standards, available at http://ritter.tea.state.tx.us/peims/standards/wedspre/index.html.) [TABLE. FOOTNOTE RELATED TO THE PK EARLY START GRANT PROGRAM HAS BEEN DELETED.] . . .
Section 7 Prekindergarten	Revision	7.5.1 PK Early Start Grant Program and Eligible Days Present School districts/campuses that apply and are approved for the	7.5.1 PK Early Start Grant Program The PK Early Start Grant Program will not be funded for 2011–2012.

⁴⁹ Because of amendments to 42 USC, §11302, the current citation for the cross-referenced provision is 42 USC, §11302(a)(2).

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		PK Early Start Grant Program should report PK eligible students as ADA Eligibility Code 1—Full Day if the students are scheduled for at least 6 hours (360 minutes) of instruction each day. If your school district is approved for the grant program, the district will receive full-day funding for each eligible student participating in the grant program, with half of the funding coming from the FSP (state funding) and half of the funding coming from Early Start Grant Program funds. An important requirement of the PK Early Start Grant Program is the implementation of a School Readiness Integration (SRI) Plan that coordinates efforts, services, resources, program administration, and curriculum and instruction among partnerships serving eligible students in local public school PK programs, licensed child care provider programs, and Head Start programs. Your district should work with your community Head Start and child care programs to ensure alignment of the school year calendar as part of each memorandum of understanding.	
Section 7 Prekindergarten	Deletion	7.6 Districts That Must Offer PK Classes Any school district may offer PK classes, but your district must offer PK classes if it identifies 15 or more eligible children who are at least 4 years of age on or before September 1 of the current school year. The commissioner of education may exempt a district from this requirement if the district would be required to construct classroom facilities to provide PK classes.	[DELETED. INFORMATION MOVED TO INTRODUCTION OF SECTION 7.]
Section 7 Prekindergarten	Revision	7.7.2 Example 2 Your school district has two PK classes. . . . <i>The ADA eligibility code for this student should be 2—Eligible for Half-Day Attendance, . . . (unless the PK student receives special education services and receives instruction for at least 4 hours per day or unless the student is served through a PK Early Start Grant program).</i>	7.7.2 Example 2 Your school district has two PK classes. . . . <i>The ADA eligibility code for this student should be 2—Eligible for Half-Day Attendance, . . . (unless the PK student receives special education services and receives instruction for at least 4 hours per day).</i>
Section 7 Prekindergarten	Revision	7.7.10 Example 10 A PK-age student . . .	7.7.10 Example 10 A PK-aged student . . .
Section 9 Pregnancy Related Services	Revision	Section 9 [Introduction] Pregnancy Related Services (PRS) are support services . . . that a pregnant student receives . . . when:	Section 9 [Introduction] Pregnancy Related Services (PRS) are support services . . . that a student receives . . . when —

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		- the student is pregnant and . . . ; - the pregnancy prenatal period prevents the student from attending classes on a district campus; and - the pregnancy postpartum period prevents the student from attending classes on a district campus. Your district may choose to offer both support services components and the CEHI component or only the CEHI component in a PRS program. However, your district may not code any student as PRS in the attendance accounting system unless CEHI is included as one of the services provided . . . A district receives 2.41 PRS weighted funding while PRS components are being provided to the student during the prenatal and/or postpartum periods. Documentation by responsible campus officials and medical or nurse practitioners and maintaining certified teacher logs are required to claim PRS eligible days present for funding. (Section 7) Compensatory Education Home Instruction (CEHI) is the mandatory support service component districts offer in a PRS program. . . . CEHI must consist of face-to-face contact with a certified teacher of the district providing academic services to the student. Substitutes . . . The certified teacher maintains a log to document the actual amount of prenatal and postpartum PRS CEHI each student receives. When students are provided CEHI, your district will continue to receive the 2.41 PRS weighted funding (i.e., district personnel should continue to code students in the attendance accounting system as receiving PRS while they are being served at home). Students who do not come to school and who do not receive CEHI and/or SPED homebound must be . . . section. Your district may not code students as PRS in the attendance accounting system in order to receive 2.41 PRS weighted funding unless CEHI is included as one of the service components provided by the district's PRS program. (For exceptions, see 9.19.12 Example 12 and 9.19.13 Example 13.)	- the student is pregnant and . . . , a valid medical necessity for confinement during the pregnancy prenatal period prevents the student from attending classes on a district campus, or a valid medical necessity for confinement during the pregnancy postpartum period prevents the student from attending classes on a district campus. Your district may choose whether to offer a PRS program. If your district chooses to offer a PRS program, the district must offer CEHI services as part of that program. Your district may offer CEHI only or both CEHI and other support services. However, your district may not code any student as PRS in the attendance accounting system unless CEHI is one of the services provided . . . A district receives 2.41 PRS weighted funding while Pregnancy Related Services are being provided to the student. Documentation by campus officials, licensed medical practitioners, and certified teachers is required to claim PRS eligible days present for funding (see 9.15 Documentation). Compensatory Education Home Instruction (CEHI) is the mandatory component districts offer in a PRS program. . . . CEHI must consist of face-to-face instruction by a certified teacher of the district. Substitute teachers . . . The CEHI teacher must maintain a log to document the actual amount of prenatal and postpartum CEHI each student receives. When students are provided CEHI, your district will receive the 2.41 PRS weighted funding. Students who do not come to school and who do not receive CEHI and/or special education homebound services must be . . . section. Your district may code students as PRS in the attendance accounting system only if CEHI is one of the service components provided by the district's PRS program.

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		Support services are the optional components of a PRS program that may be provided . . . while the student is pregnant and attending school. In addition, support services . . . hospital bedside for a valid medical necessity or recovering from delivery and being served with PRS CEHI. In all cases, support services are provided to support the student and should not interfere with the academic services while she is on the school campus or receiving CEHI at home or hospital bedside. Districts offering support services with CEHI may code students as PRS in the attendance accounting system in order to receive the 2.41 PRS weighted funding beginning on the date support services are provided to pregnant students. Examples of support services that a district may choose to offer are: 1. counseling services including . . . ; 2. health services including services from the school nurse and certified athletic trainer; 3. transportation . . . ; 4. instruction . . . ; 5. child care . . . ; 6. schedule modifications (see 9.18 Quality Control); and 7. case management Note: The . . . identifying a female student . . . the 400	Support services are optional components of a PRS program that may be provided . . . while the student is attending school. In addition, support services . . . hospital bedside and receiving CEHI. In all cases, support services are supplemental in nature and should not take priority over or interfere with the academic services the student receives. Following are examples of support services that a district may choose to offer: • counseling services, including . . . • health services, including . . . • transportation . . . • instruction . . . • child care . . . • schedule modifications (see 9.16 Quality Control) • case management . . . If your district's PRS program offers both support services and CEHI, a PRS-eligible student will generate the additional 2.41 PRS funding allotment when the student — • is in the pregnancy prenatal period and is attending regular classes and receiving PRS support services or • is confined to the home in the pregnancy prenatal or postpartum periods and is receiving CEHI. District staff should code a student as PRS in the attendance accounting system on the date the student begins receiving services. [MUCH OF THE TEXT OF THIS PARAGRAPH PREVIOUSLY APPEARED IN SECTION 9.2.]

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		(Student Basic Attendance) record. . . .	Note: The . . . identifying a student . . . the 400 (Student Basic Attendance) or 500 (Student Flexible Attendance) record. . . .
Section 9 Pregnancy Related Services	Revision	9.2 Eligibility/Eligible Days Present Eligibility for Services: Any school-age female student who . . . or place their baby up for adoption. Eligibility for Funding: Students who are eligible for average daily attendance (ADA) and who are in the prenatal or postpartum period of pregnancy are eligible for funding . . . End of Eligibility: Eligibility for PRS ends for the student in the postpartum period of pregnancy on the student's return to her regular service at a school campus or the first day of the eleventh week. A student is PRS eligible and will generate the additional 2.41 PRS funding allotment when a student — • is in the pregnancy prenatal period and is attending regular classes and receiving PRS support services. • is confined to the home in the prenatal or postpartum periods of pregnancy and is receiving PRS CEHI (a required service of the PRS program).	9.2 Eligibility/Eligible Days Present Eligibility for Services: Any school-aged student who . . . or place a baby up for adoption. Eligibility for Funding: Students who are eligible for average daily attendance (ADA) and who are eligible for PRS program services are eligible for funding . . . End of Eligibility: Eligibility for PRS ends when the student returns from postpartum confinement to resume her regular classes at a school campus or the first day of the seventh week, whichever comes first. For a student requiring extended confinement, eligibility for PRS ends when the student returns from postpartum confinement to resume her regular classes or the first day of the eleventh week, whichever comes first (see 9.9.3 CEHI During Break-in-Service Confinement for a limited exception).
Section 9 Pregnancy Related Services	Revision	9.2.1 Absences During the prenatal and postpartum periods of pregnancy, a student is absent if: 1. CEHI is not provided, or 2. the student does not come to school. A student may be recorded absent on the effective date of a program change. However, . . .	9.2.1 Absences During the prenatal period, a student is absent if she does not come to school or, if the student is receiving CEHI, if CEHI is not provided. During the postpartum period, a student is absent if CEHI is not provided. A student may be recorded absent on the effective date of a program change (date of enrollment in or withdrawal from the PRS program). However, . . .
Section 9 Pregnancy Related Services	Revision	9.2.2 PRS Eligibility and Participation in Other State-Funded Programs PRS . . . bilingual/ESL), provided . . . continues to receive, at home, services as . . . requirements. See 9.11 Confinement and Earning Eligible Days Present and 9.19.4 Example 4.	9.2.2 PRS Eligibility and Participation in Other State-Funded Programs PRS . . . bilingual or ESL education), provided . . . continues to receive services at home as . . . requirements. (See 9.10 Confinement and Earning Eligible Days Present and 9.17.4 Example 4.)
Section 9 Pregnancy	Revision	9.2.3 PRS and the Life Skills for Student Parents Grant	9.2.3 PRS and the Life Skills Program for Student Parents

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Related Services		Program Districts awarded a grant to offer services under the Life Skills for Student Parents Grant Program (previously called the Pregnancy Education and Parenting Program) may simultaneously offer services under the compensatory education PRS program, provided all requirements for both programs are met. Students being served through both Life Skills Programs and the PRS Program should be coded in the PEIMS attendance accounting system as participating in both programs.	The Life Skills Program for Student Parents (previously called the Pregnancy Education and Parenting [PEP] Program) will not be funded for the 2011–2012 or 2012–2013 school years.
Section 9 Pregnancy Related Services	Revision	9.2.4 Eligibility Timeline Use the following timeline when determining PRS coding for eligible students. [TABLE] See 9.19.9 Example 9 for an example of serving students who are eligible for special education and related services who also receive PRS.	9.2.4 Eligibility Timeline The following chart illustrates a student's eligibility for PRS and PRS funding during the prenatal and postpartum periods of pregnancy. [TABLE: TABLE INFORMATION REVISED FOR READABILITY AND CONCISENESS. THE BASIC INFORMATION PROVIDED HAS NOT CHANGED.]
Section 9 Pregnancy Related Services	Revision	9.2.5 Eligible Days Present Students . . . (Section 2) for every student served through the program. Entry dates . . . documented. At . . . , a campus must compute a Campus Summary Report (Section 2). . . the total eligible PRS days present for . . . campus. District . . . This report must include eligible PRS days present for each grade level in your district, total eligible PRS days present . . . ADA. For . . . , see 9.11 Confinement and Earning Eligible Days Present and 9.14.2 SPED, PRS, and Earning Eligible Days Present.	9.2.5 Eligible Days Present Students . . . (see Section 2) for every student served through the program. Entry dates . . . documented in the Student Detail Report. At . . . , a campus must generate a Campus Summary Report (see Section 2). . . the total PRS eligible days present for . . . campus. District . . . This report must include PRS eligible days present for each grade level in your district, total PRS eligible days present . . . ADA. For . . . , see 9.10 Confinement and Earning Eligible Days Present and 9.12.2 SPED, PRS, and Earning Eligible Days Present.
Section 9 Pregnancy Related Services	Revision	9.3 Enrollment Procedures Any school-age female student . . . pregnancy (see 9.7 Regular Education Students, Special Education Students, and PRS).	9.3 Enrollment Procedures Any school-aged student . . . pregnancy.

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		The student's eligibility to receive PRS is verified by either: 1. a responsible campus official or 2. a medical or nurse practitioner or nurse midwife licensed⁵⁰ to practice in the United States. The date the student begins receiving PRS is considered the entrance date (date of enrollment) into the PRS program.	The student's eligibility to receive PRS is verified by either — • a campus official or • a medical practitioner⁵¹ licensed⁵² to practice in the United States. The date the student begins receiving PRS is considered the date of enrollment in the PRS program.
Section 9 Pregnancy Related Services	Revision	9.4 Withdrawal Procedures A student is no longer eligible and must be withdrawn from the PRS program on either of the following, whichever comes first: • the date PRS stops and the student no longer receives services through the PRS program; • the date during the pregnancy postpartum period when the student returns early after delivery to attend her regular services on a school campus; • the date during the pregnancy postpartum period when a medical practitioner has authorized no postpartum extension of services and the student reaches the first day of the seventh week after delivery; • the date during the pregnancy postpartum period when a medical practitioner has authorized postpartum extension of services and the student reaches the first day of the eleventh week after delivery. If it is determined that a student was never pregnant, your district must remove all PRS coding for the student from the attendance accounting system even if your district provided the student PRS.	9.4 Withdrawal Procedures A student is no longer eligible for PRS and must be withdrawn from the program on the date one of the following occurs: • the student no longer receives services through the PRS program; • the student returns early from postpartum confinement to attend her regular classes on a school campus; • the student reaches the first day of the seventh week after her pregnancy ended and a licensed medical practitioner has not authorized an extension of postpartum confinement; • if the student's postpartum confinement was extended, the student reaches the first day of the eleventh week after her pregnancy ended; or • if the student has been allowed to use the break-in-service option, the student reaches the first day of the school week that follows 10 weeks of postpartum confinement. If your district determines that a student was never pregnant, it must remove all PRS coding for the student from the attendance accounting system even if the district provided the student PRS.

⁵⁰ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

⁵¹ The term "medical practitioner" includes a physician, an advanced nurse practitioner, and a midwife licensed under the Texas Occupations Code, Chapter 203.

⁵² Throughout Section 9, "licensed" means licensed to practice in the United States. You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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Section 9 Pregnancy Related Services	Revision	9.5 PRS and District and Campus Improvement Plans District and campus improvement plans must: 1. include . . . ; 2. describe . . . student; and 3. summarize	9.5 PRS and District and Campus Improvement Plans District and campus improvement plans must — 1. include . . . ; 2. describe . . . student through the PRS program; and 3. summarize
Section 9 Pregnancy Related Services	Deletion	9.7 Regular Education Students, Special Education Students, and PRS Regular education students without a need for special education or related services cannot be referred to special education for instructional services just because they are pregnant. Regular education students who must be confined to the home or hospital bedside for pregnancy related issues are to be provided CEHI and other PRS components through the PRS program. Students who are eligible for and receiving special education and related services and who are pregnant must be served collaboratively through both special education and the PRS programs. Special education eligibility and services do not change solely due to the student becoming pregnant including the need to hold ARD meeting(s) attended by both PRS and special education staff to address the collaborative service. (See 9.2.1 Absences.)	[SECTION DELETED. ALL INFORMATION ON PRS AND SPECIAL EDUCATION SERVICES NOW APPEARS IN SECTION 9.12 PRS AND SPECIAL EDUCATION SERVICES (SPED).]
Section 9 Pregnancy Related Services	Revision	9.8 On-Campus PRS Services A student who is pregnant may be served with PRS support services while she is pregnant and attending classes. If your district serves prenatal students on campus with PRS support services, it . . . (i.e., your district should continue to code students . . .) (see the Section 9 introduction). 1. A responsible campus official must record the date of the initial contact with the pregnant student and document that on-campus services are being provided. 2. The services must address the needs of the pregnant student . . . Infrequent or sporadic occurrences of	9.7 On-Campus PRS Support Services A student may be served with PRS support services while she is pregnant and attending classes on a district campus. If your district serves prenatal students with on-campus support services, it . . . (i.e., your district should code students . . .) (see the Section 9 introduction). Though on-campus support services are optional, they may be necessary for the academic, mental, or physical health of the student to ensure that she does not drop out of school. A campus official must record . . . The services must address the needs of the student . . . Infrequent or sporadic occurrences of support services do not

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		prenatal support services do not qualify your district for PRS funding. On-campus PRS services are optional but may be necessary for the academic, mental, or physical health of the student to ensure that the student does not drop out of school.	qualify your district for PRS funding.
Section 9 Pregnancy Related Services	Revision	9.9 Prenatal Confinement A student who is pregnant can be served at home or the hospital bedside when the pregnancy prenatal period prevents the student from attending classes. If your district serves students during a prenatal confinement with PRS CEHI, it will receive the 2.41 PRS weighted funding (i.e., your district should continue to code students in the attendance accounting system as receiving PRS while the students are being served at home). 1. In all instances, your district must provide the CEHI component of the PRS program to the student during the prenatal confinement for your district to receive the funding (see the Section 9 introduction). 2. Providing the PRS support services during prenatal confinement is optional but may be necessary for the mental or physical health of the student to ensure that the student does not drop out of school. 3. Documentation for each event of prenatal confinement must be obtained from a medical or nurse practitioner licensed⁵³ to practice in the United States to document that a <i>medical necessity for confinement</i> has been determined to exist. (See 9.12 Doctor's Notes and Releases.) 4. A medical release from a medical or nurse practitioner licensed to practice in the United States must be obtained to allow a prenatal student confined to the home or hospital bedside to return to campus for any reason. (See 9.12 Doctor's Notes and Releases.) 5. There is no limit to the length of each event or the number of events a student can be provided when	9.8 CEHI During Prenatal Confinement If your district serves students with CEHI during a prenatal confinement, it will receive the 2.41 PRS weighted funding. Though providing support services to a student who is receiving CEHI during prenatal confinement is optional, these services may be necessary for the academic, mental, or physical health of the student to ensure that she does not drop out of school. Documentation for each event of prenatal confinement must be obtained from a licensed medical practitioner to verify that a medical necessity for confinement has been determined to exist. There is no limit to the length of time or number of times CEHI may be provided to a student during the prenatal

⁵³ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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		CEHI services are necessary during the pregnancy prenatal period. The length and number of times the student is placed on prenatal confinement CEHI services is dependent on the medical or nurse practitioner's documentation for confinement and release.	period. The length of time and number of times the student is provided CEHI services is dependent on the licensed medical practitioner's documentation.
Section 9 Pregnancy Related Services	Revision	9.10 Postpartum Confinement A student who delivered a live, aborted, or stillborn baby; suffered a miscarriage or death of a newborn; or placed her baby up for adoption can be served, beginning on the day of or day after delivery, for up to 6 consecutive weeks (weeks 1–6) at home or the hospital bedside with 6-week postpartum confinement or break-in-service postpartum confinement services when the pregnancy postpartum period prevents the student from attending classes. Postpartum confinement can be extended for 4 weeks (weeks 7–10). However, under no circumstances will a student remain eligible for PRS postpartum confinement beginning on the first day of the eleventh week from the beginning date for the district (day of delivery or the day after delivery [see 9.10.1 Beginning and Ending Postpartum Confinement]). A responsible campus official must record, at the district, the date a student's pregnancy ended (e.g., the date of delivery). Note that a student in the postpartum period of pregnancy is no longer eligible for the additional 2.41 weighted allotment under the PRS program when she returns to her regular service at a school or campus (exception: break-in-service postpartum confinement option)	9.9 CEHI During Postpartum Confinement If your district offers a PRS program and an eligible student has not refused program services, your district must provide the student with postpartum CEHI either until the student chooses to return to school or until the end of the sixth week from the beginning date, whichever comes first. The student is not required to provide a medical note indicating a need for confinement to be eligible for or receive postpartum CEHI through the sixth week from the beginning date. Provision of CEHI during postpartum confinement may be extended for 4 additional weeks subject to the documentation requirement in 9.15 Documentation. However, under no circumstances will a student remain eligible for PRS funding after the tenth week of postpartum confinement ends. [SENTENCE ABOUT CAMPUS OFFICIAL RECORDING DATE MOVED TO SECTION 9.9.1.] A student is no longer eligible for the additional 2.41 weighted allotment under the PRS program when she returns to her regular classes at a school campus, with the exception of a student who is dividing the postpartum confinement into two periods under the break-in-service option (see 9.9.3 CEHI During Break-in-Service Confinement).
Section 9 Pregnancy Related Services	Revision	9.10.1 Beginning and Ending Postpartum Confinement The district must: 1. select one type of beginning date for the district (day of delivery or the day after delivery); 2. consistently use the same type of beginning date for all students throughout the school year; and 3. not alternate between the beginning date options.	9.9.1 Beginning and Ending of CEHI During Postpartum Confinement The district must — 1. select one type of beginning date for the district (the day pregnancy ends or the day after pregnancy ends) and 2. consistently use the same type of beginning date for all students throughout the school year. A campus official must record the date a student's

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		Six-Week Postpartum Confinement is 6 consecutive weeks in length, beginning on the district beginning date (day of or day after delivery) and ending on the last day of week 6 from the beginning date for the district. Extended Postpartum Confinement is 4 consecutive weeks in length, beginning on the first day of week 7 and ending on the last day of week 10 from the beginning date for the district (day of or day after delivery).	pregnancy ended. Eligibility for CEHI during the postpartum confinement period starts on the district beginning date (day pregnancy ends or day after) and ends on the last day of the sixth week after the beginning date. However, if the postpartum confinement period is extended, eligibility for CEHI ends on the last day of the tenth week after the beginning date (see 9.9.2 CEHI During Extended Confinement; see 9.9.3 CEHI During Break-in-Service Confinement for a limited exception).
Section 9 Pregnancy Related Services	Revision	9.10.3 Extended Confinement Postpartum confinement can be extended for an additional 4 weeks (weeks 7–10) if there are related complications of the student mother's health or with her newborn infant's health.	9.9.2 CEHI During Extended Confinement [THE SECTION ON EXTENDED CONFINEMENT NOW APPEARS BEFORE THE SECTION ON THE BREAK-IN-SERVICE OPTION.] Eligibility for CEHI during postpartum confinement may be extended for an additional 4 consecutive weeks if there are complications with the student's or infant's health. Eligibility for CEHI during extended postpartum confinement starts on the first day of the seventh week after the beginning date and ends on the first day of the eleventh week after the beginning date.
Section 9 Pregnancy Related Services	Revision	9.10.2 Break-in-Service Confinement Your district may allow a student to divide the 10 weeks of PRS postpartum confinement into two periods in instances in which the infant remains hospitalized after delivery. This option is known as break-in-service confinement. It allows the student to use the first period of the postpartum confinement to recover from delivery (student recovery period). After the student is recovered, the student returns to school and saves the remainder of her eligible postpartum confinement time. When the baby is released from the hospital, the student goes back on postpartum confinement (baby recovery period) using the second period of postpartum confinement to care for her baby. Break-in-service confinement is 10 weeks in length, divided into two periods of consecutive confinement (student recovery period and baby recovery period). The maximum postpartum confinement (student recovery and baby recovery periods) must not exceed 10 weeks. All provisions for postpartum confinement and extended postpartum confinement must be met when using the break-in-service postpartum confinement	9.9.3 CEHI During Break-in-Service Confinement Your district may allow a student to divide up to 10 weeks of postpartum confinement CEHI into two periods in instances in which the infant remains hospitalized after delivery. This option is known as break-in-service CEHI. It allows the student to receive CEHI during an initial period of postpartum confinement while recovering from delivery (student recovery period), return to school until the baby is released from the hospital, and then receive CEHI during the remainder of the eligible postpartum confinement time while caring for the baby (baby recovery period). (If the baby is hospitalized again, the student may receive an additional period of CEHI when the baby is released if the student has not already received 10 weeks of postpartum confinement CEHI.) A student who requires break-in-service confinement remains eligible to receive CEHI until she has been confined for a total of 10 weeks or the school year ends, whichever comes first. For a baby recovery period, the student is not required to provide a medical note indicating

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		option. The following chart shows how to determine the beginning and ending dates for the student and baby recovery periods. [TABLE: FIRST ROW LABEL: student recovery period (first consecutive period of confinement) FIRST ROW, "BEGINS ON COLUMN" TEXT: your district's beginning date (day of or day after delivery) FIRST ROW, "ENDS ON COLUMN" TEXT: the date the student returns full time to school to await the baby's release from the hospital or the first day of week 11, whichever comes first SECOND ROW LABEL: baby recovery period (the second consecutive period of confinement) SECOND ROW, "BEGINS ON COLUMN" TEXT: the day the infant is released from the hospital* SECOND ROW, "ENDS ON COLUMN" TEXT: the first day of week 11 of service if any service time is remaining after the student recovery period is completed] *The date the infant was released from the hospital must be documented at the district by a responsible campus official. When the student returns to the school between the two recovery periods, district personnel should not code her as PRS. The number of days the student returns to school between the two recovery periods depends on the medical or nurse practitioner's documentation for confinement and when the infant is released from the hospital.	a need for extended postpartum confinement to be eligible for or receive break-in-service CEHI beyond the sixth week of postpartum confinement. The following chart shows the beginning and ending dates for CEHI eligibility for a student who requires break-in-service confinement. [TABLE: FIRST ROW LABEL: Eligibility for CEHI During Student Recovery Period (first period of confinement) FIRST ROW, "BEGINS ON COLUMN" TEXT: your district's beginning date (day pregnancy ends or day after) FIRST ROW, "ENDS ON COLUMN" TEXT: the date the student returns full time to school to await the baby's release from the hospital or the last day of the sixth week (or tenth week if extended confinement is required) after the beginning date, whichever comes first SECOND ROW LABEL: Eligibility for CEHI During Baby Recovery Period (second period of confinement) SECOND ROW, "BEGINS ON COLUMN" TEXT: the date the infant is released from the hospital* SECOND ROW, "ENDS ON COLUMN" TEXT: the date on which the student has been confined for a total of 10 weeks (including the student recovery and baby recovery periods) during the postpartum period or the end of the school year, whichever comes first (a student who has received 10 weeks of CEHI during the student recovery period is not eligible to receive any more CEHI)] * A campus official must record the date the infant is released from the hospital. When the student returns to the school between recovery periods, district personnel should not code her as PRS.

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Section 9 Pregnancy Related Services	Deletion	9.10.4 Documentation Related to Postpartum Confinement Your district has the option of requiring documentation from a medical or nurse practitioner licensed⁵⁴ to practice in the United States to place a student on postpartum confinement for weeks 1–6 (see 9.12 Doctor's Notes and Releases). However, documentation must be obtained from a medical or nurse practitioner licensed to practice in the United States to place a student on extended postpartum confinement (weeks 7–10) to show that a medical necessity to extend confinement exists (see 9.12 Doctor's Notes and Releases). If your district requires documentation from a medical or nurse practitioner licensed to practice in the United States to place a student on postpartum confinement for weeks 1–6, your district must obtain a medical release from a medical or nurse practitioner licensed to practice in the United States to allow a postpartum student to return to campus from postpartum confinement for any reason (see 9.12 Doctor's Notes and Releases). Also, your district must obtain a medical release from a medical or nurse practitioner licensed to practice in the United States to — - allow a postpartum student to return to campus from postpartum confinement for any reason before the first day of the fourth week after the day of the infant's birth (weeks 1–3) (see 9.12 Doctor's Notes and Releases), or - allow a postpartum student to return to campus from postpartum confinement for any reason during the extended postpartum period (weeks 7–10). (See 9.12 Doctor's Notes and Releases.)	[SECTION DELETED. ALL INFORMATION ON DOCUMENTATION REQUIREMENTS NOW APPEARS IN SECTION 9.15 Documentation .]
Section 9 Pregnancy Related Services	Revision	9.10.5 Additional Information on CEHI and Confinement In all instances, your district must provide the CEHI component of the PRS program to a student during the confinement period to receive funding. Your district is not required to provide CEHI to confined	9.9.4 Additional Information on CEHI and Confinement Your district must provide CEHI to a student during the confinement period to receive funding. However, your district is not required to provide CEHI to confined students on days designated as school breaks, holidays, teacher work days, etc. Additionally, school breaks, holidays, teacher work days, etc.,

⁵⁴ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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		students on days designated as school breaks, holidays, teacher work days, etc., including the summer break. Additionally, school breaks, holidays, teacher work days, etc., including the summer break, do not extend the amount of time a student can be served with postpartum services. Your district must include these days in the count when determining the amount of time a student is eligible for postpartum confinement services (see 9.19 Examples for examples).	do not extend the amount of time a student may receive postpartum CEHI . Your district must count these days when determining the amount of time a student is eligible for CEHI (see 9.17 Examples for examples).
Section 9 Pregnancy Related Services	Revision	9.11 Confinement and Earning Eligible Days Present A student in the pregnancy prenatal or postpartum period who must be confined to home or hospital bedside and served by the district through PRS CEHI earns eligible days present based on the number of hours the student is served at home by a certified teacher. Use the following chart to determine the student's eligible days present. [TABLE] CEHI requirements and eligible days present are determined each week. The week for CEHI purposes is from Sunday through Saturday. CEHI service hours may not be accumulated and carried forward from one week to the next, nor can service hours be applied to a previous week. A calendar refers to the 52-week traditional calendar, not the 180-day scholastic calendar. A student who is served through the PRS CEHI program retains the same ADA eligibility code she had before receiving PRS CEHI services, regardless of how many hours the student will be served through the PRS CEHI program. Over the period of her confinement, a student receiving PRS CEHI services must be provided instruction in all the courses, including elective courses, in which the student is enrolled.	9.10 Confinement and Earning Eligible Days Present A student who receives CEHI while on prenatal or postpartum confinement earns eligible days present based on the number of hours she is served at home or hospital bedside by a certified teacher. Use the following chart to determine a student's eligible days present. [TABLE] CEHI requirements and eligible days present are determined each week. The week for CEHI purposes is from Sunday through Saturday. CEHI service hours may not be accumulated and carried forward from one week to the next, nor can service hours be applied to a previous week. A student who is provided CEHI services retains the same ADA eligibility code she had before receiving CEHI services, regardless of how many hours she will receive CEHI. Over the period of her confinement, a student receiving CEHI services must be provided instruction in all the courses, including elective courses, in which she is enrolled.
Section 9 Pregnancy Related Services	Deletion	9.12 Doctor's Notes and Releases Your district must obtain required documentation for events of prenatal and postpartum confinement and medical release from a medical or nurse practitioner licensed to practice in the United States to — document that a medical necessity for confinement in	[SECTIONS DELETED. ALL INFORMATION ON DOCUMENTATION REQUIREMENTS NOW APPEARS IN SECTION 9.15 Documentation. INFORMATION ON RELEASES APPEARS IN 9.11 Returning to Campus for Support Services or Testing.]

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		accordance with the current International Classification of Diseases (ICD) exists, and - determine that a student is medically ready to return to campus. The required information can be obtained in one or multiple notes from one or more medical practitioners. Discharge papers and other official forms completed and issued by a hospital, clinic, practitioner's office, etc., can be copied and used to support doctor notes. Doctor notes that do not provide a <i>medical necessity for confinement</i> in accordance with the current ICD and meet the requirements herein may not be accepted. Further, even if your district served a student who had such a note, PRS funding may be required to be refunded for inadequate documentation. 9.12.1 Doctor's Note Requirements Doctor's notes must include the following: - a statement of the <i>medical necessity for prenatal confinement</i> (medical diagnosis and conditions in accordance with the ICD); - the length of prenatal or extended postpartum confinement; - a medical release including the date the student is to return to school; and - the following: - a statement of how the student can be better served or the condition ameliorated by placing the student in CEHI; and/or - an explanation of the medical risk(s) that attending school presents to the student and/or undelivered baby. 9.12.2 Medical Release Requirements	

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		A medical release must include the following: 1. the specific date(s), number of days per week, and number of hours per day the student can return to school and be on campus; and 2. the following: a. either the limitations, restrictions, accommodations, etc., placed on a) the student mother's temporary, limited visit or on b) her full-time return to school; including the date the limitations, restrictions, accommodations, etc., end; or b. a statement that no limitations, etc., are necessary for the student mother's safe return to campus for temporary, limited or full-time services.	
Section 9 Pregnancy Related Services	Revision	9.13 Returning to Campus A student in the prenatal or postpartum periods of pregnancy who is confined to the home or hospital bedside and receiving PRS CEHI with a medical release from a medical or nurse practitioner indicating that no medical condition exists that would prevent her from being on campus may be allowed to return to campus under the following conditions: 1. A prenatal or postpartum student confined to the home may be allowed to return to campus and remain coded PRS to receive temporary, limited services at a school campus to supplement CEHI or other PRS components and to help with the transition from home back to school. Examples of temporary, limited services include receiving testing (6-weeks, final, TAKS, etc.); receiving tutoring (during a teacher's conference period); receiving supplemental instruction, parenting classes, or counseling; or attending special one-time events, functions, etc. See 9.12 Doctor's Notes and Releases. 2. A prenatal student may be allowed to return full time, ending confinement, and attend a class or classes on	9.11 Returning to Campus for Support Services or Testing A student confined to the home may be allowed to return to campus and remain coded PRS to receive temporary, limited support services (see the introduction to Section 9 for a list of examples of support services) or take required state assessments.

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		a regular, routine basis when a doctor or nurse practitioner verifies in a medical release that there is no longer a need for confinement. 3. A postpartum student cannot return full time and/or attend a class or classes on a regular, routine basis until she is withdrawn from PRS. 4. The time spent receiving temporary, limited services on campus cannot count as any part of the number of hours served as PRS CEHI for eligible days present with the exception of time spent in TAKS testing. Students who return to campus on a temporary, limited basis to take the TAKS test can be credited with receiving a maximum of 1 hour of PRS CEHI for each day they are on campus and involved in actual TAKS testing. If the time spent on campus is less than 1 hour, only the actual time spent in TAKS testing can be credited. Students who are provided a TAKS test in the home can be credited with receiving a maximum of 1 hour of CEHI for each day they are tested at home. TAKS tutoring, practice test, etc., cannot be credited for CEHI. Medical releases must be secured to ensure a student's doctor approves of her being on campus and involved in TAKS testing. 5. In all cases, your district should consider each student mother's health on an individual basis before encouraging or allowing a prenatal or postpartum student to return to campus for temporary, limited or full-time services.	The time spent on campus receiving temporary, limited support services or taking required state assessments cannot count as any part of the number of hours served as CEHI for eligible days present. A student receiving CEHI who returns to campus to receive temporary, limited support services or take required state assessments must have a medical release from a licensed⁵⁵ medical practitioner to do so.
Section 9 Pregnancy Related Services	Revision	9.14 PRS and Special Education Services (SPED)	9.12 PRS and Special Education Services (SPED) Regular education students must not be referred for special education services just because they become pregnant. Regular education students who must be confined to the home or hospital bedside for pregnancy related issues are to be provided CEHI and other PRS

⁵⁵ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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		If your district offers a PRS program to any student, it must provide PRS services to students who are eligible for and receiving special education and related services. The services are provided collaboratively through both special education and the PRS programs. Collaborative services are to be provided as follows: Special education eligibility and services do not change solely because a student becomes pregnant. SPED holds the primary role in providing services by providing the student academic and SPED services, and PRS the secondary role by providing pregnancy related services.	components through a PRS program. [THIS PARAGRAPH MOVED TO THIS SECTION FROM PREVIOUSLY EXISTING 9.7 Regular Education Students, Special Education Students, and PRS, WHICH HAS BEEN DELETED FROM THIS YEAR'S HANDBOOK.] If your district has a PRS program, it must provide special education students who become pregnant with access to the services offered through the PRS program. A pregnant special education student's admission, review, and dismissal (ARD) committee and PRS program staff must collaboratively address the student's service needs.
Section 9 Pregnancy Related Services	Revision	9.14.1 "Pregnancy Contingency" ARD Meetings Special education and related services are provided as documented in the individualized education program (IEP) as decided by the admission, review, and dismissal (ARD) committee. The ARD committee can hold a "pregnancy contingency" ARD meeting during the student's pregnancy prenatal period or regular ARD meetings at any time, to develop or update an IEP and address the pregnant and/or parenting SPED student's needs. A "pregnancy contingency" ARD meeting is not different from any ARD meeting. It is so named herein to define a well-planned and specialized ARD in the fact that it allows the district to address and plan for all possible prenatal and postpartum pregnancy issues in advance of them occurring to ensure that the student is continuously served. Holding a contingency ARD may avoid the need for multiple ARD meetings to address the student's pregnancy and confinement or avoid delays in initiating service. Then as the pregnancy progresses the decisions planned in the pregnancy contingency ARD meeting and documented in the contingency IEP can be implemented, as needed, without a need to call more ARD meetings, preventing any breaks in service to the pregnant SPED student. At a minimum, the areas that the pregnancy contingency ARD meeting should address include —	9.12.1 ARD Committee Meetings If your district's PRS program provides on-campus support services to pregnant students, an ARD committee meeting should be held promptly after learning of a special education student's pregnancy to determine the appropriate services for the student. A pregnant special education student's ARD committee must meet as necessary to address any changes in the student's needs.

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		- Changes in on-campus services related to the pregnancy; - Change(s) of placement from on campus to confinement services during the prenatal period of pregnancy; - Change(s) of placement from confinement to on campus services during the prenatal period of pregnancy; - Delivery; - Postpartum recovery period of the mother and baby (weeks 1–6); - Extended postpartum recovery period of the mother and the baby (weeks 7–10); - Mother's return to on-campus services; and - Parenting issues. During the periods of confinement to the home or hospital bedside, either prenatal or postpartum, special education and related services must be provided in the homebound instructional setting (see 4.6.2.4 Homebound Services and PRS Notes for more detailed information). The SPED student in the prenatal or postpartum periods of pregnancy must be served by the district with SPED homebound services and PRS services during confinement no matter the anticipated or actual period of confinement even when the student is anticipated to be confined for fewer than 4 consecutive weeks or fewer than 4 weeks total for the school year. The period of homebound postpartum services for a postpartum SPED student may exceed 10 weeks, if required as a condition of service by the ARD committee. However, the PRS components are limited to a maximum of 10 weeks of reimbursable service, and the PRS indicator must be turned off on the first day of the eleventh week.	During the periods of confinement to the home or hospital bedside, special education services must be provided in the homebound instructional setting. A district must serve a special education student with special education homebound services and PRS during any periods of confinement regardless of the anticipated period of confinement (i.e., the student must be served even when the period of confinement is expected to be fewer than 4 consecutive weeks or fewer than 4 weeks total for the school year). Furthermore, the period of homebound postpartum services for a special education student may exceed 10 weeks if determined necessary by the ARD committee. However, the PRS components are limited to a maximum of 10 weeks of reimbursable service, and the PRS indicator code may no longer be used after the tenth week has ended.

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		In addition to the homebound instructional services provided to the student through the special education program, PRS must provide at least 2 hours (120 minutes) a week of PRS support services for 2–5 days attendance credit and at least 1 hour (60 minutes) for 1 day attendance credit. The additional . . . parenting instruction, etc. A certified teacher . . . hours of other PRS components for a SPED student and must maintain the teacher logs to document the actual amount of home instruction each SPED student receives.	In addition to the homebound instructional services provided to the student through the special education program, the PRS program must provide at least 2 hours a week of PRS support services for 2–5 days attendance credit and at least 1 hour for 1 day attendance credit. The additional . . . parenting instruction, etc. A certified teacher . . . hours of PRS support services for a special education student and must maintain logs documenting the actual amount of services each special education student receives.
Section 9 Pregnancy Related Services	Revision	9.14.2 SPED, PRS, and Earning Eligible Days Present Use the following chart to determine eligible days present. SPED and PRS Collaborative Confinement Service Requirements [TABLE] Eligible days present are determined each week. For purposes of SPED and PRS collaborative confinement services, a week is from Sunday through Saturday. Service . . . A student who is provided SPED and PRS collaborative confinement services retains . . . If SPED homebound does not serve the student, the SPED student must be counted absent for the entire week even if the student was served by PRS during the week. For an example of students who are eligible for special education and related services and who are served collaboratively through the special education and PRS programs, see 9.19.9 Example 9.	9.12.2 SPED, PRS, and Earning Eligible Days Present Use the following chart to determine eligible days present when a student receives homebound services through both the special education and the PRS programs. [TABLE] Eligible days present are determined each week, and a week is from Sunday through Saturday. Service . . . A student who is provided SPED and PRS during confinement retains . . . If a student is not provided special education homebound services during a week, the student must be counted absent for the entire week even if she was provided PRS during the week. (See 9.17.8 Example 8 for an example of what must occur when a special education student requires special education homebound services and PRS.)
Section 9 Pregnancy Related Services	Revision	Services Determination Chart	Services Determination Chart [MINOR CHANGES IN WORDING HAVE BEEN MADE.]
Section 9 Pregnancy Related Services	Revision	9.15 PRS and Career and Technical Education For a PRS student to earn career and technical education	9.13 PRS and Career and Technical Education (CTE)

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		contact hours while also being served in CEHI, the student must continue to receive the same amount and type of career and technical education service that she was receiving before being placed in CEHI. The career and technical instruction that a PRS student receives at home must be in addition to the 4 hours necessary for CEHI. The CEHI teacher providing the additional hours for the career and technical courses must maintain a log to verify all contact hours with PRS students [see 9.19.4 Example 4 and also 5.2.1 Eligibility of Students for Funding and 5.2.3.1 Earning CTE Contact Hours While Also Being Served by a Special Education Program in Section 5].	For a student to earn CTE contact hours while also being provided CEHI, the student must continue to receive the same amount and type of CTE service that she was receiving before she began receiving CEHI. The CTE instruction that the student receives at home or hospital bedside must be in addition to the 4 hours necessary for CEHI. The CEHI teacher providing the additional hours for the CTE courses must maintain a log to verify all contact hours with students. (See 9.17.4 Example 4 , 5.2.1 Eligibility of Students for Funding , and 5.2.3.1 Earning CTE Contact Hours While Also Being Served by a Special Education Program .)
Section 9 Pregnancy Related Services	Revision	9.16 Test Administration During CEHI Students confined . . . when PRS CEHI instructors . . . A student being administered standardized, 6-weeks, semester, and final exams and TAKS is limited to . . . (See 9.19.15 Example 15.) If the routine, standardized, six-weeks, semester, or final exam administration or TAKS testing requires less than one hour, then the CEHI instructor must complete the hour with CEHI 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 CEHI instruction to earn 1 day present. (See 9.19.16 Example 16.) A PRS student receiving CEHI services who returns to his or her campus to take a state-required assessment instrument (e.g., TAKS) must have a medical release from a medical or nurse practitioner licensed⁵⁶ to practice in the United States to do so.	9.14 Test Administration During CEHI Students confined . . . when CEHI instructors . . . A student being administered standardized, 6-weeks, semester, or final exams or required state assessments is limited to . . . (See 9.17.14 Example 14.) If the administration of tests requires less than 1 hour, then the CEHI instructor must complete the hour with instruction for the student to earn the 1 day present. For example, if 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 CEHI to earn 1 day present. A student receiving CEHI who returns to his or her campus to take required state assessments must have a medical release from a licensed medical practitioner to do so.
Section 9 Pregnancy Related Services	Revision	9.17 Documentation For your district to claim PRS eligible days present for funding, documentation must be complete. All documentation supporting student eligibility must be on file for every student accumulating eligible PRS days present in the Student Detail Report. Documentation requirements are as follows: 1. Affirmation (by a responsible campus official or by a	9.15 Documentation For your district to claim PRS eligible days present for funding, all required documentation supporting a student's eligibility must be on file. Documentation requirements are as follows: 1. Affirmation by a campus official or by a licensed

⁵⁶ You can access the Texas Medical Board's searchable database of licensed physicians at http://reg.tmb.state.tx.us/OnLineVerif/Phys_SearchVerif.asp.

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		medical or nurse practitioner or nurse midwife licensed to practice in the United States) verifying the student's eligibility to receive PRS (see . . .). 2. Description of the PRS program, specific services under the program available to the student, and the use of the compensatory education allotment included in the district and campus improvement plans (see 9.5 PRS and District and Campus Improvement Plans). 3. Intake documentation (by a responsible campus official) recording the date of initial contact . . . (see 9.8 On-Campus PRS Services). 4. For each period of prenatal confinement, a note from a medical or nurse practitioner stating a <i>medical necessity for confinement</i> that requires the pregnant student to remain at home or in the hospital during the prenatal period and the length of the prenatal confinement, including the release date to return to school (see 9.9 Prenatal Confinement). 5. Documentation (by a responsible campus official) of the date when the student's pregnancy ended (e.g., date of delivery) (see 9.10 Postpartum Confinement). 6. When the break-in-service option is used, documentation by a responsible campus official of the infant's hospitalization period, including the date the infant was released from the hospital (see 9.10 Postpartum Confinement). 7. For each student whose postpartum period was extended [see 9.9 Prenatal Confinement], documentation from a medical or nurse practitioner licensed to practice in the United States verifying the actual period of confinement or that the student was anticipated to be confined for an additional period of up to 4 calendar weeks (see 9.10 Postpartum Confinement). 8. When the prenatal student confined to the home	medical practitioner verifying the student's eligibility to receive PRS (see . . .) [IMPROVEMENT PLAN REQUIREMENTS ARE LOCATED IN 9.5.] 2. Intake documentation by a campus official recording the date of initial contact . . . (see 9.7 On-Campus PRS Support Services) 3. For each period of prenatal confinement, documentation from a licensed medical practitioner stating a medical necessity for confinement that requires the student to remain at home or in the hospital and specifying the anticipated length of the prenatal confinement (see 9.8 CEHI During Prenatal Confinement) 4. Documentation by a campus official of the date when the student's pregnancy ended (see 9.9 CEHI During Postpartum Confinement) 5. When the break-in-service option is used, documentation by a campus official of the infant's hospitalization period(s), including the date(s) the infant was released from the hospital (see 9.9 CEHI During Postpartum Confinement) 6. For each student whose postpartum period was extended, documentation from a licensed medical practitioner stating a medical necessity for confinement that requires the student to remain at home or in the hospital and specifying the anticipated length of the extended confinement (see 9.9 CEHI During Postpartum Confinement) 7. When the prenatal student confined to the home or

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		returns to campus for any reason, including for temporary, limited services, documentation (by a medical or nurse practitioner licensed to practice in the United States) granting permission for the student to be on campus for the temporary, limited services (see 9.12 Doctor's Notes and Releases). 9. When the student returns to campus before the first day of the fourth week (weeks 1–3), documentation (by a medical or nurse practitioner licensed to practice in the United States) granting permission for the early return (see 9.12 Doctor's Notes and Releases). 10. When the student returns to campus for any reason during the extended postpartum period (weeks 7–10), documentation (by a medical or nurse practitioner licensed to practice in the United States) granting permission for the early return (see 9.12 Doctor's Notes and Releases). 11. When a pregnant special education student is served, both PRS and special education documentation (see 9.13 Returning to Campus). 12. The certified teacher's log of the actual amount of home instruction each student received . . . The minimum documentation required in homebound logs (the attendance record maintained by a homebound teacher) is — • the name of the homebound teacher, • the student name and identification or social security number, • the date that the homebound teacher visited the homebound student, and • the actual time per visit that the student . . . Additional . . . at the discretion of the local education agency. This documentation . . . Discharge papers and other official forms completed and issued by a hospital, clinic, doctor's office, etc., can be copied	hospital returns to campus to receive temporary, limited support services or take required state assessments, documentation by a licensed medical practitioner granting permission for the student to be on campus for the temporary, limited services (see 9.11 Returning to Campus for Support Services or Testing) 8. When a special education student is served through the PRS program, both PRS and special education documentation (see 9.12 PRS and Special Education Services (SPED)) 9. The teacher's log of the actual amount of CEHI each student received . . . The minimum documentation required in the logs maintained by a CEHI teacher is — • the name of the teacher, • the student's name and identification or Social Security number, • the date that the teacher visited the student, and • the specific time period that the student . . . Additional . . . at the discretion of the district. This additional documentation . . . Note: Discharge papers and other official forms completed and issued by a hospital, clinic, licensed medical practitioner's

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		and used to support doctor notes to identify the medical necessity for confinement or an infant's hospitalization period.	office, etc., may be copied and used to support medical notes to identify the medical necessity for confinement or to identify an infant's hospitalization period.
Section 9 Pregnancy Related Services	Revision	9.18 Quality Control District . . . When serving a pregnant SPED student, your district is not required to maintain the SPED and PRS records in the same file; however, your district will be required to provide documentation from both areas (SPED and PRS) for audit purposes. During . . . During . . . her regular service at . . . At the beginning . . . Schedule . . . in order for PRS students . . .	9.16 Quality Control District . . . When serving a special education student, your district is not required to maintain the special education and PRS records in the same file; however, your district will be required to provide documentation from both programs for audit purposes. During . . . During . . . her regular classes at . . . At the beginning . . . Schedule . . . in order for students . . .
Section 9 Pregnancy Related Services	Revision	9.19 Examples 9.19.1 Example 1 A school district decides to implement a PRS program, but will offer only CEHI. A student . . . The student receives no additional services . . . When she delivers on February 15, the district begins CEHI. The first day the CEHI teacher sees the student is on Monday, February 19. CEHI continues for her 6-week postpartum period, . . .	9.17 Examples 9.17.1 Example 1 A district decides to implement a PRS program but will offer only CEHI. A student . . . The student receives no services . . . When she delivers on February 15, the district begins providing CEHI. The first day the CEHI teacher sees the student is on Monday, February 19. CEHI continues for the student's 6-week postpartum period, . . .
Section 9 Pregnancy Related Services	Revision	9.19.2 Example 2 On August 16, the first day of school, an ADA-eligible student . . . <i>The student . . . accumulating eligible PRS days present.</i>	9.17.2 Example 2 On August 16, the first day of school, a student . . . <i>The student . . . accumulating PRS eligible days present.</i>
Section 9 Pregnancy Related Services	Revision	9.19.3 Example 3 An ADA-eligible PRS student begins experiencing difficulties associated with her pregnancy 3 weeks after beginning service under the PRS program. The doctor expects her to be confined to her home for 2 consecutive weeks. The certified teacher who is assigned to administer CEHI sees the student 3 hours the first week and 5 hours the second week. As expected, the student returns to school full-time after the end of the second week and resumes PRS at school.	9.17.3 Example 3 A student begins experiencing difficulties associated with her pregnancy 3 weeks after beginning service under the PRS program. The licensed medical practitioner expects her to be confined to her home for 2 consecutive weeks. The CEHI teacher sees the student 3 hours the first week and 5 hours the second week. As expected, the student returns to school full-time after the end of the second week.

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		<i>Since the student receives CEHI, she should remain coded PRS during the entire confinement period. The student may only accumulate 3 days present for the first week. . . .</i>	<i>The student should remain coded PRS during the entire confinement period. The student may accumulate only 3 days present for the first week. . . .</i>
Section 9 Pregnancy Related Services	Revision	9.19.4 Example 4 An ADA-eligible PRS student, during the prenatal period, is simultaneously taking a 1-hour career and technical education course (code V1). She begins CEHI, since she is expected to be confined for 5 consecutive weeks. Your district provides the 4 hours of CEHI instruction, but chooses not to provide the additional career and technical education hours while the student is on CEHI. <i>The student may generate career and technical education contact hours if a certified teacher provides the same amount and type of career and technical instruction the student received at school. This career and technical education instruction is in addition to the 4-hour requirement for CEHI. Since the student receives CEHI, she should remain coded PRS during the entire confinement period. Since the district is not providing the additional hours for career and technical education, the career and technical education indicator should be removed. The student, however, should not be withdrawn from the career and technical education class. She remains enrolled in the class and is assisted in her class assignments by the CEHI teacher. During this period of time, the student would not be reported eligible for career and technical education contact hours . . .</i>	9.17.4 Example 4 A student who is receiving PRS is taking a 1-hour CTE course (code V1). She begins CEHI and is expected to be confined for 5 consecutive weeks. Your district provides the 4 hours of CEHI instruction but chooses not to provide the additional CTE hours while the student is confined. <i>Since the student receives CEHI, she should remain coded PRS during the entire confinement period. Since the district is not providing the additional hours for CTE, the CTE indicator should be removed. The student, however, should not be withdrawn from the CTE class. She remains enrolled in the class and is assisted in her class assignments by the CEHI teacher. During this time period, the student would not be reported eligible for CTE contact hours . . .</i>
Section 9 Pregnancy Related Services	Revision	9.19.5 Example 5 An ADA-eligible PRS student . . . the student's medical or nurse practitioner determines . . . <i>The student will remain coded PRS for all 8 weeks of the postpartum period, and she will accumulate eligible days present each week based on the amount of instruction she receives at home from the certified teacher. Your district must continue to provide CEHI during the entire confinement period and, for audit purposes, must obtain an additional written statement from the physician that prescribes the extended postpartum period.</i>	9.17.5 Example 5 A student . . . the student's licensed medical practitioner determines . . . <i>The student should remain coded PRS for all 8 weeks of the postpartum confinement period and will accumulate eligible days present each week based on the amount of instruction she receives at home from the CEHI teacher. Your district must continue to provide CEHI during the entire confinement period and, for audit purposes, must obtain a written statement from the licensed medical practitioner that prescribes the extended postpartum confinement period.</i>
Section 9 Pregnancy Related Services	Revision	9.19.6 Example 6 An ADA-eligible PRS student . . . her regular service on . . .	9.17.6 Example 6 A student . . . her regular classes on . . .

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		<i>Since . . . confinement period. The student will accumulate eligible days present each week based on the amount of instruction she receives at home from the certified teacher. On the first day of the fourth week, your district must withdraw her from the PRS program since she returned to school. Regular attendance rules now apply (Section 3 General Attendance Requirements).</i>	<i>Since . . . confinement period and will accumulate eligible days present each week based on the amount of instruction she receives at home from the CEHI teacher. On the first day of the fourth week, your district must withdraw the student from the PRS program since she has returned to school.</i>
Section 9 Pregnancy Related Services	Revision	9.19.7 Example 7 An ADA-eligible PRS student . . . from a certified teacher . . . Each of these 5 weeks contains 5 days of instruction. During the sixth week, which only contains 4 days of instruction because it contains a holiday, . . . <i>Since . . . During the sixth week, which only consists of 4 days of instruction, the student sees the teacher for only 2 hours. Therefore, she will only accumulate 2 eligible days present.</i>	9.17.7 Example 7 A student . . . from a CEHI teacher . . . Each of these weeks contains 5 days of instruction. During the sixth week, which contains only 4 days of instruction because of a holiday, . . . <i>Since . . . During the sixth week, the student will accumulate 2 eligible days present because she received only 2 hours of instruction.</i>
Section 9 Pregnancy Related Services	Deletion	9.19.8 Example 8 On August 21, the first day of school, an ADA-eligible student informs the high school counselor that she is pregnant. Your district completes all the required documentation and begins serving the student on August 28. Your district has both a PRS program and a Pregnancy, Education, and Parenting (PEP) program. Your district also serves the student in the PEP program. On January 4, the first day of the second semester, the student delivers her baby. On February 16, after 6 calendar weeks of CEHI, the student returns to school and continues to receive instruction through the PEP program. <i>The student should be coded with both a PRS indicator in the Student Detail Report and a PEP indicator code. The PRS entry date (effective date of program change) of August 28 is the date she will begin accumulating eligible PRS days present. Your district must withdraw the student from the PRS program on February 16, the first day that she returns to school. Although she continues to receive services through the PEP program, she is no longer eligible to receive PRS funding.</i>	[EXAMPLE DELETED AS THE LIFE SKILLS PROGRAM FOR STUDENT PARENTS (PREVIOUSLY CALLED THE PEP PROGRAM) WILL NOT BE FUNDED FOR THE 2011–2012 OR 2012–2013 SCHOOL YEARS.]
Section 9 Pregnancy Related Services	Revision	9.19.9 Example 9 A student who is receiving special education and related services becomes pregnant and is eligible for PRS. During . . .	9.17.8 Example 8 A special education student becomes pregnant. During . . . condition. The student delivers the baby during the period

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		condition. On your district's obtaining the physician's note confirming the need for bed rest, the following should occur: 1. district personnel . . . ; 2. the certified special education teacher and PRS staff work collaboratively to implement the services documented in the student's IEP (see 4.6.2.3 Homebound Services and Pregnancy Related Services (PRS)); 3. district personnel . . . (see 4.6.2.7 Homebound Funding and Documentation Requirements); 4. an additional 120 minutes of support services are provided through the PRS program. The student delivers the baby during the period of confinement to bed rest, and services are continued until the 6-weeks postpartum period is completed. On completion of the postpartum period, the ARD committee must convene to conduct the change of placement ARD.	of confinement to bed rest, and services are continued until the 6-week postpartum period is completed. <i>On your district's obtaining the medical note confirming the need for bed rest, the following should occur:</i> 1. district personnel . . . ; 2. the special education staff and the PRS staff work collaboratively to implement the services specified in the student's IEP; 3. district personnel . . . (see 4.6.2.6 Homebound Funding and Documentation Requirements); and 4. in addition to the homebound services provided through the special education program, the PRS program must provide at least 2 hours a week of PRS for 2–5 days attendance credit and at least 1 hour a week for 1 day attendance credit. During the prenatal and postpartum periods, the student's ARD committee must meet as appropriate to review and revise the student's IEP to address the student's needs.
Section 9 Pregnancy Related Services	Revision	9.19.10 Example 10 A student . . . <i>While schools are not obligated to provide PRS components to . . .</i>	9.17.9 Example 9 A student . . . <i>While districts are not obligated to provide PRS to . . .</i>
Section 9 Pregnancy Related Services	Revision	9.19.11 Example 11 CEHI is one of the PRS services provided by you district. However, one of the students does not receive CEHI during her postpartum period as a result of an extenuating circumstance (for example, the student or baby is in a hospital in a different town, the parents refuse the service). <i>Since . . .</i>	9.17.10 Example 10 Your district has a PRS program. However, a student does not receive CEHI during her postpartum period because of an extenuating circumstance (e.g., the student or baby is in a hospital in a different town, the parents refuse services, etc.). <i>Since . . .</i>
Section 9 Pregnancy Related Services	Revision	9.19.12 Example 12 CEHI is one of the PRS provided by your district. One of the prenatal pregnant students is coded . . . classes, but she delivers in June after the end of the school year. Therefore, CEHI is never provided . . . <i>Although the PRS rules require a district that implements a</i>	9.17.11 Example 11 A pregnant student is coded . . . classes. She delivers in June after the end of the school year. CEHI is never provided . . . <i>Districts are not required to provide services outside the regular</i>

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		<i>PRS program to provide CEHI, districts are not required to provide services outside the regular school year. Therefore, . . . provide her PRS CEHI services during the summer months.</i>	<i>school year. Therefore, . . . provide her CEHI during the summer break.</i>
Section 9 Pregnancy Related Services	Revision	9.19.13 Example 13 A student delivers her baby on March 1. The 6-week postpartum period begins the day after delivery and continues 6 consecutive calendar weeks. If a 1-week spring break holiday falls within the student's 6-week postpartum period, then a maximum of 5 weeks would be funded for PRS since one of the postpartum weeks was not a scholastic calendar week.	9.17.12 Example 12 A student delivers her baby on March 1, and a 1-week spring break holiday falls within the student's 6-week postpartum period. <i>Districts are not required to provide services during school breaks. The 1-week school break does not extend the amount of time that the student may be provided CEHI. A maximum of 5 weeks would be funded for PRS since the district was closed for one of the weeks in the student's 6-week postpartum period.</i>
Section 9 Pregnancy Related Services	Revision	9.19.14 Example 14 Test administration to a student on CEHI: The PRS CEHI teacher administers a 6-weeks exam that . . . <i>The teacher must provide an additional 30 minutes of instruction in to complete the 1 hour of CEHI.</i>	9.17.13 Example 13 The CEHI teacher administers a 6-weeks exam that . . . <i>The teacher must provide an additional 30 minutes of CEHI for the student to earn 1 eligible day present.</i>
Section 9 Pregnancy Related Services	Revision	9.19.15 Example 15 A PRS CEHI teacher administers the math TAKS to a student confined to the home on a Tuesday. It takes the student 2 hours to complete the math TAKS. The teacher returns on Wednesday and administers the social studies TAKS. It takes the student 2 hours to complete the social studies TAKS. <i>The . . . hours of CEHI instruction during the week so the student can earn an entire week of attendance credit. The additional CEHI may be any day of the same week, Sunday to Saturday, including the same calendar day that the test was administered. In all cases, the CEHI instruction must be . . .</i>	9.17.14 Example 14 A CEHI teacher administers a required state math assessment to a student on a Tuesday. It takes the student 2 hours to complete the math assessment. The teacher returns on Wednesday and administers a required state social studies assessment. It also takes the student 2 hours to complete this assessment. <i>The . . . hours of CEHI during the week for the student to earn an entire week of attendance credit. The additional CEHI may be provided on any day of the same week, Sunday to Saturday, including the same calendar day that an assessment was administered. In all cases, the CEHI must be . . .</i>
Section 9 Pregnancy Related Services	Deletion	9.19.16 Example 16 A PRS CEHI teacher administers a final exam to a student confined to the home, and it takes the student 30 minutes to complete the exam. <i>The student must receive an additional 30 minutes of CEHI</i>	[REDUNDANT EXAMPLE DELETED.]

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Section 9 Pregnancy Related Services	Addition	<i>instruction to earn 1 day present.</i> None	9.17.15 Example 15 A student who has been receiving PRS support services delivers her baby on October 31 and returns home from the hospital while the baby remains hospitalized. The student asks to use the break-in-service option. The student receives postpartum CEHI for 3 weeks after delivery (student recovery period) and then returns to school. At the beginning of the fourteenth week after delivery (February 7), the baby is released from the hospital, and the student returns to confinement to use her 7 remaining consecutive weeks of CEHI eligibility to care for the baby (baby recovery period). Because the district's 1-week spring break falls within the 7-week period, the student receives only 6 weeks of CEHI before returning to school. <i>The student remains coded PRS during the entire first confinement period (student recovery period) and earns PRS eligible days present according to the number of hours of CEHI she is provided. While the student attends school between the two confinement periods, she should no longer be coded PRS. The student should be coded PRS again beginning on the date she is first provided CEHI during the second confinement period and should remain coded PRS until she returns to school. During the second confinement period, the student again earns PRS eligible days present according to the number of hours of CEHI she is provided</i> <i>The 1-week school break does not extend the amount of time that the student may be provided CEHI. A maximum of 6 weeks would be funded for PRS during the second period of confinement since the district was closed for one of the weeks in the student's 7-week period of confinement.</i>
Section 10 Nontraditional Schools	Revision	10.6 Compensatory and Accelerated Instruction for At-Risk Students (Regular Accountability At-Risk Alternative Education Programs) Each . . . Refer to the TEC, §29.081(d), regarding statutory requirements for educating at-risk students.	10.6 Compensatory and Accelerated Instruction for At-Risk Students (Regular Accountability At-Risk Alternative Education Programs) Each . . . Refer to the TEC, §29.081(d), regarding statutory definitions of at-risk students.

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		An alternative campus for at-risk students must serve one or more of the following student populations: 1. students in at-risk situations, 2. recovered dropouts, 3. pre- and postadjudicated students, 4. homeless students, 5. pregnant or parenting students, or 6. students who previously resided or currently reside in a residential placement facility in the district.	An alternative campus for at-risk students must serve one or more of the following student populations: • students who were not advanced from one grade level to the next for one or more school years • students in grades 7–12 who did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year or are not maintaining such an average in two or more subjects in the foundation curriculum in the current semester • students who did not perform satisfactorily on an assessment instrument administered to the students under the TEC, Chapter 39, Subchapter B, and have not in the previous or current school year subsequently performed on that instrument or another appropriate instrument at a level equal to at least 110 percent of the level of satisfactory performance on that instrument • students in prekindergarten, kindergarten, or grade 1, 2, or 3 who did not perform satisfactorily on a readiness test or assessment instrument administered during the current school year • limited English proficient (LEP) students, as defined by the TEC, §29.052 • recovered dropouts • pre- and postadjudicated students • homeless students • pregnant or parenting students • students who previously resided or currently reside in a residential placement facility in the district
Section 10 Nontraditional Schools	Revision and Addition	10.7 Alternative Education Campuses (AECs) of Choice and Residential Facilities Evaluated Under Alternative Education Accountability (AEA) Procedures AECs, including charter AECs, must serve students “at risk of dropping out of school” and provide accelerated instructional services to these students. Each AEC registered for evaluation under AEA procedures is designated as an AEC of Choice or a residential facility. (AEA procedures are described	10.7 Alternative Education Campuses (AECs) of Choice and Residential Facilities Evaluated Under Alternative Education Accountability (AEA) Procedures AECs, including charter AECs, must serve students “at risk of dropping out of school” and provide accelerated instructional services to these students.

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		in <i>Part 2</i> of the <i>Accountability Manual</i>, published annually by the Performance Reporting Division.) At-risk students enroll at AECs of Choice to expedite progress toward performing at grade level and high school completion. All attendance accounting rules contained in this handbook apply to all AECs.	All attendance accounting rules contained in this handbook apply to all AECs. A new accountability system will be developed during the 2011–2012 school year and implemented in 2013. As a result, no state accountability ratings will be issued in 2012. Decisions regarding evaluation of AECs under the new accountability system have yet to be determined.
Section 10 Nontraditional Schools	Deletion	10.7.1 Registering AECs of Choice and Residential Facilities for Evaluation To register AECs of Choice and residential facilities for evaluation under AEA procedures, contact the Performance Reporting Division at (512) 463-9704 or visit http://www.tea.state.tx.us/aea for details. Campuses that choose not to register for evaluation under AEA procedures will be evaluated under the standard accountability procedures.	[DELETED]
Section 10 Nontraditional Schools	Revision	10.7.2 Evaluation of DAEPs and JJAEPs Statute or statutory intent prohibits the attribution of performance results to DAEPs and JJAEPs. Therefore, these programs are ineligible for evaluation under AEA procedures as well as stand-alone General Educational Development (GED) programs. The TEC, §37.011(h), requires that a student enrolled at a DAEP or JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. . . .	10.7.1 Evaluation of DAEPs and JJAEPs Statute or statutory intent prohibits the attribution of performance results to DAEPs and JJAEPs. The TEC, §37.011(h), requires that a student enrolled at a DAEP or JJAEP be reported as if the student were attending and being tested at his or her “sending” campus. . . .
Section 10 Nontraditional Schools	Revision	10.9 Disciplinary Alternative Education Programs (DAEPs) Your school district must provide for a DAEP that — 1. . . . 8. . . . by the TEC, §25.082(a). An off-campus or on-campus DAEP should be a “mirror image” of the regular education program your school district	10.9 Disciplinary Alternative Education Programs (DAEPs) Your school district must provide for a DAEP that — 1. . . . 8. . . . by the TEC, §25.082(a).

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		provides. The DAEP should include teacher and student instructional interaction. The significant differences between a DAEP and a regular education program are the type of students housed in the program and the unavailability of certain elective courses. A DAEP serves only students who are removed from a regular education setting because of a disciplinary assignment. In the event that your school district/campus does not currently have any students assigned to a DAEP, your school district must write a contingency plan to provide for any placement to a DAEP that might occur during the school year.⁵⁷ Writing a contingency plan is especially important for elementary schools, . . .	A DAEP serves only students who are removed from a regular education setting because of a disciplinary assignment. A DAEP must provide academic services required under the TEC, §37.008, and 19 TAC §103.1201. If your school district/campus does not currently have any students assigned to a DAEP, your school district is advised to have a plan to provide for any placement to a DAEP that might occur during the school year. A placement plan is especially important for elementary schools, . . .
Section 10 Nontraditional Schools	Revision	10.9.4 DAEPs and Students Under the Age of 6 Students who are under the age of 6 and commit behaviors that require a DAEP placement may not be placed in the DAEP. However, . . .	10.9.4 DAEPs and Students Under the Age of 6 Except for conduct under §37.007(e)(2), students who are under the age of 6 and commit behaviors that require a DAEP placement may not be placed in the DAEP.⁵⁸ However, . . .
Section 10 Nontraditional Schools	Revision	10.10 Expulsion Your school district must adopt a student code of conduct that outlines the conditions under which a student will be expelled. . . . Your school district must also adopt consistent procedures for determining when a student has engaged in serious or persistent misbehavior violating the student code of conduct while placed in an alternative education program, for the purposes of expelling students from a DAEP for this reason (disciplinary action code 20).⁵⁹ The following table explains the actions your district must take when a student commits a particular kind of offense. [TABLE] Expulsion from a DAEP can result in JJAEP placement if the conduct or expulsion warrants such placement and depending	10.10 Expulsion Your school district must adopt a student code of conduct that outlines the conditions under which a student will be expelled. To the extent authorized by the MOU, a student placed in a DAEP may be expelled if the student engages in serious misbehavior as defined by the TEC, §37.007(c).⁶⁰ The following table explains the actions your district must take when a student commits a particular kind of offense. [TABLE. REFERENCE TO NUMBER OF MANDATORY JJAEP COUNTIES DELETED.]

⁵⁷ TEC, Chapter 37, and the Student Code of Conduct

⁵⁸ **TEC, §37.006(l)**

⁵⁹ TEC, §37.007(c)

⁶⁰ **TEC, §37.007(c) and §37.011(k)(3) and (l) [HB 968, 82nd Legislature, Regular Session, 2011]**

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		on the local student code of conduct and the MOU. Students who are less than 10 years of age and commit an expellable offense must be expelled with placement to a DAEP (disciplinary action codes 03 and 04). Refer to . . .	Students who are less than 10 years of age and commit an expellable offense must be expelled with placement to a DAEP⁶¹ (disciplinary action codes 03 and 04). Refer to . . .
Section 10 Nontraditional Schools	Deletion	10.10.1 Expulsion of Special Education Students A student receiving special education and related services may be removed from his or her current placement for a period that does not exceed 10 school days or for a period exceeding 10 school days if the ARD committee determines that the student's misbehavior is not a manifestation of the student's disability.⁶² In addition, a special education student may be removed to an interim alternative education setting for 45 school days or fewer without regard to whether the misconduct was a manifestation of the student's disability if the misconduct involved weapons, drugs, or serious bodily injury. In addition, the Individuals with Disabilities Education Act (IDEA) requires that a free appropriate public education (FAPE) must be made available to all children with disabilities between the ages of 3 and 21, inclusive, including children who have been suspended or expelled from school, as provided in 34 Code of Federal Regulations, §300.530(d).⁶³ Therefore, students with disabilities removed from their current placements for 10 or more cumulative school days during the school year must continue to receive educational services so as to enable them to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting their Individualized Education Program (IEP) goals. Options that your district may consider for a special education student's disciplinary placement include, but are not limited to, placement in a DAEP (disciplinary action codes 03 and 04) or placement in another alternative interim setting that will enable the student to participate in the general education curriculum	[DELETED. INFORMATION RELATED TO EXPULSION OF SPECIAL EDUCATION STUDENTS NOW APPEARS IN 10.12.]

⁶¹ TEC, §37.006(f)

⁶² TEC, §37.007

⁶³ See 20 United States Code, §1412(a)(1), and 34 Code of Federal Regulations (CFR), §300.101(a).

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		and to progress toward meeting the goals set out in the student's IEP. Note, however, that a student may not be removed to a homebound setting. The educational services provided to a student removed to a disciplinary placement are to be provided following the requirements of the 2-through-4-hour rule (see 3.2 General Requirements for Eligibility for Attendance/Foundation School Program (FSP) Funding and 3.2.1 Average Daily Attendance (ADA) Eligibility Coding). Your district must determine the student's instructional arrangement/setting code based on the percentage of time the student is removed from the general education setting. The student's disciplinary action code is 01. Where services provided do not meet the requirements of the 2-through-4-hour rule, the student's ADA eligibility code is 0 Enrolled, Not in Membership The student's instructional arrangement/setting code is 00 No Instructional Arrangement/Setting. The student's disciplinary action code is 01.	
Section 10 Nontraditional Schools	Revision	10.11 Juvenile Justice Alternative Education Programs (JJAEPs)⁶⁴ Academically, the mission of a JJAEP is to enable students to perform at grade level. If a school district is in a county with a population greater than 125,000⁶⁵, the county juvenile board is required to develop a JJAEP, subject to the approval of the Texas Juvenile Probation Commission (TJPC).⁶⁶ If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJPC⁶⁷. If a county . . .	10.11 Juvenile Justice Alternative Education Programs (JJAEPs)⁶⁸ Academically, the mission of a JJAEP is to enable students to perform at grade level.⁶⁹ If a school district is in a county with a population greater than 125,000⁷⁰, the county juvenile board is required to develop a JJAEP, subject to the approval of the Texas Juvenile Probation Commission (TJPC)^{71, 72}. If a county has a population of at least 72,000, the juvenile board of the county and the school districts may develop a JJAEP, subject to the approval of the TJPC⁷³. If a county . . .

⁶⁴ For further program information on JJAEPs, contact the Chapter 37/Safe Schools Division at (512) 463-9982.

⁶⁵ For purposes of JJAEP requirements, a county with a population greater than 125,000 is considered a county with a population of 125,000 or less if the county had a population of 125,000 or less according to the 2000 federal census and the county's juvenile board enters into, with the approval of the Texas Juvenile Probation Commission, an MOU with each school district in the county that outlines the responsibilities of the board and the districts in minimizing the number of students expelled without receiving alternative educational services and includes the coordination procedures required by the TEC, §37.013. Per the TEC, §37.011(a-1) [HB 1425, 81st Legislature, Regular Session, 2009]

⁶⁶ TEC, §37.011(a)

⁶⁷ General Appropriations Act, Article V, Juvenile Probation Commission Rider 10

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Section 10 Nontraditional Schools	Revision	10.11.1 JJAEPs and School Districts in Counties With Populations Greater Than 125,000 If your school district is in a county with a population greater than 125,000, then your school district and the county juvenile board must annually enter into a joint memorandum of understanding (MOU), an annual written agreement that — 1. . . . 2. . . . 3. identifies those categories of conduct that the school district has defined in its Student Code of Conduct as constituting serious or persistent misbehavior for which a student may be placed in the JJAEP; . . . 8. . . . by law. All school districts in the following counties are required to participate in a JJAEP and thus an MOU: Bell, Bexar, Brazoria, Brazos, Cameron, Collin, Dallas, Denton, El Paso, Fort Bend, Galveston, Harris, Hidalgo, Jefferson, Johnson, Lubbock, McLennan, Montgomery, Nueces, Smith, Tarrant, Taylor, Travis, Webb, Wichita, and Williamson.	10.11.1 JJAEPs and School Districts in Counties With Populations Greater Than 125,000 If your school district is in a county with a population greater than 125,000⁷⁴, then your school district and the county juvenile board must annually enter into a joint memorandum of understanding (MOU), an annual written agreement that — 1. . . . 2. . . . 3. establishes that a student may be placed in the JJAEP if the student engages in serious misbehavior as defined by the TEC, §37.007(c)⁷⁵; . . . 8. . . . by law.
Section 10 Nontraditional Schools	Revision	10.11.2 Establishment of a Separate JJAEP Campus For purposes . . . This campus must be registered with the TEA as a JJAEP instructional campus. . . .	10.11.2 Establishment of a Separate JJAEP Campus For purposes . . . This campus must be registered with the TEA under the Texas Education Directory (AskTED) database as a JJAEP instructional campus. . . .

⁶⁸ For further program information on JJAEPs, contact **Educator Initiatives and Performance at (512) 463-3070**.

⁶⁹ **TEC, §37.011(h)**

⁷⁰ **1)** For purposes of JJAEP requirements, a county with a population greater than 125,000 is considered a county with a population of 125,000 or less if the county had a population of 125,000 or less according to the 2000 federal census and the county's juvenile board enters into, with the approval of the Texas Juvenile Probation Commission (see following footnote), an MOU with each school district in the county that outlines the responsibilities of the board and the districts in minimizing the number of students expelled without receiving alternative educational services and includes the coordination procedures required by the TEC, §37.013. **[Per the TEC, §37.011(a-1)]** **2)** Also, for purposes of JJAEP requirements, a county with a population greater than 125,000 is considered a county with a population of 125,000 or less if the county has a population of 180,000 or less; is adjacent to two counties, each of which has a population of more than 1.7 million; and has seven or more school districts located wholly within the county's boundaries (currently only Ellis County meets these requirements). **[Per the TEC, §37.011(a-2) (HB 592, 82nd Texas Legislature, Regular Session, 2011)]** **3)** Additionally, for purposes of JJAEP requirements, a county with a population greater than 125,000 is considered a county with a population of 125,000 or less if the county has a population of more than 200,000 and less than 220,000; has five or more school districts located wholly within the county's boundaries; and has located in the county a JJAEP that, on May 1, 2011, served fewer than 15 students. **[Per the TEC, §37.011(a-3) (SB 1, 82nd Texas Legislature, First Called Session, 2011)]** See the TEC, §37.011(a-4) and (a-5) [SB 1, 82nd Texas Legislature, First Called Session, 2011] for additional provisions applicable to school districts in counties described by these criteria (criteria in item 3 of this footnote).

⁷¹ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

⁷² TEC, §37.011(a)

⁷³ General Appropriations Act, Article V, Juvenile Probation Commission Rider 4

⁷⁴ See footnote on previous page regarding whether a county is considered to be a county with a population greater than 125,000.

⁷⁵ [HB 968, 82nd Texas Legislature, Regular Session, 2011]

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Section 10 Nontraditional Schools	Revision	10.11.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students For a student to be placed in or attend a JJAEP, the student must be — - found . . . ; - found . . . to have engaged in expellable conduct other than conduct under the TEC, §37.007(a), (d), or (e), and eligible for placement under the TEC, §37.0081(a-1)(1) or under the terms of the MOU under the TEC, §37.011(k); or - not expelled, but assigned [TABLE]	10.11.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students For a student to be placed in or attend a JJAEP, the student must be — - found . . . ; - found . . . to have engaged in expellable conduct other than conduct under the TEC, §37.007(a), (d), or (e), and eligible for placement under the TEC, §37.0081(a-1)(1) or under the terms of the MOU under the TEC, §37.011(k) and (l); or - not expelled, but assigned [TABLE. ADDED FOOTNOTE WITHIN TABLE: . . . TJPC⁷⁶ . . .]
Section 10 Nontraditional Schools	Revision	10.11.4 Required Hours and Days of Operation for JJAEPs A JJAEP must operate at least 7 hours per day and at least 180 days per year unless the JJAEP has applied to the TJPC for . . .	10.11.4 Required Hours and Days of Operation for JJAEPs A JJAEP must operate at least 7 hours per day and at least 180 days per year unless the JJAEP has applied to the TJPC⁷⁷ for . . .
Section 10 Nontraditional Schools	Revision	10.12 Serving Students With Disabilities A public agency must provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in the child's IEP in these two instances: - when a child with a disability who has been removed from his or her current educational placement for more than 10 school days is subjected to a subsequent removal for not more than 10 school days at a time; and - when a child with a disability is suspended or expelled for behavior that is not a manifestation of the child's disability.	[MUCH OF THE INFORMATION IN REVISED 10.12 PREVIOUSLY APPEARED IN 10.10.1, WHICH HAS BEEN DELETED.] 10.12 Disciplinary Removals of Students With Disabilities A district may remove a special education student who violates the district's code of student conduct from his or her current placement for not more than 10 consecutive school days, and for additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct (as long as those removals do not constitute a "change of placement" under 34 Code of Federal Regulations, §300.536⁷⁸). For disciplinary removals that would exceed 10 consecutive

⁷⁶ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

⁷⁷ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

⁷⁸ 34 CFR, §300.536(a): For purposes of removals of a child with a disability from the child's current educational placement under Sec. 300.530 through 300.535, a change of placement occurs if — (1) The removal is for more than 10 consecutive school days; or (2) The child has been subjected to a series of removals that constitute a pattern — (i) Because the series of removals total more than 10 school days in a school year; (ii) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and (iii) Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

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		Students with disabilities expelled from school must continue to be provided a free, appropriate public education (FAPE) by the local education agency (LEA). LEAs providing FAPE to expelled students may claim ADA on the students based on the 2-through-4-hour rule related to daily instruction. (For information regarding funding and expulsion to a JJAEP, see the chart in 10.11.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students, on the previous page).	school days, a student's admission, review, and dismissal (ARD) committee must determine whether the misconduct in question was a manifestation of the student's disability. However, a district may remove a special education student to an interim alternative education setting for not more than 45 school days without regard to whether the misconduct was a manifestation of the student's disability if the misconduct involved weapons, drugs, or serious bodily injury. A special education student who is removed for 10 or more cumulative school days in the same school year must continue to receive educational services so as to enable him or her to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her individualized education program (IEP) goals. A district is required to provide educational services during periods of removal to a special education student who has been removed for 10 school days or fewer in a school year only if it provides services to a child without disabilities who is similarly removed. Options that your district may consider for a special education student's disciplinary placement include, but are not limited to, placement in a DAEP (disciplinary action codes 03 and 04) or placement in another interim alternative education setting that will enable the student to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP. Note, however, that a student may not be removed to a homebound setting. The educational services provided to a special education student removed to a disciplinary placement are to be provided following the requirements of the 2-through-4-hour rule (see 3.2 General Requirements for Eligibility for Attendance/Foundation School Program (FSP) Funding and 3.2.1 Average Daily Attendance (ADA) Eligibility Coding). Your district must determine the student's instructional arrangement/setting code based on the percentage of time the student is removed from the general education setting. The student's disciplinary action code is 01.

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			Where services provided do not meet the requirements of the 2-through-4-hour rule, the student's ADA eligibility code is 0 Enrolled, Not in Membership. The student's instructional arrangement/setting code is 00 No Instructional Arrangement/Setting. The student's disciplinary action code is 01. (For information regarding funding and expulsion to a JJAEP, see the chart in 10.11.3 JJAEP Eligibility and ADA Eligibility Coding for JJAEP Students.)
Section 10 Nontraditional Schools	Revision	10.13 Out-of-School Suspension (OSS) Each school district must adopt a student code of conduct . . . A principal or . . . may be suspended. In addition, if the student was suspended as a preliminary action for a behavior that is identified as a mandatory expellable offense, then the student must be provided "due process" through a formal expulsion hearing. An OSS may not exceed 3 school days. For purposes of this rule, a partial-day suspension counts as one day toward the three-day limit. Your district . . .	10.13 Out-of-School Suspension (OSS) Each school district must adopt a student code of conduct . . . A principal or . . . may be suspended. An OSS may not exceed 3 school days. Your district . . .
Section 10 Nontraditional Schools	Revision	10.14 In-School Suspension (ISS) A teacher may remove from class a student who the teacher has documented as repeatedly or violently interfering with the teacher's ability to communicate with students or other students' ability to learn. . . .	10.14 In-School Suspension (ISS) A teacher may remove from class a student who the teacher has documented as repeatedly or seriously interfering with the teacher's ability to communicate with students or other students' ability to learn. . . .
Section 10 Nontraditional Schools	Revision	10.15 Students From Outside Your District Who Are Being Served in Detention or Other Facilities Making Short-Term Residential Placements If your district is serving a student from outside the district in a detention facility or other facility making short-term (10 days or fewer) residential placements, your district is not required to enroll and serve the student if — a) it is known at the time the student arrives that the student will be staying for 10 days or fewer and b) your (the serving) district and the sending district both agree that the student will continue enrollment in the sending district for the duration and	10.15 Students From Outside Your District Who Are Being Served in Detention or Other Facilities Making Short-Term Residential Placements If a student from outside your district will be residing in a detention facility or other facility in your district that implements short-term (10 days or fewer) residential placements, your district is not required to enroll and serve the student if — 1. it is known at the time the student arrives that the student will be staying for 10 days or fewer and 2. your district and the sending district both agree that the student will continue enrollment in the sending district

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		c) enrollment will not be shown at your (the serving) district. ...	for the duration and 3. enrollment will not be shown at your district. ...
Section 11 Nontraditional Programs	Revision	11.3 Dual Credit (High School and College/University) A public junior college, . . . Funding eligibility for a student taking a dual credit course will include time instructed in the dual credit course. For the 2009–2010 and 2010–2011 school years , your district may count the time that students spend in dual credit courses for state funding purposes even if students are required to pay tuition, fees, or textbook costs for those courses, unless the dual credit course is an Early College High School (ECHS) program course. . . .	11.3 Dual Credit (High School and College/University) A public junior college, . . . Funding eligibility for a student taking a dual credit course will include time instructed in the dual credit course. For the 2011–2012 and 2012–2013 school years , your district may count the time that students spend in dual credit courses for state funding purposes even if students are required to pay tuition, fees, or textbook costs for those courses, unless the dual credit course is an Early College High School (ECHS) program course. . . .
Section 11 Nontraditional Programs	Revision	11.3.1 Student Eligibility for Dual Credit Courses A high school . . . following chart. [TABLE] Alternately, a student is eligible to enroll in dual credit courses in the eleventh and/or twelfth grade if the student demonstrates he or she is exempt from meeting the previous requirements because he or she has satisfied at least one of the following criteria: • The student scores a composite score of at least 23 on the ACT, with a minimum score of 19 on the English and/or the mathematics test (exempt for the corresponding sections for 5 years from the date of testing). • The student scores a combined verbal and mathematics score of at least 1070 on the Scholastic Assessment Test (SAT), with a minimum score of 500 on the verbal test and/or the mathematics test (exempt for the corresponding sections for 5 years from the date of testing).	11.3.1 Student Eligibility for Dual Credit Courses A high school . . . following chart. [TABLE. UPDATED TABLE INCLUDES MINIMUM PASSING STANDARDS FOR ADDITIONAL ASSESSMENT INSTRUMENTS.] Alternately, a student is eligible to enroll in dual credit courses in the eleventh and/or twelfth grade if the student has satisfied at least one of the following criteria:

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		- On the grade 11 exit-level Texas Assessment of Knowledge and Skills (TAKS), the student scores a minimum scale score of 2200 on the math section and/or a minimum scale score of 2200 on the English Language Arts section with a writing subsection score of at least 3 (exempt for the corresponding sections for 3 years from the date of testing). - The student has previously attended any institution of higher education and has been determined to have met readiness standards by that institution. ... To be eligible . . . To be eligible for enrollment in a dual credit course offered by a public college, a student must have at least junior year high school standing. . . . Students with less than junior year high school standing must demonstrate eligibility as outlined in the text preceding the paragraph before this paragraph. ...	- The student has previously attended any institution of higher education and has been determined to have met readiness standards by that institution. ... To be eligible . . . To be eligible for enrollment in a dual credit course offered by a public college, a student must have at least junior year high school standing. . . . Students with less than junior year high school standing must demonstrate eligibility as shown in the chart on the previous page. ...
Section 11 Nontraditional Programs	Deletion	11.3.1.1 Student Eligibility Requirements Specific to Eleventh Grade Students An eleventh grade high school student is also eligible to enroll in dual credit courses under the following conditions: - a student achieves a score of 2200 on Mathematics and/or a score of 2200 on English Language Arts with a writing subsection score of at least 3 on the tenth-grade TAKS relevant to the courses to be attempted. An eligible high school student who has enrolled in dual credit courses in the eleventh grade under this provision is not required to demonstrate further evidence of eligibility to enroll in dual credit courses in the twelfth grade; or - the student achieves a combined score of 107 on the PSAT/NMSQT with a minimum of 50 on the critical reading and/or mathematics test relevant to the courses to be attempted. An eligible high school student who has enrolled in dual credit under this provision must demonstrate eligibility to enroll in dual credit courses in twelfth grade; or	[DELETED]

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		the student achieves a composite score of 23 on the PLAN with a 19 or higher in mathematics and English. An eligible high school student who has enrolled in dual credit under this provision must demonstrate eligibility to enroll in dual credit courses in twelfth grade.	
Section 11 Nontraditional Programs	Revision	11.3.1.2 Student Eligibility Requirements Specific to Workforce Education Dual Credit Courses A high school student is eligible to enroll in workforce education dual credit courses in the eleventh and/or twelfth grade if the student demonstrates that he or she has achieved the minimum high school passing standard on the Mathematics section and/or the English/Language Arts section on the tenth- or eleventh-grade TAKS. A student may enroll . . .	11.3.1.1 Student Eligibility Requirements Specific to Workforce Education Dual Credit Courses A student may enroll . . .
Section 11 Nontraditional Programs	Deletion	11.3.2 Types of College Credit Programs Your District May Offer The chart on the following two pages provides information on the different types of college credit programs your district may offer. [TABLE]	11.3.2 Types of College Credit Programs Your District May Offer The chart on the following two pages provides information on the different types of college credit programs your district may offer. [TABLE. COLUMN LABELED "OTHER FUNDING SOURCES" HAS BEEN DELETED. A REFERENCE TO THE 2010–2011 SCHOOL YEAR HAS BEEN CHANGED TO BE A REFERENCE TO THE 2011–2012 SCHOOL YEAR. IN THE SECOND PAGE OF THE TABLE, IN THE FIRST ROW OF THE "DISTRICT EXPENSE" COLUMN, THE WORD "SHALL" HAS BEEN CHANGED TO "MUST."]
Section 11 Nontraditional Programs	Revision	11.4 Gateway to College and Similar Programs A "Gateway to College" (GTC) program . . . purpose of earning a high school diploma. The courses offered . . . Developmental education courses do not count as instruction for the purposes of the 2-through-4-hour rule and are not eligible for FSP funding. For a student . . .	11.4 Gateway to College and Similar Programs A "Gateway to College" (GTC) program . . . purpose of earning a high school diploma. An expansion amendment is not required for students who report daily to a high school campus and leave for part of the day to take dual credit courses at a college. The courses offered . . . A developmental education course does not count as instruction for the purposes of the 2-through-4-hour rule and is not eligible for FSP funding unless the course meets the curriculum requirements specified in the TEC, Chapter 28, and the student can receive high school credit for the course. You can find a list of courses that are

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			considered developmental courses in the latest Texas Higher Education Coordinating Board (THECB) <i>Academic Course Guide Manual</i> , available on the THECB website (http://www.thecb.state.tx.us/). For a student . . .
Section 11 Nontraditional Programs	Revision	11.5 Optional Extended Year Program (OEYP) The OEYP will not be funded for 2010–2011. . . .	11.5 Optional Extended Year Program (OEYP) The OEYP will not be funded for 2011–2012. . . .
Section 11 Nontraditional Programs	Revision	11.6.1 Student Eligibility A student is eligible to participate in an OFSDP . . . if — . . . Your district may also . . . passing the TAKS test so that they may graduate . . .	11.6.1 Student Eligibility A student is eligible to participate in an OFSDP . . . if — . . . Your district may also . . . passing required state assessments so that they may graduate . . .
Section 11 Nontraditional Programs	Revision	11.6.3 Participation in the OFSDP and the Regular Attendance Program . . . *One exception to the prohibition on changing the type of record used during a reporting period would be for an OFSDP student who begins receiving Pregnancy Related Services Compensatory Education Home Instruction (CEHI) services in . . .	11.6.3 Participation in the OFSDP and the Regular Attendance Program . . . *One exception to the prohibition on changing the type of record used during a reporting period would be for a student's initial enrollment in the OFSDP. Another would be for an OFSDP student who begins receiving Pregnancy Related Services Compensatory Education Home Instruction (CEHI) services in . . .
Section 11 Nontraditional Programs	Revision	11.6.5 FSP Funding Eligibility for Students 21–25 Years of Age . . . Also, a student receiving . . . In addition, a student with a disability who graduated by meeting the requirements of 19 TAC §89.1070(c) as determined by an admission, review, and dismissal (ARD) committee and who is still in need of special education services ⁷⁹ may be served through age 21 inclusive. . . .	11.6.5 FSP Funding Eligibility for Students 21–25 Years of Age . . . Also, a student receiving . . . In addition, a student with a disability who graduated by meeting the requirements of 19 TAC §89.1070 (b)(3) as determined by an admission, review, and dismissal (ARD) committee and who is still in need of special education services ⁸⁰ may be served through age 21 inclusive. . . .
Section 11 Nontraditional Programs	Addition		11.6.8 OFSDP Withdrawal Policy Your school district may adopt a local policy for determining when a student enrolled in an OFSDP may be withdrawn for nonattendance.
Section 11	Revision	11.6.8 More Information	11.6.9 More Information

⁷⁹ as determined by the ARD committee per §89.1070(h)

⁸⁰ as determined by the ARD committee per §89.1070(f)

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Section 11 Nontraditional Programs	Revision and Addition	11.7 Option Flexible Year Program (OFYP) An OFYP is a program for students who did not or are likely not to perform successfully on the Texas Assessment of Knowledge and Skills (or an alternate testing instrument) or who would not otherwise be promoted to the next grade level. To provide . . . The TEA strongly encourages districts providing OFYPs to provide the additional instructional days for eligible students throughout the school year instead of only at the end of the school year. This practice helps ensure eligible students' successful program completion. Students who are participating in an OFYP should be reported on a separate instructional track from students who are not participating in an OFYP. An OFYP instructional day may not be scheduled on the same day as an early release day.	11.7 Optional Flexible Year Program (OFYP) An OFYP is a program for students who did not or are likely not to perform successfully on the required state assessments or who would not otherwise be promoted to the next grade level. To provide . . . 11.7.1 Applying to Participate in the OFYP To participate in the OFYP, your . . . at http://www.tea.state.tx.us/index2.aspx?id=7738&menu_id=645&menu_id2=789. 11.7.2 Scheduling of OFYP Instructional Days The TEA strongly encourages districts providing OFYPs to provide the additional instructional days for eligible students throughout the school year instead of only at the end of the school year. This practice helps ensure eligible students' successful program completion. The TEA also strongly encourages each district, upon OFYP approval, to notify parents and students that the district has been approved to provide an OFYP and include in this notice details of how the district plans to implement the program (i.e., whether the district will schedule its OFYP instructional days throughout the year or at the end of the year). An OFYP instructional day may not be scheduled on the same day as any of the following: • an early release day • one of your district's scheduled makeup days • a day before the fourth Monday in August (this last bullet applies to school districts only; it does not apply to open-enrollment charter schools) 11.7.3 Reporting OFYP Attendance Students who are participating in an OFYP should be reported on a separate instructional track from students who are not participating in an OFYP. If a student participates in the OFYP, the student should not be reported on multiple calendar tracks within a 6-week reporting period.

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		To participate in the OFYP, your . . . at http://www.tea.state.tx.us/index2.aspx?id=7738&menu_id=645&menu_id2=789 .	11.7.4 Additional Information A district approved to provide an OFYP has discretion over whether to allow ineligible students to attend school on OFYP instructional days. If the district decides to allow OFYP-ineligible students to attend school on those days, the ineligible students would not be eligible to generate ADA (FSP funding) for the days. The district should not record attendance for the OFYP-ineligible students who attend school on OFYP instructional days, except for those students described by the following paragraph. A student who receives special education services and whose individualized education program (IEP) requires that the student be provided instruction and/or services for a specified number of school days must be provided instruction and services for that number of school days regardless of whether the student is eligible for the OFYP. If an OFYP-ineligible student who receives special education services is attending school on OFYP instructional days because of IEP requirements, the student's reported instructional track must include those days, and attendance must be taken for the student for those days.
Section 11 Nontraditional Programs	Revision	11.8 High School Equivalency Program (HSEP) The High School Equivalency Program (HSEP) is also known as the "In-School GED Program." The Texas In-School GED Program provides an alternative for high school students age 16 and over who are at risk of not graduating from high school . . .	11.8 High School Equivalency Program (HSEP) The High School Equivalency Program (HSEP) is also known as the "In-School GED Program." The Texas In-School GED Program provides an alternative for high school students aged 16 and older who are at risk of not graduating from high school . . .
Section 11 Nontraditional Programs	Revision	11.8.1 HSEP Eligibility Requirements A student is eligible to participate in an HSEP if — the student has been ordered by . . . or by the Texas Youth Commission to: . . .	11.8.1 HSEP Eligibility Requirements A student is eligible to participate in an HSEP if — the student has been ordered by . . . or by the Texas Youth Commission⁸¹ to — . . .
Section 11 Nontraditional Programs	Revision and Deletion	1.9 Texas Virtual School Network (TxVSN) The Texas Virtual School Network (TxVSN) is a state virtual school network that provides students throughout the state with access to online courses that are reviewed to ensure they	11.9 Texas Virtual School Network (TxVSN) For more information, please refer to the TEA Texas Virtual School Network web page at http://www.tea.state.tx.us/index2.aspx?id=4840&menu_id=

⁸¹ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

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		meet the Texas Essential Knowledge and Skills (TEKS) and national standards for quality online courses. The network was established by Senate Bill 1788, passed by the 80th Texas Legislature, Regular Session, in May 2007. The TEC, Chapter 30A, which established the TxVSN, does not affect the provision of distance learning courses offered under other law. The TxVSN creates an additional distance learning option for districts. Courses approved through the TxVSN review process first became available for grades 9 through 12 in the 2008–2009 school year. TxVSN online courses can be provided by a TxVSN provider school district or school, defined as a school district or open-enrollment charter school that meets certain eligibility requirements; Texas public and private institutions of higher education; and regional education service centers (ESCs), per commissioner's rule. For more information on the TxVSN and to view the list of available courses in the TxVSN course catalog, visit the TxVSN website at http://www.txvsn.org/. 11.9.1 Student Eligibility for the TxVSN A student is eligible to enroll in a course provided by the TxVSN only if the student — • is younger than 21 years of age on September 1 of the school year, • has not graduated from high school, and • is otherwise eligible to enroll in a public school in Texas. A student may enroll in courses full-time only if the student was enrolled in a public school in the state of Texas the preceding year. A student may enroll in one or more courses provided through the TxVSN or enroll full-time in courses provided through the network if — the student — • is a dependent of a member of the United States military,	2147483665 and to the main TxVSN website at http://www.txvsn.org/.

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		- was previously enrolled in a high school in the state of Texas, and - does not reside in the state as a result of military deployment or transfer or the student has been placed in substitute care in Texas, regardless of whether the student was enrolled in a Texas public school in the preceding year. A student who has begun enrollment in an electronic course and transfers from one educational setting to another is entitled to continue enrollment in the course. 11.9.1.1 Students in Grades 3 Through 10 For the 2010–2011 school year, only those students in certain school districts and open-enrollment charter schools that applied and were approved to participate in the Electronic Course Pilot (eCP) program are eligible to participate in the TxVSN, serving grades 3 through 10. These districts/charter schools will be offering a full-time virtual program rather than individual content areas. For the 2010–2011 school year, these districts/charter schools will not be offering their virtual programs through the TxVSN course catalog. 11.9.2 TxVSN FSP Funding and Fees If an eligible student participates in the TxVSN, meets the legal requirements for enrollment in a Texas school district, and meets the normal attendance accounting rules, the student is eligible to generate FSP funding as an enrolled student in that district. If the student does not meet the normal attendance accounting rules, the student is not eligible to generate FSP funding. If an eligible student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student participates in the TxVSN, the student is not eligible to generate ADA or FSP funding. Funding for eligible TxVSN participants in grades 3 through 8 will be calculated based on the ADA of those students.	

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		Funding for eligible TxVSN participation in grades 9 through 12 will be based on successful course completion. Districts providing TxVSN courses receive an allotment of \$400 for each TxVSN course a student successfully completes. Districts in which students taking a TxVSN course are enrolled receive \$80 per semester for administrative costs for each eligible enrolled student who successfully completes a TxVSN course. A district may charge a nominal fee for TxVSN courses offered in the summer or for TxVSN courses that are in excess of the normal course load for a student but may not receive allotments for any TxVSN courses for which the district charges a fee. The fee for a TxVSN course may not exceed the lesser of the cost of providing the course or \$400. Your school district or open-enrollment charter school shall charge a fee for enrollment in an electronic course provided through the TxVSN to a student who resides in this state and is not enrolled in a school district or open-enrollment charter school as a full-time student. 11.9.3 Options for Providers and Students A TxVSN provider school district or open-enrollment charter school may offer electronic courses provided through the network to — • students who reside in this state and • students who reside outside this state and who meet the eligibility requirements under the TEC, §30A.002(c) (students who are dependents of members of the U.S. military, were previously enrolled in a Texas high school, and do not reside in Texas as a result of military transfer). A student who is enrolled in a school district or open-enrollment charter school in this state as a full-time student may take one or more electronic courses through the TxVSN. A student who is enrolled in a school district or open-enrollment charter school that participated in the eCP may attend grades 3 through 10 full-time. A student who is in substitute care in this state may take	

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		courses full-time through the TxVSN. Notwithstanding those students who are in substitute care, a student who resides in this state but who is not enrolled in a school district or open-enrollment charter school in this state as a full-time student may⁸² enroll in electronic courses through the TxVSN. A student to whom this subsection applies — • may not in any semester enroll in more than two electronic courses offered through the state virtual school network, • is not considered to be a public school student, • must obtain access to a course provided through the network through the school district or open-enrollment charter school attendance zone in which the student resides, • is not entitled to enroll in a course offered by a school district or open-enrollment charter school other than an electronic course provided through the network, and • is not entitled to any right, privilege, activities, or services available to a student enrolled in a public school, other than the right to receive the appropriate unit of credit for completing an electronic course. Your school district or open-enrollment charter school may not require a student to enroll in an electronic course.	
Section 11 Nontraditional Programs	Revision	11.10.2 Notable Compact Provisions and Requirements Following are notable compact provisions and requirements. Compact requirements that already exist as state statutory or rule requirements that are described elsewhere in this handbook have not been included.	11.10.2 Notable Compact Provisions and Requirements Following are notable compact provisions and requirements.
Section 11 Nontraditional Programs	Addition		11.10.2.2 Certain Absences Excused for Compulsory Attendance (Not Funding) Purposes Under the compact, your school district's superintendent may excuse for compulsory attendance purposes a student's absence to visit with a parent 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 deployment to a combat zone or combat support posting.

⁸² subject to TEC, §30A.155

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			Note that other Texas law ⁸³ already allows for a teacher, principal, or superintendent of the school in which a student is enrolled to excuse for compulsory attendance purposes the temporary absence of the student for any reason acceptable to the teacher, principal, or superintendent, as described in 3.6.4 Excused Absences for Compulsory Attendance Purposes. 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's Being Considered Present or Absent for FSP (Funding) Purposes and meets applicable requirements. ⁸⁴ Visiting with a parent or guardian who is an active duty service member and has been called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or support posting is not one of the reasons specified in 3.6.3.
Section 13 Glossary	Revision	Compulsory School Age – Any age . . . Also, a person who is age 18 or older and is enrolled . . .	Compulsory School Age – Any age . . . Also, a person who is 18 years of age or older and is enrolled . . .
Section 13 Glossary	Revision	High School Equivalency Program (HSEP) – Also known as the "In-School GED Program," a program that provides an alternative for high school students ages 16 through 21 years of age (22 year of age if qualified for special education) who are at risk of . . .	High School Equivalency Program (HSEP) – Also known as the "In-School GED Program," a program that provides an alternative for high school students 16 through 21 years of age (22 years of age if qualified for special education) who are at risk of . . .
Section 13 Glossary	Revision	Homeless Students – As defined by 42 USC, §11302(a), the term "homeless" or "homeless individual or homeless person" includes — (1) an individual who lacks a fixed, regular, and adequate nighttime residence; and (2) an individual who has a primary nighttime residence that is — (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);	Homeless Students – As defined by 42 USC, §11302(a), the terms "homeless", "homeless individual", and " homeless person " means — (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence; (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (3) an individual or family living in a supervised publicly or privately operated shelter designated to provide

⁸³ TEC, §25.087

⁸⁴ TEC, §25.087

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		(B) an institution that provides a temporary residence for individuals intended to be institutionalized; or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.	temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); (4) an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided; (5) an individual or family who — (A) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by — (i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days; (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause; (B) has no subsequent residence identified; and (C) lacks the resources or support networks

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		As defined by 42 USC, §11434a, the term “homeless children and youths” — (A) means individuals who lack . . . ; and (B) includes — (i) children . . . ; (ii) children and youths . . . [within the meaning of §11302(a)(2)(C) of this title]; (iii) children . . .	needed to obtain other permanent housing; and (6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who — (A) have experienced a long term period without living independently in permanent housing, (B) have experienced persistent instability as measured by frequent moves over such period, and (C) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment. As defined by 42 USC, §11434a, the term “homeless children and youths” — (A) means individuals who lack . . . ; and (B) includes — (i) children . . . ; (ii) children and youths . . . [within the meaning of §11302(a)(2)(C)⁸⁵ of this title]; (iii) children . . .
Section 13 Glossary	Revision	Juvenile Justice Alternative Education Program (JJAEP) – The alternative education program that the juvenile board of a county with a population greater than 125,000 must develop subject to the approval of the Texas Juvenile Probation Commission (TJPC); or that counties with a population of . . .	Juvenile Justice Alternative Education Program (JJAEP) – The alternative education program that the juvenile board of a county with a population greater than 125,000⁸⁶ must develop subject to the approval of the Texas Juvenile Probation Commission (TJPC)⁸⁷; or that counties with a population of . . .

⁸⁵ Because of amendments to 42 USC, §11302, the current citation for the cross-referenced provision is 42 USC, §11302(a)(2).

⁸⁶ See the footnotes to 10.11 Juvenile Justice Alternative Education Programs (JJAEPs) for information about counties with populations greater than 125,000 that are considered to be counties with populations of 125,000 or less for purposes of JJAEP requirements.

⁸⁷ Effective December 1, 2011, a reference in this handbook to the Texas Juvenile Probation Commission or the Texas Youth Commission means the Texas Juvenile Justice Department.

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Section	Change	2010–2011 Version 2	2011–2012
Section 13 Glossary	Revision	Noncategorical Early Childhood – Term used to describe a student ages 3 through 5 who meets the eligibility criteria for mental retardation, emotional disturbance, learning disability, or autism.	Noncategorical Early Childhood – Term used to describe a student aged 3 through 5 who meets the eligibility criteria for intellectual disability ⁸⁸ , emotional disturbance, learning disability, or autism.
Section 13 Glossary	Revision	Preschool Program for Children With Disabilities (PPCD) – Special education services for children with disabilities ages 3 through 5. . . .	Preschool Program for Children With Disabilities (PPCD) – Special education services for children with disabilities aged 3 through 5. . . .

⁸⁸ The term "mental retardation" has been replaced with "intellectual disability" in this handbook per the provisions of House Bill 1481, 82nd Texas Legislature, 2011, related to use of person first respectful language in reference to individuals with disabilities. Note that this revised terminology has not been incorporated in 19 Texas Administrative Code Chapter 89, Subchapter AA, Commissioner's Rules Concerning Special Education Services, as of the publication date of this handbook.