

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

#### **2022-2023 TEA Student Attendance Accounting Handbook (SAAH)**

For official attendance accounting purposes, “excused” and “unexcused” absences do not exist. Students present at the official attendance-taking time are counted present for funding purposes. Note that having students sign in is not an acceptable method of taking attendance. With the exception of any reason listed in the following bulleted paragraphs, students who are absent at the official attendance-taking time are counted absent for funding purposes. Students who are on campus at the time attendance is taken but who are not in their assigned classroom are considered in attendance for FSP purposes provided they were with a campus official (nurse, counselor, principal, etc.). Class admit slips or other documentation supporting that a student was with a campus official must be retained for audit purposes. Documentation from an electronic, radio-frequency, “smart card,” or similar tracking system that indicates only whether a student monitoring device was on campus at a particular time is not acceptable documentation unless supported with documentation that the student was with a campus official. Note: These attendance provisions do not apply to the OFSDP, the HSEP, or homebound programs (general education homebound, special education homebound, or compensatory education home instruction). For special attendance provisions that apply to these programs, please refer to the applicable sections of the handbook. A student not actually on campus at the time attendance is taken may be considered in attendance for FSP purposes if the student:

1. is enrolled in and attending off-campus dual credit program courses and is not scheduled to be on campus during any part of the school day. Students who are enrolled in and attending an off-campus dual credit program course and are scheduled to be on campus during any part of the school day should have their attendance recorded while they are on campus. See 3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations for instructions on how to record attendance for these students if they are not scheduled to be on campus during the official attendance-taking time.
2. is participating in an off-campus work-based learning opportunity and is not scheduled to be on campus during any part of the school day. Students who are participating in an off-campus work-based learning opportunity and are scheduled to be on campus during any part of the school day should have their attendance recorded while they are on campus. See 3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations for instructions on how to record attendance for students not scheduled to be on campus during the official attendance taking time.
3. is enrolled full-time in TxVSN courses. See 12.2 Texas Virtual School Network (TxVSN) for information on recording daily attendance. Students who are enrolled in one or more TxVSN courses but attend part of the day at a regular campus and who are not scheduled to be on campus during the official attendance-taking time should have their attendance recorded during the part of the day they are on campus. See 3.6.2.2 Alternative Attendance-Taking Time for Certain Student Populations for instructions on how to record attendance for these students.

4. is participating in an activity that is approved by your local school board and is under the direction of a professional staff member, an adjunct staff member, or a paraprofessional staff member of your school district. The adjunct staff member must have a minimum of a bachelor's degree and be eligible for participation in the Teacher Retirement System of Texas. Students participating in any activity that is not approved by your local school board or without certified district personnel supervision must be counted absent. For attendance to qualify for funding purposes, the professional staff member, adjunct staff member, or paraprofessional staff member must be accompanying the students as an official of your school district for the specific purpose of supervising the students and must be approved by your school board to supervise the activity. For example, students would be reported present if they are participating in 4H activities that are supervised by a county extension service agent who has been approved by the local school board as an adjunct staff member or a paraprofessional staff member of your school district. Paraprofessionals must meet the requirements of a highly qualified paraprofessional.
5. is participating, with local school board approval, in a short-term (for example, 5-day) class that is provided by the Texas School for the Blind and Visually Impaired (TSBVI) or the Texas School for the Deaf (TSD) at a location other than the student's campus.<sup>80</sup> The student must not be considered in attendance for FSP purposes on any day the student is traveling between the student's district and the location of the class but is not attending class. (However, travel days may be excused for compulsory attendance purposes. See 3.6.4 Excused Absences for Compulsory Attendance Purposes.) Your school district is responsible for obtaining documentation of the student's class attendance from the TSBVI or TSD.
6. misses school for the purpose of observing religious holy days, including traveling for that purpose. <sup>81</sup> Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student will observe the holy days. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.  
Your school district is responsible for determining what constitutes a religious holy day for purposes of excusing absences. The agency does not maintain a list of days that qualify as religious holy days for purposes of being considered in attendance for FSP purposes. However, we do provide the following guidance: To be considered a religious holy day, the day should be one generally recognized by the student's religious denomination as a holy day that is required to be observed by all members of that denomination. Church retreats, camps, and mission trips and individual religious rites (baptisms, christenings, bar mitzvahs, etc.) are not considered holy days.
7. is in grades 6 through 12 and misses school for the purpose of sounding "Taps" at a military honors funeral held in Texas for a deceased veteran.

8. misses school for the purpose of attending a required court appearance, including traveling for that purpose.<sup>83</sup> Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site where the student is required to appear in court. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.

A court appearance is considered to be required if the law (federal or state) or the court mandates an appearance by the student in a criminal, civil, or traffic matter. Examples of required court appearances would be appearances in response to a jury summons in the name of the student, a subpoena in the name of the student, or a traffic ticket marked “You Must Appear” or “Court Appearance Required.” Additional examples would be a student’s appearance in court as a plaintiff or defendant or as the subject of a court proceeding, such as an adoption or custody proceeding. Acceptable forms of documentation include a copy of a pleading or other document filed with the court, a notice from the court clerk regarding a hearing or trial date, a jury summons, a subpoena, etc. **Important:** Absences to meet with probation officers and other absences related to court ordered activities outside the courtroom do not qualify as required court appearances.

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

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

10. misses school for the purpose of serving as a student early voting clerk, if your school district has a policy allowing for this type of excused absence, <sup>86</sup> or misses school for the purpose of serving as an election clerk or student election clerk<sup>87</sup>. Your school district may excuse a student’s absence for this purpose for a maximum of 2 days in a school year.

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

To serve as a student election clerk or student early voting clerk, a student must: o be ineligible to serve as an election clerk under the Texas Election Code, §32.051(c); o be at least 16 years of

age; o have the consent of the principal of the school the student attends; o be a US citizen; and o have completed any training course required by the entity holding the election. 89 To serve as an election clerk (as opposed to a student election clerk), a student must meet the requirements specified in the Texas Election Code, §32.051.

- 11.** misses school for the purpose of appearing at a governmental office to complete paperwork required in connection with the student's application for US citizenship, including traveling for that purpose. Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site of the governmental office. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- 12.** misses school for the purpose of taking part in the student's own US naturalization oath ceremony, including traveling for that purpose.<sup>91</sup> Travel days for which the student is considered in attendance are limited to not more than 1 day for travel to and 1 day for travel from the site of the ceremony. Your school district may elect to excuse additional travel days; however, the student would be considered absent for the additional travel days for attendance accounting purposes.
- 13.** is temporarily absent because of a documented appointment for the student or the student's child that is with a health care professional licensed, certified, or registered by an appropriate agency of the State of Texas to practice in the United States. A documented appointment with a health care professional includes an appointment of a student diagnosed with autism spectrum disorder with a health care practitioner to receive a generally recognized service for persons with that disorder. To be considered temporarily absent, the student must begin classes or return to class on the same day of the appointment. The appointment must be supported by a document, such as a note, from the health care professional.

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

- 14.** is in his or her junior or senior year of high school and misses school for the purpose of visiting an institution of higher education accredited by a generally recognized accrediting organization to determine the student's interest in attending the institution.<sup>98</sup> Your district 1) must not excuse for this purpose more than 2 days during a student's junior year and 2 days during a student's senior year and 2) must adopt a) a policy stating when an absence will be excused for this purpose and b) a procedure for verifying students' visits to institutions of higher education.

- 15.** is 17 years of age or older and pursuing enlistment in a branch of the United States Armed Services or the National Guard. Your district 1) must not excuse the student for this purpose for more than four days of school during the period the student is enrolled in high school and 2) must adopt a) a policy stating when an absence will be excused for this purpose and b) a policy that verifies the student's activities related to pursuing enlistment in a branch of the Armed Services or the Texas National Guard.
- 16.** is absent to visit with a parent, stepparent, or legal guardian who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or is immediately returned from continuous deployment of at least four months outside the locality where the parent, stepparent, or guardian regularly resides. Your district is required to excuse up to 5 days for this purpose in a school year. An excused absence for this purpose must be taken no earlier than 60 days before the date of deployment or no later than 30 days after the date of return from deployment.
- 17.** is absent as the result of a serious or life-threatening illness or related treatment that makes the student's attendance infeasible. Documentation from a health care professional licensed, certified, or registered to practice in Texas must be provided that specifies the student's illness and the anticipated period of the student's absence relating to the illness or related treatment.
- 18.** misses school for the purpose of visiting a driver's license office to obtain a driver's license or learner permit. The student must be enrolled in high school and 15 years of age or older. Your district may not excuse the student for more than one day of school during the period the student is enrolled in high school for each purpose (obtaining a driver's license and obtaining a learner license). Your district must verify the student's visit to the driver's license office in accordance with the procedures adopted by your district.