

Attendance and Enrollment FAQ: Section Topics

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Definitions

Remote Synchronous Instruction – Two-way, real-time/live, virtual instruction between teachers and students when students are not on campus. In this method, the required amount of instructional time is scheduled each day, and funding is generated when attendance is recorded daily at a locally selected snapshot time. Synchronous instruction is provided through a computer or other electronic device or over the phone. The instructional method must address the required curriculum, per TEC, §28.002.

Remote Asynchronous Instruction – Instruction that does not require having the instructor and student engaged at the same time. In this method, students learn from instruction that is not necessarily being delivered in-person or in real time. This type of instruction may include various forms of digital and online learning, such as prerecorded video lessons or game-based learning tasks that students complete on their own, and pre-assigned work and formative assessments made available to students on paper. The instructional method must address the required curriculum, per TEC, §28.002.

Attendance Methods

Remote Synchronous Instruction

This method replicates the current on-campus method of taking daily attendance in a remote synchronous instructional setting. In a remote synchronous teaching and learning method, students who are logged in at the teacher's documented official attendance time are marked remote synchronous present for that day, and students who are not logged in at the teacher's documented official attendance time are marked absent. An LEA will post on its website and submit to TEA a signed attestation that outlines what the LEA will provide in order to serve students through the remote synchronous instruction method. The attestation must include a summary of training and support for teachers and LEA staff, instructional framework, the platform and technology the district will utilize, grading and progress monitoring, and student access.

How Is Remote Synchronous Attendance Measured?

Teachers will take and post attendance as if the student were physically present in the on-campus classroom. In this type of environment, the LEA would need to provide students a minimum number of daily instructional minutes for students to earn full-day funding, as follows:

- *Pre-K through 2nd grade* – ADA for Foundation School Program (FSP) funding purposes is not available in a remote synchronous method.
- *3rd through 5th grade* – 180 instructional minutes (not necessarily consecutive)
- *6th through 12th grade* – 240 instructional minutes (not necessarily consecutive)

Just as with traditional on-campus attendance, official attendance will be taken at a certain time determined by the LEA's policy. For remote synchronous instruction, time spent for in-class breakfast and recess has been excluded from the calculation of daily instructional minutes listed above and should not be included in the instructional minutes. If the student is not participating remotely, the student would be marked absent under this option and would generate zero funding for the day.

The daily instructional minutes need not be consecutive. A program would meet the remote synchronous method requirements if the daily instructional minute minimums above are met, even if part of the day includes asynchronous activities. For example, a high school program that scheduled synchronous instruction for 120 minutes in the morning, then released students to work independently for several hours before a second scheduled synchronous session totaling 120 minutes in the afternoon would meet the daily instructional minute requirement detailed above.

Time students spend participating in work-based learning opportunities can continue to be included in the daily instructional minute calculation. Work-based learning opportunities could include internships, externships, apprenticeships, and mentorships.

This method also allows students who are taking career and technical education (CTE) courses to continue teacher-led instruction and would generate CTE funding. Special education students who are coded mainstream can receive their regular instruction and special education services through this remote synchronous instruction method, as well, unless their individualized education programs (IEPs) reflect that the services must be provided on campus.

Local education agencies (LEAs) are required to maintain daily schedules that document the amount of instruction a student or group of students is scheduled to receive on a given day. The schedule should detail the amount and type of instruction being provided and should also include the official attendance time the LEA has chosen for the purpose of taking attendance for funding purposes. Additionally, the LEA is required to attest to what an LEA will provide in order to serve students in remote synchronous instruction.

Remote Asynchronous Instruction

This method allows LEAs the flexibility to earn daily attendance through an approved plan for providing high-quality instructional practices with daily engagement measures. LEAs can earn ADA through primarily asynchronous instructional methods OR through a combination of asynchronous and synchronous instruction together. The LEA's approved instructional plan determines the daily

engagement, instructional materials, progress monitoring, and teacher supports the students receive in order to earn daily attendance.

For students who typically attend school on campus but may periodically generate daily attendance via a remote asynchronous instructional method, they should be coded full-day or half-day based on their on-campus schedule. For students who generate daily attendance via remote asynchronous instructional methods throughout the year:

- All students in grades kindergarten through 5th grade will be coded for full-day attendance.
- Prekindergarten students will be coded as half-day students.
- Middle school and high school students can be coded as half-day or full-day students, depending on their daily class schedules.

How Is Remote Asynchronous Attendance Measured?

Measurement frequency is daily. Under an approved learning plan, students earn daily attendance through daily engagement measure(s). The approved engagement methods are listed below:

- Daily progress in the Learning Management System (LMS), as defined in the approved learning plan; or
- Daily progress via teacher-student interactions, as defined in the approved learning plan; or
- Completion/Turn-in of assignments from student to teacher (potentially via email, on-line, or mail).

Student engagement with the LMS or other instructional avenues and/or any daily contact by the teacher with a student focused on supporting or monitoring student academic progress, as defined by the approved asynchronous instructional plan, will establish daily attendance. A student will be considered absent if the student does not have documented engagement with the LMS and/or daily contact with the teacher, and/or documentation of completion/turn in of daily assignments. A teacher or campus representative will input the student's daily attendance into the Student Information System (SIS) for the asynchronous method, based on the student's daily engagement with the LMS or other instructional avenue and/or the daily contact with the teacher, by marking the student remote asynchronous present or absent on that day.

If the LEA has an approved remote asynchronous plan with students participating in both synchronous and asynchronous classes, the student's attendance recorded by the teacher in the synchronous class can count for official attendance for funding purposes. A student who misses the synchronous class can still be counted remote asynchronous present for the day by engaging with the teacher or progressing in the LMS during that same day.

Remote Course Completion (Existing full-time TXVSN)

Full-time virtual campuses are currently funded under the remote course completion method. Students must have completed the Texas Virtual School Network (TXVSN) education program and demonstrated academic proficiency with passing grades equivalent to 70% or above on a 100-point scale.

How Is Remote Course Completion Attendance Measured?

As with the regular, on-campus attendance calculation, the equivalent of 2 hours of course completion is worth half-day attendance, and 4 hours count towards full-day attendance. For single semester courses, completion-based attendance is calculated for each semester, meaning a student can generate between $\frac{1}{4}$ of an ADA (completion of 2 hours of courses for one semester) to a full ADA for completing 4 hours in each semester.

Students in elementary grades (for example, 4th grade) would either receive full attendance if the grade-level coursework is completed and the student is promoted to the next grade level or zero attendance if the course is not successfully completed.

NEW
7/7/2020

On-Campus Instruction

When schools are open and operating normally, students are scheduled to attend school on campus each day. Student schedules determine whether they will generate full- or half-day funding, and students generate funding when attendance is recorded for students who are physically present at school at a locally selected snapshot time. Traditional on-campus instruction will continue to be funded as it was before the COVID-19 pandemic.

Subject to certain exceptions listed below, **on-campus instruction must be offered for all grades served by the campus every day for every student** whose parents want them to access on-campus instruction for each day a campus is providing instruction given its instructional calendar. Exceptions, as more fully described in this FAQ below, include:

- A full-time virtual campus operating under the TXVSN.
- Any day a campus is ordered closed by an entity authorized to issue an order under state law.
- Any day a LEA closes a campus as a result of a confirmed COVID-19 case on campus, subject to the limits described in this FAQ below.
- As part of a **start-of-school transition period**, during the **first three weeks of the school year**, LEAs can, if they choose to do so locally, limit access to on-campus instruction to facilitate a **safe, effective** return to on-campus instruction. Students who cannot participate in remote learning at home because of lack of broadband internet access or devices must still have access to on-campus instruction during this time.

State Funding

UPDATED
7/7/2020

1. Will there be an ADA hold harmless for the 2020-2021 school year? *Updated July 7, 2020*

Yes, TEA is implementing an ADA grace period under the limited circumstances described below. TEA recognizes the challenges associated with implementing remote instruction in the new school year in light of COVID-19. Therefore, TEA will institute the ADA grace period for the first two six-week attendance reporting periods as follows: if an LEA's ADA counts during those first two six-week reporting periods are more than one percent less than the LEA's ADA counts during the first two six-week reporting periods for the 2019–2020 school year, the first two six-week attendance reporting periods for 2020–2021 will be excluded from the calculation of ADA for FSP funding purposes. TEA will then take the ADA as calculated beginning with the third six-weeks through the end of the school year, and then adjust the resulting ADA to account for historical differences in rates of attendance from the last four

six-week periods and the first two six-week periods. This adjustment should mitigate any negative financial impact that the exclusion of the first two six-weeks periods would otherwise have had on an LEA. The historical ratio used will be from the 2018-2019 school year.

Open-enrollment charter schools that are operating for the first time in 2020–2021 will be ineligible for the ADA grace period. In addition, open-enrollment charter schools will continue to submit current year attendance per normal processes. If these processes result in cash flow issues for a charter school, then the charter school should contact the State Funding Division prior to submission of the six-weeks attendance data.

In addition, please note that for state funding purposes, the aggregate attendance rate for eligible students at the LEA for the 2020–2021 school year will be capped at the level of the aggregate attendance rate for eligible students at the LEA from the 2018–2019 school year. LEAs that were not in operation during the 2018–2019 school year will have their aggregate attendance rate capped at the aggregate attendance rate for the LEA for the 2019–2020 school year. LEAs that were not in operation in either the 2018–2019 or 2019–2020 school years will have their aggregate attendance rate capped at the state average attendance rate from the 2018–2019 school year.

This cap could result in a reduction of ADA generated via the two remote instructional methods allowed under the commissioner’s waiver. ADA generated via any on-campus instruction that occurs, individually, is not subject to the applicable cap variation.

2. When comparing ADA to the prior year, how do you accommodate a growing LEA? What if a LEA is projecting additional students but the attendance rate is lower? [Posted June 30, 2020](#)

The comparison will be based on actual ADA, not projections. If actual ADA is down from the prior year, an adjustment will be made, even if initial projections showed an increase in student membership.

3. Given the unpredictability of ADA because of the COVID-19 virus, will TEA exclude certain indicators from the 2021–2022 FIRST ratings (normally released August 2022) given that those ratings rely on data from the 2020–2021 school year? [Posted June 23, 2020](#)

Yes, there are certain indicators that are impacted by the uncertainty of ADA and the adjustments being made to FSP funds that will be excluded from the 2021–2022 FIRST ratings. The indicators being excluded are listed below:

- Indicator #10 - Did the school district average less than a 10 percent variance (90%-110%) when comparing budgeted revenues to actual revenues for the last 3 fiscal years? (All LEAs)
- Indicator #15 - Was the school district's actual ADA within the allotted range of the district's biennial pupil projection(s) submitted to TEA? If the district did not submit pupil projections to TEA, did it certify TEA's projections? (school districts)
- Indicator #16 - Was the charter school's actual average daily attendance (ADA) within 10 percent of the charter school's annual estimated ADA? (open-enrollment charter schools)

4. How will CTE classes be funded if asynchronous instruction is long term? *Posted June 30, 2020*

CTE classes earn full funding through both remote methods so long as instruction is provided.

5. What about SPED funding? *Posted June 30, 2020*

Funding for students receiving special education will continue to flow so long as LEAs are serving students as required by their IEPs.

6. If we provide synchronous instruction for PK - 2nd grade students, would we not receive funding for this in the fall? *Posted June 30, 2020*

Synchronous instruction can be provided as part of a LEA's asynchronous learning plan. The LEA will define progress in its asynchronous plan and confirm all other asynchronous requirements in the plan as well. It is assumed that there will be many instances of synchronous remote instruction provided to students who are participating through the remote asynchronous instruction method. These synchronous experiences wouldn't need to meet the daily instructional minute minimums for a remote synchronous instruction method but would need to meet the definition of progress in the LEA's approved asynchronous plan.

7. Why is synchronous instruction for PK – 2 prohibited? *Posted June 30, 2020*

As noted in the question above, synchronous instruction is not prohibited for PK-2, just the synchronous method for recording attendance. The synchronous method for attendance requires a minimum of 180 minutes be completed per day through a synchronous virtual method (e.g., a Zoom call), which after extensive stakeholder engagement with educators and district leaders, was determined to be neither developmentally appropriate nor good instructional practice as a 5-day-a-week practice for PK-2 students. Using Asynchronous Remote for these students would allow districts, for example, to provide synchronous instruction for these students in shorter time increments in areas such as foundational literacy practices mixed with asynchronous learning activities that build in opportunities for student practice, interactions, exercise, and play-based activities.

8. What if my district will not be able to serve prekindergarten students in a full-day program during the 2020-2021 school year? *NEW July 7, 2020*

Districts that will reopen for school year 2020-2021 with a shortened instructional day that does not meet the full-day requirement (75,600 minutes/year) may need to request an exemption from full-day prekindergarten. Districts can access the process for the [Full-day Prekindergarten Waiver](#) on the State Waivers page of the TEA website.

When completing the Full-day Prekindergarten Waiver application for reopening with a modified daily schedule, districts should choose the exemption condition that states: *Implementation would result in fewer eligible children being enrolled in prekindergarten.*

9. Can we use remote instruction for students who are absent for ANY reason, (even something other than COVID-19 absences) and receive funding? *Posted June 30, 2020*

Yes, one of the two methods of remote instruction is an acceptable way to provide instruction to students for 20-21 school year and continue to receive funding for those students. Documented attendance/engagement must occur on the day of the absence.

NEW
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10. How can we be funded under asynchronous instruction for students who do not have Internet access at home? *Posted June 30, 2020*

Remote instruction for students without internet access at home will need to be provided via an approved asynchronous instruction plan. In order to be approved, the plan will need to include an instructional schedule which ensures the student is engaging with approximately the same amount of academic content as in a regular, on-campus school day, materials which are designed for an asynchronous learning environment (which could include paper packets as an alternative to online work), mechanisms for student progress monitoring (which could include regularly turning in, grading, and providing feedback on paper packets), and implementation support for educators and families. The plan will also need to include a daily measure of student engagement with a teacher to ensure the student is making adequate progress with work for the day, which could include daily teacher and student interactions over the phone focused on discussion of the student's academic work and progress as an alternative to online engagement methods.

Attendance

- 1. Under the remote synchronous instruction method, can my LEA use a more flexible minute requirement for providing instruction to students? Instead of providing 180 minutes of instruction daily to students in grades 3-5, may we break up the minute requirement across multiple days? For example, can the school engage a group of 3rd grade students for 150 minutes on Monday and then add the remaining 30 minutes to Tuesday thereby lengthening Tuesday's instruction to 210 minutes? *Posted June 23, 2020***

No. Under the remote synchronous instruction method, the minute requirements associated with the student grade level must be provided each day for an LEA to earn full-day ADA for those students. Minutes can be broken up throughout the day; however, the overall minute requirement must be earned in the same day credited.

- 2. What if our LEA is unable to provide all daily instructional minutes required under the remote synchronous instruction method for all grade levels? Can we generate half-day funding if we provide instruction but do not meet the full-day minute requirements outlined in the guidance? *Posted June 23, 2020***

Yes, half-day funding is possible under the remote synchronous instruction method. To determine the instructional requirements for half-day funding, divide the minute requirements in half, based on the grade level you are considering for half-day instruction. The LEA could also consider offering remote asynchronous instruction as an alternative in order to receive full-day funding.

- 3. Do in-class breakfast and recess count as part of the overall daily minute requirements in the remote synchronous instruction method? *Posted June 23, 2020***

No. The grade-based minute requirements exclude in-class breakfast and recess. LEAs are still encouraged to provide time for these activities in the students' daily schedules; however, the time will not count as instructional time toward earning full-day ADA for purposes of attendance and funding.

- 4. How does my LEA report attendance under the remote asynchronous instruction method? *Posted June 23, 2020***

LEAs that choose to serve students through a remote asynchronous instruction method must submit a learning plan to TEA that includes details on how student engagement will be tracked daily. Students who are engaged on a given day will be marked remote asynchronous present and generate funding on that day. Students who are not engaged would be marked absent for the day and the attendance cannot be changed based on the student completing an assignment or participating in some other asynchronous engagement at a later date. Approved engagement methods are listed below:

- Daily progress in the Learning Management System (LMS), as defined in the approved learning plan; or
- Daily progress via teacher-student interactions, as defined in the approved learning plan; or
- Completion/Turn-in of assignments from student to teacher (potentially via email, on-line, or mail).

5. Under the remote asynchronous instruction method, can individual campuses within an LEA have different monitoring/engagement tracking systems if the LEA would like to use different systems at the primary and secondary levels? *Posted June 23, 2020*

Yes. Plans can vary by campus. However, an LEA must submit only one plan for the whole school system (and that plan can incorporate differentiation by grade or campus).

6. If my school re-opens in the fall and provides on-campus instruction but large numbers of students remain at home, what should my approach to documentation and instructional support be? *Posted June 25, 2020*

The LEA has the option to choose one of the remote methods described above to ensure that students who remain at home continue to receive a high-quality education. If the LEA chooses the remote asynchronous instruction method, it must receive approval of its instructional plan from TEA. If the LEA chooses the remote synchronous instruction method, it must submit a signed attestation to TEA. Please be aware that, in order for an LEA to receive funding for remote instruction, the LEA's grading policies for remote instruction must be consistent with the LEA's grading policies for on campus assignments.

7. How will students who are receiving virtual instruction be included in the accountability system? *UPDATED July 7, 2020*

Many districts are thinking of organizing teachers to deliver remote instruction to full-time remote students via a district-wide "virtual school," regardless of the student's home school. For accountability purposes, students who elect to participate in a district-provided remote learning option will be coded to the physical campus that they would have been assigned to.

For students who have transferred into a school district, such students must be assigned to a physical campus for accountability purposes, and the campus assignment process must comply with the requirements of TEC, Chapter 25, Subchapter B.

8. Has TEA guidance regarding grading for remote instruction changed for the 2020–2021 school year? *Posted June 23, 2020*

While LEAs have the authority to determine local grading policies annually, in order for LEAs to receive funding for remote instruction, grading policies that apply to student work done in

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either remote synchronous or remote asynchronous instructional methods in the 2020–2021 school year must be consistent with the LEA’s grading policies for on-campus assignments.

9. Can my LEA opt to move students from a letter grading system to a pass/fail basis because they are participating in remote asynchronous learning? *Posted June 23, 2020*

No, in order for an LEA to receive funding for remote instruction, the LEA’s grading policies for remote instruction must be consistent with the LEA’s grading policies for on-campus assignments.

10. How will LEAs take attendance for students who are receiving instruction at home? *Posted June 23, 2020*

The instructional method chosen will dictate how attendance is taken.

If the remote synchronous instructional method is utilized, then the LEA will use an official attendance time documented in the teacher’s daily schedule, and the teacher will take attendance virtually to mark students as remote synchronous present or absent.

If the remote asynchronous instructional method is utilized, students would be marked remote asynchronous present or absent based on whether the student was engaged through one of the approved asynchronous engagement methods on that day.

11. What is the process for submitting and approving remote asynchronous instruction plans? *Posted June 30, 2020*

In order to receive contingent approval to record attendance via the asynchronous instruction method, LEAs must submit a letter of intent via a Qualtrics survey that will be opened on July 15th. As soon as the letter of intent is received by TEA, the LEA will have contingent approval to record attendance for students using the remote asynchronous instruction method. The district will be fully funded for attendance recorded via the remote asynchronous instructional method throughout the contingent approval period. Contingent approval will remain in place through a grace period, which ends at the end of the LEA’s third six-week attendance reporting period (for the purposes of PEIMS attendance reporting).

In order to continue to be funded for remote asynchronous instruction beyond the grace period, the LEA must submit a plan that meets of the requirements as verified by a TEA approval process. TEA will publish a plan template, requirements for plan approval, exemplar plan responses, and training for how to develop and submit plans beginning July 2, 2020.

The application window to submit plans will open on July 20, 2020, and plans can be submitted on a rolling basis.

TEA will review and either confirm final approval for plans that meet all requirements or share feedback on plans that do not meet all plan requirements within 45 days of submission. If the plan does not receive final approval, the LEA will have 30 days to respond to feedback and resubmit plans, and TEA will have an additional 30 days to review and provide final approval or disapproval. If the LEA’s plan does not receive final approval by the end of the grace period, the LEA will no longer be able to record attendance using the remote asynchronous instruction method.

12. What is the deadline for submitting the letter of intent and the plan for remote asynchronous instruction? *Posted June 30, 2020*

LEAs must submit a letter of intent prior to the first day of remote asynchronous instruction in order to receive contingent approval for providing the remote asynchronous instruction method. In order to receive contingent approval prior to the beginning of the school year, the letter of intent must be received by TEA prior to the first day of instruction.

TEA will accept and review asynchronous instruction plans on a rolling basis beginning on July 20, 2020. In order to ensure the timeline necessary for review, revision, and resubmission of plans that do not initially meet plan requirements prior to the end of the grace period, LEAs should submit plans by October 1, 2020.

13. Will at-home parent-led instruction count towards our instructional minute requirements as part of either remote instruction method? *Posted June 30, 2020*

No, at-home, parent-led instructional time will not count towards meeting daily attendance or engagement requirements under either remote instruction method. Teachers must be the primary provider of instruction in any remote setting.

14. What happens if my LEA's remote asynchronous instruction plan is disapproved by the agency? Will my LEA's funding be negatively impacted? *Posted June 23, 2020*

Your LEA's FSP funding will not be negatively impacted for initially disapproved plans, as long as your plan is ultimately approved and implemented with fidelity beginning with your LEA's 4th six-week attendance reporting period. This means that there is a "grace period" for attendance generated through the remote asynchronous instructional method through the end of the 3rd six-week attendance reporting period. If your plan is not initially approved, the LEA will receive feedback on the plan and have 30 days to resubmit the revised plan to the agency. TEA will review revised plans within 15-30 days of submission and will then communicate a final decision about plan approval.

Any remote asynchronous attendance taken during the contingent approval grade period will be fully funded. Beyond the grace period, funding is only provided for remote asynchronous attendance for LEAs with approved plans.

15. Under the remote asynchronous instructional method, if a student fails to complete Monday's measure of engagement on Monday but completes the assignment later in the week, can the student's attendance coding be changed to remote asynchronous present for Monday? *Posted June 23, 2020*

No. In the remote asynchronous instructional method, student engagement is measured daily, and attendance is assigned based on the student's completion of that day's engagement measure. Students who do not complete the daily measure of engagement are to be counted absent for that day, and that absence cannot be changed to remote asynchronous present if the student completes the engagement measure on a later date. In the example above, the student would be counted absent on Monday.

16. Under the remote asynchronous instructional method, if a student decides to complete the entire week's worth of work on Monday, can the student's attendance be coded to show perfect attendance for the week? *Posted June 23, 2020*

No. In the remote asynchronous instructional method, student engagement is measured daily, and attendance is assigned based on the student's completion of that day's engagement measure. Students who do not complete the daily measure of engagement are to be counted absent for that day, and that absence cannot be changed to remote asynchronous present if the student completes the engagement measure on a later date. In the example above, the student would be counted absent Tuesday-Friday.

17. Does an LEA need to submit anything to TEA to provide remote synchronous instruction? *Posted June 23, 2020*

Yes, LEAs are required to submit a signed attestation that outlines the LEA's plans for providing instruction to students through the remote synchronous instruction method. The attestation must be submitted to TEA before the LEA begins serving students remotely, and the signed attestation must be posted on the LEA's website.

18. What plans or attestations does a district need to submit? *Posted July 2, 2020*

The type of plan or attestation to be submitted will depend on the instructional experience offered, as described as follows:

- If your district plans remote (for student who choose remote 100% of the time, for students who become remote briefly because of COVID, or as part of an intentional hybrid schedule) for grades K-2, then you must submit an asynchronous plan for approval. Any asynchronous plan could (and should) include some synchronous instruction, but it would not have a minimum daily minute requirement.
- If your district plans remote (for student who choose remote 100% of the time, for students who become remote briefly because of COVID, or as part of an intentional hybrid schedule) for grades 3-12, and you will not meet the 180-minute and 240-minute thresholds each day, then you must submit an asynchronous plan for approval in order to be able to mark a student as "Present-Asynchronous" for any given day
- If your district plans remote (for student who choose remote 100% of the time, for students who become remote briefly because of COVID, or as part of an intentional hybrid schedule) for grades 3-12, and you will meet the 180-minute and 240-minute thresholds any day to claim students as "Present-Synchronous", then you must submit an attestation that you are capable of delivering that level of synchronous remote instruction

19. Does the board need to meet to approve the synchronous instruction attestation/ asynchronous plan or can board members just sign the documents individually? *NEW July 7, 2020*

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Board action is only valid if authorized in a public meeting through a vote of the board. However, the board can vote in advance of the final attestation/plan submission to authorize the superintendent to submit the attestation/plan once the attestation/plan is finalized by the superintendent.

20. Do the required minutes under the remote synchronous instruction method need to be fulfilled with continuous, teacher-led instruction? [Posted June 23, 2020](#)

No, the required minutes do not need to be provided as one continuous block of teacher-led instruction. Students should have age-appropriate opportunities for breaks during the instructional day, and blocks of instructional time should consist of teacher-guided, but student driven, learning time. The instructional time could include students applying the lesson taught by the teacher through various avenues as if the student was in a classroom setting. An example of this would be the teacher leading a lesson in Zoom for 20 minutes and then the students logging into an online learning application to work on an activity with the teacher actively monitoring progress and providing real-time feedback to the students.

21. Will the 90/10 minimum student attendance for class credit rule be in effect for the 2020–2021 school year? [Posted June 23, 2020](#)

Yes. The minimum attendance for class credit rule of TEC, §25.092, will be in effect for the 2020–2021 school year, and TEA will not be issuing waivers for LEAs to exempt themselves from the rule. Students are required to attend at least 90% of their classes (with some exceptions) to receive credit and be promoted. Remote attendance will count in the same manner as on-campus attendance in satisfying this requirement.

22. Will truancy laws be in effect during the 2020–2021 school year for students receiving remote instruction due to COVID-19 related closure or health concerns? [Posted June 23, 2020](#)

Truancy laws will apply to students who fail to attend school, but remote attendance satisfies attendance requirements.

23. What are the requirements to earn full-day funding for general ed homebound and PRS CEHI students and how should attendance be reported? [Posted June 23, 2020](#)

When in-home instruction cannot be provided due to COVID-19, students who had been receiving instruction at home should be served through the LEA's remote synchronous or asynchronous instructional methods. While students are served through one of these methods, attendance should be reported in accordance with the rules for each method described in this document. Pregnancy related services (PRS) students who receive Compensatory Education Home Instruction (CEHI) services through a remote synchronous or asynchronous method can continue to earn CTE contact hours, as long as CTE instruction continues while remote instruction is provided.

24. How should we take attendance for our special education students when COVID-19 prevents teachers from providing in-person instruction? [Posted June 23, 2020](#)

Attendance taking for special education students should track as closely as possible to the requirements for non-special education students.

25. Do we need a new attendance taking policy? [Posted June 30, 2020](#)

Yes, the LEA will need to update or amend its attendance policy to include the remote instruction methods for taking attendance. In addition, the LEA is required to submit a signed affidavit to the TEA if it is utilizing remote synchronous instruction method. If the LEA is utilizing the remote asynchronous method, then the LEA is required to submit and obtain

approval from the agency on its instructional plan. If the LEA is utilizing both remote methods, then the LEA must complete both the affidavit and the instructional plan.

26. If a student who is originally scheduled to receive instruction through the synchronous instructional method is not present at the designated official attendance time, could the student still be marked present for the day by engaging through the remote asynchronous method? *Posted June 30, 2020*

A student who is scheduled to receive instruction through the LEA's remote synchronous method but is not present at the official attendance time can still be marked present if the student is engaged through the LEA's remote asynchronous method that same day. In this scenario, the teacher should mark the student absent when attendance is taken at the official attendance time and the absence could later be changed to remote asynchronous present with documented engagement through one of the approved remote asynchronous engagement methods that occurred the same day. However, the LEA's approved asynchronous plan would need to include the relevant grade/subject as being eligible for asynchronous instruction, and that synchronous instruction would be provided concurrently.

27. If students make academic progress at night, are we able to adjust the attendance for that day if they were initially marked absent? *Posted June 30, 2020*

If the asynchronous method is utilized then as long as the student is providing daily engagement through completion of daily assignments, making daily progress in the LMS, or has made daily contact with the teacher regarding the student's progress then the student would be considered remote asynchronous present. For synchronous remote instruction, attendance must be taken as designated in your attendance policy, and it would not be appropriate to adjust after the fact unless the student made progress that day via the asynchronous method as part of the approved asynchronous plan for that grade/subject.

28. Can I require my parents to commit to remote or on campus instruction? *UPDATED July 7, 2020*

UPDATED
7/7/2020

LEAs may ask their parents to commit to either on campus or remote instruction for their students no earlier than two weeks before the start of the school year. LEAs may survey parents prior to that period, but parents cannot be bound to the choice prior to two weeks before the start of the school year. In the event a parent chooses remote instruction for their child, an LEA may, if the LEA believes it is in the student's educational interest, choose to limit the student's return to an on-campus setting to occur only at the end of a grading period (e.g. 6-week or 9-week). **However, LEAs cannot require a student to remain in remote instruction for more than a single grading period.** Note: students who begin receiving remote instruction as a result of staying at home to isolate from COVID-19 exposure should be permitted to return to campus at the end of their isolation period, as opposed to the end of a grading period.

UPDATED
7/7/2020

29. Can LEAs require a student to come on campus to complete assignments for certain electives while the student is being served through one of the remote instruction methods? *UPDATED July 7, 2020*

Some elective courses may have coursework that can only reasonably be completed in person, even if some components of the course could be taught virtually (e.g., welding). These courses must be made available to students who are otherwise learning virtually,

although the LEA can require a student to come to campus to complete a required assignment or project for an elective course if the course requires assignments that cannot be reasonably completed remotely. Some courses may require a student to obtain equipment from campus in order to complete coursework virtually. For an illustrative list of courses that might require on-campus experiences or for students to obtain equipment from campus, see [this link for CTE courses](#) and this [link for non CTE courses](#).

LEAs must communicate which courses have on-campus requirements and notify parents and students before the start of the course that failure to complete the required on-campus assignments could cause the student to not be awarded course credit. This notification to ensures students have an option to select courses that can be completed remotely if desired. In this case, it is appropriate to encourage students whose parents wish for them to remain fully remote to choose different electives that can be satisfied in a fully remote setting. Failure to appear on campus to complete on-campus assignments could also result in absences that could subject the student to the 90/10 minimum attendance for class credit requirement.

Schools should consider organizing on-campus curricular requirements in groupings specific to students who are remote, so they come to campus separately and on a schedule that allows for travel from home. These students would need to be screened for COVID-19 and follow any other school requirements and practices consistent with practices for other students.

UPDATED
7/7/2020

30. Can LEAs prevent a student from attending an on-campus lesson that is required for course credit if the student has chosen a remote instructional method? *UPDATED July 7, 2020*

If an LEA offers virtual instruction, they must offer all **core** (foundation) courses in an entirely virtual format and must ensure that a student is able to meet all statutory requirements, including the requirement that 40% of instructional time includes laboratory and field investigations for full course credit. For these required courses, LEAs are not obligated to allow a student to optionally participate in on-campus components of the course if they are able to meet all course requirements virtually. For example, an LEA must offer a fully virtual version of biology for students who are learning virtually. The LEA must ensure all labs can be conducted virtually or that students are provided with certain supplies and/or equipment to conduct the labs at home. If a student's parent wanted him to participate in on-campus biology labs while taking the rest of the course virtually, an LEA *may* allow the student to do that but is *not obligated to do so if the same labs can be conducted virtually*. Please note: TXVSN catalog courses are likely available to support fully remote instruction for these courses.

If an LEA partners with an institute of higher education (IHE) to offer a **dual credit** foundation course, it may not be possible to offer the course in an entirely virtual format. LEAs should consult with their IHE partners to determine whether or not a course may be offered virtually. For **electives**, as noted above, LEAs cannot prevent students from participating in on-campus activities required for courses, even if the student has elected to receive most of their instruction through one of the remote instructional methods. However, as noted above, LEAs

are encouraged to organize these on-campus course activities in ways that reduce on-campus visits by students who otherwise have chosen remote instruction.

NEW
7/7/2020

31. Can LEAs prohibit students who have chosen to receive all their instruction through a remote instruction method from participating in extracurricular activities? *NEW July 7, 2020*

LEAs may develop a local policy that would exclude students who are learning remotely from all extracurricular activities if they choose to do so. The policy can apply to all remote students or solely to non-resident remote students (who transfer in from outside of the LEA's geographic boundaries). If the LEA decides to allow non-resident remote students to participate in extracurricular activities, the residency requirements for UIL activities still apply. Any exclusion policy must be applied equally to all students and equally to all extracurricular activities.

32. Will students who were enrolled in private school, including a home school, the prior year in Texas be eligible for funding through the remote synchronous or asynchronous instructional methods? *Posted July 2, 2020*

No. Consistent with the laws governing the Texas Virtual School Network, school systems may not submit for funding educational delivery through either a remote synchronous or asynchronous method for students who attended a private school, including being homeschooled, in Texas the prior year, unless the public school campus the student would otherwise attend is closed to on-campus instruction because of a COVID-19 case on campus or a closure order. This limitation does not apply to: (a) students who transition from early education programs, where no entitlement to enroll in the public school existed, to public school; (b) students who transfer in from outside the state; or (c) students whose prior year private school does not offer the appropriate grade level (e.g., a private school ends at 6th grade so students moving on to 7th grade would no longer be able to attend the private school). Students who attended a private school, including being homeschooled, in Texas the prior year will be eligible to earn funding under the traditional on-campus method. LEAs are not required to provide remote instruction to these students and can require the students to attend through the on-campus method. The agency is exploring additional, possible exceptions to the funding limitations described in this answer.

NEW
7/7/2020

33. Can my LEA decide to only offer remote instruction for a campus, or for all of my campuses? *NEW July 7, 2020*

No. Campuses cannot be solely remote (excluding full-time TXVSN campuses), except during COVID-19 closures (as described below) or during the start-of-school transition (as described below). On-campus instruction *must* be offered for all students who want to attend on campus in order to be eligible to receive funding for remote instruction.

NEW
7/7/2020

34. Can districts develop a hybrid instructional model that intentionally blends on campus, remote asynchronous, and remote synchronous experiences? *NEW July 7, 2020*

Yes. LEAs must deliver schooling that is fully on-campus. They may also deliver schooling that is fully remote, or a hybrid model that is designed to have some on-campus attendance days and some remote attendance days, as long as all families have access to a daily on-campus

instructional option (as fully described in a question below). When delivering instruction remotely, a district can choose to offer any grade/subject synchronously, asynchronously, or a mix of both.

Assuming the options are available from the school, students can generate attendance that varies by day, on campus, or remote (synchronous or asynchronous). For intentionally designed hybrid experiences, this will vary by design. But for some students, it will vary because they want to change their instructional setting as circumstances change over the course of the year.

NEW
7/7/2020

35. How do we record attendance if we are delivering a mix of synchronous and asynchronous remote instruction on the same day for a student? *NEW July 7, 2020*

When generating remote attendance, whether a given day is remote synchronous or remote asynchronous will depend both on what the district offers (from the submitted attestation and/or plan) and the nature of the daily remote experience for students, as follows:

- If the students receiving remote instruction on a given day are in grades 3-12 and receive at least 180 minutes of synchronous (grades 3-5) or 240 minutes of synchronous (grades 6-12) instruction during off-campus days and are in attendance at the designated synchronous attendance time, then they generate funds through the synchronous method (and would be marked as Present-Synchronous).
- If the students receiving remote instruction on a given day are in grades 3-12 and do not meet minute/attendance time thresholds above, then they can generate funds through the asynchronous method, assuming they meet the daily asynchronous progress requirements as defined in the asynchronous instruction plan (and would be marked Present-Asynchronous).
- If the students receiving remote instruction on a given day are in grades PK-2, then they can only generate funds through the asynchronous method, even if their instruction does include synchronous delivery, assuming they meet the daily asynchronous progress requirements as defined in the asynchronous instruction plan (and would be marked Present-Asynchronous).

NEW
7/7/2020

36. My LEA wants to offer a hybrid on campus and remote instructional model (on and off campus on varying days/weeks) for different groups of students in several grades. Can I require students to participate in this hybrid model? *NEW July 7, 2020*

LEAs cannot offer *only* an intermittent on-campus attendance option for any given grade. Students may choose to opt in to receive hybrid instruction, but, **in order for the LEA to be eligible to receive funding for remote instruction for any student for any day, the LEA must offer sufficient on-campus instruction in every grade so that every parent has an on-campus attendance option every day for their student in the LEA**, excluding COVID-19 closures (described below). A campus (or portion of a campus) may establish hybrid instruction as long as another nearby campus (or portion of the same campus) in the LEA is available to provide on-campus only instruction to students whose parents request such instruction.

Note: in the event an LEA does not offer a daily on-campus instructional experience at a given campus and as a result some students would not attend on campus at their typical campus, LEAs must continue meeting the individual needs of all affected students.

NEW
7/7/2020

37. **If one of my campuses (or my entire LEA) closes because of a confirmed positive case of COVID-19, can my LEA decide to simply switch over to 100% remote instruction for the rest of the school year for that campus (or for my entire LEA)?** *NEW July 7, 2020*

No. For any day an LEA closes a campus as a result of a confirmed COVID-19 case on campus, remote instruction will be funded. However, to allow sufficient time to resolve the public health concerns while minimizing academic disruption, campuses may only remain closed to on-campus instruction for up to five consecutive days (including the original closure) day, while drawing funding for all students participating in remote instruction. A closure period does not end until the campus has reopened for on-campus instruction for at least one instructional day.

NEW
7/7/2020

38. **If one of my teachers or principals believes that a student would be better served via one of the remote instructional methods instead of via on-campus instruction, can my LEA require that student to stay home to receive remote instruction?** *NEW July 7, 2020*

No. Unless a student is lab-confirmed to have COVID-19, is symptomatic for COVID-19, or is determined to be a close contact to an individual lab-confirmed to have COVID-19, the student must be allowed to receive on-campus instruction, if that instructional setting is desired by the parent. Except as may occur during the start-of-year transition period described below, students receive remote instruction solely at the discretion of their parents or legal guardians. As noted elsewhere in this FAQ, in the event a parent chooses remote instruction for their child, an LEA may, if the LEA believes it is in the student's educational interest, choose to limit the student's return to an on-campus setting to occur only at the end of a grading period (e.g. 6-week or 9-week). However, LEAs cannot require a student to remain in remote instruction for the entirety of a semester. Parents are not required to make this commitment more than two weeks prior to the beginning of any grading period.

NEW
7/7/2020

39. **Can I establish a phased return to on-campus instruction to ensure my public health procedures are fully up and running?** *NEW July 7, 2020*

As part of a start-of-year transition period, for up to the first three weeks of your instructional calendar, you may limit the number of students who otherwise access on campus instruction. This could be done by capacity limit by classroom across all grades, a limited number of grades starting by day, or some similar means, and could include being fully remote during this period. However, during this transition window, you are still required to allow all students to access on campus instruction who come from households without internet access or appropriate remote learning devices. All parents who want on campus instruction must be provided that on campus attendance for their students at the immediate conclusion of the transition period (as opposed to the end of the first grading period, when parents otherwise choose remote instruction). The mechanism to limit access during this period should be clearly communicated to families in advance.

Enrollment

1. **For parents who wish to enroll or reenroll their homeschooled students, must they come from an accredited program?** *Posted June 30, 2020*

Students who meet age and residency requirements must be enrolled, and LEAs should follow their local policies to determine grade level placement for all new enrollees. Homeschooled

students who were not enrolled in a Texas public school during the 2019–2020 school year may not generate funding if the students will only be attending school through a remote synchronous or asynchronous method. Please see the question above in the Attendance section above for additional information.

2. When is a student considered to be enrolled in my LEA for purposes of determining the daily enrollment count? *Posted June 30, 2020*

Students who are on campus receiving instruction are considered enrolled when they are physically present for the first time during the official attendance period. Except for students who attended a private school, including being homeschooled, in Texas the prior year, students who are receiving remote synchronous or asynchronous instruction are considered enrolled on the first day the student participates through one of the engagement methods listed in this document.

PEIMS Attendance Reporting

1. How will my LEA report days present and absent for the remote synchronous and remote asynchronous instruction methods? *Posted June 30, 2020*

New PEIMS data elements will be created to report Remote Synchronous (RS) Eligible Days Present and Remote Asynchronous (RA) Eligible Days Present. The LEA will need to track the instructional method in which the student is participating each school day. Days Present will need to be identified as days present in the RS method or days present in the RA method. Absences will not need to be distinguished between instructional methods.

There are no changes to the way on-campus Days Present and Days Absent will be reported.

- The teacher will identify the student as present on-campus, remote synchronous present, or remote asynchronous present or identify the student as absent. For both on-campus present and remote synchronous present, the student must be in attendance at the official attendance time, either in the class or online remotely to be counted present. To be counted as remote asynchronous present, the student does not have to be present at a designated official attendance time but must be engaged in one of the following ways during that day:
- Shown daily progress in the Learning Management System (LMS), as defined in the approved learning plan; or
- Daily progress via teacher-student interactions, as defined in the approved learning plan; or
- Completed/Turned-in assignments to the teacher (potentially via email, on-line, or mail).

The following table provides an example of how the attendance could be identified for a hypothetical student:

8/17/2020	Present
8/18/2020	Present
8/19/2020	Present
8/20/2020	Present
8/21/2020	Absent
And so on until 11/2/2020	
11/2/2020	RS Present
11/3/2020	RS Present
11/4/2020	Absent
11/5/2020	RS Present
11/6/2020	RS Present
And so on until 2/15/2021	
2/15/2021	Present
2/16/2021	Present
2/17/2021	Absent
2/18/2021	Present
And so on until 3/1/2021	
3/1/2021	RA Present
3/2/2021	Absent
3/3/2021	RA Present
3/4/2021	RA Present
3/5/2021	Absent

RS = Remote Synchronous RA= Remote Asynchronous

2. Will there be new data elements to report days present for ineligible students receiving remote instruction? *Posted June 23, 2020*

There will not be new data elements to report days present for ineligible students. Days Present for ineligible students will still be reported through the Ineligible Days Present data element.

3. Will my LEA be allowed to report perfect attendance for students on any of the remote instruction methods? *Posted June 23, 2020*

LEAs should report the appropriate days present and absent depending on the requirements listed throughout this document.

4. Will my LEA be able to report special program instructional settings (i.e. bilingual/ESL, special education, CTE, etc.) via the remote methods? *Posted June 23, 2020*

Yes, as long as those services are provided to students. LEAs will need to make decisions locally to account for the individual needs of special education students. New PEIMS data elements will be created to report remote synchronous and remote asynchronous days present in the special program areas (for example: **RS** Total Elig Bilingual/ESL Days Present, **RA** Total Elig Bilingual/ESL Days Present, **RS** Total Elig Residential Facility Days Present, **RA** Total Elig Residential Facility Days Present, **RS** Total Elig Preg Rel Svs Days Present **RA** Total Elig Preg Rel Svs Days Present).

5. How should I code OFSDP students who are served through the remote synchronous or asynchronous instructional methods? *Posted June 30, 2020*

ADA eligibility codes for Optional Flexible School Day Program (OFSDP) students must be changed to a regular ADA eligibility code (ADA 1-6) when instruction is no longer provided on campus and their instruction changes to one of the remote methods. Once the coding is changed, these students will generate funding based on daily attendance, as detailed in this document, instead of accumulating daily minutes. Once a student resumes on-campus instruction, their ADA eligibility code can be changed back to the OFSDP code, and they will resume accumulating daily minutes to generate funding.

6. When there are students from the same physical school receiving remote synchronous and asynchronous instruction, should the students in each of the instructional methods be reported on different tracks? *Posted June 23, 2020*

There is no reporting reason to separate students receiving instruction through different methods onto separate tracks. Students educated via the remote synchronous instruction method can be placed on the same calendar track as students being educated through the remote asynchronous instruction method.

7. Will the Summer PEIMS due date be changed (pushed back) for LEAs who choose to run an intersessional calendar, even though they may not be designated as a year-round LEA? *Posted June 23, 2020*

TEA will consider intersessional calendars the same as year-round calendars. LEAs registered with TEA with year-round tracks ending later than June 17, 2021, may delay PEIMS Summer resubmission until two weeks following completion of the latest year-round track or August 12, 2021, whichever comes first. However, the initial data delivery for submission 3 must still be made by June 17, 2021, for all LEAs. This initial submission of data will not necessarily include data through the end of the school year. In no case will any resubmission be processed after August 12, 2021. Data corrections made after August 12, 2021, will be processed by the State Funding Division.

8. Will crisis coding be required? *Posted June 30, 2020*

At this time, there are no crisis codes defined for the 2020-2021 school year.

9. For PEIMS purposes, will only one attendance type per day be reported? *Posted June 30, 2020*

Eligible Days Present will be reported by instructional method. Days present indicates the total number of days the student was present and eligible for Foundation School Program based on attendance taken during the official attendance period.

Calendars and Waivers

1. If my LEA experiences a COVID-19 closure during the school year and we continue to educate our students through the remote instructional methods, will I continue to earn minutes toward my 75,600 operational minute requirement while we are closed? *Posted June 25, 2020*

If your LEA continues to educate students by providing daily instructional minutes at the level necessary to earn full-day funding through one of the remote methods, you may claim the number of operational minutes that you would have claimed had school been operating normally.

2. Should I submit low attendance waivers if I experienced low attendance due to parent decisions to not send their children to school? [Posted June 25, 2020](#)

Not necessarily. LEAs should make every effort to support student instructional needs through the remote methods of instruction detailed in this document. LEAs should plan for students who are not on campus due to COVID-19 to receive instruction through a remote instruction method. The use of a remote instruction method for such students would result in engaged students being counted as remote synchronous present or remote asynchronous present, and those engaged students would not negatively affect LEAs' attendance rates. Low attendance waivers are generally only granted if enrolled students are absent due to health/safety/weather issues, and TEA currently has no plans to grant low attendance waivers for COVID-19 reasons unless:

- An LEA's school calendar continues to meet the 75,600 operational minute requirement without including the granted low attendance waiver minutes in the operational minutes calculation; and
- The LEA can provide a suitable reason as to why it could not educate students through one of the remote instruction methods on the day(s) for which the LEAs is requesting a waiver.

3. Will TEA be granting missed school day waivers if my schools are closed for on-campus instruction due to COVID-19? [Posted June 25, 2020](#)

The agency has no plans to issue missed school day waivers due to COVID-19 during the 2020–2021 school year to LEAs that do not offer remote instruction when campuses are closed. LEAs should plan for school closures during the upcoming school year and either build extra minutes into their calendar or be prepared to educate students through a remote instruction method during periods that on-campus instruction cannot be provided. LEAs that do not provide instruction to students through a remote instruction method when campuses are closed due to COVID-19 may need to add additional instructional days to their calendar to meet the 75,600 operational minute requirement.

4. How do I report my operational minute calendar when my LEA could potentially be educating students through both on-campus and remote instruction methods? [Posted July 2, 2020](#)

LEAs should already have a board-approved calendar in place for on-campus instruction that meets at least the 75,600 operational minute requirement. On-campus students and remote students can be reported on this calendar track and LEAs must ensure that days present are properly reported using the new PEIMS data elements that have been created to document how students are receiving instruction each day. All other calendar tracks (pre-kindergarten, alternative education, etc.) must also meet the minimum minute requirements of those tracks.

NEW
7/7/2020

5. Can an LEA claim the operational minutes that a campus operates for the students who receive remote instruction to meet the 75,600-minute requirement? *NEW July 7, 2020*

Because campuses are required to be open for on-campus instruction, LEAs will be accumulating daily operational minutes towards the minutes requirement even while some students are participating remotely. Campus daily operational minutes will be submitted as part of the LEA's summer PEIMS submission through the calendar track reporting process. All students who would normally be reported on a 75,600-minute calendar track can continue to be reported on this track even if they are provided instruction through a remote method during the week. The instructional minute requirements that are mandated as part of the synchronous learning model and detailed in the LEA's asynchronous learning plan are meant to ensure that student instructional needs are met during remote instruction and do not have an impact on the operational minute reporting requirement.