

**Chapter 89. Adaptations for Special Populations**

**§89.DD.**

**Commissioner's Rules Concerning High School Equivalency Programs**

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**§89.1411. Attendance.**

- (a) A student may attend a High School Equivalency Program (HSEP) a maximum of 600 minutes, or ten hours, of instruction per day.
- (b) A student may only participate in an HSEP that is operated by the school district or open-enrollment charter school in which the student is enrolled.
- (c) School districts and open-enrollment charter schools must report student HSEP attendance in a manner provided by the Texas Education Agency. The school district or open-enrollment charter school must report total contact minutes and identify excess minutes not eligible for funding purposes.
- (d) A student may be enrolled in only an HSEP or may be enrolled in an HSEP in combination with regular attendance and/or special program attendance during the school day.

*Statutory Authority: The provisions of this §89.1411 issued under the Texas Education Code, §29.087.*

*Source: The provisions of this §89.1411 adopted to be effective November 27, 2001, 26 TexReg 9620; amended to be effective April 28, 2010, 35 TexReg 3259.*

**§89.1413. Funding Under the Texas Education Code, Chapters 41, 42, and 46.**

- (a) For a student enrolled in only a High School Equivalency Program (HSEP), the following funding rules apply.
  - (1) A student is counted as in attendance based on the actual number of minutes each school day the student receives instruction in the HSEP and/or traditional classes toward graduation requirements.
  - (2) A student must receive instruction in the HSEP (or HSEP in combination with traditional coursework) at least 45 minutes on a given day for instructional contact time to be recorded. If actual instructional contact time in the HSEP (or HSEP in combination with traditional classes) does not equal at least 45 minutes, the district must record zero minutes of instructional contact time for that day.
  - (3) A log of program instructional contact time must be separately maintained for each student participating in the HSEP.
  - (4) During the time a student receives instruction in the HSEP, any time in attendance in courses that may be counted toward graduation credit will also be measured as instructional contact time, but must be separately recorded.
  - (5) The maximum number of instructional minutes allowed each school day, including any instructional time accounted for in traditional courses toward graduation requirements, is 600 minutes or ten hours.
  - (6) To determine attendance for Public Education Information Management System (PEIMS) reporting and Foundation School Program (FSP) funding purposes, instructional contact time recorded for the HSEP will be summed with attendance (o)-4.1(r)-2c0.6(S)3.8dt number12.3qI2.1(f)1.7( i)-5.1(ns)-2.

**§89.1415. Extracurricular Participation.**

Under the Texas Education Code, §29.087(g), a student enrolled in a High School Equivalency Program may not participate in a competition or activity sanctioned by the University Interscholastic League.