3.2.1.1 Code 0  Enrolled, Not in Membership

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

- A child who is scheduled to attend for fewer than 2 hours of instruction each school day, including a high school student who has met all graduation requirements other than passing required state assessments and who continues to attend school to participate in a study program for those tests **if the student is scheduled for and attending fewer than 2 hours of study program instruction each day** (see Error! Reference source not found.)
- A child who attends a nonpublic school but receives some services from your district (for example, speech therapy services only)
- A student who is provided instruction totally in a federal Head Start program
- A student who has graduated but returned to school (for fewer than 2 hours of instruction per day) to further his or her education
- A student who receives all his or her special education and related services through an approved nonpublic school
- A parentally placed private school student with a disability, 5 through 21 years of age, who receives special education and related services through a services plan (see 4.5 Special Education Services for Private or Home School Students Who Are Eligible for and in Need of Special Education)

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

### 4.5 Special Education Services for Private or Home School Students Who Are Eligible for and in Need of Special Education

Per 19 TAC §89.1096, **Provision of Services for Students Placed by Their Parents in Private Schools or Facilities**, the amount and type, if any, of special education and related services made available by your district to students with disabilities placed in private schools or facilities are determined based on ongoing consultation with representatives of the private school and representatives of parentally placed private school students with disabilities and a proportionate share calculation.


### 4.5.1 Private or Home School Students Aged 3 or 4 Years

If an ARD committee determines that a private or home school student aged 3 or 4 years is eligible for and in need of special education instruction and/or related services, the parent may 1) enroll the
student only in the public school, 2) “dual enroll” the student, or 3) decline to have the student enroll in public school. For more information, see 4.9.9 PPCD Services and Private or Home School Student Aged 3 or 4 Years and in Need of Special Education.

4.5.2 Private or Home School Students Aged 5 through 21 Years
If an ARD committee determines that a private or home school student aged 5 through 21 years is eligible for and in need of special education instruction and related services, the parent may enroll the student full-time in the public school.

If the parent does not do this, your school district must make the special education and related services available as provided for in 19 TAC §89.1096. Since the obligation of your district to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, these students will not generate ADA. However, students receiving services under a services plan should be entered into the TSDS PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of October for the fall TSDS PEIMS submission child count snapshot for data reporting purposes.

4.9.9 PPCD Services and Private or Home School Student Aged 3 or 4 Years and in Need of Special Education
Under 19 TAC §89.1096, Provision of Services for Students Placed by Their Parents in Private Schools or Facilities, the amount and type, if any, of special education and related services made available by your district to students with disabilities placed in private schools or facilities are determined based on ongoing consultation with representatives of the private school and representatives of parentally placed private school students with disabilities and a proportionate share calculation.


4.9.9.1 Dual Enrollment of Private or Home School Student
If an ARD committee determines that a private or home school student aged 3 or 4 years is eligible for and in need of special education instruction and/or related services, the parent may 1) enroll the student only in the public school, 2) “dual enroll” the student, or 3) decline to have the student enroll in public school.

“Dual enrollment” means the enrollment of a 3- or 4-year-old student who is eligible for special education services in both a public school district, through which the student receives special education services, and a private or home school.

Parents of an eligible student have the right to “dual enroll” the student beginning on the student’s third birthday and continuing until the end of the school year in which the student turns 5, or until the student is eligible to attend your district’s public school kindergarten program, whichever comes first.

When parents choose to enroll a child under the dual enrollment provision, your school district should take the following steps to enroll the student, based on the services and amount of time needed to provide those services as set forth in the student’s IEP:
1. • enroll the student for at least 4 hours per day,  
• count the student as eligible for full-day attendance (ADA eligibility code 1),  
• record an instructional setting code for contact hours based on the student’s special education service, and  
• count the student on the annual federal child count indicator through the TSDS PEIMS; or

2. • enroll the student for at least 2 hours but fewer than 4 hours per day,  
• count the student as eligible for half-day attendance (ADA eligibility code 2),  
• record an instructional setting code for contact hours based on the student’s special education service, and  
• count the student on the annual federal child count indicator through the TSDS PEIMS; or

3. • enroll the student for fewer than 2 hours per day,  
• count the student as enrolled but not in membership (ADA eligibility code 0), and  
• count the student on the annual federal child count indicator through the TSDS PEIMS but not for ADA or contact hours.

If the parent of an eligible student declines dual enrollment for the student, your school district must make the special education and related services available as provided for in 19 TAC §89.1096(d), which provides for parents of an eligible child who decline dual enrollment to request a services plan. Since the obligation of your district to provide special education and related services is limited, and any services provided will be under a services plan, not an IEP, the student will not generate ADA. However, a student receiving services under a services plan should be entered into the TSDS PEIMS with an ADA eligibility code of 0 - enrolled, not in membership, and counted on the last Friday of October for the fall TSDS PEIMS submission child count snapshot for data reporting purposes.