A school district or charter school has the authority to provide remote instruction to a student. Pending confirmation of PEMS coding updates, students receiving remote instruction are considered enrolled, not in membership due to virtual enrollment, and should be coded with new ADA code 9.

Students receiving remote instruction that are therefore considered enrolled, not in membership due to virtual enrollment (new ADA code 9):

- Must meet requirements for enrollment under TEC, §§25.001 and 25.002
- Must receive instruction in all of the Texas Essential Knowledge and Skills for the subject and grade level or course
- Must be in attendance at least 90% of the days a class is

- Comply with Child Find requirements imposed under the Individuals with Disabilities Education
 Act (IDEA) by establishing and implementing policies and procedures to ensure that every
 student in the LEA who is receiving remote instruction and who needs special education and
 related services is located, identified, and evaluated.
- Provide special education services to a student with a disability
- Provide bilingual and/or English as a Second Language programs for eligible students who
 receive remote instruction in a manner comparable to instruction provided to eligible students
 who receive in-person instruction.
- Provide gifted/talented education programs for eligible students who receive remote instruction in a manner comparable to instruction provided to eligible students who receive in-person instruction.
- Provide compensatory education programs for eligible students who receive remote instruction in a manner comparable to instruction provided to eligible students who receive in-person instruction.

If a student is not physically in attendance, the district will not receive ADA funding for that student, as the requirements of the Student Attendance Accounting Handbook would not be satisfied.

An LEA may receive funding for any day that a student is physically in attendance, so long as the student is scheduled to attend at least two hours of instruction each school day for half-day funding or four hours of instruction each school day for full-day funding.

As a result, students who are predominantly virtual, but who periodically attend school in person, would generate at least some ADA funding.

School systems can adopt hybrid instructional schedules where, for example, students might attend Monday and Wednesday in person and the rest of the week would receive remote instruction. Under such an arrangement, the remote instruction would not be part

- The payment of instructional costs for necessary school personnel employed in any course or educational program required for graduation
- Library materials required to be used for any educational course or program, other than fines for lost, damag