

Texas Education Agency



APPLICATION FOR

HIGH SCHOOL EQUIVALENCY PROGRAM (HSEP)

STATUTORY AUTHORITY: [Texas Education Code \(TEC\), §29.087](#)

ELIGIBLE APPLICANTS: The Texas Education Agency (TEA) shall make available to eligible school districts and open enrollment charter schools an application form that must be completed and submitted to the TEA for approval. As part of the application process, the commissioner of education shall require a district or charter school to provide information regarding the operation of a similar program during preceding years, if applicable.

For more information visit [HSEP on the web](#).

Definition of Program Provis

Eligible Students

A student is eligible to participate in a high school equivalency program (HSEP) authorized under [Texas Education Code \(TEC\) §29.087](#), if:

1. the student has been ordered by a court under Section [65.103](#), Family Code or by the Texas Juvenile Justice Department to:
 - A. participate in a preparatory class for the high school equivalency examination; or
 - B. take the high school equivalency examination administered under [TEC §7.111](#) *or*
2. the following conditions are satisfied:
 - A. the student is 16 years of age or older at the beginning of the school year or semester;
 - B. the student is a student at risk of dropping out of school, as defined by [TEC §29.081](#);
 - C. the student and the student's parent or guardian agree in writing to the student's participation;
 - D. at least two school years have elapsed since the student first enrolled in Grade 9 and the student has accumulated less than one third of the credits required to graduate under the minimum graduation requirements of the district or school; or
 - E. any other conditions specified by the commissioner of education are satisfied.

Assessment

The student must have taken the appropriate End-of-Course assessment test specified under [TEC §39](#) before entering the equivalency program.

A student participating in the program may not take the high school equivalency examination unless the student is current with assessment instruments required above.

Disclosure

A district or open enrollment charter school shall inform each student who completes a high school equivalency program [TEC §29.087](#) of the time and place at which the student may take the high school equivalency examination. A student may not take the high school equivalency exam except as authorized under [TEC §7.111](#).

Restricted Participation in University Interscholastic League (UIL)

A student enrolled in a high school equivalency program under [TEC §29.087](#) may not participate in a competition or other activity sanctioned or conducted under the authority of the University Interscholastic League (UIL).

Enrollment Provision

The school district or open enrollment charter school shall not restrict a student who has received a high school equivalency certificate under the high school equivalency program under [TEC §29.087](#) from enrollment in the school as authorized under [TEC §25.001](#). The student must be treated in the same manner as a student seeking enrollment who has not received a high school diploma or high school equivalency certificate. The student is entitled to all benefits of the Foundation School Program pursuant to [TEC §42.003](#).

Attendance Credit

A student attending a high school equivalency program [TEC §29.087](#) may be counted in attendance for purposes of funding under Chapters 41, 42, and 46 of the Texas Education Code only for the actual number of contact minutes each school day the student attends the program, in accordance with [TEC §25.081](#) and [TEC §25.082](#).

Public Hearings

The board of trustees of a school district or the governing board of an open enrollment charter school shall hold a public hearing concerning the proposed application for a high school equivalency program before applying to operate a high school equivalency program [TEC §29.087](#). In addition, the board of trustees of a school district or governing board of an open enrollment charter school must hold a public hearing annually to review the performance of the equivalency program. (Appendix Two)

Continuation or Revocation of Program Authorization

Continuation of the approval for the equivalency program will be contingent on the demonstrated success of the equivalency program. Determination of success will include as a minimum review and analysis of data provided in the mandatory final progress report. The commissioner of education may revoke authorization for a high school equivalency program [TEC §29.087](#) after consideration of relevant factors, including performance of students participating in the program on assessment instruments required under Chapter 39, the percentage of students participating in the program who completed the program and performed successfully on the high school equivalency examination, and other criteria adopted by the commissioner of education. A decision to revoke approval of the program by the commissioner of education is final and may not be appealed pursuant to [TEC §29.087](#).

Reporting Requirements

Applicants shall provide information with the application regarding the past five years, if applicable (Appendix Three). Following approval of the application, the applicant shall be required to submit one progress report on forms to be provided by the TEA (see Data Collection Requirements below). This report shall require applicants to disclose to the TEA the overall progress of the program, the number of students enrolled in the program (disaggregated by ethnicity, age, gender, and socioeconomic status), and the number of students performing satisfactorily on the high school equivalency examination (disaggregated by ethnicity, age, gender, and socioeconomic status). For purposes of these reports, applicants will indicate socioeconomic status using the Public Education Information Management System (PEIMS) designations for economically disadvantaged students.

Data Collection Requirements

For the HSEP program, each approved district and charter school has to submit to the TEA the data concerning their students. This can be accomplished through the use of an electronic spreadsheet. Students will need their school to complete an Authorization form to take the high school equivalency test(s):

- *Enrollment / Exit* data is collected on a [spreadsheet](#) provided by TEA.
- *Authorization* form, is a form filled PDF to be emailed to TEA before the student begins testing.

You can request the Enrollment and Authorization form by emailing hsep@tea.texas.gov.

All of these forms are to be filled out by a school official, not by students.

Provisions of Agreement

Article 1. PARTIES TO AGREEMENT

This agreement is entered into by and between the Texas Education Agency, an agency of the State of Texas, here in after referred to as the “TEA” and the school named below here in after referred to as “School”.

Legal Name of School:

Physical address:

Article 2. PERIOD OF AGREEMENT

The period of the agreement is the period beginning _____ unless terminated as otherwise provided for in this agreement and in statute or rule.

Article 3. PURPOSE OF AGREEMENT

The School shall perform all of the functions and duties set out in the agreement, the authorizing program statute, and applicable regulations.

Article 4. GENERAL AND SPECIAL PROVISION TO THE AGREEMENT

Attached hereto and made a part hereof by reference are the Provisions indicated below with an “X” beside each:

- Appendix One, Assurances
- Appendix Two, Public Hearings
- Appendix Three, History of Program Operation
- Appendix Four, Narrative Description of Proposed Program
- Appendix Five, Contact Sheet

Article 5. APPLICATION PROCESS

For questions or assistance regarding this application, please contact the High School Equivalency Program by telephone at (512) 475-3541 or by e-mail at hsep@tea.texas.gov. Submit the completed application to: **Texas Education Agency, Attn: HSEP Program, 1701 North Congress Avenue, Austin, TX 78701-1494.**

Article 6. AGREEMENT

AGREED and accepted on behalf of school district or open enrollment charter school to be effective on the earliest date written above by a person authorized to bind School.

Name: _____

Title: _____ Authorized Signature

This section reserved for TEA use only.	
I, an authorized official of the Texas Education Agency, hereby certify that this application is in compliance with the authorizing program statute and applicable regulations and authorize the services to be performed as written above. AGREED and accepted on behalf of Agency this date by a person authorized to bind TEA.	
Email to TEA at hsep@tea.texas.gov Texas Education Agency HSEP Program 1701 North Congress Avenue Austin, Texas 78701-1494 NO PHOTOCOPIES OR FAXES	_____ Commissioner of Education or Designee Rev. 07/09

Appendix One: Assurances

The definition of terms of the application shall apply to this Appendix One, Assurances. The school district or open enrollment charter school herein after called "School" does hereby certify and agree to the following conditions of the agreement. PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX ONE. ALL INFORMATION REQUESTED MUST BE AFFIXED TO THIS FORM.

The school agrees to enroll only eligible students to participate in an equivalency program authorized under this application. A student is eligible to participate in an equivalency program authorized under Texas Education Code ([TEC](#)) [§29.087](#), if:

1. the student has been ordered by a court under Section [65.103](#), Family Code, or by the Texas Juvenile Justice Department to:
 - A. participate in a preparatory class for the high school equivalency examination; or
 - B. take the high school equivalency examination administered under [TEC §7.111](#) *or*
2. the following conditions are satisfied:
 - A. the student is 16 years of age or older at the beginning of the school year or semester;
 - B. the student is a student at risk of dropping out of school, as defined by [TEC §29.081](#);
 - C. the student and the student's parent or guardian agree in writing to the student's participation;
 - D. at least two school years have elapsed since the student first enrolled in Grade 9 and the student has accumulated less than one third of the credits required to graduate under the minimum graduation requirements of the district or school or
 - E. any other conditions specified by the commissioner of education are satisfied.

Pursuant to [§ 29.087](#), the school agrees:

1. To administer mandatory assessment instruments to students enrolled in equivalency programs. The student must take the assessment test specified under [TEC §39.023](#)(c) prior to enrolling in the HSEP. *(NOTE: Court ordered students or Texas Juvenile Justice Department (TJJD) students are exempted from the provision requiring them to take the 9th grade or higher grade appropriate assessment test prior to enrollment in the HSEP if applicable.)*
2. To provide instruction in the equivalency program at the high school grade level. All instructional materials and facilities shall be comparable to or exceed the required standards for students in similar programs.
3. To inform each student who completes a high school equivalency program of the time and place at which the student may take the high school equivalency examination. A student may not take the high school equivalency exam except as authorized under [TEC §7.111](#). The school shall provide recognition to students who are awarded the high school equivalency certificate.
4. To prohibit a student enrolled in a high school equivalency program from participating in a competition or other activity sanctioned or conducted under the authority of the University Interscholastic League (UIL).
5. Not to restrict a student who has received a high school equivalency certificate under the high school equivalency program from enrollment in the school as authorized under [TEC §25.001](#). The student is entitled to all benefits of the Foundation School Program pursuant to [TEC §42.003](#).
6. That the equivalency program shall not be isolated from other academic and vocational programs of the school district and that all students shall have access to school counselors for pre- and post-entry counseling, academic or personal counseling and career counseling.
7. To enroll students in the equivalency program who do not have a reasonable expectation of graduating on schedule.
8. To provide a student-teacher ratio of equal to or less than 21-1 in accordance with guidelines.
9. To provide knowledgeable, highly qualified instructors and staff for the equivalency program.

10. To implement a variety of teaching strategies.
11. To enroll in the program students who have a reasonable expectation to be successful by passing the high school equivalency examination.
12. To inform students that participation in the equivalency program is voluntary. Administrators and staff will not encourage students to participate in a high school equivalency program solely as a means of diverting students with discipline problems, poor academic performance, and similar circumstances as an alternative to regular school graduation.
13. To comply with all rules and regulations including eligibility to test, test security, and use of test results.
14. To inform each student who has completed the program of the time and place which the student may take the high school equivalency examination.
15. To integrate the planning and evaluation of the equivalency examination program into the planning that is required under [TEC §11.251-TEC §11.253](#).
16. The school agrees to comply with all reporting requirements established by the TEA, including on-site monitoring of the high school equivalency program.
17. Prior to enrollment in an equivalency program, the school agrees to include the student and the parent (or a person standing in the place of a parent) in a minimum of one meeting to include a teacher, a counselor, and an administrator. The purpose of the meeting is to ensure that the parent and the student have a clear understanding of the equivalency program, and have discussed other alternative programs available that may meet the student's needs.
18. The school agrees not to discriminate based on disabilities, race, color, national origin, religion, or sex.
19. For the current school year, the school may not increase enrollment of students in a high school equivalency program that was in operation prior to September 1, 2003, by more than five (5) percent over the number of students enrolled in the equivalency program conducted in the 2002-2003 school year. Beginning with the 2000-2001 school year, a school must apply to the commissioner of education to increase the enrollment in an equivalency program. The request must include written justification for the need to increase enrollment and include specific school-wide enrollment growth data for the overall district or open enrollment charter school population.

AGREED and accepted on behalf of school district or open enrollment charter school by a person authorized to bind School.

Name, Title and Telephone number of School Board President

Signature of School Board President

Date

Name, Title and Telephone number of District Superintendent or Charter School Chief Operations Officer

Signature of person authorized to bind the School

Date

Appendix Two Public Hearings

The definition of terms of the application shall apply to this Appendix Two, Public Hearings. The school district or open enrollment charter school herein after called "School" does hereby certify and agree to the following conditions of the agreement. PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX TWO. ALL INFORMATION REQUESTED MUST BE AFFIXED TO THIS FORM.

1. The board of trustees of the school district or the governing board of an open enrollment charter school agrees to hold a public hearing concerning the proposed application for a high school equivalency program before applying to operate a high school equivalency program [TEC §29.087](#).
2. The board of trustees of the school district or the governing board of an open enrollment charter school agrees to hold a public hearing annually to review the performance of the program proposed under this application.

The Pre-Application Public Hearing was conducted on:

Month:

Day:

Year

Time:

Location:

NOTE: The applicant shall be required to include a copy of the posting of this public hearing in the final progress report.

AGREED and accepted on behalf of school district or open enrollment charter school by a person authorized to bind School.

Name, Title and Telephone number of District Superintendent or Charter School Chief Operations Officer

Signature of person authorized to bind the School

Date

Appendix Three History of Program Operation

The definition of terms of the application shall apply to this Appendix Three, History of Program Operation. The school district or open enrollment charter school herein after called "School" does hereby certify and agree to the following conditions of the agreement. PAGE LIMIT: ON A SEPARATE SHEET OF 8 ½ X 11 PAPER, PROVIDE A BRIEF (NO MORE THAN 100 WORDS) DESCRIPTION OF THE SIMILAR PROGRAM WITHIN THE LAST FIVE YEARS

*Appendix Three provides **quantitative** information regarding the past five years of operation of a similar program operated by the district or charter school.*

Date and Year the similar program began:

School Year	Total Number of Students Served	Total Number of Students who passed the HS Equivalency

NOTE: In each instance where the data is not available or applicable, indicate "DNA" in the box (es) as appropriate.

Appendix Four Narrative Description of Proposed Program

The definition of terms of the application shall apply to this Appendix Four, Narrative Description of Proposed Program. The school district or open enrollment charter school herein after called "School" does hereby certify and agree to the following conditions of the agreement. PAGE LIMIT: SUBMIT NO MORE THAN ONE ADDITIONAL PAGE CLEARLY IDENTIFIED AS DESCRIBED HEREIN TO PROVIDE THE INFORMATION REQUESTED ON THIS FORM.

Appendix Four describes the school district or charter school proposed high school equivalency program and the instructional (curricular) content delivered by highly qualified staff.

On a maximum of one sheet of 8 ½ x 11 paper, provide a concise description of the:

- program goals and objectives;
- program description such as pull-out program, school within-a-school, etc.;
- instructional content for the program;
- staff positions and resource personnel (teachers, administrators, and counselors, support staff, etc.) associated with the program. Include the contact hours the position and resource will be obligated to the program;
- qualification standards established for each staff and resource position;
- local procedures for identifying students, including how the school confirms and documents student eligibility;
- procedures for obtaining student and parental consent for participation in the equivalency program;
- process that will be implemented to maintain records of student eligibility and consent;
- procedure the district will establish to ensure all students enrolled in the equivalency program are administered the required assessment instruments in the timeline established by [TEC §39.023\(c\)](#);
- plan the school will utilize to ensure that staff and administrators will not encourage students to participate in a high school equivalency program [TEC §29.087](#) solely as a means of diverting students with discipline problems, poor academic performance and similar circumstances as an alternative to regular school graduation; and
- method the school will utilize to integrate the planning and evaluation of the equivalency examination program under [TEC §29.087](#) into the planning that is required under [TEC §11.251-§11.253](#).

Appendix Five Contact Sheet

The definition of terms of the application shall apply to this Appendix Five, Check Sheet. The school district or open enrollment charter school herein after called "School" does hereby certify and agree to the following conditions of the agreement:

School Contact for the Application

**District Superintendent or
Charter School Chief Operations Officer:**

Campus Number:

Campus Name:

Mailing Address:

City, Zip Code:

Contact Name(s):

Telephone Number:

E-Mail Address:

URL / Web Address:

Campus Number:

Campus Name:

Mailing Address:

City, Zip Code:

Contact Name(s):

Telephone Number:

E-Mail Address:

URL / Web Address:

NOTE: The majority of the contact for the approved HSEP programs is done via e-mail, please make sure that a valid e-mail address(es) is submitted on this form. TEA does keep in close contact with the HSEP program, therefore more than one e-mail address(es) can be submitted, please give full name of person(s) who are the e-mail contact(s) to ensure TEA has accurate information.