

VOE/TEA Policy

VOE/TEA POLICY (For Obtaining or Renewing a Driver's License)

In order for a student to obtain a Verification Of Enrollment and Attendance Form (VOE/TEA Form) to obtain a driver's license, the student must be in attendance for 90% of the days the class was offered in the previous semester. For example, if the student is seeking a VOE/TEA Form for the Spring, issuance of the form will be based on attendance of each class in the previous fall semester.

Requirement to receive a VOE/TEA Form to obtain a driver's license are as follows:

- Any student who was in attendance 90% of the days the class was offered in the previous semester will be eligible to receive a VOE/TEA Form.
- Any student who has passed all classes and has not exceeded 20 total class periods above the 90% criteria set by the state may be allowed to make up the periods missed to clear the excess absences will be eligible to receive a VOW/TEA Form.
- Any student who fails at least one course and has not attended that class 90 % of the days the class was offered will not be eligible to receive a VOE/TEA Form
- Any student who has exceeded the maximum of 20 class absences above the 90% criteria set by the state will not be allowed to make up the excess class absences and will not be eligible to receive a VOE/TEA Form.

TEA Policy States:

19 TAC, Subchapter C. - 61.43 Absences - a student must be in attendance 90 percent of the days the class is offered. If a student has a absences that the district recognizes as excused or as an extenuating circumstance and the student satisfactorily makes up work missed, the student shall be considered in attendance for the purpose of computing compulsory attendance and for the driver's license eligibility.

The VOE document is a governed record as defined under the Texas Penal Code 3.01(2). **Any misrepresentation by the applicant or person issuing the form may result in denial of the application for a Texas driver's license and/or criminal prosecution.**

In accordance with TEA, Laura Lea Bauer, Program administrator for the Safety and Driver Education Division of the Texas Education Agency, stated the following about the TEA policy on the issuance of VOE/TEA Forms:

School enrollment and attendance as a condition of licensing a student to operate a motor vehicle applies to persons under 18 years of age unless a high school diploma or its equivalent has been obtained.

Schools can issue a VOE form to students who fail a class if the student attended at the minimum of 90% in each class they were enrolled. School cannot issue a VOE form to students who fail a class if the student failed because they did not attend the class a minimum of 90 percent.

MISSION HIGH SCHOOL

HIDALGO 108 908 001

School Name County-District-Campus No. (If Applicable) **Verification of Enrollment and Attendance (VOE) Form**

Planned Use of Data: To provide documentation of enrollment and attendance status to the Texas Department of Public Safety (DPS) for a student applying for an instruction permit and/or a license to operate a motor vehicle. The student presents the completed form to DPS. **DO NOT** return this form to the Texas Education Agency.

Authority: The Texas Transportation Code (TRC) requires students who have not obtained a high school diploma or its equivalent to be enrolled in a public, charter, home, or private school; GED Program; or Institution of Higher Education and meet specific enrollment conditions to obtain or renew a license. This requirement applies to persons under 18 years of age.

Contacts: Contact local DPS driver license office or DPS Headquarters website: www.txdps.state.tx.us and e-mail: pio@txdps.state.tx.us (512-424-2000) or Texas Education Agency website: www.tea.state.tx.us and e-mail: nina.saint@tea.state.tx.us (512-463-9574). **Issuing VOE Forms:** SEE flow chart for issuance at <http://www.tea.state.tx.us/safedriver/voe04.html>. The issuance or denial of the VOE form is strictly a local school, charter, GED program, or institution decision. Neither TEA nor DPS can alter a VOE decision. Schools, Charters, GED programs, and institutions of higher education can impose and enforce conditions and restrictions on enrollment and attendance as it pertains to VOE eligibility that exceed minimum restrictions defined by law and rule. **It is recommended that schools, charters, GED programs, and institutions of higher education clearly outline all requirements for issuance of the VOE form and establish a formal, published policy to support the requirements.** The VOE form does not have to be signed by the student in the presence of the person certifying attendance. The signature of the student can be placed on the form before or as it is presented to DPS. NOTE: Texas Education Code 25.092 (excerpted), Minimum Attendance for Class Credit, states that a student may not be given credit for a class unless the student is in attendance for at least 90 percent of the days the class is offered. The 90 percent attendance rule applies when determining VOE eligibility. Schools can accept decisions of attendance committees when considering VOE eligibility. Summer school does not count as make-up time for attendance purposes unless the attendance committee makes summer school attendance a part of a student's plan to make up days missed. For students in grades eight and below, absences may be aggregated on the basis of a scholastic year. For students in grades 9-12, absences may be aggregated on the basis of a scholastic semester (traditional, condensed, accelerated, block, etc.). **THE STUDENT SHOULD BE CONSIDERED ELIGIBLE FOR THE VOE FORM WHEN** 1) the school considers the student currently enrolled at the time the student applied for the VOE forms AND 2) the school awarded a student credit for each class the semester prior to application for the VOE form OR the student was not awarded credit for each class the semester prior to application for the VOE form (academic failure). The school examines attendance records for the semester prior to application for the VOE form and determines that the student was present 90 percent of the time each class was offered OR the student was absent more than 10 percent and did not meet the 90 percent attendance rule for one or more classes the semester prior to application for the VOE form. The school attendance committee and/or administration approve a plan to allow the student to reinstate the credit for all classes. The student complies with the plan and credit for all classes the semester prior to application for the form is reinstated.

A student must meet one of the following requirements to receive the VOE form. The individual certifying attendance verifies on behalf of the school, program, or institution the following as true and correct by marking the appropriate box and affixing a legal signature to this form.

- Public, charter, home, or private schools:** The public, charter, home, or private school should mark this box and issue the form to any student who is (1) currently enrolled (2) who met minimum attendance for class credit (90 Percent Rule) in each class they were enrolled in the fall or spring semester immediately preceding the date of application for the form.
- GED programs:** GED programs mark this box and issue the form to any student who (1) is currently enrolled, (2) has been enrolled in the program for a minimum of 45 calendar days, and (3) is meeting the attendance requirements prescribed by the GED program.
- Institutions of higher education:** Institutions mark this box and issue the form to students who have not obtained a diploma or its equivalent but are enrolled and attending as prescribed by the institution. Note: Institutions can issue a letter signed by an official of the institution stating that (1) the student is currently enrolled and (2) the student is meeting the institution's attendance requirements instead of issuance of this form.

Typed or Printed Name of Student	Date	Student Signature
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Typed or Printed Name and Title of Administrator/Designee	Area Code & Telephone	Issuance Date // Month Day Year	Administrator/Designee Signature
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The VOE Forms issued during the school year (traditional, year round, etc.) expire 30 days from issuance.
The VOE Forms issued the last 5 days of the school year expire the first day of the following school year.

Schools may personalize and/or develop their own VOE form provided all pertinent information contained on this form is incorporated.
THE VOE DOCUMENT IS A GOVERNMENT RECORD AS DEFINED UNDER TEXAS PENAL CODE, 37.01(2). ANY MISREPRESENTATION BY THE APPLICANT OR PERSON ISSUING THE FORM MAY RESULT IN DENIAL OF AN APPLICATION FOR A TEXAS DRIVER'S LICENSE AND/OR CRIMINAL PROSECUTION.