

# Texas Education Agency



## APPLICATION

### Optional Flexible School Day Program (OFSDP)

2019-2020 School Year

**ELIGIBLE APPLICANTS:** The Texas Education Agency (TEA) will 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.

## Definition of Program Provisions

### Eligible Students

A student is eligible to participate in an optional flexible school day program (OFSDP) authorized under the Texas Education Code (TEC) §29.0822, if:

1. the student meets one of the following conditions:
  - the student is at risk of dropping out of school, as defined by the TEC, §29.081; or
  - the student, as a result of attendance requirements under the TEC, §25.092, will be denied credit for one or more classes in which the student has been enrolled;
  - the student is attending a school with an approved early college high school program designation; or
  - the student is attending a school implementing an approved innovative campus plan; or
  - **the student is attending a community-based dropout recovery education program as defined by TEC, §29.081 (e-1) or (e-2).**

and

2. the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation.

### Assessment

The student must take the required state assessments specified under the TEC, §39.023, during the regularly scheduled assessment calendar.

### Participation in University Interscholastic League (UIL)

A student enrolled in an OFSDP under the TEC, §29.0822, may participate in a competition or other activity sanctioned or conducted under the authority of the University Interscholastic League (UIL) only if he or she meets all UIL eligibility criteria.

### Attendance Credit

A student attending an OFSDP under the TEC, §29.0822, may be counted in attendance for purposes of funding under the TEC, Chapters 41, 42, and 46, only for the actual number of contact hours the student receives, not to exceed 720 hours or 43,200 minutes per 12-month period. **Students in enrolled in the traditional program for part of the year and the OFSDP program for part of the year may not earn more than one ADA.**

### Public Hearings

The board of trustees of a school district or governing board of an open-enrollment charter school must hold a public hearing concerning the proposed application for an OFSDP before applying to operate an OFSDP under the TEC, §29.0822. 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 OFSDP (see Appendix Two).

## Continuation or Revocation of Program Authorization

Applications are approved for a period of one (1) school year. Continuation of the approval for the OFSDP will be contingent on the demonstrated success of the program. Determination of success will include a review and analysis of data provided in the mandatory final progress report(s). The commissioner of education may revoke authorization for participation in the OFSDP after consideration of relevant factors, including performance of students participating in the program on assessment instruments required under the TEC, Chapter 39; the percentage of students participating in the program who graduate from high school; and other criteria agreed to in the application and 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.

## Reporting Requirements

Following approval of the application, the applicant may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. When requested, reports will require applicants to disclose the overall progress of the students in the program, the number of students enrolled in the program (disaggregated by ethnicity, age, gender, and socioeconomic status), the number of students graduating from high school (disaggregated by ethnicity, age, gender, and socioeconomic status), and additional criteria selected by the applicant and agreed to by the commissioner. The TEA will provide notice to applicants and additional instructions for completion of reports at least 45 days before the date a report is due, or as soon as possible, in order to give school districts and charter schools adequate time to prepare and submit the reports to the TEA. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.



## Article I - Parties to Agreement

### Provisions of Agreement

This agreement is entered into by and between the Texas Education Agency, an agency of the State of Texas, hereinafter referred to as the "TEA," and

Beeville Independent School District

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(Legal Name of School District or Open-Enrollment Charter School)

located at

201 N Saint Marys Street, Beeville, Tx 78102

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(Physical Address)

hereinafter referred to as "district."

## Article II - Period of Agreement

The period of the agreement, as detailed by participating campus in **Appendix 5**, is for a maximum of one school year plus an additional 30 school days if the district is applying for credit recovery. **Please note that the agreement term is subject to annual renewal.**

## Article III - Purpose of Agreement

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

## Article IV - Reporting Requirements

The district may be required to submit progress reports based on criteria selected by the applicant and agreed to by the commissioner. The TEA may request additional reports as necessary to monitor and assess progress of students participating in the program.

## Article V - General and Special Provisions to the Agreement

Attached hereto and made a part hereof by reference is each of the provisions indicated below with an "X" beside it:

- [ ☒ ] Appendix One, Assurances
- [ ☒ ] Appendix Two, Public Hearings (Attach File)
- [ ☒ ] **Appendix Three, Attendance and Compliance Procedures of Proposed Program (Attach File)**
- [ ☒ ] Appendix Four, Contact Sheet
- [ ☒ ] **Appendix Five, Participating Campuses, Student Eligibility, and Period of Agreement (Attach File)**
- [ ☐ ] Attachment, Copy of articulation agreement between district and university/college if one or more participating campuses have an **Early College High School Program** designation (Attach file if applicable)

## Article VI - Application Process

- For questions or assistance regarding this application, please email [opflex@tea.texas.gov](mailto:opflex@tea.texas.gov) or call 512-463-4834.
- Applications should be submitted 30 days prior to the start of the program, please make sure the start date(s) on Appendix 5 is 30 days or more after the application is submitted.
- Applications submitted by July 15th should be approved by August 15th.
- Please email the complete application and attachments to: [opflex@tea.texas.gov](mailto:opflex@tea.texas.gov).
- Email subject line should indicate: 2019-2020 OFSDP Application - District Name, County District Number

## Article VII - Agreement

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

Typed Name Dr. Marc A. Puig

Typed Title Superintendent

\_\_\_\_\_  
Authorized Signature

## Appendix One Assurances

**The definition of terms of the application applies to this Appendix One, Assurances. The school district or open-enrollment charter school hereinafter called “district” 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 INCLUDED WITH THIS FORM.**

The district agrees to enroll only eligible students to participate in an OFSDP authorized under this application. A student is eligible to participate in an OFSDP authorized under the TEC, §29.0822, if:

1. the student meets one of the following conditions:
  - the student is at risk of dropping out of school, as defined by the TEC, §29.081; or
  - the student, as a result of attendance requirements under the TEC, §25.092, will be denied credit for one or more classes in which the student has been enrolled;
  - the student is attending a school with an approved early college high school program designation; or
  - the student is attending a school implementing an approved innovative campus plan; or
  - the student is attending a community-based dropout recovery education program as defined by TEC, §29.081 (e-1) or (e-2).

**and**
2. the student, if less than 18 years of age and not emancipated by marriage or court order, and the student's parent, or person standing in parental relation to the student, agree in writing to the student's participation.

The district agrees:

1. to administer mandatory assessment instruments during the regular assessment cycle to students enrolled in OFSDPs;
2. All instructional materials and facilities must be comparable to or exceed the required standards for students in similar programs;
3. that the students participating in an OFSDP will not be isolated from other academic and vocational programs of the school district and that all students will have access to school counselors for pre- and post-entry counseling, academic or personal counseling, and career counseling;
4. to provide faculty and administrators with baccalaureate or advanced degrees, highly qualified staff, and certified teachers as required by 19 Texas Administrative Code §129.1027 for the program;
5. to adopt a policy that does not penalize students participating in an OFSDP in accordance with the 90% rule (TEC, §25.092[a]) or the 75% to 90% rule for class credit (TEC, §25.092[a-1]);
6. to adopt a policy to require students to attend regularly scheduled instruction for the OFSDP with penalties for nonattendance including filing truancy charges, if appropriate;
7. to track the number of minutes the student receives instruction each day and to comply with applicable sections of the [Student Attendance Accounting Handbook](#).

8. to comply with all reporting requirements established by the TEA;
9. not to discriminate based on disability, race, color, national origin, religion, or sex; and
10. to prohibit a student participating in an OFSDP from participating in a competition or other activity sanctioned or conducted under the authority of the UIL unless the student meets all UIL eligibility requirements.

**AGREED** and accepted terms and conditions of Appendix One on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.

Leticia Munoz, School Board President, 361-358-7111

\_\_\_\_\_  
Name, Title, and Telephone Number of School Board President

10-17-2019

\_\_\_\_\_  
Signature of School Board President

\_\_\_\_\_  
Date

Dr. Marc A. Puig, Superintendent , 361-358-7111

\_\_\_\_\_  
Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

10-17-2019

\_\_\_\_\_  
Signature of Person Authorized to Bind the District or Charter School

\_\_\_\_\_  
Date



## Appendix Two Public Hearings

**The definition of terms of the application applies to this Appendix Two, Public Hearings. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement.**

1. The board of trustees of the school district or the governing board of the open-enrollment charter school **agrees to hold a public hearing** concerning the proposed application for an OFSDP.
2. The board of trustees of the school district or the governing board of the 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: October

Day: 17

Year: 2019

Time: 5:30

Location: 201 N Saint Marys Street, Beeville, Tx 78102

**NOTE: Please include a copy of the posting of this public hearing.**

**AGREED** and accepted on behalf of the school district or open-enrollment charter school by persons authorized to bind the district.

Leticia Munoz, School Board President, 361-358-7111

\_\_\_\_\_  
Name, Title, and Telephone Number of School Board President

\_\_\_\_\_  
Signature of School Board President

10-17-2019

\_\_\_\_\_  
Date

Dr. Marc A. Puig, Superintendent, 361-358-7111

\_\_\_\_\_  
Name, Title, and Telephone Number of District Superintendent or Charter School Chief Operations Officer

\_\_\_\_\_  
Signature of Person Authorized to Bind the District or Charter School

10-17-2019

\_\_\_\_\_  
Date



## Appendix Three

### Attendance and Compliance Procedures of Proposed Program

The definition of terms of the application applies to this Appendix Three. Attendance Procedures of Proposed Program. The school district or open-enrollment charter school hereinafter called “district” does hereby certify and agree to the following conditions of the agreement.

Concisely provide the information below on separate 8 ½” x 11” sheets of paper:

1. Please indicate the number of OFSDP students that will be served per teacher.
2. If the OFSDP program will offer special education, career and technology education, pregnancy related services or bilingual education, please indicate how services will be provided, the teacher certification standards in each program area, and how services will comply with the [Student Attendance Accounting Handbook](#).
3. OFSDP requires a teacher of record to record the actual number of students’ instructional minutes on any given day. Please explain the following:
  - a. How the classroom teacher will verify the number of minutes of instruction a student receives each day.
  - b. How the district will make sure that minutes for students who did not attend a minimum of 45 minutes on a particular day are not reported for funding.
  - c. How the district will make sure that students transferring from the traditional program (ADA Codes 0-6) to OFSDP (ADA Codes 7-8) will not generate more than one ADA in total for the school year and that students will not receive more than 10,800 minutes per course. It is recommended that the district apply the following formula to determine the maximum OFSDP minutes a student is eligible = (180 - Traditional Days Present x 240).
  - d. How the district will ensure that attendance practices and records comply with Sections 2.2.3 and 11.6 of the [Student Attendance Accounting Handbook](#).
  - e. How Student Detail Audit reports for the OFSDP track will be reviewed and certified each six-weeks.
4. If students are attending a community-based dropout recovery education program offered online as defined by TEC, §29.081 (e-2), please include the following:
  - a. describe the curriculum credentials, certifications, or other course offerings that relate directly to employment opportunities in the state.
  - b. describe the individual learning plan or process used to monitor each student’s progress.
  - c. indicate how student will be served by an academic coach and local advocate.
  - d. indicate the date of the month that monthly student progress reports will be provided to the student’s school district.
  - e. describe the educational software utilized and explain how the software will track and certify the number of instructional minutes each student receives each day.

## APPENDIX Three

### Narrative Description of Proposed Program

#### Program Goals and Objectives:

The goal of the Optional Flexible School Day Program is to allow students in grades 07-12 in the Beeville Independent School District an opportunity to be successful and receive a high school diploma by offering courses needed for graduation through a 25:1 student to staff ratio. The program has two main objectives:

The first objective is to allow a student who has dropped out of school or is in danger of dropping out of school an option other than the regular classroom setting or school day.

The second objective is to enable a student the opportunity to recover credits lost due to a lack of attendance.

#### Program Name:

Trojan Flex Program

#### Identification of Students:

Students are identified as At Risk with credit deficiencies or identified based on significant risk factors (Homeless, Pregnancy, Court-legal issues, Family or Financial hardships or moving from one state to another) and are recommended to the drop-out prevention program by their counselor and principal. Each of these students completes an application. As a student is being counseled for drop-out prevention, should circumstances prohibit the student from attending 4 hours daily, the OFSDP will be considered as another option.

#### Staff Positions and Resource Personnel:

Students that will be receiving the Optional Flexible School Day Program through the avenue of the Trojan Flex Program at the 2 listed campuses respectively have supplied the program which is monitored by certified paraprofessionals, 2 certified counselors, a certified teacher, and a program coordinator to provide technical support and onsite monitoring and assessment of students participating in the Trojan Flex Program between the hours of 8:00am – 4:00pm. All OFSDP students are being directly supervised by a highly qualified teacher when receiving instruction.

#### Schedule:

The Trojan Flex Program will require students to attend a minimum of 20 hours a week and/or a minimum of 4 hours each school day to earn credits or a grade, as well as prepare for the required state assessment. Hours offered will be 8:00am – 4:00pm, Monday through Friday.

#### Local procedures for identifying students:

\*Students must be enrolled in Beeville AC Jones High School or Moreno Junior High and will be listed in PEIMS as at-risk.

#### Special Education Services:

The ARD Committee from the students' home campus and a Certified Special Education Teacher from the Option Program will be involved with all related academic and social decisions for students who receive special education services.



#### Target Groups:

**\*Students who are unable to attend school in a traditional setting.** Students who have to work to support a family, do not have childcare during the day, have shortened hours due to illness or injury, or other apparent reasons may upon approval be recommended into the Trojan Flex Program.

**\*Students who are at risk of being denied credit due to failure to meet attendance requirements.** The high school and junior assistant principals and counselors each keep grading records and documentation of students who have been denied credit each semester due to failure to meet attendance requirements. Those students could be recommended to participate in the Trojan Flex Program.

**\*Students who are at risk of not graduating.** The counselors may recommend the Trojan Flex Program to students who may be at risk of not graduating due to various reasons such as; pregnancy, course failures, or who were retained and did not advance from one grade level to the next.

**\*Students who have previously dropped out of school.** The Trojan Flex Program Coordinator can research PEIMS data on students who have been reported as dropouts for the current or past year. The coordinator will attempt to locate these students to offer Flex Program in order to help them get their high school diploma.

#### Parent Consent:

The high school and junior high counselors will discuss the Trojan Flex Program with students and his/her parent or guardian unless the student is 18 years old and self-registered. If the student qualifies under one of the criteria previously stated it may be recommended that the student attend Trojan Flex Program in order to fulfill his/her graduation requirements. If the student and parent/guardian agree, a contract is signed agreeing to the requirements for participation in the Trojan Flex Program.

#### Implementation Process:

The parent/guardian will be required to register the student in the Beeville Independent School District. The counselor will make a copy of the Trojan Flex Program contract to keep on file and send one to the Trojan Flex Coordinator. The Trojan Flex Coordinator will then enroll the student in the courses indicated on the contract and monitor progress.

Students' attendance minutes will be recorded on the **Daily Contact Register** each day and transferred to OFSDP daily and weekly register forms to be turned into the PEIMS Coordinator by the Trojan Flex Coordinator. All students participating in the Flex Program will be entered into PEIMS for attendance and records will be filed for audit purposes.

Once a course is completed Flex Coordinator will record the final grade on the student's contract. The Flex coordinator will return the course completion form to the student's counselor who will give the information to the PEIMS coordinator. The PEIMS coordinator will record the course credit and it will appear on the student's transcript.

#### Procedure for ensuring the Administration of required Assessment Instruments:

All students who are enrolled in the Flex Program will take all required assessment instruments on the same day as the test is administered either during the day. All administration of the tests will be by test trained personnel.

Students will be working on curriculum using a web-based program called OdysseyWare. These students will be allowed to work at their own pace while receiving assistance and instruction from qualified teachers. Students are able to monitor their own progress as they work through the course program. Three-week progress reports will also be printed to show the student and his/her parents or guardians the student's progress. At the end of each semester, students will be given a report card with all course completion grades and credit awarded for each.

Report Participation:

Annually, the board of trustees will hold a public hearing to review the performance of the OFSDP. Program information to be presented will include the number of students enrolled in program and the number of students graduating both disaggregated by ethnicity, age, gender and socioeconomic status.



## Appendix Four Contact Sheet

The definition of terms of the application applies to this Appendix Four, Contact Sheet. The school district or open-enrollment charter school hereinafter called "district" does hereby certify and agree to the following conditions of the agreement:

PAGE LIMIT: SUBMIT NO ADDITIONAL PAGES FOR APPENDIX FOUR, CONTACT SHEET. ALL INFORMATION REQUESTED MUST BE INCLUDED WITH THIS FORM.

### District Contact for the Application

Contact Name:	Theresa Servellon
District Superintendent or Charter School Chief Operations Officer:	Dr. Marc A. Puig
Mailing Address:	201 N Saint Marys Street
City, State, Zip Code:	Beeville, Texas, 78102
Telephone Number:	361-358-7111
Alternate Telephone Number:	
Fax Number:	361-362-6046
Email Address:	tservellon@beeveilleisd.net

Contact Name:	Ann Ewing
Email Address:	aewing@beeveilleisd.net

Contact Name:	Jaime Rodriguez
Email Address:	jrodriguez@beeveilleisd.net

Contact Name:	Veronica Alaniz
Email Address:	valaniz@beeveilleisd.net

**NOTE:** The majority of the contact for the approved OFSDP is done via email. Please make sure that a valid email address or valid email addresses are submitted on this form. More than one email address may be submitted. Please provide the full name(s) of the person or persons who are the email contact(s) to ensure that the TEA has accurate information.

## Appendix Five

### Participating Campuses, Student Eligibility, and Period of Agreement

Please download and complete the template below:

[2019-2020 Participating Campuses, Student Eligibility, and Period of Agreement Template.](#)

Please email the completed MS Excel file with the application.

#### Applications and Templates

- [2019-2020 OFSDP Application \(PDF 589 KB\)](#)

2019-2020 Participating Campus Student Eligibility, Period of Agreement Template (Appendix Five) [\(MS Excel\)](#) [\(PDF\)](#)

- [OFSDP Sample Attendance Registers \(PDF 61 KB\)](#)

Please email the completed application to [opflex@tea.texas.gov](mailto:opflex@tea.texas.gov).

# Optional Flexible School Day Program (OFSDP)

## School Year 2019-2020

BEEVILLE ISD													
District Number	013901												
	<p><b>ELIGIBILITY DESIGNATION</b></p> <p>1 = TEC §29.081 At-Risk Students                  2 = TEC §25.092 Minimum Attendance                  3 = TEC §29.908 Early College HS                  4 = Innovative Campus Redesign                  5 = Credit Recovery                  6 = TEC §29.081 (e-1) Campus Dropout Recovery                  7 = TEC §29.081 (e-2) Online Dropout Recovery</p>												
	<p>School Year Period of Agreement (Reported in TSDS PEIMS Summer Collection 3)                  A Student may not report more than one ADA IN TOTAL on the 42400 Basic Attendance Collection 3 and 42500 Flex Attendance in collections 3 and 4 )</p>												
	<p>Credit Recovery                  Summer Period of Agreement                  Only for Eligibility Designation 5 not to exceed 30 school days (Reported in TSDS PEIMS Extended Collection 4)                  A Student may not report more than one ADA IN TOTAL on the 42400 Basic Attendance collection 3 and 42500 Flex Attendance in collections 3 and 4 )</p>												
Nine Digit District and Campus Number	Campus Name	1	2	3	4	5	6	7	Estimated Total Students	Start Date	End Date	Proposed Days: SUMT WTHFS	Minutes Per Day
013901001	A C JONES H S	1	2			5	6			1/7/2020	5/27/2020	MTWTHF	420
013901041	MORENO J H	1	2			5	6			1/7/2020	5/27/2020	MTWTHF	420
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