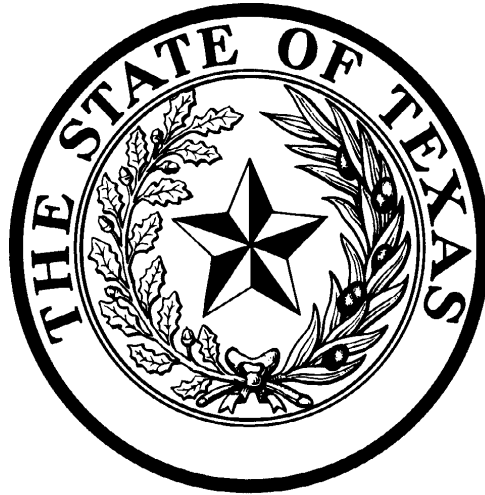


Texas Education Agency



APPLICATION

Updated May 2025

Optional Flexible School Day Program (OFSDP)

2025-2026 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 annually to the TEA for approval.

Definition of Program Provisions

Eligible Students

A student in any grade level is eligible to participate in an OFSDP authorized under the [TEC, §29.0822](#), if the student is:

- at risk of dropping out of school, as defined by the [TEC, §29.081](#),
- attending a campus implementing an approved innovative campus plan,
- attending a TEA-designated ECHS as defined by the [TEC, §29.908](#), P-TECH, or ICIA,
- attending a community-based dropout recovery education program, as defined by the [TEC, §29.081\(e-1\) or \(e-2\)](#), or
- not meeting attendance requirements under the [TEC, §25.092](#), resulting in denied credit for one or more classes in which the student has been enrolled.

AND

There must be an agreement in writing to the student's participation:

- by the student, if the student is over 18 years of age; or
- by the student and the student's parent or person standing in parental relation to the student, if the student is less than 18 years of age and not emancipated by marriage or court order.

Board Approval

The board of trustees of a school district must include the OFSDP as an item on a regular agenda for a board meeting. The board of trustees of a school district must discuss the progress of the program before approving the program and applying to operate an OFSDP (see Appendix Two). Please note that, pursuant to [TAC 129.1027](#), a progress report for OFSDP may be required to be included in subsequent annual applications starting the 2026-2027 school year.

Attendance Credit

A student attending an OFSDP under the TEC, §29.0822, may be counted in average daily attendance (ADA) for purposes of funding under the TEC, Chapters 46, 48, and 49, 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 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.**

Assessment

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

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 the progress of students participating in the program.

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.

Provisions of Agreement

Article I – Parties to 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

Devine ISD

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

located at

605 W Hondo, Devine TX 78016

(Physical Address)

hereinafter referred to as "district."

Article II – Period of Agreement

The period of the agreement, as detailed by participating campus in **Appendix Five**, is for a maximum of one (1) school year plus an additional thirty (30) school days if the district is applying for credit recovery. **Note that the agreement term is subject to annual renewal.**

Article III – Purpose of Agreement

The district must perform all 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 the progress of students participating in the program.

Article V – General and Special Provisions to the Agreement

Each provision marked with an "X" below is hereby attached and incorporated by reference as part of this document:

- ☐ Appendix One, Assurances
- ☐ Appendix Two, Board Approval
- ☐ Appendix Three, Attendance and Compliance Procedures of Proposed Program (Attach PDF File)
- ☐ Appendix Four, District Contacts
- ☐ Appendix Five, Participating Campuses, Student Eligibility, and Period of Agreement (Attach Excel File)

Article VI – Application Process

- For questions or assistance regarding this application, email opfex@tea.texas.gov or call 512-463-8916.
- Applications should be submitted 30 days prior to the start of the program. Start date(s) on Appendix Five should be at least thirty (30) days after the application is submitted.
- Email the complete application and attachments to: opfex@tea.texas.gov.
- Email subject line should indicate: 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	<u>Dawn Schneider</u>	_____
Typed Title	<u>Director of HR and Infor Mgmt</u>	Authorized Signature

Appendix One **Assurances**

The definition of the terms of the application applies to 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 is attending a campus implementing an approved innovative campus plan; or
 - the student is attending a community-based dropout recovery education program, as defined by the [TEC, §29.081\(e-1\) or \(e-2\)](#); or
 - the student is attending a campus with an approved early college high school program designation as defined by the [TEC, §29.908](#); 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.

and

2. there is an agreement in writing to the student’s participation
 - by the student, if the student is over 18 years of age; or
 - by the student and the student’s parent or person standing in parental relation to the student, if the student is less than 18 years of age and not emancipated by marriage or court order.

The district agrees:

1. to administer mandatory assessment instruments during the regular assessment cycle to students enrolled in OFSDPs;
2. to ensure all instructional materials and facilities are comparable 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.

Nancy Pepper, Board President, 830-851-0710

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Todd Grandjean, Superintendent, 830-851-0710

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

Date

Appendix Two **Board Approval**

The definition of terms of the application applies to Appendix Two, Board Approval. 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 Two. All information requested must be included with this form.

1. The board of trustees of the school district or the governing board of the open-enrollment charter school **agrees to include the OFSDP as an item on the agenda** concerning the proposed application.
2. The board of trustees of the school district or the governing board of the open-enrollment charter school must discuss the progress of the program before applying to operate an OFSDP.

The proposed OFSDP application was on the agenda and discussed at the board meeting conducted on:

Month: June

Day: 16

Year: 2025

Time: 6:30 pm

Location: Devine Central Office, 605 W. Hondo, Devine Tx 78016

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

Nancy Pepper, Board President, 830-851-0710

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Todd Grandjean, Superintendent, 830-851-0710

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

Date

Appendix Three

Attendance and Compliance Procedures of Proposed Program

The definition of terms of the application applies to Appendix Three, Attendance and Compliance 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.

Page limit: Submit a separate PDF document to concisely provide the information below, labeled with the corresponding number, for Appendix Three. Only responses in the specified format will be accepted. Do not submit any other documents in place of Appendix Three. All information requested must be included with this form and should be reviewed by the District PEIMS Coordinator prior to submission. If a question does not apply, please indicate “N/A” next to its number.

1. Describe the program goals and objectives. **Note:** Pursuant to TAC 129.1027, a progress report for OFSDP may be required to be included in subsequent annual applications starting the 2026-2027 school year.
2. Indicate the proposed schedule offered to students participating in the OFSDP, including days of the week and times courses are available.
3. Provide an outline of staff positions and resource personnel (teachers, administrators, counselors, support staff, etc.) associated with the program. Include contact hours each staff position will be obligated to the program.
4. Describe the procedures for identifying students, including how the school confirms and documents student eligibility and obtains student and parental consent for OFSDP participation.
5. Indicate the estimated number of OFSDP students that will be served per teacher.
6. **If** the OFSDP program will offer special education, career and technology education, pregnancy-related services, or bilingual education, 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](#).
7. OFSDP requires a teacher of record to record the actual number of students’ instructional minutes on any given day. NOTE: Absences and days present do not exist in the OFSDP

Explain the following:

- a. How the classroom teacher will verify the number of instructional minutes a student receives each day.
- b. How the district will ensure that minutes for students who did not attend a minimum of 45 minutes on a particular day are not reported for funding.
- c. How will the district ensure 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. **Note:** It is recommended that the district apply the following formula to determine the maximum OFSDP

minutes a student is eligible = (Calendar School Days - Traditional Days Present) x 240.

- d. How the district will ensure that students are not coded in a traditional program on the same day that the student is accumulating OFSDP instructional minutes.
 - e. 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](#).
 - f. How Student Detail Audit reports for the OFSDP track will be reviewed and certified each six-week attendance reporting period.
8. If eligible OFSDP students participate in a credit recovery program offered in the summer, funding is limited to the attendance necessary for the student to recover class credit. Please describe how attendance will be monitored to ensure additional minutes are not reported for funding.
9. If students are attending a community-based dropout recovery education program as defined by TEC, §29.081 (e-1) or (e-2):
- a. Will the district operate the dropout recovery education program or utilize an education management organization? If services will be contracted, please provide the organization name, accreditation status, and the name of the accrediting agency.
 - b. Indicate how students will be offered or provided referrals for mental health services.
10. If students are attending a dropout recovery program offered in a remote or hybrid setting, as defined by TEC, §29.081 (e-2):
- 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 students 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. Provide the location and a brief description of the in-person student engagement center.

Appendix Four **District Contacts**

The definition of terms of the application applies to Appendix Four, Contact(s) 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. All information requested must be included with this form.

District Contacts for the Application

District/Charter School Superintendent:	Dr. Todd Grandjean
Mailing Address:	605 W Hondo
City, State, Zip Code:	Devine, TX 78016
Telephone Number:	830-851-0710
Email Address:	todd.grandjean@devineisd.org

District PEIMS Coordinator:	Dawn Schneider
Email Address:	dawn.schneider@devineisd.org

OFSDP Contact Name:	Dawn Schneider
Email Address:	dawn.schneider@devineisd.org

OFSDP Contact Name:	Type text here
Email Address:	

NOTE: Most of the contact for the approved OFSDP is done via email. Valid email address(es) must be submitted on this form. Provide the full name(s) of the person(s) who is (are) the email contact(s) to ensure that the TEA has accurate information.

Appendix Five

Participating Campuses, Student Eligibility, and Period of Agreement

The definition of terms of the application applies to Appendix Five, Participating Campuses, Student Eligibility, and Period of Agreement. 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 Five. All information requested must be included with this template and submitted in a separate Excel file.

Download and complete Appendix 5, which can be found on the [OFSDP webpage](#) under the *Applications and Templates* section.

Once completed, email the following to OPFLEX@tea.texas.gov:

1. The application (in PDF file format)
2. Appendix Three (in PDF file format)
3. Appendix Five (in MS Excel file format)

***All file names should include the district/charter school’s name**



Devine Independent School District

605 W. Hondo Devine, Texas 78016

(830) 851-0795 Fax (830) 663-6706
Dr. Todd Grandjean, Superintendent

OFSDP Appendix 3 (2025-2026)

I - Program Goals and Objectives

The Optional Flexible School Day Program (OFSDP) allows districts to provide flexible hours and days of attendance for students who meet at least one of the requirements of the Texas Education Code §29.0822(a). The goal of the program is to improve graduation rates for students who are in danger of dropping out of school, have dropped out, or are behind in core subject courses.

II - Proposed Schedule

The Devine Learning Academy hours of operation are Monday – Friday 8:00 a.m. – 4:00 p.m. Individual student schedules will be flexible based on the student's course requirements and obligations outside of school. Students will be required to attend a minimum of 20 hours per week. Student failing to regularly meet the 20-hour minimum will be subject to probationary status and possibly removed from the program if attendance does not improve.

III - Staff Positions and Resource Personnel

The Devine Learning Academy is served by two full-time staff members. A campus administrator/certified teacher and a paraprofessional. The paraprofessional will be available to provide students with Special Education Inclusion if services are required by an IEP. Counselors from the main campus and a contract LPC will be available as needed.

IV - Identifying Students, Eligibility, and Consent

A student is eligible to participate if they meet one of the following conditions:

- Student is at-risk of dropping out of school, as defined by TEC 29.081 or
 - The student, because of attendance requirement under TEC 25.092, was denied credit for multiple courses in which the student was enrolled.
- AND
- Agreement in writing to the student's participation
 - By the student, if the student is over 18 years of age; or
 - By the student and the student's parent or person standing in parental relation to the student, if less than 18 years of age, and not emancipated by marriage or by court order

The campus administrator will review the following documents: At-risk profile with supporting documentation, parental information, student's transcript, and reporting period grades.

V – Estimated Number of Students

The Devine Learning Academy estimates 28-32 students on a rotating schedule.

VI – Special Programs

The Devine Learning Academy will provide special education services and English learner education services. Inclusion services will be provided by a paraprofessional under the guidance of an educator certified in these programs. The Special Education Director/English Learner Coordinator will coordinate with the teacher and campus administrator. The PEIMS Coordinator will verify coding in compliance with the specification outlines in the Student Attendance Accounting Handbook (SAAH).

VII – Instructional Minutes Documentation Procedures

- a. Students will sign in to the TimeClock system using their fingerprint. The classroom teacher will back this up with a daily log of instructional minutes.
- b. At the end of each week, the campus administrator will review the daily logs and enter the cumulative minutes for students who attended the minimum 45 minutes on each given day.
- c. The district will ensure that students do not generate more than one ADA and will not exceed the 10,800 minutes per course by diligent monitoring by the campus administrator and district PEIMS Coordinator.
- d. The district will carefully monitor admission to the OFSDP program to ensure that students do not receive attendance in the traditional program while accumulating instructional minutes in the OFSDP.
- e. The district PEIMS Coordinator will hold trainings with the campus administrator, teacher, and paraprofessional. The PEIMS Coordinator will conduct periodic review to ensure accurate reporting.
- f. At the end of each six weeks the PEIMS Coordinator will review the log sheets and print reports to be reviewed and signed by the teacher and administrator.

VIII – Instructional Minutes Documentation Procedures

The district will offer credit recovery for the first three weeks of June. Transfers to the OFSDP campus will be at the end of the last six weeks' period. The student will not be able to attend more days at OFSDP than the number of days missed during the school year.

IX – Community Based Dropout Recovery

The district is not offering a community-based dropout recovery education program.

X– Remote/Hybrid Setting

The district will not be offering a remote or hybrid program.

Optional Flexible School Day Program (OFSDP) - Appendix 5

163901

DEVINE ISD

School Year 2025-2026

Students may not be reported with more than one ADA in total on the 42400 Basic Attendance Collection 3 and 42500 Flex Attendance in collections 3 and 4		<u>Eligibility Designation</u> 1 = TEC §29.081 At-Risk Students 2 = TEC §25.092 Minimum Attendance 3 = TEC §29.908 Early College High School 4 = TEC §39A.107 Campus Turnaround Plan 5 = Credit Recovery** 6 = TEC §29.081(e-1) Campus-Based Dropout Recovery Program 7 = TEC §29.081(e-2) Remote/Hybrid Dropout Recovery Program								<u>School Year Period of Agreement</u> Reported in TSDS PEIMS Summer Collection 3 Program start date must be 30 days after application submission. Program end date must not exceed the last day of the regular school calendar.				<u>Summer Period of Agreement</u> Reported in TSDS PEIMS Extended Collection 4 **Credit Recovery - Designation 5 Summer period of agreement should not exceed 30 days or extend past July 31st.					
		Campus Name		1	2	3	4	5	6	7	Estimated Students Participating	Program Start Date	Program End Date	Proposed Days: SUMTWTWFS	Minutes Offered Per Day	Summer Program Start Date	Summer Program End Date	Proposed Days: SUMTWTWFS	Minutes Offered Per Day
Nine Digit District and Campus Number		Campus Name		1	2	3	4	5	6	7	Estimated Students Participating	Program Start Date	Program End Date	Proposed Days: SUMTWTWFS	Minutes Offered Per Day	Summer Program Start Date	Summer Program End Date	Proposed Days: SUMTWTWFS	Minutes Offered Per Day
163901005	DEVINE LEARNING ACADEMY	1	2								35	8/12/2025	5/28/2026	MTWThF	480	6/1/2026	6/19/2026	MTWTh	420
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