

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

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

located at

800 N. Lee Street Odessa, Texas 79761
(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 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 .
- 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	<u>Dr. Scott R. Muri</u>	_____
Typed Title	<u>ECISD Superintendent of Schools</u>	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.

Dr. Donna C. Smith , School Board President, (432)335-6548

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 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: _____
Day: _____
Year: _____
Time: _____
Location: _____

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.

Dr. Donna C. Smith, School Board President (432)335-6548

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 District or Charter School 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

Attendance and Compliance Procedures for Proposed Program

1. Number of OFSDP Students Served per Teacher: 30

2. Special Program services for OFSDP:
 - Special Education YES
 - Career Technical Education YES
 - Pregnancy Related Services YES
 - Bilingual Services YES
 - How will services be provided?
Services will be provided during the school day and during the evening by an instructor with the appropriate certification for student's requirements.
 - What will be the Teacher Certification Standard?
The certification that is appropriate when the student is receiving special services.
 - How will the services comply with SAAH?
For each special program, student coding will be determined by the requirements detailed in SAAH.

3. Process for Teacher of Record recording instructional minutes
 - a. Classroom teacher will verify the number of minutes of instruction a student receives each day by a daily log sheet. If a participating student is in a scheduled course, minutes will be determined based on the bell schedule minutes and attendance roll.
 - b. District will make sure the students who do not attend the minimum of 45 minutes per day by recording the entry/exit times with teacher verification. Each campus will have a designated coordinator that will review the daily logs and/or course attendance for participating students.
 - c. District will ensure that OFSPD students do not generate more ADA and will not exceed the 10,800 minutes per course by careful monitoring by the designated coordinator in cooperation with a counselor, registrar, and teachers. Trainings and support will also be provided by the PEIMS department.
 - d. District will ensure compliance with SAAH by training for all staff involved with the SAAH and internal audits from the PEIMS Department and Internal Auditor.
 - e. The Student Detail Audit report will be reviewed by the designator coordinator and PEIMS Department analyst each cycle. An acknowledgment of verification will be required.

4. Students will/will not be attending a community based dropout recovery education program offered online. NO IF SO, include the following (see Appendix 3 template)

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:	Heather Potts
District Superintendent or Charter School Chief Operations Officer:	Dr. Scott Muri
Mailing Address:	800 N. Lee
City, State, Zip Code:	Odessa TX 79761
Telephone Number:	432 456-9729
Alternate Telephone Number:	
Fax Number:	
Email Address:	heather.potts@ectorcountyisd.org

Contact Name:	Robert Cedillo
Email Address:	roberto.cedillo@ectorcountyisd.org

Contact Name:	
Email Address:	

Contact Name:	
Email Address:	

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.

Optional Flexible School Day Program (OFSDP)

School Year 2019-2020

District Number	ECTOR COUNTY ISD																
068901	ELIGIBILITY DESIGNATION 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							School Year Period of Agreement (Reported in TSDS PEIMS Summer Collection 3) <u>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)</u>				Credit Recovery Summer Period of Agreement <u>Only for Eligibility Designation 5</u> not to exceed 30 school days (Reported in TSDS PEIMS Extended Collection 4) <u>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)</u>					
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	Start Date	End Date	Proposed Days: SUMT WTHFS	Minutes Per Day
068901002	ODESSA H S	1	2			5	6		100	9/30/2019	5/21/2020	MTWTHFS	240	5/27/2020	6/26/2020	MTWTHF	240
068901003	PERMIAN H S	1	2			5	6		100	9/30/2019	5/21/2020	MTWTHFS	240	5/27/2020	6/26/2020	MTWTHF	240
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