



JUDSON INDEPENDENT SCHOOL DISTRICT

Meeting Date: June 23, 2025

Submitted By: Cecilia Davis
Title: Deputy Superintendent

Agenda Item: Consider and take action regarding approving of Judson ISD Optional Flexible School Day Program (OFSDP) 2025-2026 Application. We received approval from TEA to implement OFSDP at Judson High School, Judson Learning Academy, Judson Early College Academy, Veterans Memorial High School, and Wagner High School during the 2025-2026 SY.

CONSENT ITEM

RECOMMENDATION:

It is recommended that the Board of Trustees approve the OFSDP for the 2025-2026 SY as presented.

IMPACT/RATIONALE:

The OFSDP, or evening high school, is designed to increase graduation rates and prevent at-risk students from dropping out of high school. The OFSDP (AKA evening school) has been in effect at Judson ISD for the past eleven years and has produced positive outcomes. Students enrolled in the program focus on both initial credit and credit recovery as well as EOC/STAAR state exams. Programming takes place during the school year as well as during summer school. In 2024/25 SY, 259 students were enrolled in OFSDP and anticipated 202 graduates with projected graduation rate of 78%. In 2023/2024 SY 264 students were enrolled in OFSDP and 202 students graduated with at 76% rate through OFSDP support. In 2022/2023 SY, 267 students were enrolled in OFSDP and 205 graduated with a 77% graduation rate through OFSDP support. District and campus administration seek to continue the OFSDP for the SY 2025-2026.

BOARD ACTION REQUESTED:

Approval/Disapproval

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

Judson Independent School District

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

located at

8012 Shin Oak, Live Oak, TX 78233

(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 opflex@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: opflex@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	Dr. Milton R. Fields III	Authorized Signature
Typed Title	Superintendent	

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.

Monica Ryan, Board President, 210-945-5404

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Milton R. Fields III, Superintendent of Schools, 210-945-1100

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: 26

Year: 2025

Time: 6 p.m.

Location: ERC, 8205 Palisades Dr, Live Oak, TX 78233

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

Monica Ryan, Board President, 210-945-5404

Name, Title, and Telephone Number of School Board President

Signature of School Board President

Date

Dr. Milton R. Fields III, Superintendent of Schools, 210-945-1100

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. Milton R. Fields III
Mailing Address:	8012 Shin Oak
City, State, Zip Code:	Live Oak, TX 78233
Telephone Number:	210-945-1100
Email Address:	mfields@judsonisd.org

District PEIMS Coordinator:	Janlen Waclawczyk
Email Address:	jwaclawczyk@judsonisd.org

OFSDP Contact Name:	Dr. Mary Duhart-Toppen
Email Address:	mduhart-toppen@judsonisd.org

OFSDP Contact Name:	Jodi Burton
Email Address:	jburton@judsonisd.org

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**

Appendix Three Attendance and Compliance Procedures of Proposed Program

Judson Independent School District Optional Flexible School Day Program 2025-2026

1. The Optional Flexible School Day Program is designed to provide students who are at-risk of not graduating with an opportunity to attend classes outside of the regularly scheduled school day, in hopes that the flexibility will mitigate some of the barriers students face to graduating in four years. The goal is to improve the district's four-year graduation rate and prepare students for college or the workforce. Program objectives include:
 - **75%** of Seniors entering the OFSDP will graduate with their four-year cohort at the end of the 2025-2026 academic year.
 - **80%** of undergraduates entering OFSDP will obtain enough credits to promote to the next grade level at the end of the 2025-2026 academic year.
 - **80%** of students enrolled in OFSDP will score "Approaches Grade Level or Above" on any required Algebra, Biology, or US History EOC testing at the end of the 2025-2026 academic year.
 - **50%** of students enrolled in OFSDP will score "Approaches Grade Level or Above" on any required English I/II EOC testing at the end of the 2025-2026 academic year.
2. Students will be served through the Optional Flexible School Day Program from August 2025 through May 2026. The academic year includes four 9-week terms with credits awarded upon completion of each course. Judson ISD does not track or report attendance during the summer.

Judson, Veterans Memorial, and Wagner High School students enrolled in the OFSDP at their home campus will attend classes Monday-Thursday from 4:30 p.m. to 7:30 p.m. and will also have the opportunity to attend during regular scheduled school hours and on select Saturdays. Judson Learning Academy and JECA students enrolled in the OFSDP will be able to attend during regular school hours Monday-Friday from 7:30 a.m. to 4:00 p.m., in half-day sessions. Each student's schedule is tailored to meet their individual needs.

3. All administrators, counselors, and teachers maintain SBOE certifications and have a proven record of working with at-risk students.

Principal, Assistant Principal
Counselors
McKinney Vento Coordinator
McKinney Vento Liaisons



6-16 contact hours weekly

Teachers

9-14 contact hours weekly

- Meet/exceed district's highly effective standards and have a proven record of working with at-risk students
- Provide both face-to-face instruction and supervise student use of online credit recovery programming

OFSDP Coordinator

6-16 contact hours weekly

- Meets/exceeds district's highly effective standards and has a proven record of working with at-risk students
- Works with a team of highly effective teachers to supervise all aspects of the program, including student attendance and academic progress.
- Facilitates all communications with students, families, and campus/district staff

4. Students eligible for OFSDP are identified as "at-risk" by campus administration, At-Risk Counselors/Social Workers, School Counselors, or the McKinney Vento Coordinator and Liaisons utilizing the criteria listed in TEC §29.081(d)(1), and each student's eligibility documentation is maintained in their student file. Eligible students take part in a systematic intake process that includes an interview with the student and their parents/guardians and a course credit analysis. If the student and parents/guardians agree to participate, both sign an agreement form that is kept with the student's file.
5. Teacher rosters range from 5-25 students throughout the school year.
6. The OFSDP program offers accommodations/modifications to students receiving support through Special Education, Bilingual Education (EL), and 504. Each student who receives services has a monitor who works with the OFSDP coordinator to ensure correct services are provided, as written in their IEP or 504 plans. Progress is reported to the IEP Committee and/or LPAC committee.

If a student needs pregnancy/parenting services, the student is designated as Parenting Related Services in PEIMS and the District Parenting Social Worker coordinates with the OFSDP coordinator and the student to ensure that students receive any applicable services as determined by a case manager. Homebound Parenting services are provided to the student, typically from the date of delivery and for six weeks following. Once the student is released to return to campus, the student is reassigned from OFSDP status back to traditional programming in PEIMS.

All OFSDP teachers are required to be SBOE certified in their content areas. All services are offered in compliance with the Student Attendance Accounting Handbook.

7. a. The OFSDP teacher of record will keep track of the number of minutes students attend each day and certify each student's minutes by recording the data in a district web-based optional flex maintenance screen each day. Additionally, teachers will utilize printed attendance rosters where they will record each student's instructional minutes and certify with a handwritten signature each day. Those rosters will be submitted to TEA as requested, and copies will be kept in student records.
- b. Students with less than 45 minutes on their attendance card for any given day will not be included in the total minutes reported to TSDS.
- c. Students transferring from the traditional program to OFSDP will not generate more than one ADA, as they will not be simultaneously enrolled in OFSDP and any traditional programs. When students transfer from the traditional setting to the OFSDP, they are withdrawn with a status change, which allows the clerks to change the ADA codes so attendance can change from codes to minutes. The minutes are then calculated and tracked on a software loaded onto the student's district iPad.

Students will not receive more than 10,800 minutes per course. The calculation used for determining the

maximum number of OFSDP hours a student is eligible for is: $(173 - \text{Traditional Days Present}) \times 240$.

d. District SIS allows PEIMS Clerks to complete a status change that removes the student from the traditional schedule then re-enroll them in the OFSDP.

e. Attendance practices and records are reviewed by the district PEIMS Coordinator. Communication between teachers, the OFSDP coordinator, and school staff is ongoing. Judson ISD uses a paperless system to record attendance. Classroom teachers electronically verify attendance data, and the district maintains documentation required for auditing purposes with records following 11.6.2 and 2.2.3 of the Student Attendance Accounting Handbook. For students attending OFSDP, attendance is recorded electronically and monitored by our district PEIMS Coordinator. Printed attendance rosters with handwritten signatures are also submitted to TEA as requested and kept with student records.

f. Each six weeks, a report in the SIS (Flex Contact Hours) is generated and reviewed for accuracy. The PEIMS Coordinator also generates the Flex daily register so teachers can verify minutes available for students.

8. Judson ISD does not take attendance for OFSDP during the summer and, therefore, does not submit any OFSDP time for funding.
9. All students complete work on Judson ISD campuses, rather than community-based dropout recovery programs.
10. All students complete work on Judson ISD campuses, rather than community-based dropout recovery programs.