TEXAS EDUCATION AGENCY
STATE FUNDING DIVISION

APPLICATION TO PARTICIPATE IN OPTIONAL FLEXIBLE YEAR PROGRAM

Chapter 129. School Districts Subchapter AA. Commissioner's Rules on School Finance

§129.1029 Optional Flexible Year Program.

(a) General provisions. In accordance with Texas Education Code (TEC), §29.0821, a school district may modify their instructional calendar to provide a flexible year program to meet the educational needs of its students, including providing intensive instructional services. A school district approved by the commissioner of education to implement an Optional Flexible Year Program (OFYP) may reduce the number of instructional days for certain students.

Please direct questions to Kim Wall, in the State Funding Division, at the phone number (512) 463-4809 or the email address kim.wall@tea.state.tx.us.

(d) Approval process. To implement an OFYP, a school district must request prior approval from the commissioner of education.

(1) A school district must submit a letter to the Texas Education Agency division responsible for state funding describing the proposed modifications to the instructional calendar, including a description of the OFYP that will be provided under TEC, §29.0821. The letter must indicate the date on which the board of trustees approved the modified instructional calendar. If the district is requesting a waiver of staff development days or teacher preparation days, the letter must also indicate that the request to waive staff development days or teacher preparation days has been approved by the campus site-based decision-making committee.

(2) Approval to modify the number of instructional days is limited to one year. Extensions may be approved by submitting subsequent applications.

(3) No approval will be granted that reduces the number of instructional days to fewer than 170 days.

(4) The instructional calendar for students who fall into the at-risk category must provide no fewer than 180 days.

(5) The commissioner may require a school district to provide an evaluation that demonstrates the success of their approach as a condition of approval.

(e) Funding. For a school district that operates an OFYP, the calculation of average daily attendance is modified to reflect the approved instructional calendar. For students placed on a reduced instructional calendar, the reported number of days of instruction used as the divisor in calculating average daily attendance must reflect the reduced number of days (no fewer than 170). For eligible students served through the OFYP, the reported number of days of instruction used as the divisor in calculating average daily attendance must reflect the scheduled number of days (180) in which instruction took place.

Submit the completed application to:

Texas Education Agency
Attn: State Funding – OFYP Program
1701 North Congress Avenue
Austin, TX 78701-1494

APPLICATION TO PARTICIPATE IN
OPTIONAL FLEXIBLE YEAR PROGRAM (OFYP)

Section 1. Please complete this section.

Application School Year: _____

District Name: _____ County-District No. _____-_____

Region: _____

Address: _____ Telephone No. (___) _____-_____

_____ Fax No. (___) _____-_____

Contact Person: _____ Telephone No. (___) _____-_____

Section 2. Has the school district or charter school submitted requests for any instructional or attendance day waiver(s) for this school year? Yes ____ No ____

If yes, please list the waiver type and number of days below:

Waiver Type	Number of Days
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

_____ (Initial) I understand that the district will be required to rescind staff development waivers that reduce the number of instructional days below 180 in order to participate in the OFYP. (For example: 177 instructional days plus 3 staff development days does not meet the 180-day requirement).

Section 3. The board approved the 180 instructional day calendar for at-risk students and a calendar with a minimum of 170 instructional days for non-at-risk students on _____. (Please attach copies of calendar(s) to this application.)
(date)

Signature of Superintendent_____ Date_____

Note: The instructional calendar for students who fall into the at-risk category must provide no fewer than 180 days. To provide intensive instructional services to those students with greater education needs, districts may request a reduction in the required days of attendance for students who do not fall into the at-risk category.