

# Office of School Finance

## Optional Flexible School Day Program (OFSDP)



### Legal References

Texas Education Code, §29.0822, §29.081; 19 Texas Administrative Code, §129.1027

### Background Information

The OFSDP was authorized in House Bill (HB) 1 by the 79<sup>th</sup> Legislature, Third Called Session, 2006. HB 1297 and HB 3646, 81<sup>st</sup> Legislature, 2009, modified program provisions to increase the number of students eligible for participation in OFSDPs, effective September 1, 2009.

HB 3706, 85<sup>th</sup> Legislature, Regular Session, 2017, amended the TEC, §29.081 and §29.0822 to allow school districts to offer online dropout recovery programs as part of an OFSDP in addition to campus-based programs. Unlike a campus-based program, statute requires that an online program have curriculum credentials, certifications, or other course offerings related directly to employment opportunities in the state.

To implement HB 3706, the adopted amendment to §129.1027 adds a definition for community-based dropout recovery education program, changes the definition for instructional contact hours to include instruction provided by faculty with a baccalaureate or advanced degree except in the case of campuses implementing innovative redesign, and updates student eligibility to include students who have dropped out of school and students attending community-based dropout recovery education programs.

School Year	Number of Participants
2010-2011	76
2011-2012	70
2012-2013	60
2013-2014	68
2014-2015	62
2015-2016	71
2016-2017	74
2017-2018	78
2018-2019	89
2019-2020	90
2020-2021	79
2021-2022	96



## Program Description

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The OFSDP allows districts or open-enrollment charter schools to offer alternative attendance programs that provide flexible hours and days of attendance for students in any grade who meet one of the following criteria:

- The student has dropped out of school or is at risk of dropping out as defined in the TEC, §29.081
- The student participates in an approved early college high school program, as defined in TEC, §29.908
- The student attends a campus implementing an innovative redesign with an approved plan in accordance with TEC, §39.107
- The student attends a private or public community-based dropout recovery program as defined by the TEC, §29.081 (e-1) and (e-2)
- The student will be denied credit for one or more classes in which the student has been enrolled as a result of attendance requirements under the TEC, §25.092.

The goal of the program is to improve graduation rates for students who have dropped out of school, are in danger of dropping out of school, or are behind in core-subject courses. Program attendance funding is based on attendance (with a minimum of 45 minutes per day required to generate funding).

To participate in the OFSDP, a district or charter school must submit an annual application that provides a detailed description of the proposed program to the Texas Education Agency.



## Contact for More Information

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