

Office of School Finance

Optional Flexible Year Program (OFYP)



Legal References

Texas Education Code (TEC), §29.0821
 19 Texas Administrative Code (TAC), §129.1029

Background Information

The 78th Legislature authorized the OFYP, and it became effective June 20, 2003. Through 19 TAC Chapter 61, School Districts, Subchapter AA, Commissioner’s Rules on School Finance, §61.1017, Optional Flexible Year Program, effective October 18, 2005, the commissioner exercised rulemaking authority and specified in rule the general provisions, student eligibility, program criteria, approval process, and funding for an OFYP.

Year	Number of Participants
2009 - 2010	200
2010 - 2011	202
2011 - 2012	182
2012 - 2013	116
2013 - 2014	80
2014 - 2015	65
2015 - 2016	48
2016 - 2017	21
2017 - 2018	11
2018 - 2019	13
2019 - 2020	5
2020 - 2021	4
2021 - 2022	5



Program Description

The OFYP allows districts or open-enrollment charter schools to modify their instructional calendar to provide a flexible year program to meet the educational needs of its students. This includes the provision of intensive instructional services for students in any grade who meet one of the following criteria:

- The student did not or is not likely to achieve a passing score on an assessment instrument administered under the TEC, §39.023.
- The student is not eligible for promotion to the next grade level.

To participate in the OFYP, the district must submit an annual application notifying the Texas Education Agency (TEA) that it plans to participate. In addition to the application, the school district must submit a letter to the TEA division responsible for state funding describing the proposed modifications to the instructional calendar, including a description of the OFYP that will be provided under the TEC, §29.0821 and the letter must indicate the date on which the board of trustees approved the modified instructional calendar. The TEA will not approve an OFYP that reduces the number of school day minutes to fewer than 75,600 minutes for students who meet the eligibility requirements.



Contact for More Information

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