

April 6, 2018

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Reminder of Senate Bill 1882 Timeline, Processes, & Important Information

On January 26, 2018, the agency posted a “To the Administrator Addressed” (TAA) [letter](#), which highlighted implementation updates and resources related to SB 1882. The agency’s [SB 1882 implementation page](#), as referenced in the TAA letter, will continue to serve as primary method of communicating relevant information for districts interested in seeking eligibility approval for SB 1882 benefits.

The purpose of this TAA letter is to remind district leaders of the timeline and processes for applying for benefits related to SB 1882.

Timelines & Processes - SB 1882 Eligibility Approval Requests

SB 1882 permits a school district contract to partner with an open-enrollment charter school or other eligible entity to contract to operate a district campus.

Districts interested in seeking eligibility approval for a campus must follow a set of timelines and processes published by the agency. The timelines and processes will vary depending on the proposed operating partner and campus type. For specific details on timelines and process, please visit the following link:

[https://tea.texas.gov/Texas_Schools/District_Initiatives/SB_1882_Eligibility_Approval_Requests_\(Cycle_1\)/](https://tea.texas.gov/Texas_Schools/District_Initiatives/SB_1882_Eligibility_Approval_Requests_(Cycle_1)/)

Important Information

As the districts pursue partnerships in the current school year, districts should be aware of the following:

- ***Phase 1 Reviews of District Authorizing Policies and Practices*** – Districts pursuing a partnership with a “new operator”, as defined in the eligibility request forms, must successfully complete a Phase 1 review of district authorizing policies and practices. The original deadline for submitting Phase 1 materials, as articulated on the SB1882 Implementation Page, was March 29. TEA will allow districts to request an extension for a later submission date. Requests for extensions must be submitted to TEA no later than Thursday, April 12 at 5pm. The latest date that a district could request in their extension for a Phase 1 review of district authorizing policies and practices is April 30. Information

on Phase 1 extension requests is posted with Phase 1 guidance on the SB 1882 Implementation Page.

- *Phase 2 Review of 1882 Partnership Plan proposal related to Turnaround Partnerships* – Districts pursuing a turnaround partnership involving an Improvement Required campus need to execute a performance contract and submit all relevant materials, as identified in guidance and described on the SB 1882 Implementation Page, on or by April 30. The 5pm deadline on April 30 has been extended to 11:59pm.
- *Clarifying Eligible Entity Capacity* - An eligible partner entity, as determined by TEC §11.174(a)(2), must have the staff capacity, including at least one full time equivalent employee, dedicated to managing the campus(es). The district must provide assurance that the operating partner possesses this capacity. The description and background of the operating partner capacity, personnel, and their qualifications to manage a campus or campuses should be detailed in the “Application Team Capacity – Operating Partner” section of the application.
- *501c3 Status for Non-profit Eligible Entities* – Districts may seek eligibility for partnerships with other entities, which includes non-profits. Non-profits do not need official IRS confirmation of tax-exempt status by the eligibility approval request deadlines. However, non-profits must have documentation that the organization has applied to the IRS for tax-exempt status.

Accountability Intervention Exemption for Turnaround Partnerships Involving Improvement Required Campuses

In accordance with TEC 39A.111, if a campus receives a 5th consecutive unacceptable rating for the 2017-2018 school year (2018 Accountability Rating), the commissioner is required to order the appointment of a board of managers or the closure of the campus. The official 2018 accountability rating will be released by the agency in August.

Districts may seek an intervention pause for eligible partnerships under TEC §11.174(f). Districts seeking an exemption to interventions related to the 2017 – 2018 school year (2018 Accountability Rating), the first two years of operation of the district campus would be the 2017-2018 and 2018-2019 school years. Thus performance contracts need to be executed on or before April 30, 2018 in order to be eligible for the intervention exemption.

For additional information or assistance, please contact Doug Dawson at doug.dawson@tea.texas.gov.

Sincerely,

Joe Siedlecki
Associate Commissioner