

Assurances Regarding Charter Schools Serving Students at Residential Facilities

To open a charter school campus on the site of a residential facility (RF) or to serve students residing in or receiving services from an RF, the charter holder chair and charter school superintendent must certify the following:

Compliance with Special Education Requirements: The charter holder assures that it will comply with all of the requirements for the provision of educational services to students with disabilities as mandated by the Individuals with Disabilities Education Act, as amended, the Texas Education Code, and federal and state special education regulations. The charter holder acknowledges that state and federal special education requirements require, among other things, that it provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE) to students with disabilities residing in RFs. The charter holder further assures that it will provide, or seek the provision of, a FAPE to students with disabilities, which may require it to contract with outside service providers or another local educational agency to provide necessary services and supports to students with disabilities.

Geographic Boundaries: The charter holder assures that it will accept students who reside in the school district(s) that are within each new campus's geographic boundaries regardless of the presence or absence of a disability or admission to or participation in an RF program.

Admissions Criteria: The charter holder assures that its admissions criteria will not be based on the presence or the absence of a disability or on gender, national origin, ethnicity, religion, academic, artistic or athletic ability, or the district the child would otherwise attend.

School Choice: The charter holder assures that parents/legal guardians (or adult students) will be advised that they may choose to enroll their child in either the charter school or the local public school district and that the elected choice will be documented in writing and filed for purposes of review or audit by the Texas Education Agency (TEA), external auditor, or other entity.

Residential Facilities Monitoring (RFM) System: The charter holder assures that pursuant to 19 Texas Administrative Code §97.1072, there is a separate system for monitoring school districts and charter schools that serve students with disabilities who reside in RFs. The charter holder further assures that it understands that it will be required to begin reporting data related to students with disabilities residing in RFs in TEA's data collection system known as *RF Tracker* and that it may be subject to RFM intervention activities and onsite visits based upon a review of the data it reports or on random selection.

Training: The charter holder assures that all personnel involved with serving students with disabilities residing in an RF and personnel involved with reporting data in *RF Tracker* will receive training on the RFM system.

Review of Charter: The charter holder assures that it will review its original charter and any amendments to its charter, in particular the sections outlining the educational program and the admissions policy, to determine whether any amendments to the charter should be requested as a result of the addition of the new campuses serving students residing in RFs. The charter holder further assures that if any sections of the charter do require amendments, an amendment request will be submitted to TEA's Charter Schools Division within 30 days of the signing of this document.

Acknowledgement by RF Board: The charter holder assures that this assurance document has been shared with, and understood by, the RF board and that the RF board has acknowledged its understanding of all federal laws and regulations, Texas laws, State Board of Education (SBOE) and commissioner of education rules related to charter schools serving students at residential facilities and further certifies that any future amendments to the laws, regulations, and rules will be incorporated and implemented.

Signature of Charter Holder Chair:

Signature

Date

Signature of Charter School Superintendent:

Signature

Date

Charter School:

Name

County District No.

By signing below I acknowledge that the RF board has read and understands this assurance document and certify that the board is in favor of the charter holder opening a new site to service students residing in or receiving services from the RF.

Residential Facility Chair:

Printed Name

Signature

Residential Facility:

Name

Date