

GENERATION 23

OPEN-ENROLLMENT CHARTER APPLICATION



INSTRUCTIONS & GUIDELINES

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GENERATION TWENTY-THREE TIMELINE

RFA PUBLISHED	9.1.2017	ADDITIONAL EXTERNAL REVIEW PERIOD	3.8.2018	3.21.2018
INFORMATION SESSION #1	9.15.2017	INTERNAL REVIEW PERIOD	3.23.2018	5.11.2018
INFORMATION SESSION #2	9.22.2017	APPLICANT INTERVIEW WEEK	5.21.2018	5.25.2018
SUBMISSION DEADLINE	12.4.2017	COMMISSIONER PROPOSES AWARD	6.1.2018	
COMPLETION REVIEW AND ELIGIBILITY SCREENING	12.6.2017	1.5.2018	BLACKOUT DATES – AGENCY CLOSED	
EXTERNAL REVIEW PERIOD	1.10.2018	2.23.2018		
APPEAL WINDOW FOR ADDITIONAL REVIEW	2.28.2018	3.7.2018		

SEPTEMBER 2017	OCTOBER 2017	NOVEMBER 2017	DECEMBER 2017	JANUARY 2018	FEBRUARY 2018
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MARCH 2018	APRIL 2018	MAY 2018	JUNE 2018	JULY 2018	AUGUST 2018
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MAJOR MILESTONES

REQUEST FOR APPLICATION (RFA) PUBLISHED... *September 1, 2017*
Notification of the RFA-release is posted in the *Texas Register*, *TEA Charter School Division* website, and subscribers to the *Charter School Application Request (SCAR)* are notified via the TEA GovDelivery System.

APPLICANT INFORMATION SESSIONS ... *September 15 & 22, 2017*
Two information sessions are held in room 1-111 of the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas 78701. These sessions are held to provide additional information to applicants about procedures and general considerations for the application process. **Please note that at least one governing board member is required to attend one of the information sessions for an application to be deemed complete.**

APPLICATION SUBMISSION DEADLINE... *December 4, 2017*

Applications must be submitted electronically, AND in hard copy to the TEA by 5:00 p.m. Central Standard Time.

COMPLETION REVIEW AND ELIGIBILITY SCREENING... *Dec.6, 2017 – Jan.5, 2018*

TEA staff begins the initial application review for statutory eligibility, completeness, and plagiarism violations. Any applicants disqualified at this phase for plagiarism infractions will be excluded from further review.

EXTERNAL REVIEW PERIOD... *Jan.10, 2018 – Feb.23, 2018*

All eligible applications that have successfully passed *Initial Review and Eligibility Screening* are distributed to independent parties for external review and scoring.

APPEAL FOR ADDITIONAL EXTERNAL REVIEW PERIOD... *Feb.28, 2018 – Mar.7, 2018*

All applications that are eligible for one additional external review are processed, submitted, and scored for reconsideration of final scoring.

INTERNAL AGENCY REVIEW PERIOD... *Mar.23, 2018 – May 11, 2018*

Applications that qualify will advance for further internal staff review.

INTERVIEW SESSIONS... *May 21, 2018 – May 25, 2018*

Qualifying applicants are invited to participate in a formal interview with TEA staff and State Board of Education (SBOE) members. Please note that interview days and times are provided by TEA staff and are not subject to negotiation. As such, applicants should reserve availability during this time frame.

CHARTER AWARDS PROPOSED... *June 1, 2018*

The commissioner reviews all relevant application information and proposes charters for award.

SBOE ACTION ON CHARTERS PROPOSED... *June 15, 2018*

The SBOE is authorized to veto any charter proposed within 90 days of the commissioner's proposal. Charter applicants proposed for award are required to attend the proceedings of the SBOE meeting in Austin, Texas. Charters will advance if the SBOE takes no action to veto. Only applies to Subchapter D applicants.

CONTINGENCY PERIOD... *July – August – September 2018*

All proposed charters must work with TEA staff to resolve any issues that were identified during the review and (or) interview process before county-district numbers are assigned and contracts are issued.

CHARTER SCHOOL SUMMER SUMMIT ... *June 27-29, 2018*

All awarded charters MUST attend the Summer Summit.

CHARTER SCHOOLS BEGIN SERVING STUDENTS



INTRODUCTION

The Texas Education Agency (TEA) welcomes applications for high-quality charter schools seeking to open in fall 2019. Applicants are strongly encouraged to read through this *Instructions and Guidelines* document and the corresponding *Charter Request for Application, (RFA) 701-17-105* before developing any application content.

The commissioner of education (the commissioner) is actively committed to attracting high-quality charter applicants who are capable of operating charter schools in academically, fiscally, and legally sound manners that produce viably innovative, high-quality educational opportunities for all students. The information requested herein provides a foundation; upon which, the commissioner shall make informed decisions regarding the award of such charters.

On May 30, 1995, the Texas Legislature enacted Senate Bill 1, a revision of the Texas Education Code (TEC). This provision created the Public Charter School Program to maintain a portfolio of secular, tuition-free, public charter schools that: (TEC §12.001)

- improve student learning;
- increase the choice of learning opportunities within the public school system;
- create professional opportunities that attract new teachers to the public school system;
- establish a new form of accountability for public schools; and
- encourage different and innovative learning methods.

The commissioner has vested authority to award Subchapter D Open-Enrollment and Subchapter E College/University charters (TEC §§12.101 and 12.152 respectively). Pursuant to statute, the commissioner must adopt an annual open-enrollment charter application form, procedures, and evaluation criteria to be used in determining whether to award a charter. The *Charter Application, Instructions and Guidelines*, and *Evaluation Overview and Criteria* documents as a whole, fulfill this requirement.

During the application process, the eligible entity shall be referred to as the “applicant” or “sponsoring entity.” The term “charter holder” is exclusively reserved for applicants that are awarded a charter. In addition, the charter holder is the entity to which public education funds are paid, should the application be approved by the commissioner and a contract is signed.

Prior to the submission of an application, TEA staff is limited to fielding general inquiries that are associated with timelines and (or) the overall application process. Any response offered by TEA staff may not speak to application content or provide assistance that could result in shaping the proposed program.

The commissioner will give priority to applications that seek to operate Open-Enrollment Charter School campus(es) within the attendance zone of a traditional school-district campus that has been assigned an unacceptable performance rating pursuant to TEC §39.054 for the two preceding school years.

ELIGIBILITY

Operators of Open-Enrollment Charter Schools within the state of Texas must qualify as an *Eligible Entity* as defined in TEC §12.152. The State may grant open enrollment charters to the following entities:

- a public senior college or university;
- a public junior college;

IMPORTANT REMINDER- The TEA will make determinations on eligibility during the Initial Review and Eligibility Screening. Applications that are deemed to be ineligible will be removed from any further consideration for the Generation Twenty-Three application cycle.

The commissioner may not award a charter to an entity that has within the preceding 10 years had a charter revoked, non-renewed, or surrendered. The commissioner will not consider an application submitted by an individual that is substantially related to an entity that has within the preceding 10 years had a charter revoked, non-renewed, or surrendered.

APPLICATION

INSTRUCTION OVERVIEW

- ➡ Download the *Generation Twenty-Three Open-Enrollment Charter Application* from the Texas Education Agency charter school division [website](#).

IMPORTANT REMINDER- Applicants should not populate the pdf forms that appear in their internet browser once the file link is selected. Any information that is input into this file will be LOST and replaced by a blank form once it is saved to a computer, cloud, etc. To avoid this, applicants should save a blank copy to a hard drive, cloud, etc. and THEN begin inputting information into the file.

- ➡ Complete all fields on page one- *Application Coversheet*.
- ➡ Complete all applicable fields on page two- *Application Team Profile*.
- ➡ Complete the Charter Application- *Question & Narrative Sections*.

IMPORTANT REMINDER- The question and narrative section must not exceed 120 pages. The page limit count begins with the Application Coversheet and ends with the final response in the Financial Information section. Any information provided in excess of this maximum will not be considered for review or consideration.

- ➡ Complete all applicable attachments, addendums, and letter of special assurances.
- ➡ Complete the Table of Contents pagination.
- ➡ Properly submit the completed *Charter Application* document as outlined on pages 9 & 10 of this document.

PLAGIARISM

The TEA defines plagiarism as the representation of the words or ideas of another as one's own in an application. The Agency is cognizant, that in order to, implement an existing curriculum, instructional framework, or educational model (e.g. Montessori, arts integration, project-based learning, blended learning, etc.) with fidelity, key concepts must be discussed. However, it is not acceptable to copy and paste this discussion or description from another source. A high-quality applicant team with the capacity to execute a plan must be able to thoughtfully explain how they intend to educate children in their own words. To avoid plagiarism, every direct quotation must be identified by quotation marks or by appropriate indentation, and must be cited properly. Acknowledgement is also required when material from any source is paraphrased or summarized in whole or in part in one's own words.

IMPORTANT REMINDER: Cutting, copying and pasting even seemingly harmless excerpts of a webpage can be considered plagiarism if the contents are not cited. It is best practice to cite anything that is cut, copied, or pasted into an application.

Applications found to contain plagiarized content **will be removed from the application cycle** with no further review. This decision cannot be appealed.

DISCLOSURE

Where requested in this application, and to the extent permitted by law, all applicants must provide full and complete disclosure. Applications found to omit any required disclosure, in-full or in-part, will be removed from the application cycle with no further review. This decision cannot be appealed.

ATTACHMENTS & ADDENDUMS

Information that is supplemental to specific narrative responses shall be submitted in the application as separate attachments. Applicants may locate the specific directions for each attachment on its respective *Attachment Coversheet* provided at the following link: <http://www.tea.state.tx.us/index2.aspx?id=3474>.

Completed attachments must be: submitted on standard 8 ½ x 11 white paper, single-sided, and placed behind each attachment's corresponding coversheet. In addition, all coversheets and their associated attachments should contain lower center pagination [digital or hand written forms are both acceptable]. The page numbers should follow the paging order as carried over from the narrative section. *Ex. Narrative Section pg. 3-15; Attachment Section pg. 16-30 etc.* Applicants should note that some attachments are interactive pdf forms that are accessible at the following link <http://www.tea.state.tx.us/index2.aspx?id=3474>. Lastly, attachment reminders have also been incorporated into some corresponding application questions for convenience and reference.

The figure below briefly outlines a comprehensive list of attachments required to complete this application.

GENERAL APPLICATION	Attachments	A1	A2	A3	A4	CHARTER MANAGEMENT ORGANIZATION ADDENDUM
EDUCATION	Attachments	E1	E2	E3		
OPERATIONS	Attachments	O1	O2	O3		
GOVERNANCE	Attachments	G1	G2	G3		LETTER OF SPECIAL ASSURANCES
FINANCIAL	Attachments	F1	F2	F3		

PAGE NUMBERING OF ATTACHMENTS

Following the completion and assembly of ALL attachments, enter (hand printing is acceptable) page numbers in the lower center on each page submitted, including all provided coversheets. As previously stated, if the final page of the Financial Information narrative response is numbered as page 28, the page number on the Attachment A1 coversheet will be page 29, the document provided in support of Applicant Information Session attendance, page 30 and so on. The numbering sequence will continue through to the end of the last page provided in Attachment O3. This completes the attachment page numbering and assembly. Final assembly (as referenced in *Application Printing and Assembly*) will include all completed attachments.

CHARTER MANAGEMENT ORGANIZATION ADDENDUM

All applications that propose, budget, or reference the employed service of a Charter Management Organization (CMO) must submit a completed CMO addendum. For the purposes of this application, a CMO constitutes any third-party entity, whether non-profit or for-profit, that provides comprehensive and contractual education management services to educational providers. The addendum can be accessed at <http://www.tea.state.tx.us/index2.aspx?id=3474>.

Applicants must complete the narrative response boxes provided for each section. Once completed, all associated addendum pages should contain lower center pagination [digital or hand written forms are both acceptable]. The page numbers should follow the paging order as carried over from the attachment section. *Ex. Attachment Section pg. 30-130, Addendum Section 131-140 etc.*

LETTER OF SPECIAL ASSURANCES

All applicants must submit a completed letter of special assurances. The Board Chair of the sponsoring entity must initial all assurances. A failure to provide all assurances will render the application incomplete.

WORK AND ASSEMBLY

1. Complete each subject area requested in the *Charter Application*. All written responses in the Attachment Section shall be typed in no smaller than 11-point font.
2. Print the completed *Charter Application Document* single-sided on standard 8 ½ x 11 white paper.
3. Print the completed *CMO Addendum*, if applicable, single-sided on standard 8 ½ x 11 white paper.
4. Print the *Letter of Special Assurances*.
5. Order the four standalone documents as follows:
 1. Charter Application;
 2. Attachments;
 3. Charter Management Organization (CMO) Addendum (if applicable); and
 4. Letter of Special Assurances
6. Ensure that all documents have been correctly ordered and that page numbers appear on every page in the now completed document.
7. Ensure that signatures (or initials), where required, are completed using **blue** ink.
8. The Table of Contents, page 6, of the charter application document, shall now be completed by manually keying in the page number for each item, corresponding to the items' location within the completed response to the RFA. Save and print the completed Table of Contents, and place it within the finished document as page 6.
9. Scan the completed stack of documents as a PDF and save the document as the name of the proposed school.

PRINTING AND SUBMISSION

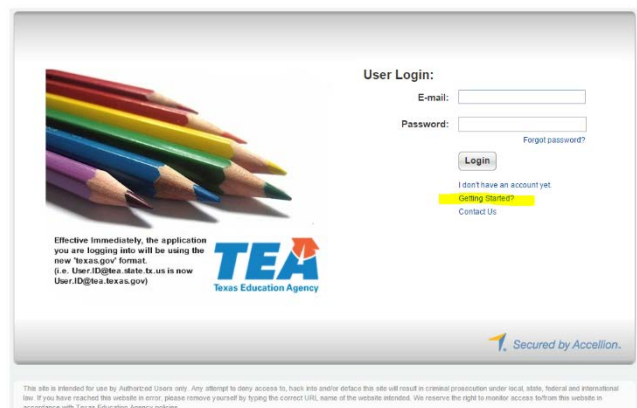
Applicants are required to submit BOTH an *Electronic Copy* AND a *Hard Copy* of the completed application, attachments, addendum (if applicable), and letter of special assurance.

IMPORTANT REMINDER- An overview and demonstration of the submission process will be conducted during each of the required *Applicant Information Sessions*.

1. ELECTRONIC SUBMISSION

Charter application files are generally too large to send from standard email service providers. For this reason, applicants are requested to submit the charter application via *Accellion*. This service is a web-based interface that allows for the sharing of large files in a secure environment. Step-by-step instructions with screen shots are listed on the *Accellion* main page under the link titled, *Getting Started?*

1. Click [here](#).
2. Select "Getting Started?" The Getting Started Guide will open and provide you with information about **Accellion** and how to create a log-in password. Once you have created an account, you are able to send and receive secure files from the agency.



- a. Submit the finished document to charterapplication@tea.texas.gov with the subject line that states the name of the proposed school. The email submission will include two attachments. The first attachment will be the completed application package that was saved as a pdf document [includes- questions/narrative document, all attachments, addendum (if applicable), and letter of special assurances]. The second attachment will be the completed Excel version of the Financial Plan Workbook [attachment F1]. Ensure that each document is attached in the specified file format.
- b. Once the submission has been made, the application is considered delivered and final. Applicants will not be able to make additional submissions or revisions to the original application unless contacted by the TEA and directed to do so.
- c. The time stamp on the email that is received will constitute the official date and time of submission. File size and transmission issues could cause a delay between the sending and receiving time stamps. For this reason, the time stamp on the email received in the charter application inbox will be considered the official date and time of submission.

Applications received electronically after 5:00 p.m. CST on Monday, December 4, 2017 will be considered late and will not be evaluated.

2. HARD COPY SUBMISSION

- a. Applicants must submit:
 - i. ONE original hard copy of the completed charter application (with all signatures and initials in **blue** ink); and
 - ii. FIVE identical photocopies.
- b. DO NOT BIND THE ORIGINAL OR COPIED DOCUMENTS rubber band(s) are acceptable.
- c. Hard copy submissions must be received by the *TEA Division of Charter School Administration* by 5:00 p.m. CST on Monday, December 4, 2017.
 - i. HAND DELIVERY: deliver to room 1-100 on the first floor of the William B. Travis Building
1701 N. Congress Ave.
Austin, TX 78701
 - ii. CARRIER DELIVERY: U.S. Mail or other carrier to the following address:
Texas Education Agency
Division of Charter School Administration
Attention: Jennifer Hagan
1701 N. Congress Ave.
Austin, TX 78701

IMPORTANT DISCLAIMER(S)

- TEA will not accept a USPS postmark and/or round validation stamp, mail receipt with the date of mailing stamped by the USPS, a dated shipping label, invoice or receipt from a commercial carrier, or any other external documentation as proof of receipt of an application.
- TEA unconditionally assumes no responsibility for the receipt of an application after the time-of-receipt deadline and date established in this document.

- Applications that are mistakenly delivered to another department at TEA will not be considered as having been received by the Division of Charter School Administration.
- Applications or portions of applications received after the deadline will not be considered, regardless of when they were posted/shipped.
- All costs incurred in the preparation and submission of applications are the responsibility of the applicant.

NO CONTACT PERIOD

Applicants may contact TEA staff for clarifications regarding required fields in the application, and for assembly procedures; however, a representative of any applicant must not initiate contact with any TEA staff or State Board of Education member regarding the content of the application from the time the application is submitted until 90 days after the commissioner proposes the Generation Twenty-Three Open-Enrollment charter(s) for award.

Applications that are removed from consideration (for lack of completion, failure to make the required cut-score, plagiarism etc.) are still subject to the no-contact provision.

EVALUATION PROCESS

The charter application review is a five-phase process and consists of an initial review and eligibility screening, an external review, appeal for additional external review (where applicable), an internal agency review, and an applicant capacity interview.

INITIAL REVIEW AND ELIGIBILITY SCREENING

All applications are subject to an initial review and eligibility screening by TEA staff. This procedural screening will focus on, but is not limited to: *statutory eligibility*, *date-of-submission*, *completeness*, and a *thorough plagiarism review*. Applications that pass the initial review and eligibility screening will proceed to external review and scoring.

IMPORTANT REMINDER- Any applications found to contain plagiarized content shall be removed from the application process and are not eligible for further review during the Generation Twenty-Three application cycle.

For an application to be deemed complete, applicants must:

- Submit a completed application electronically by the application deadline;
- Ensure that the Agency receives one original and five paper-copies of the application by the application deadline;
- Address all questions and attachments in the charter application;
- Not include prohibited materials pursuant to the Public Disclosure Policy;
- Prepare the application in compliance with all instructions provided; and
- Ensure completeness in both form and assembly.

EXTERNAL REVIEW OF APPLICATIONS

All eligible applications that have successfully passed the *Initial Review and Eligibility Screening* are distributed to independent parties for external review and scoring. Each

application will be reviewed upon its own merit and scored in accordance with the *Charter Application Evaluation Overview and Criteria* published by TEA staff.

External review and scoring data will serve as the basis for TEA staff to make proper determinations of eligibility for internal Agency review.

APPEAL FOR ADDITIONAL EXTERNAL REVIEW

Applicants that earn a cumulative percentage-score that is within five percentage points of the minimum required percentage (85%) may appeal to the TEA Division of Charter School Administration for one additional external review. (i.e. Charter Applicant 'ABC' earns a cumulative percentage-score of 82% would be eligible to appeal and request one additional external review).

All appeals must be written, notarized, and received by the TEA Division of Charter School Administration within 7 business days of score-notification. Failure to submit a timely appeal request will render all scores final.

INTERNAL REVIEW OF APPLICATIONS

Eligible applications will be evaluated by TEA staff from the Divisions of Charter School Administration, Financial Compliance, Legal Services, and other divisions, as appropriate.

INTERVIEWS

Applicants whose application qualify to advance are invited to participate in a formal interview with TEA staff and State Board of Education (SBOE) members. During the interview, applicants will have the opportunity to field questions and demonstrate their capacity to open, operate, and maintain a high-quality charter school.

IMPORTANT REMINDER- Interview days and times are provided by TEA staff and are not subject to negotiation. As such, applicants should reserve availability during this time frame.

The commissioner's designee, in conjunction with TEA staff and the designated SBOE liaison, will present findings to the commissioner of education for review and consideration at the conclusion of the interview period.

IMPORTANT REMINDER- Applicants that qualify as *Institutions of Higher Education* MUST present (1) at least one member who currently holds position on the governing board of the institution of higher education /governmental entity; (2) and the superintendent (if identified) of the proposed charter school in attendance at the interview.

PROPOSAL & AWARD PROCESS

At the conclusion of all applicant interviews; the commissioner will formally propose Open-Enrollment Charters that have demonstrated a strong penchant for viable high-quality instruction and school management.

In addition to the overall quality, completeness of application, and presentation during the interview; the commissioner will consider evident demonstrations of the following:

- indicators that will improve student performance;
- displays of innovative thought and practice;
- operations that will be subject to receive accountability ratings;
- strategies, no later than the beginning of the third year of operation, that will achieve:
 - a minimum of 50% of enrolled students in at least one grade that is tested for state accountability purposes (i.e., grades 3 through 11); or
 - at least 50% of students have been enrolled in the school for three sequential years;
- impact statements¹ from any traditional or charter district whose enrollment is likely to be affected by the proposed charter school, including information relating to any financial difficulty that a loss in enrollment may have on a district;
- evidence of parental and community support for the proposed charter school;
- qualifications and backgrounds of all individuals who will be involved in the management and educational leadership of the proposed charter school;
- history of the sponsoring entity of the proposed charter school, if applicable;
- evidence that the proposed governance structure will establish and maintain sound fiscal management and administrative practices;
- strength of the proposed financial plan;
- plans to ensure services will begin on the date proposed in the application; and
- indications that the proposed charter school would expand the variety of charter schools in the following ways:
 - types of innovative programs,
 - instructional settings,
 - diverse student populations and programs,
 - diverse geographic regions,
 - representation in urban, suburban, and rural communities, and
 - types of eligible entities.

STATE BOARD OF EDUCATION MEETING

Subsequent to the commissioner's formal proposal, the SBOE has 90 calendar days to veto any of the proposed charters. A failure to exercise this veto power results in all proposed charters moving forward to the contingency process.

Lastly, all determinations of the commissioner are final and carry no right of appeal. However, applicants that are not awarded are welcome to reapply in future application cycles.

¹ Submitting a Statement of Impact is the formal opportunity for superintendents of traditional districts to document any adverse impact the proposed school might have. While applicants are required to distribute these documents according to the instructions provided by the TEA (and to document the distribution appropriately) they are not responsible for ensuring that superintendents return the Statement of Impact forms to TEA. The TEA will take any applicable Statement of Impact under consideration in their evaluation of each application.

Representatives from any charter that is proposed by the commissioner must attend the meeting of the Full SBOE Board on the scheduled Friday in June. Representatives from any charter proposed by the commissioner may be invited to attend the meeting of the Committee on School Initiatives on Tuesday or Wednesday, as determined by when the charter item is scheduled.

CONTINGENCY PROCESS

Following the State Board of Education's action (or inaction) on the commissioner's announcement of proposed charter awards, the sponsoring entities and TEA staff must initiate the *Contingency Process* to resolve any issues noted during the evaluation process. Proposed charters will have two months from a date to be determined to work with agency staff to reach a satisfactory resolution to all contingencies. A charter will not be awarded unless all issues are resolved during this timeframe. In addition, failure to resolve any identified contingencies will also prohibit the formation of an *Open-Enrollment Charter School Contract* with the charter applicant.

THE OPEN-ENROLLMENT CHARTER SCHOOL CONTRACT

A contract for an open-enrollment charter school between the charter holder and the commissioner must incorporate the following:

- all applicable state and federal laws, rules, and regulations;
- the RFA issued by the TEA and the charter holder's completed application (response) to RFA 701-17-105;
- any condition, amendment, modification, revision, or other change to the charter adopted or ratified by the commissioner; and
- all statements, assurances, commitments, and representations (written or oral) made by the charter holder within the totality of the submitted charter application and subsequent interview.

The execution of a contract constitutes an assurance by the sponsoring entity that no false information was submitted to the TEA or the commissioner by the sponsoring entity, its agents, or its employees in support of its application for charter. Any action(s) that are inconsistent with the terms and requirements of the charter shall constitute a material violation of the charter contract.

The initial term of the charter shall be five (5) years unless the commissioner chooses to grant a shorter term.

After a contract is executed, the receipt of funding is conditioned on the following:

- TEA must issue a county-district number (CDN);
- the charter holder must execute a depository contract with a bank that (1) meets the definition in Texas Education Code (TEC) §45.201, (2) uses the EIN/FEI assigned by the IRS to the charter holder, and (3) holds an account in the name of the charter holder; and
- the charter holder must file a copy of the depository contract with TEA's Division of Financial Compliance.

The commissioner will periodically review evaluative information on each Open-Enrollment Charter. The commissioner may revise, revoke, modify the governance of, or deny renewal of the charter of an Open-Enrollment Charter School, if the

commissioner determines that the charter holder has failed to satisfy any of the student, financial, compliance, and/or health and safety performance standards set out in 19 Texas Administrative Code (TAC) §§100.1021-100.1027. The procedures for commissioner action and intervention are outlined in TEC §§12.116 and 19 TAC §§100.1021-100.1027. In addition to the adverse actions described above, a charter school is also subject to the sanctions and interventions authorized by TEC Chapter 39.