GENERATION

24

RFA#701-18-116 SAS#562-19

 INSTRUCTIONS AND GUIDELINES

TEXAS EDUCATION AGENCY

1701 North Congress Avenue

Austin, Texas 78701

**INTRODUCTION**

The Texas Education Agency (TEA) welcomes applications for high-quality charter schools seeking to open in fall 2020. Applicants are strongly encouraged to read through this Instructions and Guidelines document and the corresponding *Charter Request for Application, (RFA) 701-18-116* 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:

* 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 aid 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.

**GENERATION TWENTY-FOUR TIMELINE**

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| **RFA PUBLISHED** | 10.5.2018 |  | **EVALUATION PHASE 2** |
| **INFORMATION SESSION #1** | 10.5.2018 |  | **FINANCIAL/OPERATIONS/ GOVERNANCE PLANS COMPLETION CHECK** | 3.18.19 | 3.22.19 |
| **INFORMATION SESSION #2** | 10.12.2018 |  | **CURE PERIOD** | 3.25.19 | 3.29.19 |
| **APPLICATION SUBMISSION DEADLINE** | 1.4.19 |  | **INTERNAL/EXTERNAL REVIEW OF FINANCIAL/OPERATIONS/ GOVERNANCE PLANS** | 4.1.19 | 4.25.19 |
| **EVALUATION PHASE 1** |
| **EDUCATION PLAN COMPLETION CHECK** | 1.7.19 | 1.11.19 | **THRESHOLD DETERMINATIONS** | 4.26.19 |  |
| **CURE PERIOD** | 1.14.19 | 1.18.19 | **APPEAL DEADLINE FOR ADDITIONAL READ DUE** | 5.3.19 |  |
| **INTERNAL/EXTERNAL REVIEW OF EDUCATION PLAN** | 1.21.19 | 2.14.19 | **ADDITIONAL READ WINDOW** | 5.6.19 | 5.17.19 |
| **ADVANCEMENT DETERMINATION** | 2.15.19 |  | **CAPACITY INTERVIEW WITH TEA and SBOE** | 5.20.19 | 5.24.19 |
| **EDUCATION PLAN CHECK-IN/INTERVIEWS** | 2.19.19 | 3.15.19 | **COMMISSIONER PROPOSES AWARD** | 5.31.19 |  |
| **PHASE 1 DETERMINATIONS** | 3.15.19 |  | **SBOE BOARD MEETING** | 6.13.19 | 6.14.19 |
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**MAJOR MILESTONES**

**REQUEST FOR APPLICATION (RFA) PUBLISHED**… October 5, 2018

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** … October 5 & 12, 2018

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**… January 4, 2019

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

**EVALUATION PHASE 1**

**EDUCATION PLAN COMPLETION CHECK**… January 7 – January 11, 2019

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.

**ANTICIPATED NEED AND EDUCATION PLAN EXTERNAL REVIEW PERIOD**… January 21 – February 15, 2019

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

**EDUCATION PLAN CHECK-IN CALLS/INITIAL INTERVIEWS**… February 19, 2019 – March 15, 2019

Qualifying applicants (i.e., those meeting the 85% threshold to advance) are invited to participate in a check-in call with TEA staff to discuss questions about the Education Plan and next steps.

Applicants that fall within five percentage points of the 85% threshold to advance (i.e., those achieving a rating of 80-84.9% on the Education Plan) will be invited to participate in an interview call with evaluation teams to answer questions and provide clarifying information about the plan proposed. Note that applicants must meet the 85% threshold to advance following revised scoring after the Education Plan interview in order to advance to the Phase 2 review of the Finance/Operations/Governance Plans. Days and times for calls are provided by TEA staff and are not subject to negotiation. As such, applicants should be prepared to reserve availability during this time frame.

**EVALUATION PHASE 2**

**FINANCE/OPERATIONS/GOVERNANCE PLANS COMPLETION CHECK**… March 18 – March 22, 2019

TEA staff review the Finance/Operations/Governance Plans from applicants that have successfully met the 85% threshold for the Education Review for statutory eligibility, completeness, and plagiarism violations. Any applicants disqualified at this phase for plagiarism infractions will be excluded from further review.

**FINANCE/OPERATIONS/GOVERNANCE INTERNAL/EXTERNAL REVIEW PERIOD**… April 1 – April 26, 2019

All eligible applications are distributed to independent parties for external review and scoring of the Finance/Operations/Governance Plans.

**APPEAL FOR ADDITIONAL EXTERNAL REVIEW PERIOD DUE**… May 3, 2019

Applicants that fall within five percentage points of the 85% threshold to advance (i.e., those achieving a rating of 80-84.9% on the Finance/Operations/Governance Plans) may request one additional external review for reconsideration of final scoring. This sixth score will then be integrated into the existing external score total to determine eligibility to advance.

**FINAL CAPACITY INTERVIEW SESSIONS**… May 20, 2019 – May 24, 2019

Qualifying applicants (i.e., those meeting the 85% threshold to advance) are invited to participate in a formal in-person) 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**… May 31, 2019

The commissioner reviews all relevant application information and proposes charters for award. In order to be proposed for award, an applicant must attain a score of 85% or better on the Education Plan, the Finance/Operations/Governance Plans, and the Out-of-State Operator Addendum (if applicable) as well as demonstrate sufficient capacity via the Capacity Interview.

**SBOE ACTION ON CHARTERS PROPOSED**… June 14, 2019

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.

**CONTIGENCY PERIOD**… July – August – September 2019

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 19 – June 21, 2019

All awarded charters MUST attend the Summer Summit.

**ELIGIBILITY**

***OVERVIEW***

Operators of Open-Enrollment Charter Schools within the state of Texas must qualify as an *Eligible Entity* as defined in TEC §12.101. The State may grant open enrollment charters to the following entities:

* an institution of higher education as defined under TEC, §61.003(8);
* a private or independent institution of higher education as defined under TEC §61.003(15);
* an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 [26 U.S.C.S. Section 501(c)(3)]; or
* a governmental entity.

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| **NOTE**: The TEA will make determinations on eligibility during the Completion Check Screenings. Applications that are deemed to be ineligible will be removed from any further consideration for the Generation Twenty-Four application cycle. |

Churches and other faith-based organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code are not considered eligible entities.

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 surrendered under a settlement agreement, revoked, denied renewal, or returned.

***APPLICANT PATHS***

Entities should plan to follow one of three paths to fulfill application requirements in Generation 24.

*New Operator*

Applicants that have not previously operated a charter school are required to submit the following documents electronically AND in hard copy by 5:00 p.m. Central Standard Time on January 4, 2019:

Application:

1. Application Coversheet;
2. Applicant Team;
3. Executive Summary;
4. Anticipated Need;
5. Education Plan;
6. Finance/Operations/Governance Plans;
7. All related attachments; and
8. Special Assurances.

*Experienced Operator (High-Performing, Proven)*

Experienced applicants that currently operate schools in states that utilize an A-F or other 5-tiered accountability system AND have attained a rating in the top two tiers of that system for the LEA as a whole in the most recent year of operation are considered proven operators. In the event that a state does not offer LEA ratings, then 80% of existing campuses must attain a rating in the top two tiers of the accountability system and none may fall into the bottom tier to be considered a High-Performing Operator. High-Performing Operators are not required to submit an Education Plan other than the “A Day in the Life” section. All other response sections in the Education Plan should be marked “NA”.

High-Performing Operators are required to submit the following documents electronically AND in hard copy by 5:00 p.m. Central Standard Time on January 4, 2019:

Application:

1. Application Coversheet;
2. Applicant Team;
3. Executive Summary;
4. Anticipated Need;
5. Education Plan (A Day in the Life);
6. Finance/Operations/Governance Plans;
7. Out-of-State Operator Addendum;
8. All related attachments;
9. Charter Management Organization Addendum; and
10. Special Assurances.

*Experienced Operator (Unproven)*

Experienced applicants that currently operate schools in states that utilize an accountability system that do not utilize an A-F or other five-tier framework are considered unproven. Unproven operators are required to submit the following documents electronically AND in hard copy by 5:00 p.m. Central Standard Time on January 4, 2019:

Application:

1. Application Coversheet;
2. Applicant Team;
3. Executive Summary;
4. Anticipated Need;
5. Education Plan;
6. Finance/Operations/Governance Plans;
7. Out-of-State Operator Addendum;
8. All related attachments;
9. Charter Management Organization Addendum; and
10. Special Assurances.

**GLOSSARY OF TERMS AND RESOURCES**

**ASSESSMENT & ACCOUNTABILITY**

[Academic Accountability Rating](https://tea.texas.gov/2017accountability.aspx)
[Alternative Accountability Rating](https://tea.texas.gov/2017accountability.aspx)
[Charter FIRST Rating](https://tea.texas.gov/Finance_and_Grants/Financial_Accountability/Financial_Integrity_Rating_System_of_Texas_%28FIRST%29/School_FIRST_Rating_for_Open-Enrollment_Charter_Schools_and_Charter_Schools_Operated_by_a_Public_Institution_of_Higher_Education_%28IHE%29/)

[Charter School Performance Framework [CSPF]](http://castro.tea.state.tx.us/charter_apps/production/performance.html)
[English Language Proficiency Standards [ELPS]](http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4)

[State of Texas Assessments of Academic Readiness [STAAR]](https://tea.texas.gov/student.assessment/staar/)

**FEDERAL LAW**
[Every Student Succeeds Act [ESSA]](https://www.ed.gov/essa?src=rn)
[Family Educational Rights and Privacy Act [FERPA]](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html)
[Individuals with Disabilities Education Act [IDEA]](https://sites.ed.gov/idea/)

**FUNDING**
[Average Daily Attendance [ADA]](https://tea.texas.gov/Finance_and_Grants/State_Funding/State_Funding_Reports_and_Data/Average__Daily_Attendance_and_Wealth_per_Average_Daily_Attendance/)
[Facilities Funding and Standards/Bonds Guarantees](https://tea.texas.gov/Finance_and_Grants/State_Funding/Facilities_Funding_and_Standards/Facilities_Funding_and_Standards/)
[Charter Start-Up Program [CSP]](https://tea.texas.gov/Texas_Schools/Charter_Schools/Charter_Schools_-_Funding/)

[Electronic Grants [eGrants]](http://burleson.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx)
[Foundation School Program [FSP]](https://tea.texas.gov/Finance_and_Grants/State_Funding/Foundation_School_Program/Foundation__School_Program/)

[High Quality Prekindergarten Program Grant](https://tea.texas.gov/Academics/Early_Childhood_Education/ECE_Grants/)
[Instructional Minutes for Purposes of Funding](http://www.esc1.net/cms/lib/TX21000366/Centricity/Domain/17/s16-TEA-HB%202610-75600%20Minutes.pdf)
[Introduction to Charter School Funding](https://tea.texas.gov/Finance_and_Grants/State_Funding/Charter_School_Funding/Charter_School_Finance/)

**GOVERNANCE**

[Conflict(s) of Interest [Nepotism]](http://ritter.tea.state.tx.us/rules/tac/chapter100/ch100aa.html#division5)
[School Board Member Training](https://tea.texas.gov/Texas_Schools/Charter_Schools/Charter_Schools_-_Governance/)

**INSTRUCTION and GRADUATION**

 [Bilingual Education](https://tea.texas.gov/bilingual/esl/education/)
[Career and Technical Education](https://tea.texas.gov/cte/)
[Curriculum Standards](https://tea.texas.gov/curriculum/teks/)
[Graduation Requirements](https://tea.texas.gov/graduation.aspx)
[Homeless Education](https://tea.texas.gov/Texas_Schools/Support_for_At-Risk_Schools_and_Students/Texas_Education_for_Homeless_Children_and_Youth_%28TEHCY%29_Program/)

[Promotion and Retention](http://ritter.tea.state.tx.us/rules/tac/chapter101/ch101bb.html)

[Texas Essential Knowledge and Skills [TEKS]](https://tea.texas.gov/curriculum/teks/)

**LEGISLATION**

[TEC. Chapter 12, Subchapter D [Open-Enrollment Charters]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.12.htm)
[TEC. Chapter 12, Subchapter E [College/University Charters]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.12.htm)
[TEC. Chapter 25 [Admission, Transfer, and Attendance]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.25.htm)

[TEC. Chapter 29 [Educational Programs]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.29.htm)
[TEC. Chapter 31 [Instructional Materials]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.31.htm)

[TEC. Chapter 33 [Service Programs/ Extracurricular Activities]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.33.htm)

[TEC. Chapter 37 [Discipline Law and Order]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.37.htm)
[TEC. Chapter 38 [Health and Safety]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.38.htm)

 [TEC. Chapter 39 [Public School System Accountability]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.39.htm)

[TEC. Chapter 44 [Fiscal Management]](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.44.htm)

[TEC. Chapter 45 [School District Funds](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.45.htm)

**GLOSSARY OF TERMS AND RESOURCES
CONT.**

**OPERATIONS**

[Admission and Enrollment](https://tea.texas.gov/CharterParentResources/#admissions)
[Amendments and Expansions](https://tea.texas.gov/Texas_Schools/Charter_Schools/Charter_School_-_Amendments/)
[Annual Review and Dismissal [ARD]](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/State_Guidance/Guidance_Related_to_ARD_Committee_and_LPAC_Collaboration/)

[Ask Texas Education Directory [AskTED]](http://mansfield.tea.state.tx.us/tea.askted.web/Forms/Home.aspx)
[Depository Contracts](https://tea.texas.gov/interiorpage.aspx?id=25769815564)

[Disciplinary Policies](https://tea.texas.gov/index2.aspx?id=2147497414)
[Educator Certification](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q9)

[Educational Materials Web Application [EMAT]](https://tea.texas.gov/Academics/Instructional_Materials/)
[Fingerprinting](https://tea.texas.gov/Texas_Educators/Certification/Fingerprinting/)

[Manifestation and Determination Review](https://tea.texas.gov/index2.aspx?id=2147497414)
[Meals](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q3)

[Renewal of Charter/Denial of Renewal/Expiration](https://statutes.capitol.texas.gov/Docs/ED/htm/ED.12.htm#12.1141)
[School Nurse](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q10)

[Student Teacher Ratio/Class Size](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q7)
[Teacher Appraisal](http://www4.esc13.net/pdas/)

[Texas Education Agency Security Environment [TEASE]](https://tea.texas.gov/About_TEA/Other_Services/Secure_Applications/TEA__Secure_Applications_Information/)
[Texas Education Agency Login [TEAL]](https://tea.texas.gov/About_TEA/Other_Services/Secure_Applications/TEA__Secure_Applications_Information/)

[Transportation](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q3)
[Tuition and Fees](https://tea.texas.gov/Texas_Schools/Charter_Schools/FAQs/Charter_Schools_-_FAQs/#Q1)

**RECORDS and REPORTING REQUIREMENTS**

[Academic Achievement Records [AAR]](https://tea.texas.gov/Academics/Academic_Achievement_Record/)

[Annual Charter School Board Governance Reporting](https://tea.texas.gov/Texas_Schools/Charter_Schools/Charter_Schools_-_Governance/)

[Alternative Compensatory Education Reporting System](https://tea.texas.gov/Finance_and_Grants/State_Funding/Additional_Finance_Resources/Alternative_Compensatory_Education_Allotment_Reporting_Procedures/)

[Federal Fiscal Compliance and Reporting](https://tea.texas.gov/Finance_and_Grants/Grants/Federal_Fiscal_Compliance_and_Reporting/Compliance_and_Reporting/)

[Public Education Information Management System [PEIMS]](https://tea.texas.gov/Reports_and_Data/Data_Submission/PEIMS/Public_Education_Information_Management_System/)

[Texas Academic Performance Report [TAPR]](https://tea.texas.gov/perfreport/tapr/index.html)

[Texas Records Exchange [TREx]](https://tea.texas.gov/Reports_and_Data/Data_Submission/Texas_Records_Exchange_%28TREx%29/Texas_Records_Exchange_%28TREx%29/)

**SPECIAL POPULATIONS**

[Early Education](https://tea.texas.gov/earlychildhoodeducation.aspx)
[Gifted and Talented](https://tea.texas.gov/Academics/Special_Student_Populations/Gifted_and_Talented_Education/Gifted_Talented_Education/)

[Limited English Proficient [LEP]](https://tea.texas.gov/student.assessment/ell/)
[Special Education](https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Special_Education/)

**WHO REPRESENTS ME?**

[Find My State Board of Education Member](https://fyi.capitol.texas.gov/Home.aspx)
[Find My Texas House Representative](https://www.house.texas.gov/members/)

**THE APPLICATION**

***APPLICATION PACKAGE COMPONENTS***

All written responses in the Application and any Attachment shall be typed in no smaller than 11-point font. Only text entered in the designated text boxes will be considered as part of evaluation activities.

*Application*

All applicants must complete all sections of the Application as outlined in the “Applicant Paths” section on pages 5 and 6 of this document. Applicants will fall into one of the three categories outlined: new operator, out-of-state operator (high-performing, proven), or out-of-state operator (unproven). Proven operators are not required to submit an Education Plan other than the “A Day in the Life” section.

Only one facility section (“Campus Facility Identified” or “Campus Facility Not Identified”) should be completed, as applicable. Note that only text entered into the red text boxes will be considered for evaluation purposes.

*Experienced Operator Addendum*

All applicants who currently operate or have previously operated charter schools in another state must complete the Experienced Operator Addendum.

*Attachment Coversheet and Attachments*

Information that is supplemental to specific narrative responses shall be submitted in the application as separate attachments. Please note that only attachments requested by TEA should be submitted; documents submitted in excess of requested Attachments will not be evaluated. Applicants may locate the specific directions for each attachment on its respective Attachment Coversheet.

Completed attachments must be placed behind each attachment’s corresponding coversheet and 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 education, finance, operations, governance plans sections (Ex. Education, Finance, Operations, Governance Plans Sections pg. 11-40; Attachment Section pg. 41-59 etc.). Applicants should note that some attachments must be completed using the templates provided. A list of required attachments is provided below:

Application Attachments:

* A 1: Applicant Information Session Documentation
* E 1: Organizational Chart
* E 2: Staffing Chart
* E 3: Supplemental Human Resources Information Form
* FOG 1: Published Notice(s) of Public Meetings
* FOG 2: Certified Mail Receipt Cards
* FOG 3: Community Efforts and Support
* FOG 4: Admission and Enrollment Policy
* FOG 5: 501(c)(3) Determination Letter
* FOG 6: Articles of Incorporation
* FOG 7: Organization Bylaws
* FOG 8: Board Member Biographical Affidavit
* FOG 9: Code of Ethics and Conflict of Interest Policy
* FOG 10: Financial Plan Workbook
* FOG 11: Audit Report
* FOG 12: Credit Report
* FOG 13: [IRS] Form 990, Form 990-N, or Form 990-EZ
* FOG 14: Evidence of Other Financial Support

Out-of-State Operator Addendum Attachments:

* OS 1: Academic Performance and Accountability
* OS 2: Financial Performance and Accountability
* OS 3: Related Business Entities
* OS 4: Current or Past Litigation

*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.

***APPLICATION PACKAGE REQUIREMENTS***

*Page Limits*

The following page limits apply to components of the Application Package. Page limits are inclusive of application questions.

* Application Narrative: 120 total pages
* Out-of-State Operator Addendum: 20 total pages
* Attachments: No page limit

*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.

*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 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.

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

**PRINTING AND SUBMISSION**

***PRINTING AND ASSEMBLY***

The Application Package must be assembled in the following order. All documents should be printed on single-sided, standard 8 ½ x 11 white paper.

1. All pages of the Application;
2. The Out-of-State Operator Addendum (if applicable);
3. Attachments Coversheets and all completed Attachments; and
4. The Letter of Special Assurances.

*Notes on Assembly*

* Ensure that all documents have been correctly ordered and that page numbers appear on every page in the now completed Application Package.
* Ensure that signatures (or initials), where required, are completed using blue ink.
* Scan the completed stack of documents as a PDF and save the document as the name of the proposed school.

***SUBMISSION***

Applicants are required to submit BOTH an electronic copy AND a hard copy of the completed Application Package, including the Narrative Application, Addendums (if applicable), Attachments, and the Letter of Special Assurances.

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| **NOTE:** An overview and demonstration of the submission process will be conducted during each of the required Applicant Information Sessions. |

*Electronic Submission*

Application Packages 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. Right-click [here](https://sendfiles.tea.state.tx.us/).
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.
	1. Submit the Application Package 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- the Narrative Application, the Out-of-State Operator Addendum (if applicable), Attachments, and the 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.
	2. Once the submission has been made, the Application Package is considered 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.
	3. 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 Friday, January 4th, 2019 will be considered late and will not be evaluated.

*Hard Copy Submission*

Applicants must submit:

1. ONE original hard copy of the completed charter application (with all signatures and initials in blue ink); and
2. FOUR identical photocopies.

DO NOT BIND THE ORIGINAL OR COPIED DOCUMENTS. Rubber band(s) are acceptable.

Hard copy submissions must be received by the TEA Division of Charter School Administration by 5:00 p.m. CST on Friday, January 4, 2019.

HAND DELIVERY: Submissions may be hand-delivered to room 1-100 on the first floor at the following address:

William B. Travis Building

1701 N. Congress Ave.

Austin, TX 78701

CARRIER DELIVERY: Submissions may be sent via 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

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| **NOTES:*** 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 receipts 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 the 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.
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**EVALUATION PROCESS**

An overview of the charter application review process is provided below:



***INITIAL REVIEW AND ELIGIBILITY SCREENING***

All applications are subject to an initial completion check screening by TEA staff upon submission of the application. 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.

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| **NOTE:** 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-Four application cycle. |

For an application to be deemed complete, applicants must:

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

***REVIEW OF APPLICATIONS***

All eligible applications that have successfully passed the Initial Completion Check Screening are distributed to independent parties for external review and scoring. Separate external reviews will be conducted of the Education Plan and the Finance/Operations/Governance Plans. 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.

***ADDITIONAL REVIEW***

Applicants that earn a cumulative percentage-score that is within five percentage points of the minimum required percentage (85%) may be entitled to additional review (e.g., if Charter Applicant ‘ABC’ earns a cumulative percentage-score of 82% they would be eligible for additional review). The additional review will vary based on the phase of the evaluation process:

* **Anticipated Need Overview and Education Plan Review (Phase 1):** Applicants that fall between 80 and 84.9% on the Education Plan will be invited to participate in a phone interview with the external evaluation team, who will then have the opportunity to revise individual scoring as merited.
* **Finance/Operations/Governance Review (Phase 2):** Applicants that fall between 80 and 84.9% on the Finance/Operations/Governance Plans must submit an appeal for an additional external reading of the proposal. This sixth score will then be integrated into the existing external score total to determine eligibility to advance. All appeals must be written, notarized, and submitted to the TEA Division of Charter School Administration at charterapplication@tea.texas.gov within 7 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.

***FINAL CAPACITY INTERVIEWS***

Applicants whose application qualify to advance are invited to participate in a formal in-person interview with TEA staff and 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.

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| **NOTE:** 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.

Note that TEA staff must receive Attachment G1-501(c)(3) IRS Determination Letter by 5pm CST Friday, April 5, 2019. The IRS Determination Letter and its contents are discussed further on the Attachment G1 Coversheet; however, be advised, any failure to submit the determination letter in a timely manner will result in the application’s removal from the application process without the opportunity to interview.

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| **NOTE:** All applicants that hold *501(c)(3) Nonprofit Corporation* status MUST present both the (1) president of the governing board of the corporation; and (2) superintendent (if identified) in attendance at the interview. 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. |

***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 SBOE member regarding the content of the application from the time the application is submitted until 90 days after the commissioner proposes the Generation Twenty-Four 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.

APPROVAL AND AWARD PROCESS

CRITERIA

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 the Application Package, 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 statements 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 district1;
* 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:[[1]](#endnote-1)
* 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.

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 of Education 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 701-18-116;
* 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 Chapters 39 and 39A.

1. 1Submitting a Statement of Impact is the formal opportunity for boards of trustees and/or 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. [↑](#endnote-ref-1)