

The background of the slide is a composite image. The top half shows a city skyline at dusk or dawn, with several skyscrapers illuminated against a sky with soft, colorful clouds. The bottom half shows an aerial view of a park with a large, calm lake. The water reflects the sky and surrounding greenery. There are trees, a paved path, and some buildings visible in the park area.

Subchapter G Application Overview

August 5th, 2024



Agenda

Time (CST)	Topic	Presenters
1:00-1:05	Welcome, Purpose, and Norms (5min)	New Schools Team, Division of Authorizing
1:05-1:15	Charter School Portfolio (10min)	New Schools Team, Division of Authorizing
1:15-1:40	Application Overview (20min) + Q&A (10min)	New Schools Team, Division of Authorizing
1:40-2:10	Charter School Law (20min) + Q&A (10min)	New Schools Team, Division of Authorizing
2:10-2:50	Financial Plan Workbook (30min) + Q&A (10min)	New Schools Team, Division of Authorizing
2:50-2:55	Closing and Next Steps	New Schools Team, Division of Authorizing

Role of the Authorizing Division



Expand the Texas Charter Portfolio by approving high-quality applicants to launch high-quality schools



Provide leadership, guidance, and support to all state-authorized charter schools



Renew, approve expansion or replication, non-renew or revoke



Monitor legal requirements and performance according to the charter contract, accountability, and the Charter School Performance Framework

Purpose of Texas Charter Schools



Improve student learning



Increase choice opportunities in the public-school system



Create professional opportunities to attract new teachers

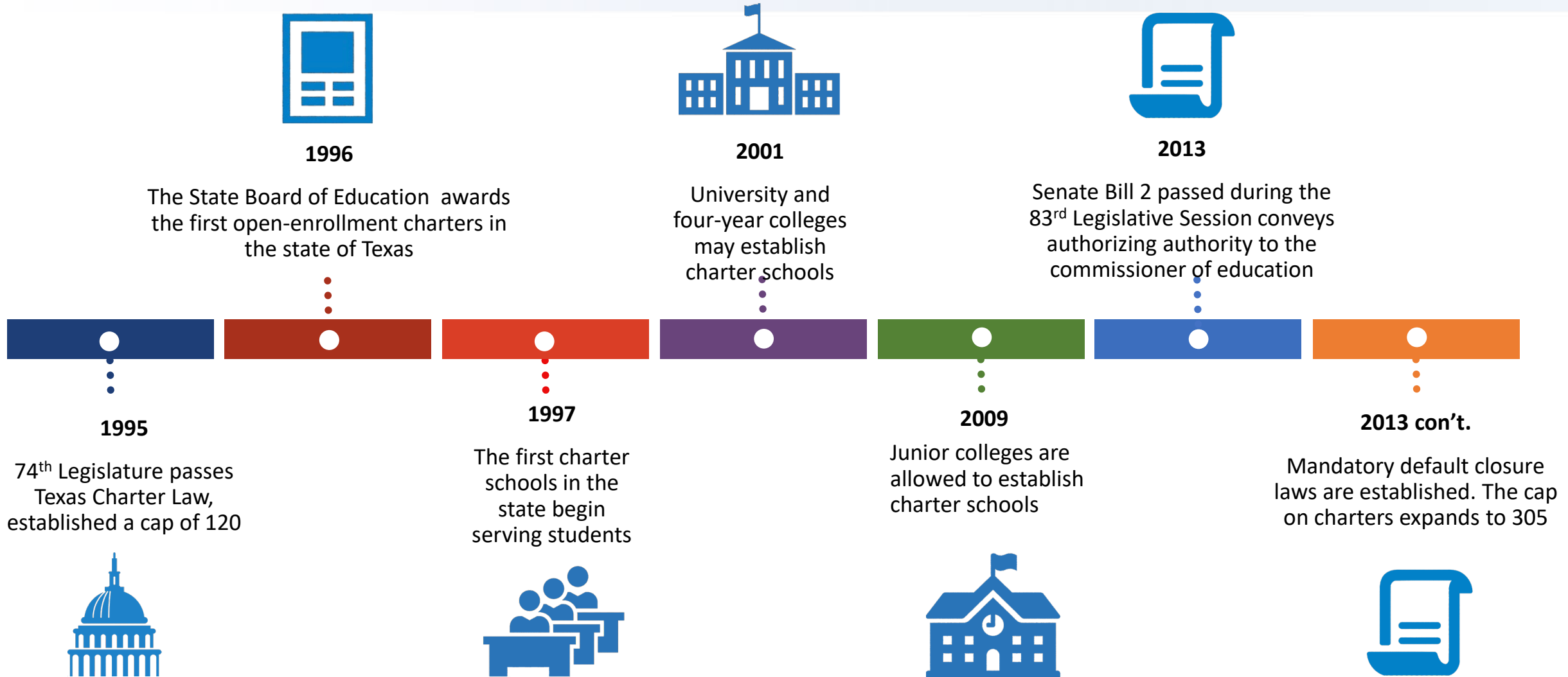


Establish a new form of accountability

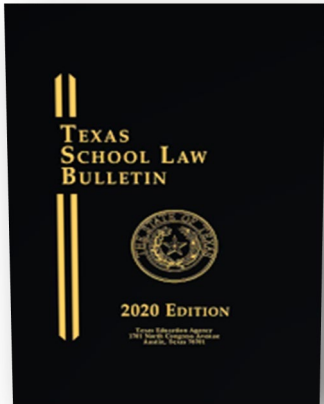


Encourage different and innovative learning methods

Historical Timeline of Charter School Laws



Charter School Laws and Rules

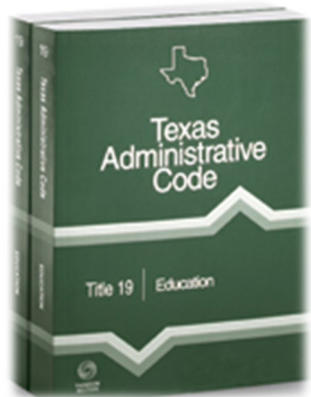


Statute

Texas Education Code (**TEC**), Chapter 12, Subchapter G

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.12.htm>

<http://www.statutes.legis.state.tx.us/>



Rule

19 Texas Administrative Code (**TAC**), Chapter 100, Subchapter A

<http://ritter.tea.state.tx.us/rules/tac/chapter100/ch100a.html>

SB 1615 (87R) –Advisory Committee



- Establishes **Subchapter G- Adult High School Charter Program**
- Establishes the **Advisory Committee** to make recommendations to the commissioner regarding:
 - Secondary exit-level assessment tools
 - Satisfactory performance levels for the assessment tool
 - Accountability framework for Sub G programs that measures:
 - Academic growth
 - Career readiness
 - Post graduation outcomes
 - Wage and career growth
 - Operational performance

SB 2032 (88R) – Adult Education Charter Schools



- Limits the commissioner to granting **no more than 10 charters total** under this subchapter (instead of the previous 2 charters in a calendar year or 6 charters total)
- Defines “**Eligible Entities**” for operating adult education charter schools:
 - Requires entities who will operate an adult education program to be:
 - a non-profit
 - a school district
 - a Subchapter D charter holder
 - a general academic institution
 - a public junior college
 - The entity or a member of the entity’s executive leadership must have a history of successfully providing educational services to adults.



- Allows a charter holder to contract with a nonprofit entity eligible to operate an adult education program.
- Allows the commissioner to revoke a charter under this subchapter if the charter holder doesn’t meet the minimum standard for **three consecutive years** after the second (instead of first) year of operation.
- Requires the commissioner to **adopt rules** regarding the application process and may include a maximum number of students who may enroll in a charter holder’s adult education program.
- Removes the cap of 350 students a charter holder may serve under this subchapter which may be defined by rule.

Amends the application process to:



- require the commissioner to accept applications **starting 9/1** each year for **60 days**



- require the commissioner to provide applicants with notice of a **preliminary decision** to grant or deny the charter, a written reason for a denial and an opportunity to cure any defects in the application **within 60 days** of last day to submit the application

Charters Operating by Subchapter

Subchapter B		Subchapter C		Subchapter D		Subchapter E		Subchapter G		HR Code	
Home-Rule School District		Campus or Campus Program Charters		Open-Enrollment Charters		University or Junior College Charters		Adult High School Charter School Program		Human Resources Code	
Conversion of entire district to charter.		ISDs authorize and oversee these charters. SB 1882 partnerships are under Subchapter C.		The commissioner authorizes these charters. Before SB 2 passed in 2013, the State Board of Education (SBOE) was the authorizer.		The commissioner authorizes Subchapter E charters. Eligible entities include public colleges and universities.		The commissioner authorizes Subchapter G charters. These are charter schools specifically for adult learners.		The commissioner authorizes HR charters under HRC §221.0071.	
0 Operators	0 Campuses	24 Operators	119 Campuses	179 Operators	886 Campuses	5 Operators	24 Campuses	1 Operator	5 Campuses	1 Operator	1 Campus



Timeline Overview

APPLICATION SUBMISSION

PRELIMINARY DECISION REMEDY PERIOD

APPLICATION LAUNCH

EXTERNAL REVIEW

COE FINAL DECISION

April 29, June 3, & August 5, 2024

Nov. 1-8, 2024

December 17, 2024

Feb. 17-21, 2025

April 22, 2024

October 31, 2024

Nov. 18-Dec. 13, 2024

Dec 18, 2024-Jan. 24, 2025

March 7, 2025

COMPLETION CHECK

CAPACITY INTERVIEWS

INFORMATION SESSION

PRELIMINARY DECISION



Big Picture Questions

APPLICATION
LAUNCH

April 22, 2024

**INFORMATION
SESSION**

Are we eligible to apply?

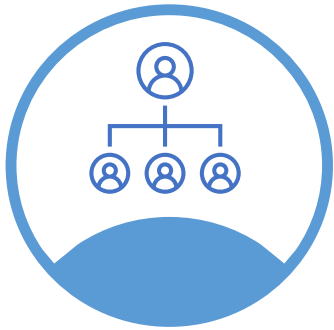
How do we access the application?

What are the application documents?

How do we assemble and submit the application?

What happens after we submit the application?

Texas Education Code Subchapter G



Nonprofit Entity

An organization that holds **nonprofit status**.



Texas Independent School District

A **school district**.



Subchapter D Charter Holder

An organization that **currently holds a charter** as authorized under TEC §12, Subchapter D.



Texas Higher Education

General academic teaching institutions, public junior colleges, or public technical institutes, as defined by TEC §61.003.

Additional Experience Requirement

Experience Requirement

Entities, or a member of the entity's executive leadership, **must have a successful history of providing education services**, including industry certifications and job placement services, **to adults 18 years of age and older** whose educational and training opportunities have been limited by...

- 1 Educational Disadvantages
- 2 Disabilities
- 3 Homelessness
- 4 Criminal History
- 5 Similar Marginalizing Circumstances

Parts of the Application Package



Instructions and Guidance Document

Provides **eligibility criteria, timelines, key dates, and submission instructions.**



Narrative Document

One fillable PDF document that consists of the: **Executive Summary, Application Checklist, Narrative Responses, and the Letter of Special Assurances.**



Attachment Coversheets and Forms

Coversheets that **provide directions for each attachment.** All coversheets can be accessed through either the **Application Checklist** or the **Narrative Response** pages.



Financial Plan Workbook

An **Excel workbook** that supplements the budget narrative and financial plan.





Accessing Application Documents

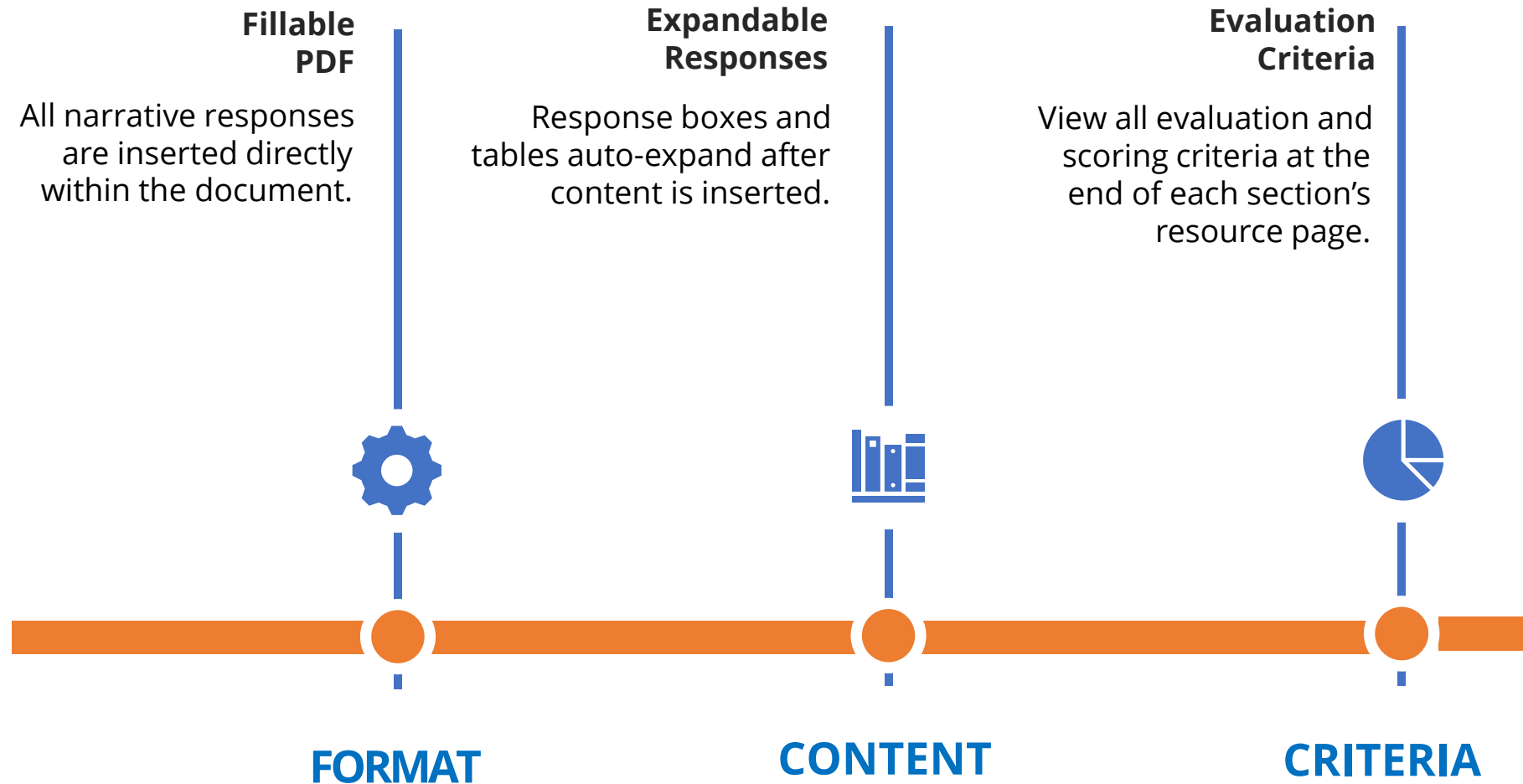
<https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-schools>

The Narrative Document

VIEWING THE NARRATIVE DOCUMENT

Step 1. Download the Subchapter G Narrative Document to a **local drive (desktop, folder etc.)**.

Step 2. Open the document from the place that it was saved. (desktop, folder etc.) **Do not open it from the download box within the browser.**



VIEWING THE ATTACHMENTS

All attachments are hyperlinked on both the **narrative attachment checklist page** and each relevant **narrative page**.

1

Coversheets

Each attachment coversheet **provides specific instructions** to complete the attachment.

Attachment coversheets are also submitted with respective responses.

2

Fillable Forms

Some attachment coversheets also **provide fillable pdf forms**.

Applicants must insert responses **directly into each form**.

3

Worksheets

One attachment is **provided as an Excel workbook**.

Applicants must complete and submit workbook as an Excel document.



Drafting the Application - Important Topics

APPLICATION LAUNCH

DRAFTING PERIOD

April 29, 2024

April 22, 2024

April-October

INFORMATION SESSION

When is the launch year?

Are there any education program requirements?

Are there any instructional/curricular requirements?

How can we engage TEA during the drafting period?

The launch year is the **first year that students will be served** by the adult education program.



Start-Up Year

Applicants are awarded a charter in May 2025 and **launch the program in August 2026.**

OR



No Start-Up Year

Applicants are awarded a charter in May 2025 and **launch the program in August 2025.**

Additional requirements for this option include...

- Additional **narrative section** called Ready-to-Open 2025–2026 Academic School Year.
- **Attachment** - Accounting System
- **Attachment** - Cert. of Occupancy
- **Attachment** - Proof of Interest
- **Attachment** - Program Readiness

Education Program Requirements

Education Program Requirements

Entities must present an adult education program for individuals to **successfully complete a high school program** that can lead to a diploma AND career and technology education **courses that can lead to industry-based certification.**

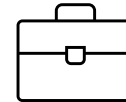
Entities must **ALSO provide program participants** with access to...



Career readiness training



Postsecondary counseling



Job-placement services



Childcare services at no cost to students



Life coaching services

Education Program Requirements



Career readiness training



Postsecondary counseling



Childcare services at no cost to students



Life coaching services

Entities must present an adult education program for individuals to...
Entities must ALSO provide program participants with access to...

Note: Entities may propose to partner with a Texas Workforce Commission–approved provider to assist in meeting the educational program requirements.

High-quality instructional materials are...

Even if not selecting to use TEA-approved materials, **all materials must be high quality.**



The application must demonstrate **depth of knowledge** and **familiarity** with selected materials.

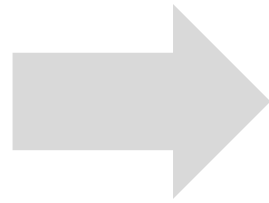


- (1) aligned with the Texas Essential Knowledge and Skills (TEKS),
- (2) have a comprehensive and cohesive scope and sequence,
- (3) include lesson-level materials with engaging texts (books, multimedia, etc.), problems, and assessments, and
- (4) are externally validated or research based.

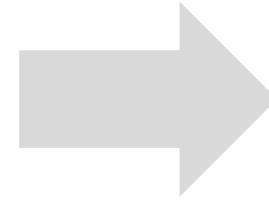
HQIM in School Design



The HQIM prompts in the narrative ask applicants to identify instructional materials and/or resources that will be used to create instructional materials locally.



Applicants will also need to address how the materials will be evaluated continuously for quality and compliance with state law.



This includes describing the materials that will be used in the CTE courses offered for industry-based certifications.



Application Submission

APPLICATION
LAUNCH

APPLICATION
SUBMISSION

April 29, 2024

April 22, 2024

INFORMATION
SESSION

October 31, 2024
5 p.m. CST

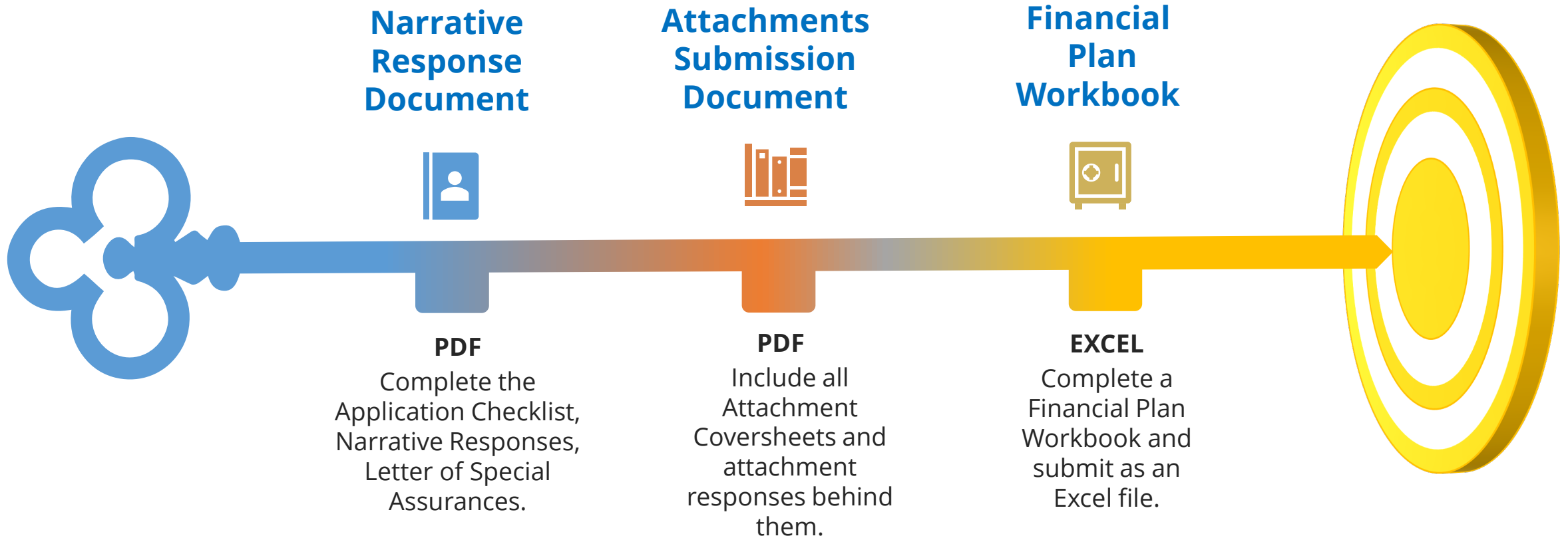
When is our application due?

What documents are included in our final submission?

How do we compile all the attachment documents?

Where do we submit our application?

Application Documents included in Final Submission



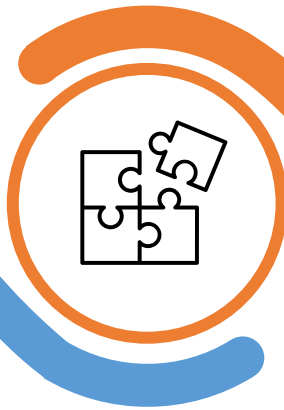
Assemble the Attachments Submission Document

PRINT OR FLATTEN ATTACHMENTS



Applicants may either **print or flatten each attachment** coversheet and responsive material.

COMBINE ATTACHMENTS



Combine all printed (or flattened) attachment material into **one single document**.

PAGINATE NEW DOCUMENT



Insert page numbers in the lower right corner of each page.

Page numbers **can be hand-written**, if needed.

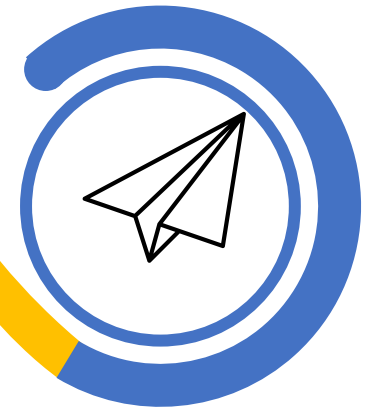
SCAN DOCUMENT



If printed, **scan the combined document to create a pdf** version of the Attachments Submission Document.

If flattened, this step is not necessary.

SUBMIT DOCUMENT



Submit as **separate files**:

- Attachments Submission Document (pdf)
- Financial Plan Workbook (Excel)



Review Process

APPLICATION
SUBMISSION

PRELIMINARY DECISION
REMEDY PERIOD

EXTERNAL
REVIEW

Nov. 1-8,
2024

December 17,
2024

What happens after we submit our application?

How and what can we fix after we submit?

How is our application evaluated?

What happens after the review process?

October 31, 2024
5 p.m. CST

Nov. 18-Dec. 13,
2024

Dec. 18, 2023-Jan. 24,
2025

COMPLETION
CHECK

PRELIMINARY
DECISION

The Division of Authorizing will review all timely submitted applications to **ensure eligibility and completion.**



Confirm Eligibility

- Timely electronic submission
- Info session attendance
- Formation status (if applicable)
- Plagiarism
- Narratives are complete



Review Attachments

- All applicable attachments are included.



Confirm Signatures

- Biographical Affidavits
- Letter of Special Assurances

SUBJECT TO DISQUALIFICATION AND REMOVAL



Late Submission

Applications that are **received after October 31, 2024, 5 p.m. Central Standard Time** will not be accepted.



Eligibility Issues

Applicants that do **not attend a mandatory application information session** will be deemed ineligible.



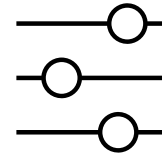
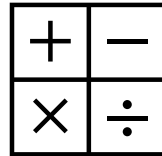
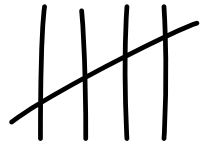
Missing Responses

Applications that are **missing substantial portions of narrative** may be deemed ineligible.

THE CURE PERIOD

Applicants are provided a **five-day window to cure certain documents** that are initially deemed incomplete.

Some documents and/or occurrences are **not curable and will disqualify the applicant from further consideration** in this application cycle.



85%
Minimum Score

Applications Scored

Each application receives **five** reviews from external evaluators.

Scores Averaged

All **five** reader scores are averaged to produce an **unadjusted** average score.

Averages Adjusted

Highest and lowest reader scores are then dropped to produce an **adjusted** average score.

Scores Finalized

TEA will **accept the highest** of the two average scores. (*Unadjusted or Adjusted*).

Final Scores

TEA will notify applicants of their **final external review** score AND **preliminary decision**.



>85%

TEA will invite applicant to a **capacity interview**.

Applicant **MAY provide an explanation narrative** for external review performance.

Capacity Interview

<85%

Applicant **MUST provide an explanation narrative** for external review performance during the **Preliminary Decision Remedy Period** to remain in consideration.

Capacity Interview

An **applicant's ability to advance** will be determined by the strength of the response.

Proposal Removed

Any failure to respond will render an **automatic denial and removal** from the process.



Capacity Interviews

PRELIMINARY DECISION
REMEDY PERIOD

When are the capacity interviews?

Who participates in the capacity interviews?

December 17,
2024

**CAPACITY
INTERVIEW**

Dec 18, 2024–Jan.24, 2025

February 17-21, 2025

PRELIMINARY
DECISION

Capacity Interviews



Capacity Interviews

All applicants that receive 85% cumulative scores OR provide a sufficient response during the Preliminary Decision Remedy Period are invited to a capacity interview **February 17-21, 2025**.

All capacity interviews are virtual.

with...



TEA Staff

Applicants field questions from **TEA staff representing focus areas** in:

- Charter School Law
- Emergent Bilingual Programs
- Financial Compliance
- New School Launch
- School Programs
- Special Education



Deliberation and Decision

What happens after the capacity interview?

When does the commissioner make a decision?

When would we open our school if we are awarded?

PRELIMINARY DECISION
REMEDY PERIOD

COE
FINAL DECISION

February 17-21, 2025

Dec 18, 2024-Jan.24, 2025

March 7, 2025

CAPACITY
INTERVIEWS

Final Decision and Approval



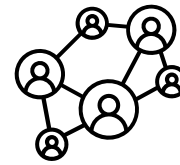
Mid Feb. 2025

Commissioner of education
reviews application materials, interviews, and stakeholder support.



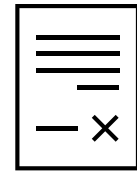
March 7, 2025

Commissioner of education
makes formal decisions.



March – April 2025

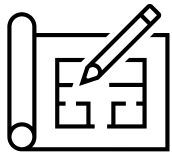
All successful applicants
address contingency items
as noted from the commissioner.



May 2025

Applicants that clear all contingencies are **awarded a charter contract.**

Final Decision and Approval



Launch Year Option

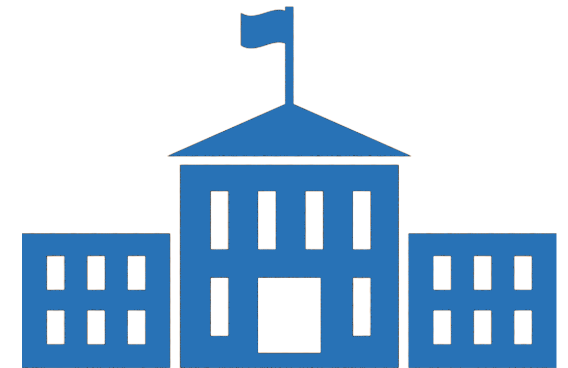
Applicants open in accordance with the **launch year listed in the approved application.**



August 2025
Charter school **begins serving students.**



August 2026
Charter school **begins serving students.**





Contact Us

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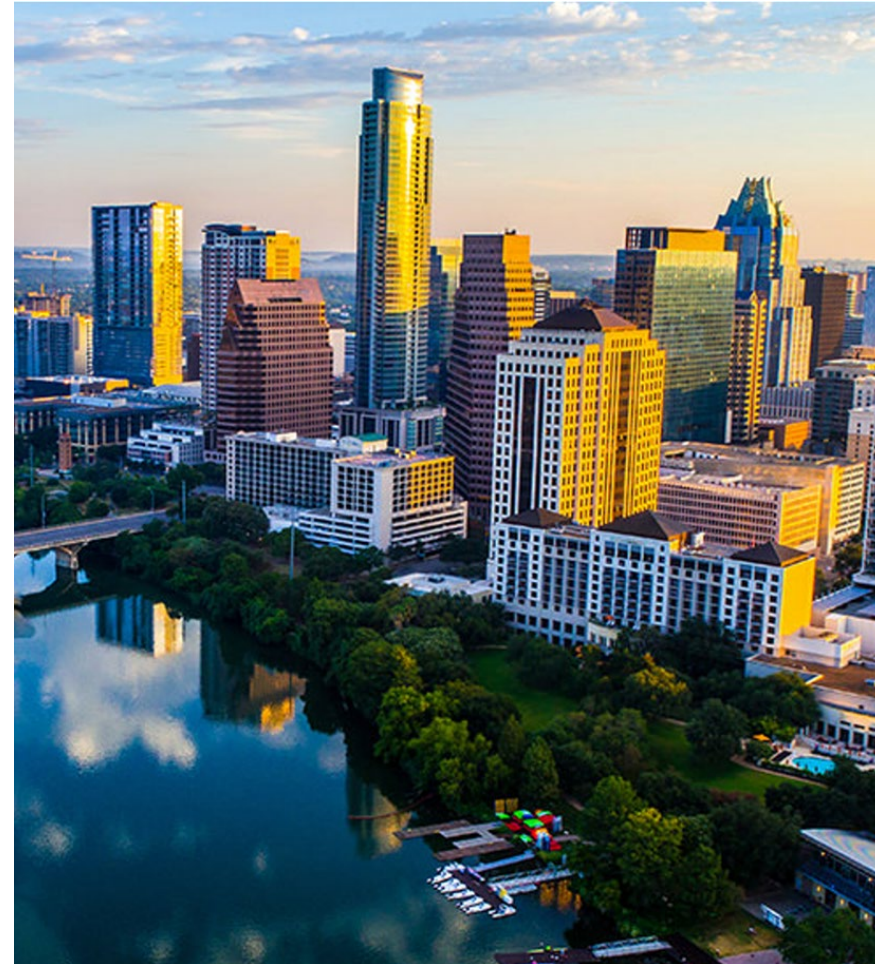
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**SUBCHAPTER G -
APPLICANT INFORMATION
SESSION**
SELECTED LEGAL ISSUES



LEGAL ISSUES OVERVIEW

- Governance
 - Eligibility
 - Texas Open Meetings Act (TOMA)
 - Nonsectarian Requirement
- Applicable Laws and Regulations
- Future Operations

Eligible Entities

Subchapter G Charter Schools

- A nonprofit entity (TEC §12.256(1)(A))
- A school district (TEC §12.256(1)(B))
- A Subchapter D charter school (TEC §12.256(1)(C))
- A general academic teaching institution, public junior college, or public technical institute, as defined by TEC §61.003. (TEC §12.256(1)(D))

NOTE – Subchapter D Charter Schools

Although charter schools authorized under Subchapter D are often referred to in shorthand as “open-enrollment charter schools”, this term can be broader than Subchapter D schools (see, Subchapter E, Chapter 12).

If an entity is considered to have an open-enrollment charter school, it **must specifically be an entity authorized under Subchapter D, Chapter 12 of the Texas Education Code** to be eligible for Subchapter G authorization.

Eligible Entities – Texas Business Organizations Code

- Prospective charter holders that are Texas non-profit corporations must remember to comply with the requirements of the Business Organizations Code (BOC).
- Under BOC §22.204, the number of directors of a corporation shall be not less than three (3).
- Questions regarding non-profit corporations should be directed to the Texas Secretary of State's Corporations Division.

GOVERNANCE

ELIGIBLE ENTITIES

Eligible Entities – Statutory Authorization Requirements

- The program designed by the applicant must allow students to complete a high school program that will lead to graduation; AND include CTE courses that can lead to industry certification.
- The applicant must have a successful history of providing education services, including industry certifications and job placement services, to adults 18 years of age and older in specified circumstances.
- The program proposed must have:
 - An acceptable instructional model.
 - Accessible work and college related services.
 - Support services for students.
 - See TEC Section 12.259.

Virtual Programs

- Virtual full-time programs are currently only available for charter schools that had been operating a full-time virtual program under the soon to expire Senate Bill 15. New charter schools are not eligible to operate full-time virtual programs.

Eligible Applicants - TEC Section 12.258

To be eligible for enrollment at a Subchapter G charter school, a student must:

- Be 18-50 years of age.
- Have previously failed to complete a high school graduation, either through noncompletion of curriculum or assessment requirements.

A prioritization is in place for students who have NOT received their high school equivalency certificate, see TEC 12.258(b).

Texas Open Meetings Act (TOMA)

Texas Gov't Code Chapter 551

- TOMA requires that when a quorum of a governing body discusses public business, written notice of the time, place, and subject of the meeting be posted for at least 72 hours at a place convenient to the public at the central administrative office.
- For more information:
 - Attorney General's Online TOMA Resources:
<https://www.texasattorneygeneral.gov/open-government/governmental-bodies>
 - *2022 Open Meetings Handbook* is available at:
https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf

GOVERNANCE

NONSECTARIAN EDUCATIONAL NATURE

Nonsectarian Educational Nature

Like other public schools, charter schools must be nonsectarian in all respects. This includes but is not limited to:

- Student Admission
- Employee Hiring
- Instruction
- Visible Religious Iconography
 - This may require covering décor and existing structures depending on the building used for instruction.
- School Calendars (naming student holidays)

GOVERNANCE

NONSECTARIAN EDUCATIONAL NATURE

Nonsectarian Educational Nature

Why must charter schools be nonsectarian?

- The Establishment Clause in the U.S. Constitution states that: *“Congress shall make no law respecting an establishment of religion.”*
- Article I, §7 of the Texas Constitution states that: *“No money shall be appropriated or drawn from the Treasury for the benefit of a sect or religious society, theological or religious seminary, nor shall property belonging to the State be appropriated for any such purpose.”*

APPLICABLE LAWS AND REGULATIONS

Governing Statutes

- Subchapter G, Chapter 12, Texas Education Code
- Special Mention: TEC Section 12.252
- Consider all applicable statutes for each entity.

Governing Rules

- 19 Texas Administrative Code, Chapter 100
 - 100.1017 *Application Form*
 - 100.1023 *Applicability of Law*
- Proposed rules are effective June 25, 2024.

FUTURE OPERATIONS

Admissions and Enrollment Issues

- Admissions policy must prohibit discrimination on the basis of race, color, national origin, sex, or disability. The Office for Civil Rights and TEA enforce several federal civil rights laws that prohibit discrimination in programs or activities that receive federal funds.
- Federal law and non-regulatory guidance require charter schools receiving federal funds to use a lottery when a school is oversubscribed.
- Charter schools may not charge an admission fee to students.
- Charter school may not require students to volunteer, to attend any sessions, or make any commitment to the charter for admission.

FUTURE OPERATIONS

Expansion Amendments

- Mechanism for expanding school operations.
- Submission cut off is June 30.
- Automatic approval occurs if there is not written notice provided on or before August 1.

FUTURE OPERATIONS

Program Funding – Legal

- TEC Section 12.107
 - Broadly, this governs the status and use of funds for charter schools.
 - Funds received through 12.106 are public funds.
 - Public funds are held in trust.
 - Public funds are restricted by 45.105(c).
 - Public funds are subject to the requirements regarding depository contracts.
- TEC Section 12.128
 - Broadly, this governs the status of property purchased with state funds.
 - Title is held by the charter holder during operation.
 - Permission is needed from the agency for disposing of property if the charter has ceased to operate in some fashion.
 - The commissioner takes possession of property described in this section if the school ceases to operate.

Thank you for your
dedication to
Texas Public Education!



Break

Please return by 2:00pm