

## Renewal Categories

Texas Education Code (TEC) §12.1141 authorizes the commissioner to adopt a procedure to be used for charter renewals. The procedure must include consideration of the charter holder's performance under Chapters 39 and 39A and the performance of each campus operating under the charter. The procedure must include three distinct processes, which are: (1) expedited renewal; (2) expiration; and (3) discretionary consideration of renewal or denial of renewal.

**Expedited:** TEC §12.1141(b) lists the basis for **expedited renewal** of a charter as follows: (1) the charter holder has been assigned the highest or second highest performance rating under Subchapter C, Chapter 39, for the three preceding school years; (2) the charter holder has been assigned a financial accountability rating under Subchapter D, Chapter 39, indicating financial performance that is satisfactory or better for the three preceding school years; and (3) no campus operating under the charter has been assigned the lowest performance rating under Subchapter C, Chapter 39, for the three preceding school years or such a campus has been closed.

**Discretionary:** TEC §12.1141(c) states that for charter schools that do not meet the criteria for expedited renewal or for expiration, the commissioner shall use the **discretionary consideration** process. Regardless of performance ratings received, charter schools rated under alternative education accountability (AEA) provisions follow the discretionary consideration process.

The commissioner's decision under the discretionary consideration process must take into consideration the results of annual evaluations under the performance frameworks established under TEC §12.1181.

**Expiration:** TEC §12.1141(d) lists the basis for **expiration** of a charter as follows: (1) the charter holder has been assigned the lowest performance rating under Subchapter C, Chapter 39, for any three of the five preceding school years; (2) the charter holder has been assigned a financial accountability performance rating under Subchapter D, Chapter 39, indicating financial performance that is lower than satisfactory for any three of the five preceding school years; (3) the charter holder has been assigned any combination of the ratings describe by (1) or (2) above for any three of the five preceding school years; or (4) any campus operating under the charter has been assigned the lowest performance rating under Subchapter C, Chapter 39, for the three preceding school years and such a campus has not been closed.

**Note for the 2021 renewal cycle:** 2019-2020 academic accountability ratings will not be available for renewal considerations for schools in the 2021 renewal cycle. The provisions in 19 Texas Administrative Code §100.1031(h)(1) address the circumstance for expedited and discretionary renewal considerations: If a rating is not issued during one or more of the preceding school years, then the term "three preceding school years" (expedited renewals) means the most recent three school years during which a rating was issued, and the term "three of the five preceding school years" (expiration and discretionary renewals) means three out of the most recent five school years during which a rating was issued. This means that the academic accountability data rating year window for expedited renewals is 2018-19, 2017-2018, and 2016-2017. The renewal window for discretionary renewals will include the years listed for expedited renewals as well as 2015-2016 and 2014-2015. Financial accountability will include Charter FIRST ratings issued for 2019-2020, 2018-2019, and 2017-2018 (window for expedited renewals) as well as two additional years (2015-2016 and 2016-2017) of Charter FIRST ratings to be considered for discretionary renewals.