

Texas Education Agency
1701 North Congress Ave.
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SUBCHAPTER G

APPLICATION FOR ADULT HIGH SCHOOL CHARTER

INSTRUCTIONS AND GUIDANCE DOCUMENT



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INTRODUCTION

The Texas Education Agency (TEA) welcomes applications for high-quality charter schools seeking to open for the 2024 or 2025 school years. Applicants are strongly encouraged to read this entire document and the corresponding Charter Request for Application (RFA 701-24-108) before developing any application content.

The Commissioner of Education (the commissioner) is actively committed to attracting charter applicants who are capable of operating high-quality charter schools. The information requested through the application will inform the commissioner's decision to propose adult education charter awards.

On May 31, 2021, the Texas Legislature created the Adult High School Charter School Program to maintain a portfolio of secular, tuition-free, public charter schools that meet industry needs for a sufficiently trained workforce within the state and strengthen the economic and educational prosperity of the state. The adult education charters must be designed to offer a high school program that can lead to a diploma and career and technology education courses that can lead to industry certification.

TYPES OF APPLICANTS

Entities eligible to apply for a Subchapter G Adult High School Charter School are listed below. The program is intended to offer charters to entities that have previous experience and success serving adult learners who have experienced educational disadvantages. Entities are permitted to partner with another eligible nonprofit entity to provide the adult education program, or partner with an entity approved by the Texas Workforce Commission to provide career and technology courses to satisfy the industry-based certification requirement, according to [TEC §12.259](#). These partnerships should be described in the application where applicable.

For purposes of this application, a **Charter Management Organization (CMO)** constitutes any third-party entity, whether nonprofit or for-profit, that provides comprehensive and contractual education management services to educational providers.

ENTITY AND CHARTER HOLDER

During the application process, the eligible entity applying for a charter shall be referred to as the "entity" or "applicant" or "charter applicant." The term "charter holder" is exclusively reserved for applicants who are awarded a charter after the application process. The

charter holder is the entity to which public education funds are paid if the application is approved by the commissioner and a contract is signed.

Prior to the submission of an application, TEA staff members are limited to fielding general inquiries that are associated with timelines and the overall application process. TEA staff members may not speak to application content.

ELIGIBILITY

Operators of adult high school charter schools within the state of Texas must qualify as an eligible entity as defined in [TEC §12.256](#). The state may grant adult education charters to the following entities:

- A nonprofit entity,
- a school district,
- an entity granted a charter under Subchapter D,
- a general academic teaching institution, public junior college, or public technical institute, as defined by TEC Section 61.003; and
- the entity, or a member of the entity's executive leadership, must also
 - 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 educational disadvantages, disabilities, homelessness, criminal history, or similar marginalizing circumstances.

Important: All applicants who apply as a 501(c)(3) tax-exempt organization must provide a Letter of Determination from the Internal Revenue Service (IRS) no later than **April 12, 2024**. Applicants are highly encouraged to file all relevant documents with the IRS as soon as possible.

For any of the above entities to be eligible the criteria named in the last bullet point must be met in full, describing a history serving the identified adult learner populations **as well as demonstrable success** serving those populations.

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

Additionally, for eligibility purposes, the entity must demonstrate through the application process that the proposed school model must comply with allowable provisions under state

law and the specific provisions for adult education under [TEC §12.1259](#). Those provisions include that the entity:

- Use an instructional model in which a significant portion of instruction, as approved by the commissioner, is delivered in a teacher-led, interactive classroom environment;
- provide access to:
 - career and technical education courses that lead to an industry certification;
 - career readiness training;
 - postsecondary counseling; and
 - job-placement services; and
- provide support services to students, including:
 - child care at no cost to students;
 - life coaching services, at a ratio not to exceed one life coach for every 100 students, that use strategic and holistic interventions designed to facilitate graduation planning and assist students in overcoming life obstacles to achieve academic and career goals;
 - mental health counseling;
 - for students with identified disabilities or impairments, instructional support services; and
 - transportation assistance.

If the proposed model is not executable under current law or compliant with the provisions above, then the application may be removed from consideration.

TIMELINE

Key dates from the Subchapter G application timeline are listed in the table below. More detail about the application process is provided in the sections that follow the table.

Activity	Dates
Request for Application Published	August 25, 2023
Information Session	August 25, 2023
Application Submission Deadline	October 31, 2023
Completion Check	November 1–10
Completion Remedy Period	November 13–17
External Review of Complete Applications	November 20–December 11, 2023

Determination Notifications sent to Applicants: Preliminary Decision of Award	December 15, 2023
Preliminary Decision Remedy Period	December 16, 2023–January 26, 2024
Determination Notifications sent to Applicants: Advancement to Capacity Interview	February 9, 2024*
Capacity Interviews with representatives from the Texas Education Agency	March 4–8 2024
Commissioner’s Final Decision to Grant Charter Awards	April 12, 2024*
* On or around date listed	

KEY DATES FOR APPLICANTS

REQUEST FOR APPLICATION (RFA) PUBLISHED... August 25, 2023

Notification of the RFA publication is posted in the Texas Register and on the TEA Charter School Applicants website.

APPLICANT INFORMATION SESSION... August 25, 2023

The information session will be held via Zoom, an online platform for video conferences and webinars. This session is held to provide additional information to applicants about procedures and general considerations for the application process. The attendance of at least one member of the applicant team is required. In addition, the board president must also attend if the applicant has an existing board at the time of the session. Applicants must register online for the information session at https://zoom.us/webinar/register/WN_sd965zRjS6yYtvTAMKorkw#/registration.

APPLICATION SUBMISSION DEADLINE... October 31, 2023

Applications must be submitted electronically. Electronic copies must be submitted to <https://tea.sharefile.com/r-ra47dca46215d4e3ea593460c010545f3> by 5:00 p.m. Central Standard Time.

Please note, any application documents submitted after 5:00 p.m. Central Standard Time **may render the entire application incomplete**. Applicants must ensure sufficient time to upload all documents prior to the submission deadline.

COMPLETION CHECK... November 1–10, 2023

TEA staff members conduct the initial application review, checking for statutory eligibility, completeness, and plagiarism violations. Applications that pass the completion check will proceed to the external review stage.

For an application to be deemed complete, applicants must:

- ✓ Submit a completed Application Package electronically by the application deadline;
- ✓ Respond to all applicable narratives and special assurances;
- ✓ Include all applicable attachments and their coversheets;
- ✓ Ensure that prohibited materials are not included pursuant to the Public Disclosure Policy;
- ✓ Prepare the Application Package in compliance with all instructions provided; and
- ✓ Ensure completeness in both form and assembly.

Submitted application narrative documents that are significantly disordered or omitting required narratives are subject to immediate removal from consideration. **Please do not submit narrative documents that are only partially complete.**

EXTERNAL REVIEW PERIOD... November 20–December 11, 2023

All eligible applications that have successfully passed the completion check are assigned to five independent parties for external review and scoring. Each application will be reviewed on its own merits and scored in accordance with the evaluation criteria published by the TEA.

Evaluation criteria can be accessed by clicking on the button titled “Evaluation Criteria” for each narrative section. External reviewers will score each applicable criterion. The average of all five reviews must be equal to or greater than 85% for the applicant to advance to the capacity interview.

PRELIMINARY DECISION REMEDY PERIOD... December 16, 2023–January 26, 2024

After the external review period is completed, all applicants are invited to submit a narrative addressing potential deficiencies identified in the external review scoring and commentary. The narrative is limited to up to 10 pages, with 1-inch margins, 12-sized font, single spaced. The topics discussed are at the discretion of the applicant team with the intention of supporting the applicant’s potential to become a high-quality adult education charter operator. Narratives should be uploaded to the Sharefile link where they will be reviewed by agency staff for further consideration.

CAPACITY INTERVIEWS... March 4–8 2024

Qualifying applicants (i.e., those meeting the 85% threshold to advance or those who have been invited after review of the preliminary decision remedy narrative) will participate in a formal interview with TEA staff. During the interview, applicants will have the opportunity to field questions and demonstrate their capacity to open and operate a high-quality charter school.

Important: Interview days and times are provided by TEA staff and are not subject to negotiation.

All applicants that hold 501(c)(3) nonprofit corporation status **must** have both: (1) the president of the governing board of the sponsoring entity; and (2) the superintendent or executive director (if identified) in attendance at the capacity interview. For school districts applying for a Subchapter G charter, the superintendent or designee, and the board president **must** attend the interview. Applicants that qualify as Institutions of Higher Education **must** have: (1) at least one member who currently holds a position on the governing board of the institution of higher education/governmental entity; and (2) the superintendent (if identified) of the proposed charter school in attendance at the capacity interview.

FINAL DECISION OF CHARTER AWARDS ... April 12, 2024

The commissioner reviews all relevant application information and determines awards. In order to be awarded a charter, an applicant successfully proposes a strong and viable adult education program through initial application and supplementary narrative (if submitted) and demonstrate sufficient capability during the capacity interview.

CONTINGENCY PERIOD... Within two months of receipt

Following the commissioner's charter awards, the charter applicants must work with TEA staff to resolve any issues that were identified during the application review or capacity interview process. All contingencies must be satisfactorily addressed within two months of receipt of agency required contingencies. A charter will not be awarded—and a contract will not be drafted—unless all issues are resolved by this date. After all contingencies are addressed, contracts will be issued with county-district numbers.

START-UP PERIOD... 3 or 12 Months

The adult education charter application permits an entity to submit an optional addendum that provides evidence that the entity is ready for operations and may bypass the traditionally observed start-up year and begin operations in fall of 2024, provided the applicant scores high enough on this component. If the applicant intends to apply for the

federal CSP grant, however, grant recipients must observe the mandatory start-up year and serve program participants in fall of 2025. **No authorized entity may begin operations midway through the school year (i.e., Spring of 2025).**

ADULT EDUCATION 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 charter holder's completed application response to RFA 701-24-108;
- ✓ 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 during the generation application cycle.

The execution of a charter contract constitutes an assurance by the charter applicant that no false information was submitted to the TEA or the commissioner by the charter applicant, its agents, or employees in support of the proposed adult education charter. Any actions that are inconsistent with the terms and requirements of the charter shall constitute a material violation of the charter contract.

The commissioner will evaluate each adult education charter school annually according to the performance framework adopted specifically for these schools. The commissioner may revoke the charter if the charter's adult education program fails to meet the minimum performance standards established by commissioner rule on the applicable accountability framework for three consecutive school years after the second year of operation. 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.

APPROVAL AND AWARD PROCESS

CRITERIA

At the conclusion of all applicant interviews, the commissioner will formally grant awards for adult education charters to applicants who have demonstrated the capacity to open and operate high-quality charter schools. In addition to the overall quality, completeness of the Application Package, and presentation during the interview, the commissioner will consider demonstrations of the following:

- ✓ Strength of the proposed board and leadership teams;
- ✓ Strength of the national portfolio, if applicable;

- ✓ Demonstrated improvement in student performance, if applicable;
- ✓ Displays of innovative thought and practice;
- ✓ Recruitment strategies that will likely achieve the projected enrollment for the first years of operation;
- ✓ Evidence of 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 charter applicant, 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 will meet industry needs for a sufficiently trained workforce within the state and strengthen the economic and educational prosperity of the state.

APPLICATION PACKAGE

APPLICATION PACKAGE COMPONENTS

Applicants must complete and submit the following, collectively referred to as the Application Package:

- Application narrative document
- Letter of Special Assurances
- Application attachments.

APPLICATION PACKAGE REQUIREMENTS

Application page count

- Limit the narrative document to 100 pages (this **does not include** the Table of Contents, Application Checklist, Applicant Profile Page, Criteria Pages, and the Letter of Special Assurances). The narrative document will automatically paginate and does not count the Evaluation Criteria pages towards the page number indicated in the lower right corner.

Attachment section

- All attachment directions and coversheets are hyperlinked on the narrative checklist page and each relevant section of the narrative document.

- All attachments must be combined and submitted as one **Attachments Submission Document**. This does not include the Financial Plan Workbook. The workbook is submitted as a separate Excel document.
- Submit all attachment coversheets for each attachment.
- There is **no page limit** on the Attachments Submission Document.

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

If, at any time during the evaluation process, TEA staff find that an application contains plagiarized content, it will be removed from the application process and excluded from further review during the application cycle. This decision cannot be appealed.

The TEA defines plagiarism as the representation of the words or ideas of another as one's own in an application. The TEA is cognizant that to discuss an existing curriculum, instructional framework, or educational model (e.g., Montessori, project-based learning, blended learning, etc.), key concepts must be mentioned. However, it is not acceptable to copy and paste a description from another source. An applicant team with the capacity to execute a plan must be able to thoughtfully explain how they intend to educate program participants in their own words. The majority of each narrative response should be original writing and thinking with citations to support specific assertions or descriptions. 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.

Style Guidance

Narrative responses should be brief and specific whenever possible. It is most helpful if descriptions of vision, processes, and design are clear and concise rather than abstract or general. Do not repeat content discussed in other sections of the application. If needed, applicants may refer to or cite other responses in the narrative or attachment sections.

SUBMISSION

Applicants are requested to submit the charter application via Sharefile. This service is a web-based interface that allows for the sharing of large files in a secure environment.

- Click <https://tea.sharefile.com/r-ra47dca46215d4e3ea593460c010545f3>.
- The first screen will require the following:
 - Email: use the email that was provided for the applicant's main contact;
 - First/Last Name: use the main contact that was listed in the applicant's proposal;
 - Company: use the name of the entity.
- The submission should include **three** files. The first file will be the completed Narrative Document. The second file will be the Attachments Submission Document. The third file will be the completed Excel version of the Financial Plan Workbook.
- Click the **upload button** in the lower left corner.
- Once the submission has been made, the application is considered electronically delivered and final. Applicants will not be able to make additional submissions or revisions to the original.

All submissions have timestamps and will constitute the official date and time of submission. File size and transmission issues could cause severe delays between submission and receipt of the application package. For this reason, the time stamp included in the document submission (received by the Division of Authorizing) will be considered the official date and time of submission.

Agency staff will be standing by to provide technical assistance for submission deadlines. Any technical issues should be communicated to staff prior to the deadline for either the initial submission or the submission of cure documents. **Technical issues communicated after the fact will not be considered in determining the completeness or timeliness of any submission.**