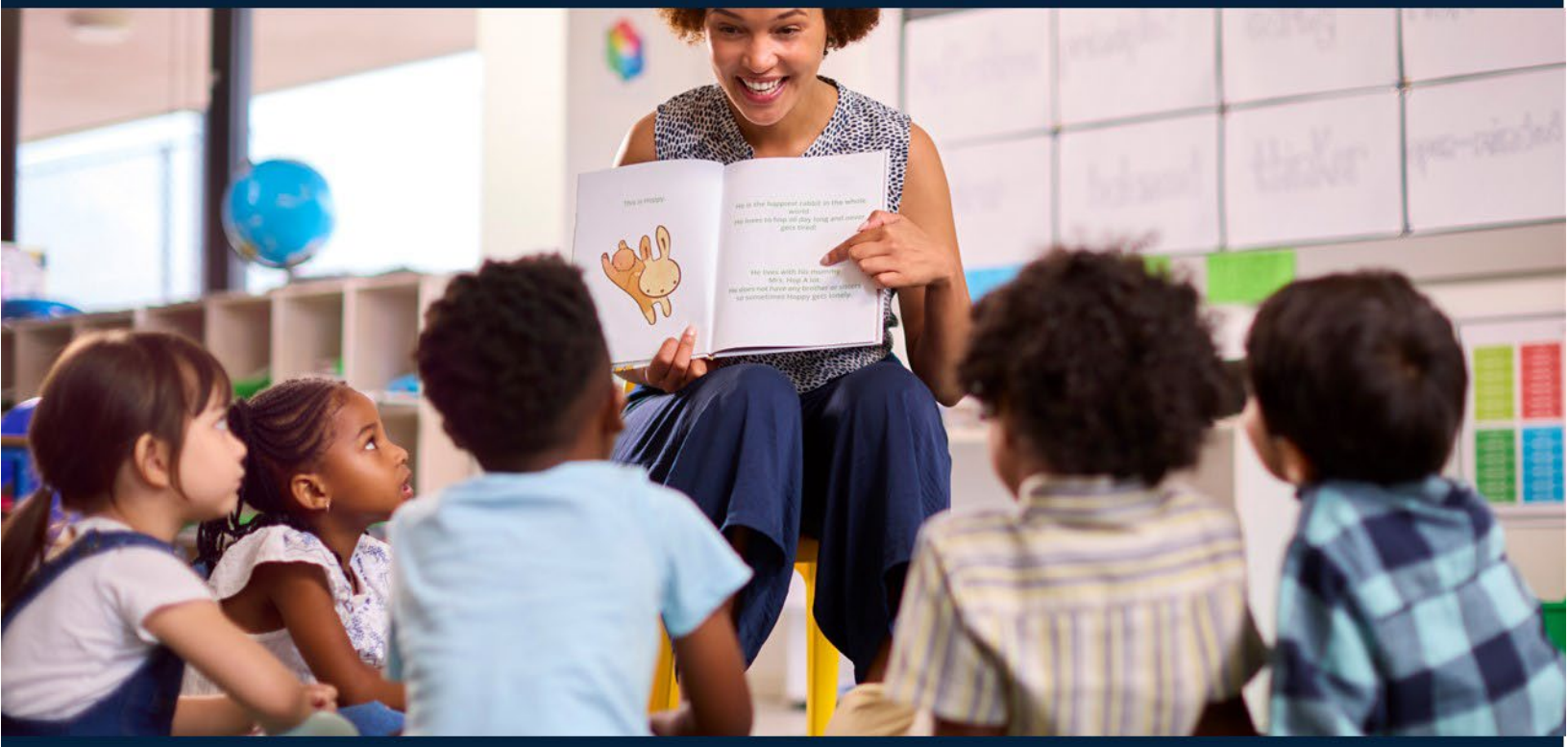
TEXAS CHARTER SCHOOLS

RFA 701-25-104

Generation 30

Subchapter D Open-Enrollment



HIGH PERFORMING ENTITY

OUT OF STATE OPERATOR

INSTRUCTION AND GUIDANCE

Texas Education Agency
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TEA Texas Education Agency

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INTRODUCTION

Note: The commissioner rules in effect during the time of the charter school application process will apply.

The Texas Education Agency (TEA) welcomes applications for high-quality charter schools seeking to open in SY 2025 and beyond. Applicants are strongly encouraged to read this entire document and the corresponding Charter Request for Application RFA 701-25-104 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 Generation 30 charter awards.

On May 30, 1995, the Texas Legislature 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 charters and Subchapter E College/University charters (Texas Education Code §§12.101 and 12.1011 and 12.152, respectively). Pursuant to statute, the commissioner must adopt an open-enrollment charter application form, procedures, and evaluation criteria to be used in determining whether to award a charter. Collectively, the (1) Instructions and Guidance; (2) Application; and (3) Evaluation Criteria fulfill this requirement.

SPONSORING ENTITY AND CHARTER HOLDER

During the application process, the eligible entity applying for a charter shall be referred to as the "sponsoring 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

In accordance with Texas Education Code (TEC), §12.1011, notwithstanding TEC, §12.101(b), the commissioner of education may grant a charter to high-performing entities.

For an applicant to be eligible for consideration as a high-performing entity, the applicant must demonstrate one of the following criteria:

- The entity is affiliated with a charter operator that operates one or more charter schools in another state. The affiliated charter operator must have performed at an overall level that is comparable to the highest or second-highest performance rating category under TEC, Chapter 39, Subchapter C, or
    - The entity must propose to operate the charter school program that is currently implemented in the affiliated charter operator's existing charter schools.
    - A charter operator may be considered affiliated with an entity if it utilizes shared structures, practices, or materials, including, but not limited to, a shared management structure, shared financial management or staff development practices, or shared proprietary materials, including those related to instruction.
- The entity is currently operating charter programs under TEC, Chapter 12, Subchapter C or E. The entity must have performed at an overall level in the highest or second highest performance rating category under TEC, Chapter 39, Subchapter C.

The TEA will make determinations on completeness during the completion check process. Applications that are deemed to be incomplete will be removed from any further consideration during the high-performing entities application cycle.

The TEA will make determinations on eligibility during the data analysis and eligibility review period. Applications that are deemed to be ineligible will be removed from any further consideration during the high-performing entities application cycle.

Additionally, for eligibility purposes, the proposed school model must comply with allowable provisions under state law. If the model is not executable under current law, then the application may be removed from consideration or subject to contingencies at the end of the application process

GENERATION 30 HIGH-PERFORMING ENTITY TIMELINE

Key dates from the Generation 30 High-Performing Entity Out of State Application timeline are listed in the table below. More detail about the application process is provided in the sections that follow the table.

HPE Timeline with January Approval

Activity	Dates
Request for Application Published	September 10, 2024
Information Sessions	September 20, 2024 (Optional)
Application Submission	October 11, 2024
Completion Check	October 14–18, 2024
Remedy Period	October 21–25, 2024
Data Analysis and Eligibility Review	October 28–November 6, 2024
Eligibility Determination Notification	November 8, 2024*
Due diligence period	November 11–22, 2024
Commissioner Proposes Awards	November 26, 2024*
State Board of Education Meeting	January 2025
Charter Start Year	August 2025 or Beyond

HPE Timeline with April Approval

Activity	Dates
Request for Application Published	September 10, 2024
Information Sessions	September 20, 2024 (Optional)
Application Submission	December 2, 2024
Completion Check	December 2–6, 2024
Remedy Period	December 9–13, 2024
Data Analysis and Eligibility Review	December 16, 2024–January 10, 2025
Eligibility Determination Notification	January 14, 2025*
Due diligence period	January 15–31, 2025
Commissioner Proposes Awards	February 4, 2025*
State Board of Education Meeting	April 2025
Charter Start Year	August 2026 or Beyond

KEY DATES FOR APPLICANTS

REQUEST FOR APPLICATION (RFA) PUBLISHED… September 10, 2024

Notification of the RFA publication is posted in the Texas Register, on the TEA Charter School Division website, and subscribers are notified via the TEA GovDelivery System.

APPLICANT INFORMATION SESSION… September 20, 2024

One optional 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.

Applicants may register online for the information sessions which will be posted on TEA's website at https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-school-applicants.

APPLICATION SUBMISSION DEADLINE… October 11, 2024 or December 2, 2024

Applications must be submitted electronically. Electronic copies must be submitted to https://tea.sharefile.com/r-r2d3a65115a43492d940d43d118765448 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. *Deadlines are listed based on SBOE approval window.*

Note: *Deadlines listed are based on SBOE approval window.*

Important: Applicants may contact TEA staff for clarifications regarding required fields in the application and for assembly procedures; however, an 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 and ending on the date applicants conclude the data analysis and eligibility review process.

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

COMPLETION CHECK… October 2024 or December 2024

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 omit required narratives are subject to immediate removal from consideration. **Please do not submit narrative documents that are only partially complete.** *Timeframes are listed based on SBOE approval window.*

DATA ANALYSIS AND ELIGIBILITY REVIEW… October 28 –November 6, 2024 or December 16, 2024 –January 10, 2025

All eligible applications that have successfully passed the completion check are moved to the data analysis and eligibility review process. Applicants will be assessed on the required items of their application.

Each application will be reviewed on its own merits and scored in accordance with the evaluation criteria published by the TEA.

The portfolio workbook will serve as a critical data source for the analysis phase. It is essential that the data is accurate and complete to prevent any issues. TEA will use this data to assess whether a charter school meets the standard to be evaluated as a high-performing entity and has performed at a level of performance comparable to an A or B rating. In the evaluation phase, we will review current performance ratings and student achievement data on state assessments to determine if the student achievement score corresponds to an A or B rating on Domain 1 of Texas' accountability system.

If the applicant meets all requirements, the applicant will advance to the due diligence period.

Evaluation criteria for each narrative section are included in the "Terminology, Resources, and Evaluation Criteria" section of this guide.

Note: The timeframes listed are based on the SBOE approval window.

DUE DILIGENCE PERIOD… November 11 - 22, 2024 or January 15 - 31, 2025

During these time frames, these items will be reviewed for readiness:

Education Plan and Curriculum: Evaluating the comprehensiveness and alignment of the proposed education plan and curriculum aligned to Texas state standards and educational best practices. Assessing student performance, including demographic data along with growth and closure information.

Financial Review: Evaluating the financial stability and sustainability of the applicant organization, including budget projections, funding sources, and financial management practices.

Governance Assessment: Assessing the governance structure, leadership capabilities, and board composition of the applicant organization to ensure effective oversight and compliance with regulatory requirements.

Legal Compliance Check: Ensuring compliance with all legal requirements, including charter school laws, regulations, and policies at the state and local levels

Some additional review activities that may be conducted include but are not limited to the following:

- ✓ School site visits
- ✓ Meetings (in person or virtual)
- ✓ Interviews with current authorizer(s)

Note: Timeframes are listed based on SBOE approval window.

PROPOSED CHARTER AWARDS … November 26, 2024 or February 4, 2025

The commissioner reviews all relevant application information and proposes awards. In order to be proposed for award, an applicant must all requirements of the application and demonstrate sufficient capability during the due diligence phase.

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 charter holder's completed application response to RFA 701-25-104;
- ✓ 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 application process

The initial term of the charter is five years.

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 open-enrollment 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 periodically evaluate each open-enrollment charter school. The commissioner may revise, revoke, modify the governance of, or deny renewal of the charter 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) §§100.1037–100.1055. The procedures for commissioner action and intervention are outlined in TEC §12.116 and TAC §§100.1037–100.1055. 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

EFFECTIVE SCHOOLS FRAMEWORK

The Effective Schools Framework (ESF) provides a clear vision of best practices that were developed in conjunction with school and district leaders about what makes high-performing schools and districts excellent. Applicants are strongly encouraged to review and consider the ESF as a primary resource for effective strategies to support powerful teaching and learning.

CRITERIA

At the conclusion of all applicant interviews, the commissioner will formally propose awards for open-enrollment 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;
- ✓ 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
- ✓ 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 expand the variety of charter schools in the following ways:
    - Instructional settings,
    - Diverse student populations and programs,
    - Diverse geographic regions, and
    - Representation in urban, suburban, and rural communities.

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 20 pages (this **does not include** the Table of Contents, Application Checklist, Applicant Profile Page, and the Letter of Special Assurances).

Attachments 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 or Portfolio Overview Workbook. These documents are submitted as separate Excel documents.
- Submit all attachment coversheets for each attachment. If an attachment is not applicable, please indicate "no responsive documents" on the coversheet.
- There is **no page limit** on the Attachments Submission Document, but individual attachments may have page limits.

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 Generation 30 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 key concepts must be mentioned. It is not acceptable to copy and paste a description from another source, unless that source was originally produced by the same affiliated entity in any other published materials. 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-r2d3a65115a43492d940d43d118765448
- 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 sponsoring entity
- The submission should include **four** 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. The fourth file will be the Excel version of the Portfolio Overview Workbook.
- Ensure the Narrative Word Document is **converted to a PDF** before submitting it on ShareFile.
- 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 submission email (received by the Division of Charter School 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**.

TERMINOLOGY, RESOURCES, AND EVALUATION CRITERIA

LANDSCAPE:
Geographic Area to Be Served

What is a Geographic Area?

Applicants must identify one or more geographic areas from which they plan to enroll students. A geographic area can be a community, city, region, etc.

Projections for Campus [Year 1]

Realistic and/or justified demographic projections for all Year 1 campuses should reflect a careful analysis of the (1) target community, (2) district of location, and (3) contiguous districts. Funds may be affected (in Year 1) if the applicant overestimates the projected student population.

Strong Responses:

- Provide a compelling rationale for selecting the proposed geographic area that clearly supports the need for the proposed school.
- Clearly explains the targeted student population.

PLANNING AND PERFORMANCE MANAGEMENT:

Student Performance

Student performance data describe performance and accountability from the last two years of available data. Including highlights of special programs or interventions and explaining how those service will be replicated in Texas.

Accountability Domain

Applicants are encouraged to review the TEA's 2024 Accountability Manual, which describes the state accountability system and identifies specific accountability domains.

Additional Resources

Applicants are encouraged to review the TEA's Effective Schools Framework (ESF), Lever 1, Essential action 1.3.

Planning for Texas

This section will allow the applicant to explain their decision to apply for the high-performing entity application.

Strong Responses:

- Presents a thorough reflection of the entity's overall student performance and accountability for the last three years.
- Clearly identifies any special programs, interventions, or initiatives implemented by the charter to support student performance, with data showing their effectiveness.
- Provides compelling evidence to show the organization's decision to pursue a Subchapter D: Open-Enrollment Charter School aligns to the mission and vision.
- Identifies specific research or analysis conducted that supports the need and feasibility of replicating the charter school model.
- Presents a sound plan describing how the organization has prepared and assigned resources in anticipation of adding a Subchapter D: Open-Enrollment Charter School to the charter portfolio.
- Details a clear plan to show how the organization will modify its existing structure and operations to support the functions required of a Texas LEA.

Education Plan and Curriculum

This section will allow applicant to explain their educational plan for students as well as the proposed curriculum align with Texas state educational standards and requirements.
Strong Responses:

- Presents a thorough reflection of the proposed curriculum align with Texas state educational standards and requirements.
- Presents a thorough reflection of how the curriculum support the needs of diverse learners.
- Presents a thorough reflection of how the curriculum be evaluated and adapted to measure its effectiveness in achieving educational outcomes specific to Texas students, and what metrics will be used to track progress and success.

High-Quality Instructional Materials and Academic Experience

State-Required Standards

The state of Texas requires all schools (including charters) to offer (1) foundational curriculum and (2) enrichment curriculum. See Texas Education Code §12.111(a)(1). While charter schools enjoy curricular and instructional flexibility, an applicant must outline certain curriculum and standards in their proposal. See Texas Administrative Code §74. Required curriculum can be found on the Texas Education Agency Curriculum Division website. Applicants should ensure that all instructional materials are compliant with all state law. Applicants should familiarize themselves with the state standards, also known as the Texas Essential Knowledge and Skills (TEKS), and the English Language Proficiency Standards (ELPS).

High-Quality Instructional Materials are materials that: (1) are 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.

Applicants that propose to serve early education and elementary grades should review the Prekindergarten Guidelines and requirements with House Bill 3, including: implementation of a K–3 phonics curriculum, attendance at literacy achievement academies, and required full-day pre-k for all eligible 4-year-olds (if pre-k is offered).

Applicants may find valuable information on accelerated student learning on the TEA Accelerated Learning Resources webpage.

Lastly, applicants are strongly encouraged to review the TEA's Effective Schools Framework (ESF), particularly: Lever 1, Essential Action 1.2 and 1.3, Lever 4, Essential Action 4.1 and Lever 5, Essential Actions 1–2.

Evaluation Criteria

High-Quality Instructional Materials and Academic Experience

Strong Responses:

- Identify high-quality instructional materials or curricular resources for developing instructional materials (or plans to adopt materials) that are grade-level appropriate, aligned to the TEKS, and compliant with state law.
- Explain why the instructional materials identified in the table above were selected and discuss how they fit the definition of high-quality: (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.

GOVERNANCE, LEADERSHIP, AND TALENT:

Board Formation and Structure

This section allows applicant to review board structure and explain the selection and identification process.

Strong Responses:

- Presents skill sets that demonstrate a strong capacity to meet the needs of running a successful charter school and launch an A or B rated campus.
- Clearly outlines the governance structure the entity will establish for the Texas LEA and provides compelling evidence to show how the structure will ensure fidelity of implementation.
- Presents a sound plan that identifies the processes and structures that the proposed board will have in place to ensure transparent accountability and engagement with all stakeholders.
- Identifies a clear outline of the structures and policies in place to ensure that the board remains an independent governing body separate from the CMO.
- Discuss the recruitment process for the proposed superintendent. If a proposed superintendent has been identified, discuss why this individual is qualified to lead the proposed school in achieving its mission. Describe the leader's connection to the community and/or ability to effectively serve the anticipated population.
- Discuss the recruitment process that will be used to identify and select the candidate best qualified to lead the proposed school in achieving its mission. Include the timeline, criteria, and selection process.

CHARTER MANAGEMENT ORGANIZATIONS (CMO)

For experienced operators that are affiliated with a Charter Management Organization (CMO) with multiple years of academic performance data, strong responses will also:

- Present strong evidence for the selection of the proposed CMO.
- Provide a well-developed rationale that aligns the CMO's educational model with the needs of the targeted community and how it will improve student outcomes.
- Present a service package that will fully support the mission, vision, and design of the proposed school.
- Provide a detailed and compelling rationale for the proposed compensation structure and associated costs
- Describes how the organization will modify its existing structure and operations to support the functions required of a Texas LEA.

CHARTER SCHOOL PORTFOLIO

Evaluation Criteria

Portfolio Overview

For all experienced operators, strong responses:

- Presents thoughtful reflection on both student performance and accountability from the last three years of available data to showcase the entities' High-Performing eligibility.
- Identifies a specific student group that has exhibited significant under-performance and clear systems of support/ interventions that were put into place to achieve stronger achievement.
- Present clear teacher retention data from the 2023-2024 school year broken down by campus or subgroup. Clearly describes how the organization tracks teacher satisfaction for your organization. Identifies a clear plan to prioritize teacher retention.
- Identifies specific challenges that have affected performance among students with disabilities and presents a clear systemic approach to how they were (or are currently) addressed.
- Provides robust plans to address area(s) of growth systemically and presents clear campus supports where applicable.

FINANCE

Financial Plan

Financial Accounting Software
Applicants must select financial accounting software that complies with the requirements discussed in the Special Supplement—Charter Schools (view the Financial Accounting System and Resource Guide module 2).

Funding Resources
School funding is crucial to the viability of a charter school. Applicants should thoroughly review the following resources:

- The Foundation School Program (FSP) and Charter School Finance.
- Financial Accountability System Resource Guide (FASRG), which describes the rules of financial accounting for charter schools (particularly module 10, the special supplement for charter schools).
- Annual Financial and Compliance Reports.
- Charter Financial Integrity Rating System of Texas (Charter FIRST).

Additional Resources
Applicants should disclose any vendors they plan to hire in the financial plan workbook.

Statutory Requirements
Charter schools must ensure that they follow all statutory requirements. Applicants are encouraged to review the following requirements before submitting an application.

Texas Education Code
- §12.111(a)(10-11): Requirements to adopt an annual budget and conduct an annual audit
- §39.083: Reporting (related to Annual Financial Compliance Reports)
- §44.008: Fiscal Management (related to Annual Financial Compliance Reports)

Texas Administrative Code
- 19 §109.23: Independent Audits and Agreed-Upon Procedures (related to Annual Financial Compliance Reports

Evaluation Criteria
Financial Plan
Strong Responses:
- In the Financial Plan Workbook, present a viable budget to support the proposed programs, including services for students with disabilities, emergent bilingual students, and gifted and talented students.
- In the Audit Report, demonstrates the entity applying for the charter has liabilities that are less than 80% of its assets. (*if applicable*)