OPEN-ENROLLMENT CHARTER RENEWAL APPLICATION FOR CONTRACT END DATE OF JULY 31, 2013

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Explanation of Renewal Process and Application Instructions

Charter renewal is a function of the commissioner of education. As authorized in *Texas Education Code (TEC), §12.115*, the commissioner may modify, place on probation, revoke or deny the renewal of the charter of an open-enrollment charter school if the commissioner determines that the charter holder:

1) committed a material violation of the charter; including failure to satisfy accountability provisions prescribed by the charter;
2) failed to satisfy generally accepted accounting standards of fiscal management;
3) failed to protect the health, safety, or welfare of the students enrolled at the school; or
4) failed to comply with the requirements of *(TEC*) Chapter 12, Subchapter D or other applicable laws or rules.

19 Texas Administrative Code (TAC) §100.1031 contains additional information about charter renewal.

The charter renewal process consists of reviews of the following general areas: student performance, business operations and fiscal management, program performance and effectiveness, and compliance with certain legal requirements.

Student Performance: The review of this area of accountability is primarily based on examining the state accountability ratings that have been issued since the charter school began operating and determining whether the charter holder has satisfied the student performance requirements under the applicable statutes and rules.

Business Operations and Fiscal Management: The review of this area of accountability primarily consists of examining the annual financial and compliance reports filed by the charter holder with Texas Education Agency's (TEA's) Division of Financial Accountability and Reporting. Auditors will evaluate whether the charter holder has filed all of the required reports and whether the reports demonstrate that the charter holder has satisfied generally accepted accounting standards of fiscal management under the applicable statutes and rules. Charter Financial Integrity Rating System of Texas (FIRST) and Financial Solvency are also considered.

Compliance: The review of this area of accountability involves evaluating the charter holder's compliance with the initial charter contract, federal and state requirements, and reporting requirements. This review also consists of evaluating the information provided in the completed renewal application and determining the charter holder's status with divisions at the agency.

Before a renewal decision is authorized by the commissioner, the applicant must receive clearance from the following areas: Performance Reporting, Charter School Administration, Child Nutrition, Financial Accountability and Reporting, Grants Administration, Legal Services, PEIMS Data Reporting, Program Monitoring and Interventions, NCLB and IDEA Programs, Student Assessment, Enforcement Coordination and Governance, General Inquiries, Complaints, and Educator Standards and Certification. The charter must also have a status of Accredited as defined in 19 Texas Administrative Code (TAC) §97.1055.

The charter renewal process provides an opportunity for schools to communicate with the agency about their current practices. The renewal process is separate from the charter amendment process. Significant changes from the original charter should not be made in the renewal application unless a charter amendment has been previously approved.

Application Instructions

1. **Deadline:** This application contains ten sections and several fillable forms that are to be completed, printed and returned by mail to the Charter School Administration Unit by April 5, 2013.

2. **Typing Requirement:** All of the responses to the application sections, with the *exception* of signatures and dates of signatures, must be typed.

3. **Printing Requirement:** Application must be printed on one-sided 8 1/2" x 11" white. paper.

4. **Signature Requirement:** Where signatures and dates of signatures are required, they must be in **blue** ink.

5. **Submission of Original Document and One Copy:** The completed and unbound (rubber bands or clips are acceptable) renewal application including fillable forms and attachments and one additional copy must be submitted as follows:

Texas Education Agency
Charter School Administration Unit
1701 North Congress Avenue
Austin, Texas 78701

Navigating Through the Application Form Fields: Use the Tab key to navigate through the form fields.

The following paragraphs summarize the requirements for each section:

Section I. Current Information in the Charter School Tracking System (CSTS): This section is a printout of current information concerning the charter holder from the TEA Charter School Administration Unit database, the CSTS, and must be attached as the application cover sheet. This document was included as an attachment in the letter informing you of this renewal application.

Section II. Contact Information: This section requires the charter holder to provide the current contact information for the superintendent, the charter holder board chair, and the person who prepared the application.

Section III. Posting of Adopted Budget: This section requires the charter holder to provide the web address where the charter budgets are posted as required by Texas Education Code (TEC) §39.084.

Section IV. Organizational Charts: This section requires the charter holder to provide the organizational chart of the charter school as well as a chart showing other entities and programs managed by the charter holder. This section requires the submission of attachments 1 and 2.

Section V. Admission Policy: This section requires the charter holder to provide details concerning the charter school's admission policy and practices. In addition, this section requires the submission of attachments 3, 4, and 5.

Section VI. Special Education Assurances: This section requires the charter holder to certify that it has policies and procedures in place that ensure implementation of all federal laws and regulations, Texas laws, State Board of Education rules, and commissioner rules related to students with disabilities, and further assures that any future amendments to the regulations, laws, and rules will be incorporated and implemented. This section must be signed by the charter holder board chair.

Section VII. Assurances Regarding Charter Schools Serving Students at Residential Facilities:
This section requires the charter holder to certify that it has policies and procedures in place that ensure implementation of all federal laws and regulations, Texas laws, State Board of Education rules, and commissioner rules related to charter schools serving students at residential facilities and further certifies that any future amendments to the laws, regulations, and rules will be incorporated and implemented. **This section is required only when the charter educates students at a residential facility. If required, this form must be signed by the charter holder board chair.**

Section VIII. Bilingual/ESL, Section 504, and Dyslexia Assurances: This section requires the charter holder to certify that it has policies and procedures in place ensuring that it complies with the legal and regulatory requirements concerning identifying and providing appropriate education services to limited English proficient students, students protected by Section 504 of the Rehabilitation Act of 1973, and students with dyslexia or related disorders. This section must be completed and signed by the charter holder board chair.

Section IX. Certificate of Acknowledgement: This section requires at least a majority of the governing body of the charter holder to certify that it has had an opportunity to review the completed renewal application and has authorized, during an open meeting, submission of the application to the commissioner of education for consideration of the renewal of the charter.

Attachment 1: Organizational Chart of the Charter School

Attachment 2: Chart Showing Additional Involvement by Charter Holder

Attachment 3: Admission Policy

Attachment 4: Admission Application

Attachment 5: Enrollment Form(s)

Selected Definitions

Please review *(TEC) §12.1012* and *19 TAC §100.1011* for definitions of terms which are available at the online resource page. Listed below are selected terms and definitions:

- *Charter holder* - the entity to which a charter is granted under TEC, Chapter 12, Subchapter D
- *Charter school* - a Texas public school operated by a charter holder under an open-enrollment charter granted by the State Board of Education pursuant to TEC, §12.101
- *Governing body of a charter holder* - the board of directors, board of trustees, or other governing body of a charter holder
- *Governing body of a charter school* - the board of directors, board of trustees, or other governing body of an open-enrollment charter school; the term includes the governing body of a charter holder if that body acts as the governing body of the open-enrollment charter school
- *Management company* - a person or entity, other than a charter holder, that provides management services for an open-enrollment charter school
- *Officer of a charter school* - the principal, director, or other chief operating officer of an open-enrollment charter school; an assistant principal or assistant director of an open-enrollment charter school; or a person charged with managing the finances of an open-enrollment charter school
- *Board chair or chairperson* - generally the board president or presiding officer of the governing board

Section I. Current Information in Charter School Tracking System

A pre-printed document entitled OPEN-ENROLLMENT CHARTER CONTRACT RENEWAL APPLICATION was provided in the letter announcing the renewal application. This document will serve as the coversheet when the completed application is submitted. You are to verify the accuracy of the information on the coversheet and, if needed, create a separate sheet detailing your corrections and label the sheet *Update to Data Provided by TEA*. If applicable, include the *Update to Data Provided by TEA* in the renewal packet immediately following the preprinted coversheet.

Section II. Contact Information

The persons listed below will be contacted by agency staff if there are issues to be resolved in any of the sections.

Superintendent Contact Information:

Superintendent's Name:	
Telephone Number:	
Fax Number:	
E-mail Address:	

Charter Holder Board Chair Contact Information:

Charter Holder Board Chair's Name:	
Telephone Number:	
Fax Number:	
E-mail Address:	

Application Preparer's Contact Information:

Contact Name:	
Telephone Number:	
Fax Number:	
E-mail Address:	

Charter School Website:

Web address:	

Section III. Posting of Adopted Budget

Chapter 12 of the Texas Education Code (TEC), specifically §12.104(b)(2)(L), makes explicit that open-enrollment charters are required to comply with TEC Chapter 39, Subchapter D, Financial Accountability. TEC §39.084, titled *Posting of Adopted Budget*, states the following:

(a) On final approval of the budget by the board of trustees, the school district shall post on the district's Internet website a copy of the budget adopted by the board of trustees. The district's Internet website must prominently display the electronic link to the adopted budget.

(b) The district shall maintain the adopted budget on the district's Internet website until the third anniversary of the date the budget was adopted.

Provide the web address of the adopted budgets:

Section IV. Organizational Charts

Submit, as **Attachment 1**, the organizational chart for the charter school that specifies the administrative positions including the title and name of the individual currently in each position.

Submit, as **Attachment 2**, a chart that identifies all other entities under the direction of the charter holder. This would include entities and/or programs that the charter holder governs/manages in addition to the charter school.

Section V. Admission Policy

A. Specify the period during which applications for admission are accepted. *TEC, §12.117, requires that a charter school establish a reasonable application deadline for the submission of applications for admission*.

Beginning of Period (Month/Day)	End of Period (Month/Day)

B. If the school admits students by lottery when the number of admissions applications received exceeds the number of available spaces, describe the procedures followed in conducting the lottery.
Type Below:

C. If the school utilizes a lottery when oversubscribed, are any categories of applicants exempted from the lottery?
Check One:

- ◯ Yes
- ◯ No
- ◯ Not applicable (because lotteries are not utilized)

If "Yes" was indicated in C above, state the categories of applicants that are exempted.
Type Below:

D. If the school utilizes a lottery when oversubscribed, specify the approximate date on which a lottery will be conducted.

Approximate Date of Lottery (Month/Day)

E. If the school does not utilize a lottery when oversubscribed, but rather fills the available positions in the order in which applications were received before the expiration of the application deadline (i.e., a "first-come, first-served" admission process), describe the manner in which the school notifies the community of the opportunity to apply for admission. *TEC, §12.117, requires a charter school that uses a first-come, first-served admission process when oversubscribed to publish a notice in a newspaper of general circulation not later than the seventh day before the application deadline.*
Type Below:

F. If the school has a separate process for re-enrollment, state the process and the timeline to be used.
Type Below:

G. State the procedures for processing applications received once the application deadline has passed.
Type Below:

H. Describe the information that an applicant must provide in order to be considered for admission. *Applicants may not be required to provide copies of transcripts or other academic records until after they are offered admission and are enrolling. Furthermore, a student may not be precluded from enrolling due to the charter school's failure to receive information required for enrollment from the student's parent or guardian or previous school. See TEC, §25.002.*
Type Below:

I. The charter holder certifies that the non-discrimination statement required by TEC, §12.111(a)(6) is printed in the school's admission policy. *TEC, §12.111(6) requires that a charter school's admission policy include a statement that the school will not discriminate in admissions based on gender, national origin, ethnicity, religion, disability, academic, artistic, or athletic ability, or the district the child would otherwise attend.*

Check One:
- ◯ Yes
- ◯ No

J. Does the admission policy either require or permit the school to exclude from admission all students with documented histories of a criminal offense, a juvenile court adjudication, or discipline problems under TEC Chapter 37, Subchapter A as authorized by TEC, § 12.111(a)(6)?

Check One:
- ◯ Yes (The school excludes such students or reserves the right to exclude such students from admissions.)
- ◯ No (The school does not deny admission to such students based on their documented histories of misconduct.)

Submit

- as **Attachment 3**, a current copy of the admission policy that incorporates the information provided in the above answers to questions A through H and any other relevant information;
- as **Attachment 4,** a blank copy of the current admission application (i.e., the information requested when the student first seeks admission); and
- as **Attachment 5**, a blank copy of the current enrollment form(s) (i.e., the information required once an applicant has been offered admission and is registering for enrollment)

Section VI. Special Education Assurances

The charter holder certifies that it has policies and procedures in place that ensure implementation of all federal laws and regulations, Texas laws, State Board of Education (SBOE) and commissioner of education rules related to students with disabilities and further certifies that any future amendments to the laws, regulations, and rules will be incorporated and implemented.

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Signature of Charter Holder Board Chair
(Must sign in blue ink)

Date

_____

Printed Name of Charter Holder Board Chair

Section VII. Assurances Regarding Charter Schools Serving Students at Residential Facilities

If the charter school is not currently approved to serve students at residential facilities, please indicate N/A on the signature line.

If operating a charter school campus on the site of a residential facility (RF) or serving students residing in or receiving services from an RF, the charter holder chair certifies the following:

Compliance with Special Education Requirements: The charter holder assures that it will comply with all of the requirements for the provision of educational services to students with disabilities as mandated by the Individuals with Disabilities Education Act, as amended, the Texas Education Code, and federal and state special education regulations. The charter holder acknowledges that state and federal special education requirements require, among other things, that it provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE) to students with disabilities residing in RFs. The charter holder further assures that it will provide, or seek the provision of, a FAPE to students with disabilities, which may require it to contract with outside service providers or another local educational agency to provide necessary services and supports to students with disabilities.

Geographic Boundaries: The charter holder assures that it will accept students who reside in the school district(s) that are within each new campus's geographic boundaries regardless of the presence or absence of a disability or admission to or participation in an RF program.

Admissions Criteria: The charter holder assures that its admissions criteria will not be based on the presence or the absence of a disability or on gender, national origin, ethnicity, religion, academic, artistic or athletic ability, or the district the child would otherwise attend.

School Choice: The charter holder assures that parents/legal guardians (or adult students) will be advised that they may choose to enroll their child in either the charter school or the local public school district and that the elected choice will be documented in writing and filed for purposes of review or audit by the Texas Education Agency (TEA), external auditor, or other entity.

Residential Facilities Monitoring (RFM) System: The charter holder assures that it understands that, pursuant to 19 Texas Administrative Code (TAC) §97.1072, there is a specific system for monitoring school districts and charter schools that serve students with disabilities who reside in RFs. The charter holder further assures that it understands that it will be required to report data related to students with disabilities residing in RFs in TEA's data collection system known as *RF Tracker* and that it may be subject to RFM intervention activities and on-site visits based upon a review of the data it reports or on random or other means of selection.

Training: The charter holder assures that all personnel involved with serving students with disabilities residing in an RF and personnel involved with reporting data in *RF Tracker* will receive training on the RFM system.

Section VII. (Continued) Assurances Regarding Charter Schools Serving Students at Residential Facilities

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The charter holder assures that this assurance document has been shared with, and understood by, the RF board and that the RF board has acknowledged its understanding of all federal laws and regulations, Texas laws, State Board of Education (SBOE) and commissioner of education rules related to charter schools serving students at residential facilities and further certifies that any future amendments to the laws, regulations, and rules will be incorporated and implemented.

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Signature of Charter Holder Board Chair
(Must sign in blue ink)

Date

_____

Printed Name of Charter Holder Board Chair

Please write N/A in the signature line if the charter does not serve students at residential facilities.

Section VIII. Bilingual/ESL, Section 504, and Dyslexia Assurances

TEC, Chapter 29, Subchapter B, TEC §12.104(b)(2)(G), and *19 TAC §§89.1201-.1265* require charter schools to identify limited English proficient students based on state criteria and to provide an appropriate bilingual education or English as a second language program conducted by teachers certified for such courses.

A. The charter holder certifies that it has policies and procedures in place that ensure that it complies with the legal and regulatory requirements concerning identifying and providing appropriate educational services to limited English proficient students.

Check One:

◯ Yes

◯ No

Section 504 of the Rehabilitation Act of 1973*, 29 U.S.C. §794,* prohibits discrimination on the basis of disability in any program receiving federal financial assistance. A recipient that operates a public education program or activity shall provide a free, appropriate public education to qualified individuals.

B. The charter holder certifies that it has policies and procedures in place that ensure that it complies with the legal and regulatory requirements concerning identifying and providing appropriate educational services to students protected by Section 504.

Check One:

◯ Yes

◯ No

TEC §38.003, TEC §12.104(b)(2)(K), 19 TAC §74.28 and Section 504 of the Rehabilitation Act of 1973*, 29 U.S.C. §794,* require charter schools to identify students with dyslexia or related disorders and to provide appropriate educational services.

C. The charter holder certifies that it has policies and procedures in place that ensure that it complies with the legal and regulatory requirements concerning identifying and providing appropriate educational services to students with dyslexia or related disorders.

Check One:

◯ Yes

◯ No

I further certify that any future amendments to the laws, regulations, and rules will be incorporated and implemented.

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Signature of Charter Holder Board Chair
(Must sign in blue ink)

Date

_____

Printed Name of Charter Holder Board Chair

Section IX. Fingerprinting and Criminal Record Check Assurance

The charter holder certifies that it is in compliance with TEC §12.120, and confirms that no individual is serving in any capacity if he or she has been convicted of a misdemeanor involving moral turpitude; a felony; an offense listed in TEC §37.007(a); or an offense listed in Article 62.001(5) Code of Criminal Procedures.

Additionally, the charter holder confirms that all current fingerprinting and criminal record checks are available for all employees, including contract employees; volunteers who indicated in writing their intention to serve; board members; and officers of the charter holder who are not on the board, in compliance with TEC §§12.1059, 22.0832-22.0835.

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Signature of Charter Holder Board Chair
(Must sign in blue ink)

Date

_____

Printed Name of Charter Holder Board Chair

Section X. Certificate of Acknowledgement

This section requires at least a majority of the governing body of the charter holder to certify that it has had an opportunity to review the completed renewal application and has authorized, during an open meeting, submission of the application to the commissioner of education for consideration of renewal of the charter.

CERTIFICATE OF ACKNOWLEDGEMENT

The undersigned members of the governing body of the charter holder hereby acknowledge that they have had an opportunity to review the completed renewal application and have authorized its submission, during an open meeting, to the commissioner of education for consideration of the renewal of the charter:

**Members are to sign the acknowledgement during an open meeting; therefore, the date next to each signature must be the same.*

Typed Name (Type name next to corresponding signature)	**Signature** (Must sign in blue ink)	**Date***

Michael L. Williams
Commissioner of Education

Michael Berry
Deputy Commissioner, Policy and Programs

Sally Partridge
Associate Commissioner, Accreditation and School Improvement

Heather Mauzé
Director, Charter School Administration Unit

For further information contact the Charter School Administration Unit at:

Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701

(512) 463-9575
(512) 463-9732 fax

Email - CharterSchools@tea.state.tx.us

Or visit the website:

http://www.tea.state.tx.us/charter